

NO. 33

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009**

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**TUESDAY, MARCH 10, 2009**  
**(STATEWIDE SESSION)**

**Tuesday, March 10, 2009**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 9:30 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Ecclesiastes 10:10: "If the ax is dull and its edge unsharpened, more strength is needed but skill will bring success."

Let us pray. Almighty God, source of all strength and wisdom, look in favor upon these Representatives as they continue the task set before them. Give them the skill that will bring success while doing the work of the people and in living out their lives in service to You and to this great State. Protect these people with Your mighty love as they successfully work through the budget. Calm the stress and ease the nerves during this day's work. Bless upon our Nation, President, State, Governor, Speaker, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. SKELTON moved that when the House adjourns, it adjourn in memory of Dr. B. J. Todd of Clemson, which was agreed to.

**COMMUNICATION**

The following was received:

State of South Carolina  
Office of the Governor

Columbia, S.C., March 3, 2009

Mr. Speaker and Members of the House of Representatives:

**TUESDAY, MARCH 10, 2009**

I am transmitting herewith a reappointment for confirmation. This reappointment is made with the advice and consent of the General Assembly and is, therefore, submitted for your consideration.

**Local Appointment**

Berkeley County Master-in Equity  
Term Commencing: November 7, 2008  
Term Expiring: November 71, 2014  
Seat: Master-in-Equity

**Reappointment**

Mr. Robert E. Watson  
Post Office Box 1163  
Moncks Corner, South Carolina 29461

Respectfully,  
Mark Sanford  
Governor

Received as information.

**REGULATION WITHDRAWN AND RESUBMITTED**

Document No. 4042

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210  
Seasons, Bag Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas; Use of Fertility Control or Other Chemical Substances in Wildlife

Received by Speaker of the House of Representatives

February 4, 2009

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration June 4, 2009

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**HOUSE RESOLUTION**

On motion of Rep. E. H. PITTS, with unanimous consent, the following was taken up for immediate consideration:

H. 3687 -- Reps. E. H. Pitts and Haley: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LEXINGTON HIGH SCHOOL GIRLS GOLF TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2008 CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Lexington High School girls golf team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2008 Class AAAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

On motion of Rep. OTT, with unanimous consent, the following was taken up for immediate consideration:

H. 3688 -- Reps. Ott, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Owens,

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Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CELEBRATE THE DECLARATION OF INDEPENDENCE AND THE UNITED STATES CONSTITUTION WITH ITS BILL OF RIGHTS ENUMERATING OUR UNALIENABLE RIGHTS AND LIBERTIES AND TO PROCLAIM MONDAY, MARCH 16, 2009, AS "LIBERTY DAY" IN SOUTH CAROLINA.

Whereas, our rights and liberties are rooted in the cherished documents of our nation, the Declaration of Independence and the United States Constitution with its Bill of Rights, which set forth the principles on which our great country is based; and

Whereas, during the Constitutional Convention of 1787, James Madison's Virginia Plan became the foundation of the new American Constitution, replacing the Articles of Confederation and establishing our present form of government; and

Whereas, a leading architect of the Constitution, James Madison also introduced the Bill of Rights when he served in the United States House of Representatives from 1789 to 1797; and

Whereas, we as Americans enjoy our freedom and the rule of law through these documents created by our founding fathers; and

Whereas, it is appropriate to proclaim the sixteenth day of March as "Liberty Day" because it is the birth date of founding father James Madison, who went on to serve as the fourth President of the United States; and

Whereas, the rich culture and history of the United States of America can be sustained as long as each generation maintains an understanding of, and commitment to, the principles of our founding documents; and

Whereas, it is fitting and proper for the members of the South Carolina House of Representatives to pause in their deliberations in recognition of "Liberty Day" and to pay tribute to the remarkable

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achievements and extraordinary vision of our founding fathers and the rights, privileges, and responsibilities they secured for the people of the United States of America. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the House of Representatives of the State of South Carolina, by this resolution, celebrate the Declaration of Independence and the United States Constitution with its Bill of Rights enumerating our unalienable rights and liberties and proclaim Monday, March 16, 2009, as "Liberty Day" in South Carolina.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3689 -- Reps. Dillard and Allen: A HOUSE RESOLUTION TO COMMEND AND CONGRATULATE MORRIS F. HALL, D.D.S., F.A.G.D., AND WILLIE J. HILL, D.D.S., F.A.G.D., FOR THIRTY-FIVE YEARS OF OUTSTANDING SERVICE TO THE CITIZENS AND RESIDENTS OF GREENVILLE COUNTY IN THE PRACTICE OF DENTISTRY, AND TO WISH THEM MUCH CONTINUED SUCCESS AND FULFILLMENT IN THEIR DENTAL PARTNERSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3690 -- Reps. E. H. Pitts and Haley: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE LEXINGTON HIGH SCHOOL GIRLS GOLF TEAM FOR CAPTURING THE 2008 CLASS AAAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S SUPERLATIVE PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

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**HOUSE RESOLUTION**

On motion of Rep. J. R. SMITH, with unanimous consent, the following was taken up for immediate consideration:

H. 3691 -- Rep. J. R. Smith: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SILVER BLUFF HIGH SCHOOL NAVY JUNIOR RESERVE OFFICER TRAINING CORPS, INSTRUCTORS, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM FOR CAPTURING THE 2008 NJROTC STATE DRILL CHAMPIONSHIP.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Silver Bluff High School Navy Junior Reserve Officer Training Corps, instructors, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them for capturing the 2008 NJROTC State Drill Championship.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3692 -- Rep. J. R. Smith: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE SILVER BLUFF HIGH SCHOOL NAVY JUNIOR RESERVE OFFICER TRAINING CORPS FOR CAPTURING THE 2008 NJROTC STATE DRILL CHAMPIONSHIP, AND TO WISH THE TEAM MEMBERS AND THEIR INSTRUCTORS ALL THE BEST IN FUTURE COMPETITION.

The Resolution was adopted.

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**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 3693 -- Reps. Herbkersman, Erickson and G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 4, TITLE 61 SO AS TO DEFINE THE TERMS "MICROBREWERY" AND "LICENSED PREMISES"; TO ALLOW A MICROBREWERY OR MANUFACTURER TO CONDUCT BEER SAMPLINGS OR TASTINGS UNDER CERTAIN CONDITIONS; AND TO PROVIDE FOR THE PAYMENT OF APPROPRIATE TAXES.

Referred to Committee on Judiciary

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

|             |             |             |
|-------------|-------------|-------------|
| Allen       | Allison     | Anderson    |
| Anthony     | Bales       | Ballentine  |
| Bannister   | Barfield    | Battle      |
| Bedingfield | Bingham     | Bowen       |
| Brady       | Brantley    | G. A. Brown |
| R. L. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Crawford    | Daning      |
| Delleney    | Dillard     | Duncan      |
| Erickson    | Forrester   | Frye        |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hart        |
| Harvin      | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Hosey       | Huggins     | Hutto       |
| Jefferson   | Kelly       | Kennedy     |
| King        | Kirsh       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Mack        | McEachern   | Merrill     |
| Miller      | Millwood    | Mitchell    |
| Moss        | Nanney      | J. M. Neal  |
| Ott         | Owens       | Parker      |

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|             |             |             |
|-------------|-------------|-------------|
| Parks       | Pinson      | E. H. Pitts |
| Rice        | Sandifer    | Scott       |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Thompson    | Toole       |
| Umphlett    | Viers       | Weeks       |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, March 10.

|                   |                  |
|-------------------|------------------|
| Terry Alexander   | Boyd Brown       |
| Douglas Jennings  | Phillip Lowe     |
| James Lucas       | Walton McLeod    |
| Joseph Neal       | Michael A. Pitts |
| Bakari Sellers    | Tommy Stringer   |
| Ted Vick          | Denny Neilson    |
| Tracy Edge        | Paul Agnew       |
| Gary Simrill      | Leon Howard      |
| Todd Rutherford   | William Bowers   |
| Lester P. Branham | Kenneth Hodges   |

**Total Present--121**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. KNIGHT a leave of absence due to illness.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Leo Walker of Columbia was the Doctor of the Day for the General Assembly.

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**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

"5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee."

**CO-SPONSOR ADDED**

Bill Number: H. 3272  
Date: ADD:  
03/10/09 LIMEHOUSE

**CO-SPONSORS ADDED**

Bill Number: H. 3305  
Date: ADD:  
03/10/09 CHALK, HERBKERSMAN, VIERS, SPIRES,  
HUGGINS, LIMEHOUSE, STEWART, KELLY and  
BRADY

**CO-SPONSOR ADDED**

Bill Number: H. 3628  
Date: ADD:  
03/10/09 UMPHLETT

**CO-SPONSOR ADDED**

Bill Number: H. 3673  
Date: ADD:  
03/10/09 MILLWOOD

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**CO-SPONSOR ADDED**

Bill Number: H. 3673  
Date: ADD:  
03/10/09 BEDINGFIELD

**CO-SPONSORS ADDED**

Bill Number: H. 3018  
Date: ADD:  
03/10/09 LIMEHOUSE, BARFIELD, HARDWICK, HEARN,  
EDGE, GAMBRELL, THOMPSON, BOWEN,  
HARRISON, UMPHLETT, SANDIFER,  
HERBKERSMAN, G. M. SMITH, LOWE, VICK  
and H. B. BROWN

**STATEMENT FOR THE JOURNAL**

I was granted a leave of absence on March 9, 2009, due to the illness of my son. Had I been present for the Session, I would have voted against Amendment No. 73, which accepted the so-called stabilization funds from Washington for use in the budget.

