

HOUSE TO MEET AT 12:00 NOON

NO. 53

**CALENDAR
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

TUESDAY, MAY 19, 2009

INVITATIONS

Tuesday, May 19, 2009, 1:00-3:00 p.m.

Members of the House and staff, lunch, State House grounds, by the South Carolina Realtors.

(Accepted--May 12, 2009)

Wednesday, May 20, 2009, 8:00-10:00 a.m.

Members of the House and staff, breakfast, Room 112, Blatt Bldg., by the South Carolina Primary Health Care Assn.

(Accepted--April 29, 2009)

Wednesday, May 20, 2009, 12:00-2:00 p.m.

Members of the House, luncheon, Room 112, Blatt Bldg., by the South Carolina Health Information Management Assn.

(Accepted--April 29, 2009)

Thursday, May 21, 2009, 8:00-10:00 a.m.

Members of the House, breakfast, Room 112, Blatt Bldg., by Alpha Kappa Alpha Sorority. Inc.

(Accepted--April 29, 2009)

HOUSE ASSEMBLY

Wednesday, May 20, 2009

To recognize the Summerville High School Color Guard, directors and other school officials.

(Under H.4045--Adopted--May 14, 2009)

SECOND READING LOCAL UNCONTESTED BILLS

S. 537--Senator Setzler: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS RESIDING IN SCHOOL DISTRICTS THAT CLOSED DUE TO SNOW ON MARCH 2, 2009, IS WAIVED FOR STUDENTS IN LEXINGTON SCHOOL DISTRICTS ONE, TWO, THREE, AND FOUR.

(Debate adjourned until Tues., May 19, 2009--May 12, 2009)

H. 4051--Reps. Pinson, M. A. Pitts and Parks: A BILL TO AUTHORIZE THE TRANSFER FROM THE SINKING FUND OF GREENWOOD SCHOOL DISTRICT 52 TO ITS

GENERAL FUND A SPECIFIED SUM OF MONEY TO REIMBURSE THE DISTRICT FOR AMOUNTS PAID BY IT FROM ITS GENERAL FUND FOR DEBT SERVICE ON A GENERAL OBLIGATION BOND OF THE DISTRICT.

(Without reference--May 14, 2009)

THIRD READING STATEWIDE UNCONTESTED BILLS

S. 774--Senator Reese: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF SPARTANBURG COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

(Without reference--May 12, 2009)

(Amended and read second time--May 14, 2009)

SECOND READING STATEWIDE UNCONTESTED BILLS

H. 3561--Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE REVENUES FOR THE OPERATIONS OF STATE GOVERNMENT FOR FISCAL YEAR 2009-2010 TO SUPPLEMENT APPROPRIATIONS MADE FOR THOSE PURPOSES BY THE GENERAL APPROPRIATIONS ACT FOR FISCAL YEAR 2009-2010.

(Without Reference--March 03, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

H. 3854--Rep. Cooper: A BILL TO AMEND TITLE 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAXATION, SO AS TO REVISE CERTAIN CHAPTERS AND SECTIONS PERTAINING TO VARIOUS TAX MATTERS.

(Without reference--April 01, 2009)

(Debate adjourned until Tue., May 19, 2009--May 13, 2009)

H. 3941--(Debate adjourned until Sat., June 20, 2009--May 14, 2009)

H. 3603--Reps. Gullick and M. A. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-1-65 SO AS TO PROVIDE A PERSON WHO POLLUTES THE WATERS OF THIS STATE AS DEFINED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL GIVE PUBLIC NOTICE OF THE POLLUTION IN A MANNER PRESCRIBED BY THE DEPARTMENT; TO PROVIDE THE BOARD OF THE DEPARTMENT SHALL PRESCRIBE THIS PUBLIC NOTICE PROCEDURE; TO PROVIDE CERTAIN SPECIFICATIONS THE BOARD MUST INCLUDE IN THIS PUBLIC NOTICE PROCEDURE; AND TO PROVIDE A VIOLATION IS A MISDEMEANOR SUBJECT TO A FINE, IMPRISONMENT, OR BOTH.

(Agri., Natl. Res. and Environ. Affrs. Com.--February 25, 2009)
(Fav. With Amdt.--May 14, 2009)

S. 727--Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO PHYTOPHTHORA RAMORUM QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4062, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(Agri., Natl. Res. and Environ. Affrs. Com.--April 28, 2009)
(Favorable--May 14, 2009)

S. 673--Senators Thomas and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA MORTGAGE LENDING ACT", BY ADDING CHAPTER 22 TO TITLE 37 SO AS TO REQUIRE THE LICENSING OF A MORTGAGE LENDER, LOAN ORIGINATOR, OR SOMEONE ACTING AS A MORTGAGE LENDER; PROVIDE DEFINITIONS; ESTABLISH QUALIFICATIONS FOR LICENSURE AND GROUNDS FOR REVOCATION, SUSPENSION, RENEWAL, AND TERMINATION; DESCRIBE PROHIBITED ACTIVITIES; PROVIDE FOR RECORD-KEEPING, TRUST AND ESCROW ACCOUNTS, AND ANNUAL REPORTS; PROVIDE FOR ENFORCEMENT THROUGH ADMINISTRATIVE ACTION BY THE COMMISSIONER OF

THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS AND THROUGH CRIMINAL PENALTIES, AND TO PROVIDE FOR PARTICIPATION IN A NATIONAL MORTGAGE REGISTRY; TO AMEND SECTION 34-1-20, AS AMENDED, RELATING TO APPOINTMENT OF MEMBERS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS, SO AS TO PROVIDE FOR A REPRESENTATIVE OF THE MORTGAGE BANKERS ASSOCIATION; TO AMEND SECTION 34-1-110, AS AMENDED, RELATING TO AUTHORITY OF CERTAIN FINANCIAL INSTITUTIONS TO ENGAGE IN BUSINESS, SO AS TO PROVIDE FOR MORTGAGE LENDERS AND LOAN ORIGINATORS; TO AMEND SECTIONS 37-1-301, 37-3-105, 37-3-501, AND 37-23-20, ALL RELATING TO DEFINITIONS IN CONNECTION WITH MORTGAGE LENDING AND BROKERING AND HIGH-COST AND CONSUMER HOME LOANS, SO AS TO CONFORM DEFINITIONS, AND TO ADD A DEFINITION FOR "ADJUSTABLE RATE MORTGAGE"; TO AMEND SECTIONS 37-23-40, 37-23-45, AND 37-23-75, ALL RELATING TO PROTECTIONS FOR THE BORROWER IN A HIGH-COST OR CONSUMER HOME LOAN TRANSACTION, SO AS TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH AN ADJUSTABLE RATE MORTGAGE; TO AMEND SECTION 29-4-20, RELATING TO THE DEFINITION OF "REVERSE MORTGAGE", SO AS TO CONFORM THE DEFINITION; AND TO AMEND CHAPTER 58, TITLE 40, RELATING TO THE REGISTRATION OF MORTGAGE LOAN BROKERS, SO AS TO CHANGE THE REGISTRATION REQUIREMENTS TO LICENSING REQUIREMENTS, TO CONFORM DEFINITIONS TO THOSE SET FORTH IN THE SOUTH CAROLINA MORTGAGE LENDING ACT, REQUIRE CERTAIN PROFESSIONAL COURSES, AN ADDITIONAL YEAR OF EXPERIENCE, AND A FINGERPRINT CHECK FOR MORTGAGE BROKERS AND LOAN ORIGINATORS, REQUIRE CERTAIN RECORDS BE KEPT AND MADE ACCESSIBLE, ADD CERTAIN PROHIBITIONS IN CONNECTION WITH A REAL ESTATE APPRAISAL, REQUIRE AND PRESCRIBE MORTGAGE BROKER AGREEMENTS, AUTHORIZE ENFORCEMENT BY THE DEPARTMENT OF CONSUMER AFFAIRS AND PRESCRIBE ADMINISTRATIVE PENALTIES INCLUDING

FINES AND INJUNCTIONS AND A CRIMINAL PENALTY, REQUIRE CERTAIN REPORTS AND FILINGS, AND PROVIDE FOR PARTICIPATION IN A NATIONWIDE MORTGAGE REGISTRY.

(Labor, Com. & Ind. Com.--April 30, 2009)

(Fav. With Amdt.--May 14, 2009)

S. 323--Senator Thomas: A BILL TO AMEND SECTION 38-90-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSING OF A CAPTIVE INSURANCE COMPANY, SO AS TO PROHIBIT A CAPTIVE INSURANCE COMPANY FROM WRITING WORKERS' COMPENSATION INSURANCE ON A DIRECT BASIS, AND TO AUTHORIZE AN ADDITIONAL PROCESSING FEE FOR AN APPLICATION TO BE CHARGED AS DETERMINED APPROPRIATE BY THE DIRECTOR OR HIS DESIGNEE GIVEN THE NATURE OF THE APPLICATION BEING INVESTIGATED; TO AMEND SECTION 38-90-40, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO AUTHORIZE A REDUCTION IN REQUIRED TRUST FUNDS FOR A BRANCH CAPTIVE INSURANCE COMPANY THAT POSTS SECURITY FOR LOSS RESERVES ON BRANCH BUSINESS TO A FRONT COMPANY; TO AMEND SECTION 38-90-55, RELATING TO INCORPORATION OF A CAPTIVE REINSURANCE COMPANY, SO AS TO CHANGE MANDATORY TO PRECATORY CONSIDERATION BY THE DIRECTOR OF FACTORS IN ARRIVING AT A FINDING; TO AMEND SECTION 38-90-60, AS AMENDED, RELATING TO INCORPORATION OPTIONS AND REQUIREMENTS OF CERTAIN TYPE OF CAPTIVE INSURANCE COMPANIES, SO AS TO CHANGE MANDATORY TO PRECATORY CONSIDERATION BY THE DIRECTOR OF FACTORS IN ARRIVING AT A FINDING; TO AMEND SECTION 38-90-70, AS AMENDED, RELATING TO REPORTS REQUIRED TO BE SUBMITTED BY A CAPTIVE INSURANCE COMPANY TO THE DIRECTOR, SO AS TO AUTHORIZE THE DIRECTOR TO GRANT AN EXTENSION OR WAIVE THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 38-90-75, RELATING TO DISCOUNTING OF LOSS AND LOSS ADJUSTMENT EXPENSE RESERVES, SO