Rep. Tommy Stringer

**H. 3560--AMENDED AND INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of the Bill, Part IB.

**H. 3560--THE GENERAL APPROPRIATION BILL**

H. 3560 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**PART IB**

**SECTION 5**

Section 5 was adopted.

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SECTION 6--AMENDED AND ADOPTED

Rep. VIERS proposed the following Amendment No. 25 to (Doc Name h:\legwork\house\amend\H-WM\001\CHE TUITION LIMIT.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 378, after line 24, by adding an appropriately numbered paragraph to read:

/ (CHE: Tuition and Fees Limit) Tuition and fees for in-state undergraduates at state supported institutions of higher learning in South Carolina shall not be increased above the level of tuition and fees charged in the prior fiscal year. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. VIERS explained the amendment.

Rep. VIERS spoke in favor of the amendment.

Rep. SKELTON spoke against the amendment.

Rep. LIMEHOUSE spoke against the amendment.

Rep. BOWERS spoke against the amendment.

Rep. UMPHLETT spoke in favor of the amendment.

Rep. JENNINGS spoke against the amendment.

Rep. GOVAN spoke against the amendment.

Rep. LIMEHOUSE moved to table the amendment.

Rep. VIERS demanded the yeas and nays which were taken, resulting as follows:

Yeas 86; Nays 23

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Bales       | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Branham     | Brantley    | G. A. Brown |
| H. B. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Crawford    | Delleney    |
| Dillard     | Erickson    | Funderburk  |
| Gambrell    | Gilliard    | Govan       |

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|             |             |             |
|-------------|-------------|-------------|
| Gullick     | Hardwick    | Harrell     |
| Harvin      | Hayes       | Hearn       |
| Herbkersman | Hiott       | Hodges      |
| Horne       | Hosey       | Hutto       |
| Jefferson   | Jennings    | King        |
| Limehouse   | Littlejohn  | Long        |
| Lowe        | Lucas       | Mack        |
| McEachern   | McLeod      | Miller      |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | Rice        |
| Sandifer    | Scott       | Sellers     |
| Skelton     | D. C. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Stavrinakis |
| Stewart     | Stringer    | Vick        |
| Weeks       | Whipper     | White       |
| Whitmire    | Williams    | Willis      |
| Wylie       | T. R. Young |             |

**Total--86**

Those who voted in the negative are:

|             |             |          |
|-------------|-------------|----------|
| Ballentine  | Edge        | Frye     |
| Haley       | Hamilton    | Hart     |
| Huggins     | Kelly       | Kennedy  |
| Kirsh       | Merrill     | Millwood |
| E. H. Pitts | M. A. Pitts | Simrill  |
| G. M. Smith | G. R. Smith | Spires   |
| Thompson    | Toole       | Umphlett |
| Viers       | A. D. Young |          |

**Total--23**

So, the amendment was tabled.

**STATEMENT FOR THE JOURNAL**

During the roll call vote on Amendment No. 25 by Rep. Viers, which would place tuition caps on state supported higher education institutions, I was in the lobby discussing issues which relate to an amendment that I am working on to address funding cuts to DJJ, which

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would affect wilderness programs for youth offenders in South Carolina. Although I support the concept of addressing the tuition increases which we have experienced at state supported Colleges and Universities over recent years and the salary increases which on the surface appear to be extraordinary, I would have voted against the Amendment, desiring instead to address this issue in committee.

Rep. Jeff Duncan

Rep. LOFTIS proposed the following Amendment No. 102 (Doc Name h:\legwork\house\amend\H-WM\004\SECTARIAN2.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 378, after line 24, by adding an appropriately numbered paragraph to read:

/(CHE: Religious Activities)For fiscal year 2009-2010, state supported higher education institutions receiving Federal stimulus stabilization funds must continue to support, operate and maintain existing religious programs, instruction, and facilities used for religious activities./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. LOFTIS explained the amendment.

Rep. COBB-HUNTER spoke against the amendment.

Rep. SELLERS moved to table the amendment.

Rep. LOFTIS demanded the yeas and nays which were taken, resulting as follows:

Yeas 37; Nays 72

Those who voted in the affirmative are:

|             |             |            |
|-------------|-------------|------------|
| Alexander   | Allen       | Anderson   |
| Battle      | Bowers      | Branham    |
| Brantley    | G. A. Brown | Clyburn    |
| Cobb-Hunter | Dillard     | Funderburk |
| Gilliard    | Govan       | Gullick    |
| Gunn        | Hart        | Harvin     |
| Hodges      | Hosey       | Hutto      |
| Jefferson   | Jennings    | Kennedy    |
| King        | Kirsh       | Mack       |

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|             |        |          |
|-------------|--------|----------|
| McEachern   | McLeod | Mitchell |
| J. H. Neal  | Parks  | Sellers  |
| J. E. Smith | Weeks  | Whipper  |
| Williams    |        |          |

**Total--37**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Ballentine  | Bannister   | Barfield    |
| Bedingfield | Bingham     | Bowen       |
| Brady       | Cato        | Chalk       |
| Cole        | Cooper      | Daning      |
| Delleney    | Duncan      | Edge        |
| Erickson    | Frye        | Gambrell    |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hayes       |
| Hearn       | Herbkersman | Hiott       |
| Horne       | Huggins     | Kelly       |
| Limehouse   | Littlejohn  | Loftis      |
| Long        | Lowe        | Lucas       |
| Merrill     | Miller      | Millwood    |
| Moss        | Nanney      | J. M. Neal  |
| Neilson     | Owens       | Parker      |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Stringer    | Thompson    |
| Toole       | Umphlett    | Viers       |
| White       | Whitmire    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--72**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

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Rep. KING demanded the yeas and nays which were taken, resulting as follows:

Yeas 73; Nays 35

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Ballentine  | Bannister   | Barfield    |
| Bedingfield | Bingham     | Bowen       |
| Brady       | Cato        | Chalk       |
| Cole        | Cooper      | Daning      |
| Delleney    | Duncan      | Edge        |
| Erickson    | Frye        | Gambrell    |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hayes       |
| Hearn       | Herbkersman | Hiott       |
| Horne       | Huggins     | Jennings    |
| Kelly       | Limehouse   | Littlejohn  |
| Loftis      | Long        | Lowe        |
| Lucas       | Merrill     | Miller      |
| Millwood    | Moss        | Nanney      |
| J. M. Neal  | Neilson     | Owens       |
| Parker      | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--73**

Those who voted in the negative are:

|             |             |           |
|-------------|-------------|-----------|
| Alexander   | Allen       | Anderson  |
| Battle      | Bowers      | Branham   |
| Brantley    | G. A. Brown | Clyburn   |
| Cobb-Hunter | Dillard     | Gilliard  |
| Govan       | Gullick     | Gunn      |
| Hart        | Harvin      | Hodges    |
| Hosey       | Hutto       | Jefferson |

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|          |             |        |
|----------|-------------|--------|
| Kennedy  | King        | Kirsh  |
| Mack     | McEachern   | McLeod |
| Mitchell | J. H. Neal  | Parks  |
| Sellers  | J. E. Smith | Weeks  |
| Whipper  | Williams    |        |

**Total--35**

So, the amendment was adopted.

Rep. HALEY proposed the following Amendment No. 128 (Doc Name h:\legwork\house\amend\H-WM\001\HEPI - HALEY.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 378, after line 24, by adding an appropriately numbered paragraph to read:

*/ (CHE: Higher Education Price Index/Tuition Increase Limitation)  
In the event a state supported institution of higher learning accepts funding from the American Recovery and Reinvestment Act of 2009, tuition and fees for in-state undergraduates at state supported higher education institutions in South Carolina shall not be increased more than the prior year's Higher Education Price Index. /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. UMPHLETT spoke in favor of the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. BALLENTINE spoke in favor of the amendment.

Rep. MERRILL spoke in favor of the amendment.

Rep. SKELTON spoke against the amendment.

Rep. J. H. NEAL spoke against the amendment.

Rep. STRINGER spoke in favor of the amendment.

Rep. RICE moved to table the amendment.

Rep. E. H. PITTS demanded the yeas and nays which were taken, resulting as follows:

Yeas 79; Nays 33

[HJ]

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Bales       | Bannister   |
| Barfield    | Battle      | Bowen       |
| Bowers      | Brady       | Branham     |
| Brantley    | H. B. Brown | R. L. Brown |
| Chalk       | Clyburn     | Cobb-Hunter |
| Cole        | Cooper      | Crawford    |
| Delleney    | Dillard     | Edge        |
| Erickson    | Funderburk  | Gambrell    |
| Govan       | Gullick     | Gunn        |
| Hardwick    | Harrell     | Harrison    |
| Hart        | Harvin      | Hayes       |
| Herbkersman | Hiott       | Hodges      |
| Horne       | Hosey       | Hutto       |
| Jefferson   | Jennings    | Kennedy     |
| King        | Lowe        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Miller      | Mitchell    | Moss        |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | Rice        |
| Sandifer    | Sellers     | Skelton     |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Vick        | Weeks       |
| Whipper     | White       | Whitmire    |
| Williams    |             |             |

**Total--79**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Ballentine  | Bedingfield |
| Bingham     | Cato        | Duncan      |
| Frye        | Haley       | Hamilton    |
| Hearn       | Kelly       | Kirsh       |
| Limehouse   | Littlejohn  | Loftis      |
| Long        | Merrill     | Millwood    |
| Nanney      | E. H. Pitts | M. A. Pitts |
| Scott       | Simrill     | G. M. Smith |
| G. R. Smith | Stringer    | Thompson    |

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|        |             |             |
|--------|-------------|-------------|
| Toole  | Umphlett    | Viers       |
| Willis | A. D. Young | T. R. Young |

**Total--33**

So, the amendment was tabled.

Rep. HALEY proposed the following Amendment No. 135 (Doc Name h:\legwork\house\amend\H-WM\001\che not use arra for admin.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 378, after line 24, by adding an appropriately numbered paragraph to read:

*/ (CHE: Prohibit Use of ARRA for Administration) Institutions of Higher Learning are prohibited from using funds received from the American Recovery and Reinvestment Act of 2009 for administrative purposes. The institutions shall provide to the General Assembly a list of federal stimulus expenditures. /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HALEY explained the amendment.

Rep. SKELTON moved to table the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 46

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Bannister   | Barfield    |
| Battle      | Bowen       | Brady       |
| Branham     | Brantley    | H. B. Brown |
| R. L. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cooper      |
| Crawford    | Delleney    | Dillard     |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Hardwick    | Harrell     | Harrison    |
| Hart        | Harvin      | Herbkersman |

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|             |            |             |
|-------------|------------|-------------|
| Hiott       | Hodges     | Hosey       |
| Hutto       | Jefferson  | Jennings    |
| Kennedy     | King       | Limehouse   |
| Littlejohn  | Lucas      | Mack        |
| McEachern   | Miller     | Mitchell    |
| Moss        | J. H. Neal | J. M. Neal  |
| Ott         | Owens      | Parker      |
| Parks       | Pinson     | Sandifer    |
| Sellers     | Skelton    | D. C. Smith |
| J. E. Smith | Stewart    | Vick        |
| Weeks       | White      | Whitmire    |
| Williams    |            |             |

**Total--67**

Those who voted in the negative are:

|              |             |             |
|--------------|-------------|-------------|
| Agnew        | Bales       | Ballentine  |
| Bedingfield  | Bingham     | Bowers      |
| Cole         | Duncan      | Edge        |
| Erickson     | Frye        | Haley       |
| Hamilton     | Hearn       | Horne       |
| Huggins      | Kelly       | Kirsh       |
| Loftis       | Long        | Lowe        |
| McLeod       | Merrill     | Millwood    |
| Nanney       | Neilson     | E. H. Pitts |
| M. A. Pitts  | Rice        | Scott       |
| Simrill      | G. M. Smith | G. R. Smith |
| J. R. Smith  | Sottile     | Spires      |
| Stavrinnakis | Stringer    | Thompson    |
| Toole        | Umphlett    | Viers       |
| Willis       | Wylie       | A. D. Young |
| T. R. Young  |             |             |

**Total--46**

So, the amendment was tabled.

Reps. MERRILL, STAVRINAKIS proposed the following Amendment No. 220 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9235BH09.docx), which was tabled:

[HJ]

**TUESDAY, MARCH 10, 2009**

Amend the bill, as and if amended, Part IB, Section 6, COMMISSION ON HIGHER EDUCATION, page 378, line 24, by adding an appropriately numbered paragraph to read:

/ 6. (CHE: Out-of-State Tuition) Acceptance and continued enrollment in a South Carolina public institution of higher learning by an out-of-state student paying out-of-state tuition is conditioned upon the student paying that out-of-state tuition for at least his first three years of enrollment, regardless of his domicile or state residency status./

Re-number sections to conform.

Amend totals and titles to conform.

Rep. STAVRINAKIS explained the amendment.

Rep. MERRILL spoke in favor of the amendment.

Rep. COOPER moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Section.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 18

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Anthony     | Bales       |
| Bannister   | Barfield    | Battle      |
| Bingham     | Bowen       | Brady       |
| Branham     | Brantley    | H. B. Brown |
| R. L. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Crawford    | Delleney    |
| Dillard     | Edge        | Frye        |
| Funderburk  | Gambrell    | Govan       |
| Gullick     | Gunn        | Hardwick    |
| Harrell     | Harrison    | Hart        |
| Harvin      | Hearn       | Herbkersman |
| Hiott       | Hodges      | Horne       |
| Hosey       | Huggins     | Hutto       |
| Jefferson   | Jennings    | Kelly       |
| Kennedy     | King        | Kirsh       |
| Limehouse   | Littlejohn  | Long        |

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|             |             |             |
|-------------|-------------|-------------|
| Lowe        | Lucas       | McEachern   |
| McLeod      | Merrill     | Miller      |
| Mitchell    | Moss        | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Sellers     |
| Skelton     | D. C. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Umphlett    |
| Weeks       | Whipper     | White       |
| Whitmire    | Williams    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--93**

Those who voted in the negative are:

|             |             |          |
|-------------|-------------|----------|
| Ballentine  | Bedingfield | Bowers   |
| Duncan      | Erickson    | Haley    |
| Hamilton    | Loftis      | Millwood |
| Nanney      | Scott       | Simrill  |
| G. M. Smith | G. R. Smith | Stringer |
| Thompson    | Toole       | Viers    |

**Total--18**

Section 6, as amended, was adopted.

**SECTION 9--ADOPTED**

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 1

Those who voted in the affirmative are:

|             |             |         |
|-------------|-------------|---------|
| Agnew       | Alexander   | Allen   |
| Anderson    | Anthony     | Bales   |
| Bannister   | Barfield    | Battle  |
| Bedingfield | Bingham     | Bowen   |
| Bowers      | Brady       | Branham |
| Brantley    | H. B. Brown | Cato    |
| Chalk       | Clyburn     | Cole    |

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|             |             |             |
|-------------|-------------|-------------|
| Cooper      | Crawford    | Daning      |
| Delleney    | Dillard     | Duncan      |
| Edge        | Erickson    | Forrester   |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hart        |
| Harvin      | Hearn       | Herbkersman |
| Hiott       | Hodges      | Horne       |
| Hosey       | Huggins     | Jefferson   |
| Jennings    | Kelly       | Kennedy     |
| King        | Kirsh       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lowe        | Lucas       | Mack        |
| McEachern   | McLeod      | Merrill     |
| Miller      | Millwood    | Mitchell    |
| Moss        | Nanney      | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Sellers     | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile     |
| Spires      | Stavrinakis | Stewart     |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Vick        | Weeks       |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--110**

Those who voted in the negative are:  
Viers

**Total--1**

Section 9 was adopted.

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**SECTION 14**

Section 14 was adopted.

**SECTION 15**

Section 15 was adopted.

**SECTION 17**

Section 17 was adopted.

**SECTION 21--AMENDED AND INTERRUPTED DEBATE**

Reps. JENNINGS, BALES proposed the following Amendment No. 180 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3666DW09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 387, paragraph 21.17, beginning on line 1, by striking: / The governing authority of each county shall continue to provide office space and facility service for this function as they do for DSS functions under Section 43-3-65./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. JENNINGS explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. GULLICK demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 48

Those who voted in the affirmative are:

|             |            |             |
|-------------|------------|-------------|
| Alexander   | Allison    | Ballentine  |
| Bannister   | Barfield   | Bedingfield |
| Bingham     | Bowen      | Brady       |
| Cato        | Chalk      | Cole        |
| Cooper      | Crawford   | Delleney    |
| Duncan      | Edge       | Erickson    |
| Forrester   | Funderburk | Gambrell    |
| Haley       | Hamilton   | Harrell     |
| Herbkersman | Hiott      | Horne       |

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|             |             |             |
|-------------|-------------|-------------|
| Huggins     | Kelly       | Kirsh       |
| Limehouse   | Littlejohn  | Loftis      |
| Lowe        | Lucas       | McLeod      |
| Merrill     | Millwood    | Nanney      |
| Owens       | Parker      | E. H. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Vick        |
| Viers       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--64**

Those who voted in the negative are:

|             |             |            |
|-------------|-------------|------------|
| Agnew       | Allen       | Anderson   |
| Anthony     | Bales       | Battle     |
| Bowers      | Branham     | Brantley   |
| H. B. Brown | R. L. Brown | Clyburn    |
| Cobb-Hunter | Daning      | Dillard    |
| Gilliard    | Govan       | Gullick    |
| Gunn        | Hart        | Harvin     |
| Hayes       | Hodges      | Hosey      |
| Hutto       | Jefferson   | Jennings   |
| Kennedy     | King        | Long       |
| Mack        | McEachern   | Miller     |
| Mitchell    | Moss        | J. H. Neal |
| J. M. Neal  | Neilson     | Ott        |
| Parks       | Pinson      | Sellers    |
| J. E. Smith | Stavrinakis | Umphlett   |
| Weeks       | Whipper     | Williams   |

**Total--48**

So, the amendment was tabled.

Rep. OTT proposed the following Amendment No. 6 (Doc Name h:\legwork\house\amend\H-WM\005\250% SCHIP SUB.DOCX), which was tabled:

[HJ]

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Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 389, paragraph 21.28, line 10, by striking /two hundred percent (200%)/ and inserting /two hundred and fifty percent (250%)/

Re-number sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

Rep. OTT spoke in favor of the amendment.