AS TO PROVIDE THE SECTION APPLIES TO A CAPTIVE INSURANCE COMPANY, DELETE THE MANNER IN WHICH THE RESERVES WERE DISCOUNTED, AND PROVIDE THAT THIS PROCESS MAY BE ACCOMPLISHED WITH PRIOR WRITTEN APPROVAL BY THE DIRECTOR; TO AMEND SECTION 38-90-80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF A CAPTIVE INSURANCE COMPANY, SO AS TO INCREASE FROM THREE TO FIVE YEARS THE INTERVAL OF THE INSPECTIONS AND EXAMINATIONS AND AUTHORIZE THE DIRECTOR TO WAIVE THE REQUIREMENT FOR A VISIT TO CERTAIN COMPANIES; TO AMEND SECTION 38-90-90, RELATING TO SUSPENSION OR REVOCATION OF THE LICENSE OF A CAPTIVE INSURANCE COMPANY, SO AS TO AUTHORIZE THE DIRECTOR TO IMPOSE A FINE INSTEAD OF REVOKING OR SUSPENDING A LICENSE; TO AMEND SECTION 38-90-130, RELATING TO THE PROHIBITION OF A CAPTIVE INSURANCE COMPANY FROM PARTICIPATING IN A PLAN, POOL, ASSOCIATION, OR GUARANTY OR INSOLVENCY FUND, SO AS TO AUTHORIZE A COMPANY TO PARTICIPATE IN A POOL FOR THE PURPOSE OF COMMERCIAL RISK SHARING UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-90-180, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS TO CAPTIVE INSURANCE COMPANIES, SO AS TO MAKE THE PROVISIONS OF CHAPTERS 26 AND 27 APPLICABLE TO CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38-90-440, AS AMENDED, RELATING TO LICENSING OF A SPECIAL PURPOSE FINANCIAL CAPTIVE INSURANCE COMPANY, SO AS TO PROVIDE THE BASIS FOR CALCULATING A PROCESSING FEE, AND CLARIFY THAT SIX THOUSAND DOLLARS BASED ON A MINIMUM FEE OF TWELVE THOUSAND DOLLARS IS PAYABLE UPON FILING OF THE APPLICATION; TO AMEND SECTION 38-90-450, AS AMENDED, RELATING TO THE ORGANIZATION REQUIREMENTS OF A SPECIAL PURPOSE FINANCIAL CAPTIVE, SO AS TO CHANGE FROM MANDATORY TO PRECATORY CONSIDERATION BY THE DIRECTOR WHEN ISSUING A CERTIFICATE; AND TO AMEND SECTION 38-90-560, RELATING TO

EXAMINATIONS BY THE DIRECTOR OF A SPECIAL PURPOSE FINANCIAL CAPTIVE INSURANCE COMPANY, SO AS TO INCREASE FROM THREE TO FIVE YEARS THE INTERVAL THAT A COMPANY MUST BE INSPECTED AND DELETE THE AUTHORITY OF THE DIRECTOR TO ENLARGE THE PERIOD OF INSPECTION UNDER CERTAIN CIRCUMSTANCES.

(Labor, Com. & Ind. Com.--April 21, 2009)

(Favorable--May 14, 2009)

S. 636--Senators Thomas and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 64 TO TITLE 38 SO AS TO ENACT THE "LIFE SETTLEMENTS ACT"; TO PROVIDE FOR THE REGULATION OF A LIFE SETTLEMENT CONTRACT; TO PROVIDE FOR THE PROTECTION OF PERSONS ENTERING INTO THESE AGREEMENTS REGARDING CONTRACTUAL AND PROPERTY RIGHTS OF A LIFE INSURANCE POLICY OWNER AND AUTHORIZE THE DIRECTOR OF INSURANCE TO ENFORCE THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR THE LICENSING OF A BROKER OR PRODUCER TO ENTER INTO LIFE SETTLEMENT CONTRACTS; TO PROVIDE FOR THE SUSPENSION, REVOCATION, OR REFUSAL TO RENEW THESE LICENSES; TO PROVIDE FOR CONTRACT REQUIREMENTS, REPORTING AND PRIVACY REQUIREMENTS; TO AUTHORIZE THE DIRECTOR TO EXAMINE THE BUSINESS AND AFFAIRS OF A LICENSEE OR APPLICANT, PROVIDE FOR EXAMINATION REPORTS AND CONFIDENTIALITY OF EXAMINATION INFORMATION, PROHIBIT CONFLICT OF INTEREST BY AN EXAMINER, AND PROVIDE FOR IMMUNITY FROM LIABILITY; TO PROVIDE FOR ADVERTISING REQUIREMENTS OF A BROKER OR LICENSED PROVIDER; TO PROVIDE FOR CERTAIN DISCLOSURES TO AN OWNER; TO PROVIDE DISCLOSURE BY A PROPOSED OWNER OF A LIFE INSURANCE POLICY IF THE OWNER INTENDS TO PAY PREMIUMS WITH THE ASSISTANCE OF FINANCING FROM A LENDER THAT WILL USE THE POLICY AS COLLATERAL TO SUPPORT THE FINANCING; TO REQUIRE A PROVIDER ENTERING INTO A LIFE

SETTLEMENT CONTRACT WITH AN OWNER OF THE POLICY WHERE THE INSURED IS TERMINALLY OR CHRONICALLY ILL TO OBTAIN CERTAIN INFORMATION; TO AUTHORIZE THE DIRECTOR TO PROMULGATE REGULATIONS TO IMPLEMENT AND EFFECTUATE THE PROVISIONS OF THIS CHAPTER; TO PROVIDE FOR PROHIBITIVE PRACTICES, FRAUD PREVENTION, AND CONTROL; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

(Labor, Com. & Ind. Com.--April 29, 2009)
(Fav. With Amdt.--May 14, 2009)

S. 390--Senator Hayes: A BILL TO ENACT THE "MENTAL HEALTH PARITY AND ADDICTION ACT OF 2009"; AND TO AMEND SECTION 38-71-880, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL AND SURGICAL BENEFITS AND MENTAL BENEFITS COVERAGE, SO AS TO ADD PROVISIONS RELATING TO SUBSTANCE USE DISORDER COVERAGE, FINANCIAL REQUIREMENTS, AND TREATMENT LIMITATIONS AND TO PROVIDE FOR DEFINITIONS.