Rep. EDGE spoke against the amendment.

Rep. EDGE moved to table the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 53

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Bannister   | Barfield    |
| Bedingfield | Bingham     | Bowen       |
| Brady       | Cato        | Chalk       |
| Cole        | Cooper      | Crawford    |
| Daning      | Delleney    | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Gambrell    | Gullick     |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Huggins     | Kelly       | Limehouse   |
| Littlejohn  | Long        | Lowe        |
| Lucas       | Merrill     | Millwood    |
| Nanney      | Owens       | Parker      |
| M. A. Pitts | Rice        | Sandifer    |
| Simrill     | Skelton     | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--64**

[HJ]

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Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Anthony     | Bales       |
| Ballentine  | Battle      | Bowers      |
| Branham     | Brantley    | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn     |
| Cobb-Hunter | Dillard     | Funderburk  |
| Gilliard    | Gunn        | Hart        |
| Harvin      | Hayes       | Hodges      |
| Hosey       | Hutto       | Jefferson   |
| Jennings    | Kennedy     | King        |
| Kirsh       | Mack        | McEachern   |
| McLeod      | Miller      | Mitchell    |
| Moss        | J. H. Neal  | J. M. Neal  |
| Neilson     | Ott         | Parks       |
| Pinson      | E. H. Pitts | Scott       |
| Sellers     | D. C. Smith | J. E. Smith |
| Stavrinakis | Vick        | Weeks       |
| Whipper     | Williams    |             |

**Total--53**

So, the amendment was tabled.

Reps. G. M. SMITH, CLYBURN, and HERBKERSMAN proposed the following Amendment No. 229 (Doc Name h:\legwork\house\amend\H-WM\005\MANAGED CARE.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 390, paragraph 21.32, line 9-10, by striking /100 percent of the prevailing Medicaid Fee-For-Service rate for services/ and inserting /a negotiated amount equivalent to the provider's cost for services/

Re-number sections to conform.

Amend totals and titles to conform.

Rep. G. M. SMITH explained the amendment.

The amendment was then adopted.

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Rep. OTT proposed the following Amendment No. 7 (Doc Name h:\legwork\house\amend\H-WM\005\SCHIP ADVERTISING.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 392, after line 3, by adding an appropriately numbered paragraph to read:

/ (DHHS: SCHIP Advertising) Of the funds appropriated to the agency, \$250,000 shall be utilized for advertising of the SCHIP program. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

Rep. EDGE moved to table the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 65; Nays 51

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Bedingfield | Bingham     |
| Bowen       | Brady       | Cato        |
| Chalk       | Cooper      | Crawford    |
| Daning      | Delleney    | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Gambrell    | Gullick     |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Huggins     | Kelly       | Limehouse   |
| Loftis      | Long        | Lowe        |
| Lucas       | Merrill     | Millwood    |
| Nanney      | Owens       | Parker      |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Simrill     |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Thompson    |
| Toole       | Umphlett    | White       |

[HJ]

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|             |             |       |
|-------------|-------------|-------|
| Whitmire    | Willis      | Wylie |
| A. D. Young | T. R. Young |       |

**Total--65**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Anthony     | Bales       |
| Battle      | Bowers      | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn     | Cobb-Hunter |
| Dillard     | Funderburk  | Gilliard    |
| Govan       | Gunn        | Hart        |
| Harvin      | Hayes       | Hodges      |
| Hosey       | Hutto       | Jefferson   |
| Jennings    | Kennedy     | King        |
| Kirsh       | Littlejohn  | Mack        |
| McEachern   | McLeod      | Miller      |
| Mitchell    | Moss        | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Parks       | Scott       | Sellers     |
| J. E. Smith | Stringer    | Vick        |
| Weeks       | Whipper     | Williams    |

**Total--51**

So, the amendment was tabled.

Rep. EDGE proposed the following Amendment No. 8 to (Doc Name h:\legwork\house\amend\H-WM\005\DHHS CARRY FORWARD.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 392, after line 3, by adding an appropriately numbered paragraph to read:

/(DHHS: Carry forward) The Department of Health and Human Services is authorized to carry forward cash balances from the prior fiscal year into the current fiscal year for any earmarked or restricted trust, agency, or special revenue account or sub fund for which it has received express carry forward authority from the Budget and Control Board. The Budget and Control Board shall set a maximum limit of carry forward for each approved account or sub fund. All revenue

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deposited into the Restricted Medicaid Expansion Fund and the Restricted Tobacco Settlement Healthcare Trust Earnings Fund must be expended in the year the revenue is received. The Department is authorized to carry forward, within the general fund, unspent general fund appropriations in accordance with the general provisions of this Act. The Department's maximum allowable carry forward amount in the general fund must be reduced by the total amount carried forward by the Department in any other non-federal account or sub fund. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

Rep. KENNEDY spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. KENNEDY demanded the yeas and nays which were taken, resulting as follows:

Yeas 79; Nays 39

Those who voted in the affirmative are:

|            |             |             |
|------------|-------------|-------------|
| Agnew      | Allison     | Bales       |
| Ballentine | Bannister   | Barfield    |
| Battle     | Bedingfield | Bingham     |
| Bowen      | Brady       | Cato        |
| Chalk      | Cooper      | Daning      |
| Delleney   | Duncan      | Edge        |
| Erickson   | Forrester   | Frye        |
| Funderburk | Gambrell    | Gullick     |
| Gunn       | Haley       | Hamilton    |
| Hardwick   | Harrell     | Harrison    |
| Hayes      | Hearn       | Herbkersman |
| Hiott      | Horne       | Huggins     |
| Jennings   | Kelly       | Kirsh       |
| Limehouse  | Littlejohn  | Loftis      |
| Long       | Lowe        | Lucas       |
| Merrill    | Miller      | Millwood    |
| Nanney     | Owens       | Parker      |
| Pinson     | E. H. Pitts | M. A. Pitts |
| Rice       | Sandifer    | Scott       |
| Simrill    | Skelton     | D. C. Smith |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--79**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Bowers      | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn     | Cobb-Hunter |
| Dillard     | Gilliard    | Govan       |
| Hart        | Harvin      | Hodges      |
| Hosey       | Hutto       | Jefferson   |
| Kennedy     | King        | Mack        |
| McEachern   | McLeod      | Mitchell    |
| Moss        | J. H. Neal  | J. M. Neal  |
| Neilson     | Ott         | Parks       |
| Rutherford  | Sellers     | Vick        |
| Weeks       | Whipper     | Williams    |

**Total--39**

So, the amendment was adopted.

Rep. EDGE moved that the House recede until 2:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:30 p.m. the House resumed, Acting Speaker FORRESTER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

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SPEAKER IN CHAIR

**H. 3560--AMENDED AND INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Part IB.

**H. 3560--THE GENERAL APPROPRIATION BILL**

H. 3560 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**PART IB**

**SECTION 21--AMENDED AND ADOPTED**

Rep. J. E. SMITH proposed the following Amendment No. 112 (Doc Name H: \LEGWORK\HOUSE\AMEND\COUNCIL\NBD\11325AC09.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 392, after line 3 by adding an appropriately numbered paragraph to read:

/21. (Medicaid Provider Fraud) The department shall expand and increase its effort to identify, report, and combat Medicaid provider fraud. the department shall report to the General Assembly before January 1, 2011, on the results of these efforts, funds recuperated or saved, and information pertaining to prosecutions of such actions, including pleas agreements entered into./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. E. SMITH explained the amendment.

The amendment was then adopted.

Section 21, as amended, was adopted.

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**SPEAKER *PRO TEMPORE* IN CHAIR**

**SECTION 22--AMENDED AND ADOPTED**

Rep. EDGE proposed the following Amendment No. 10 to (Doc Name h:\legwork\house\amend\H-WM\005\RURAL HOSPITAL GRANTS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 22, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 399, After line 8, by adding an appropriately numbered paragraph to read:

*/(DHEC: Hospital Rural Grants) Hospital Rural Grants funds shall be allocated to public hospitals in very rural or rural areas whose largest town is less than 25,000 or a public hospital that is a hospital district; and who is accredited by the Joint Commission on Health Care Organizations or is a Critical Access Hospital, and whose licensed bed capacity does not exceed 150 beds. Hospitals qualifying for the grants shall utilize such funds for any of the following purposes: a) the development of preventive health programs, medical homes, and primary care diversion from emergency departments; b) expanded health services, including physician recruitment and retention; c) to improve hospital facilities; d) activities involving electronic medical records or claims processing systems; e) to enhance disease prevention activities in diabetes, heart disease, etc; and f) activities to ensure compliance with State or Federal Regulations. /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

The amendment was then adopted.

Rep. J. E. SMITH proposed the following Amendment No. 105 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\NBD\11324AC09.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 22, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 399, after line 8 by inserting an appropriately numbered paragraph to read:

*/22. (DHEC: Camp Burnt Gin) Notwithstanding any other provision of law, the funds appropriated to the department pursuant to Part IA, or funds from any other source, for Camp Burnt Gin must not*

[HJ]

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be reduced in the event the department is required to take a budget reduction./

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. J. E. SMITH explained the amendment.  
The amendment was then adopted.

The question then recurred to the adoption of the Section, as amended.

Section 22, as amended, was adopted.

### SECTION 23

Section 23 was adopted.

### SECTION 24--ADOPTED

Rep. J. E. SMITH proposed the following Amendment No. 70 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5800HTC09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 24, DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, page 403, by adding a new paragraph at the end appropriately numbered to read:

/ 24. (DDSN: Financial Audit) The State Budget and Control Board shall procure the services of an independent outside accounting firm to conduct a comprehensive financial audit of the accounts of the Department of Disabilities and Special Needs. Expenses of the audit must be paid from funds appropriated pursuant to Part IB, Section 24 of this act to approved accounts of the Department of Disabilities and Special Needs. Officers and employees of the department are directed to cooperate with and provide all requested assistance to the firm conducting the audit. The audit must be completed before July 1, 2010, and copies of the audit report must be filed with the Department of Disabilities and Special Needs, the State Budget and Control Board, the Office of the Governor, the Speaker of the House of Representatives, and the President *Pro Tempore* of the Senate. /

Renumber sections to conform.  
Amend totals and titles to conform.  
Rep. J. E. SMITH explained the amendment.

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Rep. EDGE spoke against the amendment.

Rep. EDGE moved to table the amendment, which was agreed to.

Rep. J. E. SMITH proposed the following Amendment No. 71 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5803HTC09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 24, DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, page 403, by adding a new paragraph at the end appropriately numbered to read:

/ 24. (DDSN: Separation of Programs and Reimbursement Administration) Notwithstanding amounts appropriated or authorized for the Department of Disabilities and Special Needs in Section 24, Part IA of this act, for the use of DDSN in obtaining Medicare and other reimbursements for DDSN client services are by this paragraph transferred to the Department of Health and Human Services which shall perform all such reimbursements administration for DDSN clients. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. J. E. SMITH explained the amendment.

Rep. EDGE moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Section.

Section 24 was adopted.

#### **SECTION 25**

Section 25 was adopted.

#### **SECTION 26--ADOPTED**

Rep. KING proposed the following Amendment No. 223 to (Doc Name h:\legwork\house\amend\H-WM\005\place of hope.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 408, after line 13, by adding an appropriately numbered paragraph to read:

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/(DSS: Place of Hope) Of the funds appropriated to the Agency, \$100,000 shall be used to fund Place of Hope for Underprivileged Persons. /

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. KING explained the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

Rep. GOVAN proposed the following Amendment No. 224 (Doc Name h:\legwork\house\amend\H-WM\005\FINANCIAL LITERACY.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 26, DEPARTMENT OF SOCIAL SERVICES, page 408, after line 13, by adding an appropriately numbered paragraph to read:

/(DSS: Financial Literacy) Of the funds appropriated to the Agency, \$100,000 shall be used to fund financial literacy for participants in the Self-Sufficiency program. /

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. GOVAN explained the amendment.

Rep. EDGE moved to table the amendment.

The amendment was then tabled by a division vote of 50 to 33.

The question then recurred to the adoption of the Section.

Section 26 was adopted.

### SECTION 30

Section 30 was adopted.

### SECTION 33

Section 33 was adopted.

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SECTION 34--ADOPTED

Rep. BALES proposed the following Amendment No. 161 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3655DW09.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF AGRICULTURE, page 411, paragraph 34.1, beginning on line 18, by striking the paragraph in its entirety and inserting:

/ 34.1.(AGRI: Market Bulletin) The Market Bulletin shall be mailed only to those persons who request it in writing and a record of each request shall be maintained by the department. Provided further, that the Department of Agriculture is authorized to charge a yearly subscription rate of \$10.00 to each person requesting the bulletin ~~and may charge up to \$5.00 per classified advertisement printed in the bulletin.~~ The funds collected pursuant to this provision shall be retained by the department to defray the costs of publication and related incidental expenses. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BALES explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. BALES demanded the yeas and nays which were taken, resulting as follows:

Yeas 47; Nays 58

Those who voted in the affirmative are:

|             |             |            |
|-------------|-------------|------------|
| Allison     | Bannister   | Barfield   |
| Bedingfield | Bingham     | Brady      |
| Cato        | Chalk       | Cole       |
| Cooper      | Crawford    | Daning     |
| Delleney    | Duncan      | Edge       |
| Erickson    | Forrester   | Gambrell   |
| Hardwick    | Herbkersman | Hiott      |
| Horne       | Kelly       | Littlejohn |
| Loftis      | Lucas       | Nanney     |
| Owens       | Parker      | Pinson     |
| M. A. Pitts | Rice        | Sandifer   |

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|             |             |             |
|-------------|-------------|-------------|
| Scott       | Skelton     | G. R. Smith |
| J. R. Smith | Stewart     | Stringer    |
| Thompson    | Umphlett    | White       |
| Whitmire    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--47**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Anthony     | Bales       |
| Ballentine  | Battle      | Bowers      |
| Branham     | Brantley    | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn     |
| Cobb-Hunter | Frye        | Funderburk  |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Haley       | Hart        |
| Harvin      | Hayes       | Hodges      |
| Hosey       | Huggins     | Hutto       |
| Jefferson   | Jennings    | Kennedy     |
| King        | Kirsh       | Long        |
| Mack        | McEachern   | McLeod      |
| Miller      | Millwood    | Mitchell    |
| Moss        | J. H. Neal  | J. M. Neal  |
| Neilson     | Parks       | E. H. Pitts |
| Simrill     | D. C. Smith | J. E. Smith |
| Spires      | Stavrinakis | Toole       |
| Vick        | Weeks       | Whipper     |
| Williams    |             |             |

**Total--58**

So, the House refused to table the amendment.

Rep. LUCAS spoke against the amendment.

Rep. DUNCAN spoke against the amendment.

Rep. BALES moved to table the amendment, which was agreed to.

Section 34 was adopted.

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**SECTION 35--AMENDED AND ADOPTED**

Rep. LUCAS proposed the following Amendment No. 143 (Doc Name h:\legwork\house\amend\H-WM\009\CU PSA BOLL WEEVIL.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 35, CLEMSON UNIVERSITY-PUBLIC SERVICE ACTIVITIES, page 413, after line 19, by adding an appropriately numbered paragraph to read:

/ (CU-PSA: Boll Weevil Eradication) For the current fiscal year Clemson University Public Services Activities shall maintain operation of the Boll Weevil Eradication Program. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. LUCAS explained the amendment.

The amendment was then adopted.

Section 35, as amended, was adopted.

**SECTION 37--AMENDED AND ADOPTED**

Rep. M. A. PITTS proposed the following Amendment No. 144 (Doc Name h:\legwork\house\amend\H-WM\003\CONSERV DIST PITTS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 37, DEPARTMENT OF NATURAL RESOURCES, page 414, paragraph 37.5, line 12-17, by striking /the proviso in its' entirety / and inserting /37.5. (DNR: Proportionate Funding) Each of South Carolina's 46 soil and water conservation districts shall receive a proportionate share of funding set aside for Aid to Conservation Districts for general assistance to the district's program. Available funding for each district will be apportioned by the Department of Natural Resources based upon agency funds and priorities as determined by the board. During the fiscal year, the districts' funding may only be reduced in an amount not to exceed the percentage of each agency budget reduction. No district shall receive any funds under this provision unless the county or counties wherein the district is located shall have appropriated no less than three hundred dollars to the district from county funds for the same purposes./

Re-number sections to conform.

Amend totals and titles to conform.

[HJ]

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Rep. M. A. PITTS explained the amendment.  
The amendment was then adopted.

Rep. UMPHLETT proposed the following Amendment No. 159 (Doc Name h:\legwork\house\amend\H-WM\003\SALE OF EXISTING OFFICES.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 37, DEPARTMENT OF NATURAL RESOURCES, page 415, paragraph 37.15, line 22, by striking:/approval from the budget and control board / and inserting /favorable review by the Joint Bond Review Committee/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. UMPHLETT explained the amendment.  
The amendment was then adopted.

Section 37, as amended, was adopted.

#### **SECTION 39--AMENDED AND ADOPTED**

Rep. WHITE proposed the following Amendment No. 40 (Doc Name h:\legwork\house\amend\H-WM\006\PRT PARD.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 418, after line 17, by adding an appropriately numbered paragraph to read:

/ (prt: PARD Interest) The department is hereby prohibited from utilizing the interest generated in the PARD program for anything other than the uses authorized by the law creating PARD. Should the PARD account not reach the required amount of \$920,000 to activate the minimum \$20,000 per county distribution, the department shall carry forward the funding until such time as the funds are sufficient to distribute as originally intended./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WHITE explained the amendment.  
The amendment was then adopted.

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Rep. LITTLEJOHN proposed the following Amendment No. 79 (Doc Name h:\legwork\house\amend\H-WM\006\500K UPSTATE ALLIANCE.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 418, paragraph 39.13, line 13, after /marketing./ by inserting:

/ Of these funds, \$500,000, which must be matched with a 2 to 1 private funds ratio, shall be provided to the upstate alliance for international marketing. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. LITTLEJOHN explained the amendment.

**SPEAKER IN CHAIR**

Rep. LITTLEJOHN continued speaking.

Rep. COOPER moved to table the amendment.