(Labor, Com. & Ind. Com.--April 29, 2009)
(Favorable--May 14, 2009)

H. 4048--Reps. M. A. Pitts, Duncan and Willis: A BILL TO AMEND SECTION 22-2-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COUNTY JURY AREA DESIGNATIONS FOR USE IN MAGISTRATES COURTS, SO AS TO REVISE THE JURY AREAS FOR LAURENS COUNTY TO PROVIDE FOR ONE JURY AREA COUNTYWIDE.

(Without reference--May 14, 2009)

H. 4055--Reps. Hardwick, Hearn, Barfield, Clemmons and Edge: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF HORRY COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND

STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

(Without reference--May 14, 2009)

S. 166--Senator Campsen: A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DESIGN AND IMPLEMENT A HIGHWAY BEAUTIFICATION PILOT PROJECT TO REDUCE THE NUMBER OF NONCONFORMING BILLBOARDS THROUGHOUT THE STATE.

(Educ. & Pub. Wks. Com.--April 28, 2009)

(Recalled--May 14, 2009)

H. 3976--Rep. G. M. Smith: A BILL TO AMEND SECTIONS 24-13-1530 AND 24-13-1590, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO ELIGIBILITY FOR OFFENDERS TO BE PLACED ON HOME DETENTION, SO AS TO ALLOW CERTAIN DRUG AND CONTROLLED SUBSTANCE OFFENDERS TO PARTICIPATE IN THE HOME DETENTION PROGRAM UNDER CERTAIN CIRCUMSTANCES.

(Judiciary Com.--April 29, 2009)

(Recalled--May 14, 2009)

H. 3798--Reps. Bannister, Harrison and King: A BILL TO AMEND SECTION 17-15-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPOSIT OF A CASH PERCENTAGE INSTEAD OF A BOND, ASSIGNMENT OF THE DEPOSIT, AND RESTITUTION TO THE VICTIM, SO AS TO PROVIDE FOR THE DEPOSIT OF A CASH AMOUNT BY THE DEFENDANT THROUGH AN ACCOMMODATION BONDSMAN, TO INCREASE THE CASH AMOUNT PERCENTAGE TO NOT LESS THAN TWENTY-FIVE PERCENT, AND TO REQUIRE THE ACCOMMODATION BONDSMAN TO PAY A HANDLING FEE TO THE CLERK OF COURT EQUAL TO FOUR PERCENT OF THE AMOUNT OF THE BOND SET.

(Judiciary Com.--March 26, 2009)

(Recalled--May 14, 2009)

H. 3719--Reps. Clemmons, Weeks, Willis and Dillard: A BILL TO AMEND SECTION 23-3-240, CODE OF LAWS OF SOUTH

CAROLINA, 1976, RELATING TO THE SUBMISSION OF A MISSING PERSON REPORT TO THE MISSING PERSON INFORMATION CENTER, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON, MAY SUBMIT A MISSING PERSON REPORT; TO AMEND SECTION 23-3-250, RELATING TO THE DISSEMINATION OF MISSING PERSON REPORT DATA, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY; TO AMEND SECTION 23-3-270, RELATING TO THE DUTY OF A PERSON WHO SUBMITS A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY OR THE MISSING PERSON INFORMATION CENTERS TO NOTIFY BOTH ENTITIES OF THE LOCATION OF AN INDIVIDUAL CONTAINED IN THE REPORT WHOSE LOCATION HAS BEEN DETERMINED, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON MAY SUBMIT A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY OR TO THE MISSING PERSON INFORMATION CENTER; AND BY ADDING SECTION 23-3-330 SO AS TO ESTABLISH A STATEWIDE SYSTEM FOR THE RAPID DISSEMINATION OF INFORMATION REGARDING A MISSING PERSON WHO IS BELIEVED TO BE SUFFERING FROM DEMENTIA OR OTHER COGNITIVE IMPAIRMENT.

(Judiciary Com.--March 24, 2009)

(Recalled--May 14, 2009)

WITHDRAWAL OF OBJECTIONS/REQUEST FOR DEBATE

MOTION TO RECONSIDER

S 796--Rep. T. Young moved to reconsider the vote whereby the Bill was read the third time and enrolled for ratification.

(Motion noted--May 14, 2009)

UNANIMOUS CONSENT REQUESTS

SENATE AMENDMENTS ON

H. 3762--Reps. Duncan, Umphlett, Dillard, Ott, Forrester, D. C. Moss, Parker, Stringer, Vick, Hodges and Knight: **A BILL TO AMEND**

THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 77, CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "OUR FARMS-OUR FUTURE" SPECIAL LICENSE PLATES.