Rep. LITTLEJOHN demanded the yeas and nays which were taken, resulting as follows:

Yeas 68; Nays 48

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Anderson    | Ballentine  |
| Barfield    | Battle      | Bingham     |
| Bowen       | Brady       | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| Cato        | Chalk       | Clyburn     |
| Cobb-Hunter | Cooper      | Crawford    |
| Daning      | Erickson    | Frye        |
| Funderburk  | Govan       | Gullick     |
| Haley       | Hardwick    | Harrell     |
| Harrison    | Herbkersman | Hodges      |
| Hosey       | Howard      | Huggins     |
| Jefferson   | Jennings    | Kennedy     |
| Kirsh       | Limehouse   | Lucas       |
| Mack        | McEachern   | McLeod      |
| Mitchell    | J. H. Neal  | J. M. Neal  |
| Neilson     | Ott         | Parks       |

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|             |             |             |
|-------------|-------------|-------------|
| E. H. Pitts | Rice        | Rutherford  |
| Sellers     | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Toole       |
| Vick        | Viers       | Weeks       |
| Whipper     | White       | Williams    |
| A. D. Young | T. R. Young |             |

**Total--68**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allen       | Allison     |
| Anthony     | Bales       | Bannister   |
| Bedingfield | Bowers      | R. L. Brown |
| Cole        | Delleney    | Dillard     |
| Duncan      | Forrester   | Gambrell    |
| Gilliard    | Gunn        | Hamilton    |
| Hart        | Hayes       | Hiott       |
| Horne       | Hutto       | Kelly       |
| King        | Littlejohn  | Loftis      |
| Merrill     | Miller      | Millwood    |
| Moss        | Nanney      | Owens       |
| Parker      | Pinson      | M. A. Pitts |
| Sandifer    | Scott       | Simrill     |
| Skelton     | G. R. Smith | Stavrinakis |
| Stringer    | Thompson    | Umphlett    |
| Whitmire    | Willis      | Wylie       |

**Total--48**

So, the amendment was tabled.

Rep. BALLENTINE proposed the following Amendment No. 117 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3652MM09.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 418, paragraph 39.13, beginning on line 11, by striking the paragraph in its entirety and inserting:

/ 39.13. (PRT: Advertising) ~~From the funds appropriated for Advertising, the department shall use not less than \$2,000,000 for a~~

[HJ]

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~~general tourism marketing program. Of these funds, \$500,000 shall be provided to Coastal South Carolina USA for international marketing. The department shall measure the success of the marketing and public relations program, including the estimated return on investment to the state. Promotional programs must be based on research-based outcomes. The department must use the funds only for the purpose of general marketing and public relations designed to stimulate travel to the state. The department shall provide an annual report by November 1 to the Chairmen of the Senate Finance Committee and the House Ways and Means Committee on the expenditure of the funds and on the outcome measures. /~~

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BALLENTINE explained the amendment.

Rep. MERRILL spoke against the amendment.

Rep. MERRILL spoke against the amendment.

Rep. MERRILL moved to table the amendment.

Rep. BALLENTINE demanded the yeas and nays which were taken, resulting as follows:

Yeas 35; Nays 79

Those who voted in the affirmative are:

|            |             |             |
|------------|-------------|-------------|
| Bannister  | Barfield    | Bowers      |
| Crawford   | Daning      | Delleney    |
| Erickson   | Gilliard    | Hardwick    |
| Harrell    | Hearn       | Herbkersman |
| Hodges     | Horne       | Hutto       |
| Kennedy    | Kirsh       | Limehouse   |
| Littlejohn | Lucas       | Merrill     |
| Neilson    | Sandifer    | Scott       |
| Simrill    | G. M. Smith | J. E. Smith |
| Sottile    | Stavrinakis | Umphlett    |
| Viers      | Whipper     | Whitmire    |
| Willis     | A. D. Young |             |

**Total--35**

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Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anderson    | Anthony     |
| Bales       | Ballentine  | Bedingfield |
| Bowen       | Brady       | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Dillard     | Duncan      |
| Edge        | Forrester   | Funderburk  |
| Gambrell    | Govan       | Gullick     |
| Gunn        | Haley       | Hamilton    |
| Harrison    | Hart        | Harvin      |
| Hayes       | Hiott       | Hosey       |
| Howard      | Huggins     | Jefferson   |
| Jennings    | Kelly       | King        |
| Loftis      | Long        | Mack        |
| McEachern   | McLeod      | Miller      |
| Millwood    | Mitchell    | Moss        |
| Nanney      | J. H. Neal  | Ott         |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sellers     | Skelton     |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Spires      | Stringer    | Thompson    |
| Toole       | Vick        | Weeks       |
| White       | Williams    | Wylie       |
| T. R. Young |             |             |

**Total--79**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment, which was agreed to.

Rep. BALES proposed the following Amendment No. 167 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5814MM09.DOCX), which was adopted:

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Amend the bill, as and if amended, Part IB, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 418, by adding an appropriately numbered paragraph to read:

/ 39.\_\_(PRT: Reduced fees) For Fiscal Year 2009-2010, a South Carolina resident who is disabled or legally blind and his spouse may use a facility of a state park, including campsite facilities, without paying the prescribed fee. A South Carolina resident who is over sixty-five years of age and his spouse may use a facility of a state park, including campsite facilities, at one-half the prescribed fee. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BALES explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. BALES demanded the yeas and nays which were taken, resulting as follows:

Yeas 40; Nays 75

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Bannister   | Barfield    |
| Bedingfield | Bingham     | Cato        |
| Chalk       | Cole        | Cooper      |
| Daning      | Erickson    | Forrester   |
| Gambrell    | Gullick     | Hamilton    |
| Hardwick    | Harrell     | Hearn       |
| Herbkerman  | Hiott       | Kelly       |
| Limehouse   | Long        | Merrill     |
| Millwood    | Nanney      | Owens       |
| Parker      | Rice        | Skelton     |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Stringer    | Umphlett    |
| Viers       | White       | Wylie       |
| A. D. Young |             |             |

**Total--40**

Those who voted in the negative are:

|          |           |       |
|----------|-----------|-------|
| Agnew    | Alexander | Allen |
| Anderson | Anthony   | Bales |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| Ballentine  | Battle      | Bowen       |
| Bowers      | Brady       | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn     | Cobb-Hunter |
| Crawford    | Delleney    | Dillard     |
| Duncan      | Frye        | Funderburk  |
| Gilliard    | Govan       | Gunn        |
| Haley       | Harrison    | Hart        |
| Harvin      | Hayes       | Hodges      |
| Horne       | Hosey       | Huggins     |
| Hutto       | Jefferson   | Jennings    |
| Kennedy     | King        | Kirsh       |
| Littlejohn  | Lucas       | Mack        |
| McEachern   | McLeod      | Miller      |
| Mitchell    | Moss        | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rutherford  | Sandifer    |
| Scott       | Sellers     | Simrill     |
| D. C. Smith | J. E. Smith | Spires      |
| Thompson    | Toole       | Vick        |
| Weeks       | Whipper     | Whitmire    |
| Williams    | Willis      | T. R. Young |

**Total--75**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment, which was agreed to.

**AMENDMENT NO. 117--MOTION TO RECONSIDER  
TABLED**

Rep. BALLENTINE moved to reconsider the vote whereby Amendment No. 117 was adopted.

Rep. BALLENTINE moved to table the motion to reconsider, which was agreed to.

So, the motion to reconsider was tabled.

[HJ]

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Rep. HART proposed the following Amendment No. 233 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9242HTC09.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 39, DEPARTMENT OF PARKS, RECREATION & TOURISM, page 418, by striking in its entirety paragraph 39.13, beginning on line 11, and inserting:

/ 39.13 (PRT: Transfer to Department of Corrections) From the funds appropriated for advertising, the department shall transfer \$2,000,000 to the Department of Corrections. Funds transferred to the Department of Corrections by this paragraph must be used by the Department of Corrections to offset reductions in appropriations for the salaries and benefits of corrections officers./

Renummer sections to conform.

Amend totals and titles to conform.

Rep. HART explained the amendment.

Rep. HART moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Section.

The yeas and nays were taken resulting as follows:

Yeas 110; Nays 4

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anthony     | Bales       |
| Ballentine  | Bannister   | Barfield    |
| Battle      | Bedingfield | Bingham     |
| Bowen       | Bowers      | Brady       |
| Branham     | Brantley    | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato        |
| Chalk       | Clyburn     | Cobb-Hunter |
| Cole        | Cooper      | Crawford    |
| Daning      | Delleney    | Dillard     |
| Duncan      | Edge        | Erickson    |
| Forrester   | Frye        | Funderburk  |
| Gambrell    | Gilliard    | Govan       |
| Gullick     | Gunn        | Haley       |
| Hamilton    | Harrell     | Harrison    |

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|             |             |             |
|-------------|-------------|-------------|
| Hart        | Harvin      | Hayes       |
| Hearn       | Herbkersman | Hiott       |
| Hodges      | Horne       | Hosey       |
| Howard      | Huggins     | Hutto       |
| Jefferson   | Jennings    | Kelly       |
| King        | Kirsh       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lucas       | Mack        | McEachern   |
| McLeod      | Miller      | Millwood    |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Sellers     | Simrill     |
| Skelton     | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile     |
| Spires      | Stringer    | Thompson    |
| Vick        | Viers       | Weeks       |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--110**

Those who voted in the negative are:

|          |         |             |
|----------|---------|-------------|
| Hardwick | Merrill | Stavrinakis |
| Umphlett |         |             |

**Total--4**

Section 39, as amended, was adopted.

**SECTION 40--AMENDED AND ADOPTED**

Rep. COBB-HUNTER proposed the following Amendment No. 230 (Doc Name h:\legwork\house\amend\H-WM\001\WIA AUDIT REQUIREMENT.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 40, DEPARTMENT OF COMMERCE, page 421, paragraph 40.24, line 23-24, by striking the paragraph in its entirety and by inserting: /40.24.