(Pending Question: Shall the House concur in the Senate Amendments--May 14, 2009)

H. 3022--Reps. Kirsh, Wylie, G. M. Smith, Weeks and Mitchell: A BILL TO AMEND SECTION 17-1-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF CRIMINAL RECORDS WHEN A CHARGE IS DISMISSED OR THE PERSON IS FOUND INNOCENT OF THE CHARGE, SO AS TO SPECIFICALLY INCLUDE THAT A CIRCUIT SOLICITOR'S OFFICE OR CLERK OF COURT MAY NOT CHARGE A FEE FOR THE DESTRUCTION OR EXPUNGEMENT OF RECORDS OR FOR THE APPLICATION PROCESS REGARDING THE DESTRUCTION OR EXPUNGEMENT OF RECORDS UNDER CERTAIN CIRCUMSTANCES.

(Pending Question: Shall the House concur in the Senate Amendments--May 14, 2009)

H. 3347--Reps. Clemmons, McLeod and Harrell: A BILL TO AMEND SECTION 56-1-143, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES GIVING APPLICANTS FOR CERTAIN SERVICES THE OPTION TO MAKE A VOLUNTARY CONTRIBUTION TO DONATE LIFE OF SOUTH CAROLINA, SO AS TO INCREASE THE AMOUNT THAT MAY BE DONATED.

(Pending Question: Shall the House concur in the Senate Amendments--May 14, 2009)

S. 184--Senators McConnell and Ford: A BILL TO AMEND SECTION 40-27-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A PERSON WHO BUYS JUNK, SO AS TO REQUIRE A PERSON WHO BUYS JUNK THAT CONSISTS OF TWENTY-FIVE POUNDS OF SCRAP METAL OR VEHICLE PARTS TO KEEP WITH THE RECORD OF PURCHASE A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT

ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS; TO AMEND SECTION 40-27-40, RELATING TO PENALTIES FOR VIOLATING PROVISIONS OF THE JUNK DEALER ARTICLE, SO AS TO INCREASE THE FINE FROM A MAXIMUM OF ONE HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE; TO AMEND SECTION 56-5-5670, RELATING TO A DEMOLISHER PURCHASING OR ACQUIRING A VEHICLE TO DEMOLISH, SO AS TO REQUIRE A DEMOLISHER THAT ACQUIRES A VEHICLE OR VEHICLE PARTS WITH A TOTAL WEIGHT OF TWENTY-FIVE POUNDS OR MORE TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT ISSUED PICTURE IDENTIFICATION CARD THAT SHOWS THE SELLER'S NAME AND ADDRESS AND TO ESTABLISH THAT A VIOLATION OF THOSE PROVISIONS IS A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NOT EXCEEDING FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, WITH EACH VIOLATION CONSTITUTING A SEPARATE OFFENSE; AND TO AMEND SECTION 56-5-5945, RELATING TO A DEMOLISHER OBTAINING A VEHICLE TITLE, SO AS TO REQUIRE A DEMOLISHER WHO PURCHASES OR ACQUIRES A VEHICLE OR VEHICLE PART WITH A TOTAL WEIGHT OF TWENTY-FIVE OR MORE POUNDS TO KEEP A PHOTOCOPY OF THE SELLER'S DRIVER'S LICENSE OR OTHER GOVERNMENT PICTURE IDENTIFICATION CARD THAT SHOWS THE PERSON'S NAME AND ADDRESS AND THE YEAR, MAKE, MODEL, AND IDENTIFICATION NUMBER OF THE VEHICLE, IF AVAILABLE, ALONG WITH ANY OTHER IDENTIFYING FEATURES, AND TO PROVIDE A VIOLATION CONSTITUTES A MISDEMEANOR WITH A FINE NO MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE OR NO MORE THAN FIVE THOUSAND DOLLARS FOR THE SAME SET OF TRANSACTIONS OR IMPRISONED FOR NO MORE THAN SIXTY DAYS, OR

BOTH, AND TO ESTABLISH THAT EACH VIOLATION CONSTITUTES A SEPARATE OFFENSE.

(Pending Question: Shall the House concur in the Senate Amendments--May 14, 2009)

H. 3413--Rep. Harrison: A BILL TO AMEND SECTION 61-4-1910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS REGARDING BEER KEG REGISTRATION REQUIREMENTS, SO AS TO REVISE THE DEFINITION OF "KEG".

(Pending Question: Shall the House concur in the Senate Amendments--May 14, 2009)

THIRD READING STATEWIDE CONTESTED BILLS

H. 3543--Reps. Brady, Mitchell and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS IN DEVELOPING THEIR OWN POLICIES FOR REPORTING AND RESPONDING TO DATING VIOLENCE, TO PROVIDE WHAT MUST BE INCLUDED IN THE POLICIES, TO PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST.

(Educ. & Pub. Wks. Com.--February 17, 2009)

(Fav. With Amdt.--April 28, 2009)

(Requests for debate by Reps. Bedingfield, Brantley, Kennedy, King, Rutherford and Whipper--May 13, 2009)

(Amended and read second time--May 14, 2009)

S. 453--Senators Verdin and Ford: A BILL TO AMEND CHAPTER 4, TITLE 47 OF THE 1976 CODE, RELATING TO ANIMALS, LIVESTOCK, AND POULTRY, BY ADDING SECTION 47-4-160 TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY NOT ENACT ORDINANCES, ORDER, OR OTHER REGULATIONS CONCERNING THE CARE AND HANDLING OF LIVESTOCK AND POULTRY, TO PROVIDE THAT IT IS THE INTENT OF THE GENERAL ASSEMBLY

TO OCCUPY THE FIELD CONCERNING THE REGULATION OF CARE AND HANDLING OF LIVESTOCK AND POULTRY, AND TO PROVIDE THAT LOCAL LAWS, ORDINANCES, ORDERS, OR OTHER REGULATIONS CONCERNING THE CARE AND HANDLING OF LIVESTOCK AND POULTRY ARE PREEMPTED AND SUPERSEDED.