[HJ]

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(CMRC: WIA Prior Year Payments) The Department of Commerce shall *not* be allowed to pay Workforce Investment Act prior-year obligations with current year funds until a financial and program audit has been performed by the State Auditor. A copy of the audit must be submitted to members of the General Assembly. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. COBB-HUNTER moved to table the amendment, which was agreed to.

Rep. WHIPPER proposed the following Amendment No. 14 (Doc Name h:\legwork\house\amend\H-WM\005\FQHCS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 40, DEPARTMENT OF COMMERCE, page 423, after line 9, by adding an appropriately numbered paragraph to read:

/ (CMRC: Transfer to DSS) Of the funds appropriated and or authorized to the Department, \$1,000,000 shall be transferred to the Department of Health & Human Sevices to be used for Federally Qualified Health Centers. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. WHIPPER explained the amendment.

Rep. WHIPPER spoke in favor of the amendment.

Rep. LUCAS moved to table the amendment, which was agreed to.

Rep. SIMRILL proposed the following Amendment No. 198 (Doc Name h:\legwork\house\amend\H-WM\003\WATER COMMERCE .DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 40, DEPARTMENT OF COMMERCE, page 423, after line 9, by adding an appropriately numbered paragraph to read:

/ 40. (CMRC: water litigation) During the current fiscal year, the department must transfer \$500,000 from the State Rural Infrastructure program to the State Attorney General's Office for water litigation./

[HJ]

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Renumber sections to conform.  
Amend totals and titles to conform.

Rep. SIMRILL explained the amendment.  
The amendment was then adopted.

Section 40, as amended, was adopted.

**SECTION 43**

Section 43 was adopted.

**SECTION 44--AMENDED AND ADOPTED**

Rep. SIMRILL proposed the following Amendment No. 186 (Doc Name h:\legwork\house\amend\H-WM\003\WATER JUDICIAL.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 44, JUDICIAL DEPARTMENT, page 425, after line 12, by adding an appropriately numbered paragraph to read:

/ 44. (JUD: Water Litigation) During the current fiscal year, the department must transfer \$250,000 to the Attorney General's Office for Water Litigation Expenses. /

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. SIMRILL explained the amendment.  
Rep. J. H. NEAL spoke in favor of the amendment.  
Rep. HART spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. KENNEDY demanded the yeas and nays which were taken, resulting as follows:

Yeas 100; Nays 16

Those who voted in the affirmative are:

|            |             |          |
|------------|-------------|----------|
| Alexander  | Allen       | Allison  |
| Anderson   | Anthony     | Bales    |
| Ballentine | Bannister   | Barfield |
| Battle     | Bedingfield | Bingham  |
| Bowen      | Brady       | Branham  |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| H. B. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Crawford    | Daning      |
| Delleney    | Dillard     | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Funderburk  | Gambrell    |
| Govan       | Gullick     | Gunn        |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Harvin      |
| Hayes       | Herbkersman | Hodges      |
| Horne       | Howard      | Hutto       |
| Jennings    | King        | Kirsh       |
| Limehouse   | Loftis      | Long        |
| Mack        | McEachern   | Merrill     |
| Miller      | Millwood    | Mitchell    |
| Moss        | Nanney      | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Sellers     | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile     |
| Spires      | Stavrinakis | Stewart     |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Vick        | Viers       |
| Weeks       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--100**

Those who voted in the negative are:

|             |            |           |
|-------------|------------|-----------|
| Agnew       | Bowers     | Brantley  |
| R. L. Brown | Gilliard   | Hart      |
| Hiott       | Hosey      | Jefferson |
| Kelly       | Kennedy    | Lucas     |
| McLeod      | Rutherford | Whipper   |
| Williams    |            |           |

**Total--16**

[HJ]

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So, the amendment was adopted.

Rep. A. D. YOUNG proposed the following Amendment No. 203 (Doc Name h:\legwork\house\amend\H-WM\003\ALC OPER FDS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 44, JUDICIAL DEPARTMENT, page 425, after line 12, by adding an appropriately numbered paragraph to read:

/ 44. (JUD: ALC Oper. funds) / During the current fiscal year, the department must transfer \$100,000 to the Administrative Law Court for operating expenses/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. A. D. YOUNG explained the amendment.

The amendment was then adopted by a division vote of 82 to 12.

Rep. HART proposed the following Amendment No. 202 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5820CM09.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 44, JUDICIAL DEPARTMENT, page 425, after line 13, by adding an appropriately numbered paragraph to read:

/ 44.18(JUD: Forfeiture Proceeds) For the current fiscal year, one-half of all monies confiscated and proceeds collected from the sale of property forfeited that is designated to be transferred to local law enforcement agencies pursuant to Section 44-53-530, must be placed in the state general fund. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HART explained the amendment.

Rep. A. D. YOUNG spoke against the amendment.

Rep. HART spoke in favor of the amendment.

Rep. CRAWFORD spoke against the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

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Rep. HART proposed the following Amendment No. 242 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9245BH09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 44, JUDICIAL DEPARTMENT, page 425, after line 13, by adding an appropriately numbered paragraph to read:

/ 44.18(JUD: Forfeiture Proceeds) For the current fiscal year, one-half of all monies confiscated and proceeds collected from the sale of property forfeited that is designated to be transferred to local law enforcement agencies pursuant to Section 44-53-530, instead must be transferred to the Judicial Department to be used for the creation of new seats for judges. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HART explained the amendment.

Rep. A. D. YOUNG moved to table the amendment.

Rep. HART demanded the yeas and nays which were taken, resulting as follows:

Yeas 83; Nays 31

Those who voted in the affirmative are:

|            |             |             |
|------------|-------------|-------------|
| Agnew      | Allison     | Bales       |
| Ballentine | Bannister   | Barfield    |
| Battle     | Bedingfield | Bingham     |
| Bowen      | Bowers      | Brady       |
| Branham    | G. A. Brown | H. B. Brown |
| Cato       | Chalk       | Cole        |
| Cooper     | Crawford    | Delleney    |
| Duncan     | Erickson    | Forrester   |
| Frye       | Funderburk  | Gambrell    |
| Gullick    | Haley       | Hamilton    |
| Hardwick   | Harrell     | Harrison    |
| Harvin     | Hayes       | Herbkersman |
| Hiott      | Horne       | Kirsh       |
| Limehouse  | Littlejohn  | Loftis      |
| Long       | Lucas       | McEachern   |
| McLeod     | Merrill     | Miller      |
| Millwood   | Moss        | Nanney      |

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|             |             |             |
|-------------|-------------|-------------|
| J. M. Neal  | Neilson     | Owens       |
| Parker      | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Vick        | Viers       | White       |
| Whitmire    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--83**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Brantley    | R. L. Brown |
| Clyburn     | Cobb-Hunter | Dillard     |
| Gilliard    | Govan       | Gunn        |
| Hart        | Hodges      | Hosey       |
| Howard      | Hutto       | Jefferson   |
| Kelly       | Kennedy     | King        |
| Mack        | Mitchell    | J. H. Neal  |
| Parks       | Rutherford  | Sellers     |
| J. E. Smith | Weeks       | Whipper     |
| Williams    |             |             |

**Total--31**

So, the amendment was tabled.

The question then recurred to the adoption of the Section, as amended.

Section 44, as amended, was adopted.

**SECTION 46**

Section 46 was adopted.

**SECTION 47**

Section 47 was adopted.

[HJ]

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**SECTION 48--AMENDED AND ADOPTED**

Rep. FUNDERBURK proposed the following Amendment No. 18 (Doc Name h:\legwork\house\amend\H-WM\003\SLED ALC PLAN.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 48, STATE LAW ENFORCEMENT DIVISION, page 436, after line 4, by adding an appropriately numbered paragraph to read:

/ (SLED: Alcohol Laws) The department shall convene a working group of state and local law enforcement officials to develop recommendations for improving the enforcement of state statutes relating to the selling, purchasing, and possession of alcohol beverages. By November 1, SLED must publish on its' homepage the recommendations of the working group for strengthening and improving: 1) the enforcement of these laws, 2) the cooperation between state and local agencies regarding these laws, 3) the statewide support of SLED in enforcing these laws, and 4) the use of alcohol related fees collected by SLED. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. FUNDERBURK explained the amendment.

The amendment was then adopted.

Section 48, as amended, was adopted.

**SECTION 51**

Section 51 was adopted.

**SECTION 54**

Section 54 was adopted.

**SECTION 56**

Section 56 was adopted.

**SECTION 58**

Section 58 was adopted.