(Agri., Natl. Res. and Environ. Affrs. Com.--March 25, 2009)
(Fav. With Amdt.--April 22, 2009)
(Request for debate by Rep. Kennedy--April 29, 2009)
(Requests for debate by Reps. Bales, Brantley, R.L. Brown, Duncan, Gullick, Hardwick, Hosey, Hutto, Kennedy, King, Mack, Miller, J.H. Neal, Ott, M.A. Pitts, Rutherford, Stavrinakis, Umphlett, Weeks and Whipper--May 14, 2009)
(Amended and read second time--May 14, 2009)

CONCURRENT RESOLUTIONS

S. 792--Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO DECLARE THE MONTH OF OCTOBER 2009 AS GANG AWARENESS MONTH IN SOUTH CAROLINA IN ORDER TO RAISE PUBLIC AWARENESS OF THE INCREASING PROBLEM OF CRIMINAL GANG ACTIVITY IN OUR STATE.

(Invitations and Memorial Resolutions--May 12, 2009)
(Favorable--May 14, 2009)

H. 4058--Rep. Clemmons: A CONCURRENT RESOLUTION TO MEMORIALIZE THE SECRETARY OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, THE HONORABLE RAY H. LAHOOD, TO SET ASIDE THE FUNDS NECESSARY TO ACQUIRE THE RIGHT OF WAY AND BUILD THE APPROXIMATELY SIX-MILE PORTION OF INTERSTATE 73 FROM "THE INTERSECTION OF HOPE" AT ITS INTERSECTION WITH INTERSTATE 95 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY

501 WHICH CONSTITUTES THE FIRST PHASE OF CONSTRUCTION OF INTERSTATE 73 IN SOUTH CAROLINA, AND SET ASIDE ADDITIONAL FUNDS TO COMPLETE THE REMAINING PORTION OF THIS INTERSTATE HIGHWAY AS THESE FUNDS BECOME AVAILABLE.

(Invitations and Memorial Resolutions--May 14, 2009)

(Favorable--May 14, 2009)

MOTION PERIOD

SECOND READING STATEWIDE CONTESTED BILLS

H. 3279--Reps. T. R. Young, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Daning, Horne, Funderburk, Wylie, Bedingfield, Hart, Harrell and A. D. Young: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE

**PROCEDURES BY WHICH THE SECRETARY OF STATE
MAY BE REMOVED FROM OFFICE.**

(Judiciary Com.--January 14, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Brantley, R.L. Brown, Cato, Cobb-Hunter, Crawford, Erickson, Govan, Harvin, Hodges, Hosey, Hutto, Jefferson, Jennings, Kennedy, King, Long, Lowe, Mack, McEachern, J.H. Neal, Ott, Parks, Pinson, Sellers, J.E. Smith, Umphlett, Vick and White--April 29, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

H. 3280--Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Horne, Funderburk, Viers, Wylie, Bedingfield, Hart, Harrell and A. D. Young: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

(Judiciary Com.--January 14, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Brantley, R.L. Brown, Clemmons, Cobb-Hunter, Harrison, Hart, Harvin, Hosey, Jefferson, McEachern, J.H. Neal, Ott, J.E. Smith and Williams--April 29, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

H. 3746--Rep. Clemmons: A BILL TO AMEND SECTION 7-11-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOMINATION OF CANDIDATES BY A PETITION, SO AS TO PROVIDE THAT NO QUALIFIED ELECTOR WHO VOTED IN A PRIMARY ELECTION IS ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO RUN FOR AN OFFICE TO BE FILLED AT THE GENERAL ELECTION FOLLOWING THAT PRIMARY AND TO PROVIDE THAT A QUALIFIED ELECTOR OTHERWISE ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT MAY NOT SIGN MORE THAN ONE PETITION PER GENERAL ELECTION PER OFFICE; BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST HAVE FIRST NOTIFIED THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY THE BEGINNING DATE OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, AND TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION; TO AMEND SECTION 7-11-80, AS AMENDED, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO REQUIRE ALL THE SIGNATURES TO BE LEGIBLE SO THAT THE NAME OF THE VOTER CAN BE IDENTIFIED BEYOND A REASONABLE DOUBT; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO REQUIRE THE REGISTRATION BOARD TO VERIFY THE VOTER IS A QUALIFIED ELECTOR IN THAT JURISDICTION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION IF, AFTER A HEARING, THE ENTITY

FINDS THAT BY A PREPONDERANCE OF THE EVIDENCE FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION, AND TO PROVIDE THAT THE VALIDATION OF THE SIGNATURES ON A PETITION AND THE DETERMINATION OF WHETHER OR NOT FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION MUST BE CONDUCTED IN PUBLIC AFTER NOTICE; AND BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY TO WHICH A PETITION MUST BE FILED MAY BE APPEALED TO THE STATE ELECTION COMMISSION AND THEREAFTER TO A COURT OF COMPETENT JURISDICTION IN THE MANNER IN WHICH APPEALS FROM THE STATE ELECTION COMMISSION MAY BE TAKEN.

(Judiciary Com.--March 24, 2009)

(Favorable--April 22, 2009)

(Requests for debate by Reps. Allen, Bedingfield, R.L. Brown, Clemmons, Cobb-Hunter, Crawford, Dillard, Erickson, Funderburk, Govan, Hart, Harvin, Hodges, Hosey, Hutto, Jefferson, Kennedy, King, Littlejohn, Long, Lowe, Mack, McEachern, McLeod, J.H. Neal, Ott, Sellers, Umphlett, Weeks and Wylie--April 29, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

H. 3199--Reps. Harrison, Allison, G. M. Smith, Weeks, Hutto, A. D. Young and Anderson: A BILL TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, TO ENACT THE BEHAVIORAL HEALTH SERVICES ACT OF 2009, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES AND TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES AND THE DEPARTMENT OF MENTAL HEALTH; TO AMEND SECTION 1-30-20, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO PROVIDE THAT THE POWER AND DUTIES OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF ALCOHOL AND OTHER DRUG

ABUSE SERVICES; TO AMEND SECTION 1-30-70, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO PROVIDE THAT THE POWERS AND DUTIES OF THE DEPARTMENT OF MENTAL HEALTH ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF MENTAL HEALTH; BY ADDING SECTION 1-30-72 SO AS TO PLACE THE DEPARTMENT OF MENTAL HEALTH AND THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES UNDER THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES; BY ADDING CHAPTER 8 TO TITLE 44 SO AS TO CREATE THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES COMPRISED OF THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES AND THE DIVISION OF MENTAL HEALTH AND TO PROVIDE FOR THE DEPARTMENT'S POWERS AND DUTIES, INCLUDING DEVELOPING AND IMPLEMENTING A STATE PLAN FOR THE COORDINATED CARE AND UNIFIED DELIVERY OF BEHAVIORAL HEALTH SERVICES AND OVERSEEING THE ADMINISTRATION AND DELIVERY OF BEHAVIORAL HEALTH SERVICES; TO AMEND CHAPTERS 9, 11, 13, AND 15 OF TITLE 44, RELATING, AMONG OTHER THINGS, TO THE ORGANIZATION AND OPERATION OF THE DEPARTMENT OF MENTAL HEALTH AND ITS FACILITIES, THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, AND LOCAL MENTAL HEALTH PROGRAMS AND BOARDS, SO AS TO CONFORM THESE CHAPTERS TO THE PROVISIONS OF THIS ACT AND TO PROVIDE THAT THE MENTAL HEALTH COMMISSION IS AN ADVISORY BOARD TO THE DIVISION OF MENTAL HEALTH; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CONFORM THIS CHAPTER TO THE PROVISIONS OF THIS ACT AND TO CREATE AN ADVISORY BOARD TO THE DIVISION; AND TO AMEND SECTIONS 44-52-10, 44-52-165, 44-52-200, AND 44-52-210, RELATING, AMONG OTHER THINGS, TO ALCOHOL AND DRUG ABUSE COMMITMENTS AND PROGRAMS FOR CHEMICALLY

DEPENDENT PERSONS, SO AS TO CONFORM THESE SECTIONS TO THE PROVISIONS OF THIS ACT.

(Prefiled--Tuesday, December 16, 2008)

(Judiciary Com.--January 13, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Brantley, Crawford, Gullick, Harrison, Hart, Harvin, Hosey, Jefferson, Kirsh, Lowe, Mack, McLeod, J.H. Neal, Simrill, J.E. Smith and Weeks--April 29, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

H. 3608--Reps. Mack, Alexander, Allen, R. L. Brown, Williams and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE AUTHORITY CHARGED BY LAW CONDUCTING AN ELECTION SHALL ESTABLISH EARLY VOTING CENTERS, TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY RESIDENT TO VOTE OUTSIDE THEIR PRECINCT, TO PROVIDE A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY REGISTER TO VOTE AND CAST A BALLOT DURING THE EARLY VOTING PERIOD, TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS, AND TO REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS OF SECTION 30-4-80.

(Judiciary Com.--February 25, 2009)

(Fav. With Amdt.--April 22, 2009)

(Requests for debate by Reps. Allison, Clemmons, Cole, Crawford, Duncan, Govan, Kennedy, King, Lowe, Ott, Parker and Sandifer--May 13, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

H. 4033--Reps. Clemmons, Harrell, Gunn, Anderson, Gullick, Limehouse, Hardwick, Merrill, Ott, Rutherford, Bales, V. S. Moss, Duncan, Owens, Bowen, Stavrinakis, Hutto, Allison, Barfield, Battle, Bingham, Branham, H. B. Brown, Cato, Cole, Cooper, Crawford, Delleney, Dillard, Gambrell, Harrison, Harvin, Hayes, Hearn, Herbkersman, Horne, Hosey, Howard, Jefferson, Jennings, Kennedy, King, Kirsh, Lowe, Lucas, Mack, McLeod, Miller, D. C. Moss, J. M. Neal, Neilson, M. A. Pitts, Rice, Sandifer, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Thompson, Weeks,

White, Williams, Willis, A. D. Young, Sellers and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TRANSPORTATION INFRASTRUCTURE FUNDING FLEXIBILITY ACT" BY ADDING ARTICLE 3 TO CHAPTER 3, TITLE 57 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY SOLICIT AND ENTER INTO CERTAIN PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES AND TO PROVIDE THE PROCEDURE WHEREBY PUBLIC-PRIVATE INITIATIVES ARE SOLICITED, APPROVED, AND IMPLEMENTED; BY ADDING ARTICLE 9 TO CHAPTER 3, TITLE 57 SO AS TO PROVIDE THE CIRCUMSTANCES WHEREBY TOLLS MAY BE IMPOSED AND COLLECTED ALONG THE STATE'S HIGHWAYS, TO PROVIDE FOR THE PROJECTS THAT MAY BE FINANCED BY TOLL REVENUES, TO PROVIDE PENALTIES FOR A PERSON WHO FAILS TO PAY A TOLL, AND TO PROVIDE THAT THE DEPARTMENT MAY IMPLEMENT AN ELECTRONIC TOLL SYSTEM; BY ADDING SECTION 11-35-3075 SO AS TO PROVIDE THAT THE PROVISIONS THAT ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES ARE SUBJECT TO CERTAIN PORTIONS OF THE CONSOLIDATED PROCUREMENT CODE AND TO CERTAIN EXPANDED DISCUSSIONS AND PROPOSAL REVISIONS; TO AMEND SECTION 11-35-710, AS AMENDED, RELATING TO THE PURCHASE OF CERTAIN ITEMS THAT ARE EXEMPT FROM THE PROVISIONS CONTAINED IN THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE PURCHASE OF ITEMS ASSOCIATED WITH DEPARTMENT OF TRANSPORTATION PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES ARE NOT EXEMPT FROM THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 11-35-40, AS AMENDED, RELATING TO THE APPLICATION OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE AN ENTITY THAT UTILIZES A FEDERAL GRANT TO PROCURE AN ITEM MUST COMPLY WITH ALL APPLICABLE LAWS THAT ARE NOT CONTAINED IN

THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 57-5-1625, AS AMENDED, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AWARDING OF CONTRACTS THAT USE THE DESIGN-BUILD PROCEDURE, SO AS TO REVISE THE DEFINITION OF THE TERM "DESIGN-BUILD CONTRACT"; TO AMEND SECTION 57-5-1310, RELATING TO THE GENERAL ASSEMBLY'S INTENT WHEN IT PROVIDED THE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO CONSTRUCT TURNPIKE PROJECTS, SO AS TO PROVIDE THAT THE DEPARTMENT ALSO HAS THE AUTHORITY TO IMPROVE THESE FACILITIES PURSUANT TO THIS PROVISION; TO AMEND SECTION 57-5-1320, RELATING TO THE DEFINITION OF TERMS REGARDING TURNPIKE PROJECTS, SO AS TO REVISE THE DEFINITION OF THE TERM "TURNPIKE FACILITY"; TO AMEND SECTION 57-5-1330, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY TO DESIGNATE, ESTABLISH, PLAN, IMPROVE, CONSTRUCT, OPERATE, AND REGULATE TURNPIKE FACILITIES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY DESIGNATE AS A TURNPIKE FACILITY ANY TRANSPORTATION FACILITY THAT IS FUNDED IN PART BY A LOCAL OPTION SALES AND USE TAX; TO AMEND SECTION 40-11-360, RELATING TO THE ENTITIES THAT ARE EXEMPT FROM THE PROVISIONS THAT REGULATE LICENSED CONTRACTORS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 57-5-1660, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S REQUIREMENT THAT CERTAIN CONTRACTORS MUST FURNISH A BOND FOR CERTAIN CONSTRUCTION CONTRACTS, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES AND PROVIDE THAT WHEN THE DEPARTMENT UTILIZES THE DESIGN-BUILD DELIVERY METHOD FOR A HIGHWAY CONSTRUCTION PROJECT, THE AMOUNT OF THE PERFORMANCE AND INDEMNITY BOND AND PAYMENT BONDS REQUIRED BY THIS PROVISION RELATE ONLY TO THE PORTION OF THE CONTRACT CONCERNING CONSTRUCTION; AND TO REPEAL SECTIONS 12-28-2920,

57-3-200, 57-3-615, 57-3-618, 57-5-1490, AND 57-5-1495 RELATING TO THE CONSTRUCTION OF TOLL ROADS BY THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT'S AUTHORITY TO ENTER INTO AGREEMENTS WITH VARIOUS ENTITIES TO CONSTRUCT, OPERATE, AND MAINTAIN HIGHWAY FACILITIES, THE PROJECTS THAT MAY BE CONSTRUCTED WITH TOLL REVENUES, THE IMPOSITION AND COLLECTION OF A TOLL ALONG INTERSTATE 73, THE PENALTY FOR FAILURE TO PAY A TOLL, AND THE COLLECTION OF TOLLS.

(Without reference--May 12, 2009)

(Requests for debate by Reps. Anderson, Barfield, Brantley, G.A. Brown, R.L. Brown, Clemmons, Clyburn, Cobb-Hunter, Daning, Erickson, Gilliard, Gunn, Hardwick, Hearn, Hiott, Hosey, King, Littlejohn, Loftis, Long, Millwood, Nanney, J.H. Neal, Parker, Scott, Skelton, Stringer, Viers, Whipper and Willis--May 14, 2009)

(Debate adjourned until Tue., May 19, 2009--May 14, 2009)

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