[HJ]

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SECTION 62--AMENDED AND ADOPTED

Reps. SANDIFER and BINGHAM proposed the following Amendment No. 236 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9246bh09.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 62, DEPARTMENT OF INSURANCE, page 450, paragraph 62.3, lines 26-35, and page 451, lines 1-10 by striking the proviso in its entirety and inserting:

/ 62.3 (INS: Fees for Licenses) The Department of Insurance shall be authorized to charge a twenty-five dollar initial producer license fee; a twenty-five dollar biennial producer license renewal fee; and a two hundred fifty dollar penalty fee for late appointment renewals. The director shall specify the time and manner of payment of these fees. These fees shall be retained by the department for the administration of Title 38. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 59; Nays 50

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Anderson    | Anthony     |
| Ballentine  | Barfield    | Battle      |
| Bingham     | Bowen       | Bowers      |
| Brady       | Branham     | Brantley    |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Chalk       | Clyburn     | Cobb-Hunter |
| Cooper      | Crawford    | Gullick     |
| Harrell     | Harrison    | Harvin      |
| Hearn       | Horne       | Howard      |
| Hutto       | Jefferson   | Long        |
| Lucas       | Mack        | McEachern   |
| Miller      | Moss        | J. H. Neal  |
| Neilson     | Owens       | Parks       |
| Pinson      | E. H. Pitts | Rice        |
| Sandifer    | Scott       | Skelton     |
| D. C. Smith | G. M. Smith | J. E. Smith |

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|             |             |             |
|-------------|-------------|-------------|
| J. R. Smith | Spires      | Stavrinakis |
| Stewart     | Toole       | Vick        |
| Whipper     | White       | Whitmire    |
| Wylie       | A. D. Young |             |

**Total--59**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allen       | Allison     |
| Bales       | Bannister   | Bedingfield |
| Cato        | Cole        | Delleney    |
| Dillard     | Duncan      | Erickson    |
| Forrester   | Frye        | Funderburk  |
| Gambrell    | Gilliard    | Govan       |
| Gunn        | Haley       | Hamilton    |
| Hiott       | Hodges      | Hosey       |
| Kelly       | Kennedy     | King        |
| Kirsh       | Limehouse   | Littlejohn  |
| Loftis      | McLeod      | Millwood    |
| Nanney      | Ott         | Parker      |
| M. A. Pitts | Rutherford  | Sellers     |
| Simrill     | G. R. Smith | Sottile     |
| Stringer    | Thompson    | Umphlett    |
| Viers       | Weeks       | Williams    |
| Willis      | T. R. Young |             |

**Total--50**

The amendment was then adopted.

Rep. BINGHAM proposed the following Amendment No. 22 (Doc Name h:\legwork\house\amend\H-WM\007\PRODUCER LICENSING FEES.DOCX) which was tabled:

Amend the bill, as and if amended, Part IB, Section 62, DEPARTMENT OF INSURANCE, page 450, paragraph 62.3, lines 26-35, and page 451, lines 1-10 by striking /The proviso in its entirety/ and inserting /(Fees for Licenses) The Department of Insurance shall be authorized to charge a \$25 initial producer license fee; \$25 biennial producer license renewal fee; and \$250 penalty fee for late appointment renewals. The director shall specify the time and manner of payment of these fees by order. The Department shall retain these fees and any retaliatory fees collected pursuant an audit of retaliatory

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fee payments for years 2008 and prior in accordance with Section 38-7-90 et seq. These funds shall be used for the administration of Title 38.

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. BINGHAM moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Section, as amended.

The yeas and nays were taken resulting as follows:  
Yeas 81; Nays 21

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Allison     |
| Anthony     | Bales       | Ballentine  |
| Barfield    | Battle      | Bingham     |
| Bowen       | Bowers      | Brady       |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Chalk       | Clyburn     |
| Cobb-Hunter | Cole        | Cooper      |
| Crawford    | Daning      | Delleney    |
| Dillard     | Funderburk  | Gambrell    |
| Gilliard    | Govan       | Gunn        |
| Hardwick    | Harrell     | Harrison    |
| Harvin      | Hayes       | Hearn       |
| Herbkersman | Hodges      | Horne       |
| Hosey       | Howard      | Hutto       |
| Jefferson   | Kelly       | King        |
| Kirsh       | Limehouse   | Littlejohn  |
| Long        | Lucas       | Mack        |
| McEachern   | McLeod      | Miller      |
| Mitchell    | Moss        | J. H. Neal  |
| Neilson     | Ott         | Owens       |
| Parker      | Parks       | E. H. Pitts |
| Rice        | Sandifer    | Skelton     |
| D. C. Smith | G. M. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Toole       | Umphlett    |

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|       |          |          |
|-------|----------|----------|
| Vick  | Weeks    | Whipper  |
| White | Whitmire | Williams |

**Total--81**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Bedingfield | Duncan      |
| Erickson    | Forrester   | Haley       |
| Hamilton    | Hiott       | Kennedy     |
| Millwood    | Nanney      | Scott       |
| Sellers     | Simrill     | G. R. Smith |
| J. E. Smith | Stringer    | Thompson    |
| Viers       | Willis      | T. R. Young |

**Total--21**

Section 62, as amended, was adopted.

**SECTION 65--AMENDED AND ADOPTED**

Rep. BINGHAM proposed the following Amendment No. 21 (Doc Name h:\legwork\house\amend\H-WM\007\BINGHAM LEASE.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF LABOR, LICENSING AND REGULATION, page 453, paragraph 65.12, line 18, after state owned by inserting:

*/or leased/*

Re-number sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

Rep. BINGHAM proposed the following Amendment No. 23 (Doc Name h:\legwork\house\amend\H-WM\007\SCOIS FUNDING.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 65, DEPARTMENT OF LABOR, LICENSING AND REGULATION, page 453, after line 18, by adding an appropriately numbered paragraph to read:

[HJ]

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/(llr:scois funding)the department of labor licensing and regulation is directed to transfer \$433,000 from carry-forward monies in subfund 3135 to the employment security commission for the south carolina occupational information system program for fiscal year 2009-2010./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

Section 65, as amended, was adopted.

#### **SECTION 66--ADOPTED**

Rep. RUTHERFORD proposed the following Amendment No. 119 (Doc Name h:\legwork\house\amend\H-WM\007\REINSTATEMENT FEES.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 66, DEPARTMENT OF MOTOR VEHICLES, page 455, after line 9, by adding an appropriately numbered paragraph to read:

/(DMV: driver's license reinstatement) The Department of Motor Vehicles may not charge a person who applies for reinstatement of his driver's license more than three hundred dollars per application for reinstatement. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. RUTHERFORD explained the amendment.

Rep. RUTHERFORD moved to table the amendment, which was agreed to.

Section 66 was adopted.

#### **SECTION 67--AMENDED AND ADOPTED**

Reps. SANDIFER and BINGHAM proposed the following Amendment No. 232 (Doc Name h:\legwork\house\amend\H-WM\007\ESC, SALARIES.DOCX), which was adopted:

[HJ]

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Amend the bill, as and if amended, Part IB, Section 67, EMPLOYMENT SECURITY COMMISSION, page 455, paragraph 67.1, line 14, by inserting at the end:

*/However in the event legislation restructuring the commission is adopted by the General assembly the salaries of the Chairman, Commissioners, and Agency Director shall be set, notwithstanding line item designations in Part IA of this Act, as authorized by the General Assembly in the restructuring legislation./*

Re-number sections to conform.

Amend totals and titles to conform.

Rep. SANDIFER explained the amendment.

**POINT OF ORDER**

Rep. SELLERS raised the Point of Order that Amendment No. 232 was out of order in that it was not germane to the Bill as it was contingent to legislation that had not yet passed. He also stated that it was out of order under Rule 5.3(B) and not germane to fiscal year 2009-2010.

SPEAKER HARRELL stated that the House had previously passed provisos on anticipated legislation and that such provisos were not necessarily out of order. He also stated that the amendment directly affected money in Part IA of the Bill and was therefore germane to fiscal year 2009-2010. Therefore, he overruled the point of order.

Rep. SANDIFER continued speaking.

**SPEAKER PRO TEMPORE IN CHAIR**

The question then recurred to the adoption of the amendment.

Rep. KENNEDY demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 26

Those who voted in the affirmative are:

|         |             |             |
|---------|-------------|-------------|
| Allison | Anderson    | Anthony     |
| Bales   | Ballentine  | Barfield    |
| Battle  | Bedingfield | Bingham     |
| Bowen   | Bowers      | Brady       |
| Branham | G. A. Brown | H. B. Brown |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| Chalk       | Clyburn     | Cobb-Hunter |
| Crawford    | Daning      | Edge        |
| Erickson    | Frye        | Gambrell    |
| Gullick     | Haley       | Hamilton    |
| Hardwick    | Harrison    | Hayes       |
| Horne       | Jefferson   | Kirsh       |
| Limehouse   | Loftis      | Long        |
| Lucas       | Merrill     | Millwood    |
| J. M. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | Sandifer    | Scott       |
| Simrill     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Toole       | Umphlett    | Vick        |
| Viers       | Whipper     | White       |
| Whitmire    | Willis      | Wylie       |
| A. D. Young |             |             |

**Total--67**

Those who voted in the negative are:

|            |           |             |
|------------|-----------|-------------|
| Agnew      | Alexander | Brantley    |
| Duncan     | Forrester | Gilliard    |
| Govan      | Harvin    | Hiott       |
| Hodges     | Hosey     | Howard      |
| Kennedy    | King      | Mack        |
| McLeod     | Miller    | Moss        |
| J. H. Neal | Rice      | Rutherford  |
| Sellers    | Skelton   | J. E. Smith |
| Thompson   | Williams  |             |

**Total--26**

So, the amendment was adopted.

The question then recurred to the adoption of the Section, as amended.

The yeas and nays were taken resulting as follows:

Yeas 73; Nays 7

[HJ]

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allison     |
| Anderson    | Anthony     | Bales       |
| Ballentine  | Barfield    | Battle      |
| Bedingfield | Bingham     | Bowen       |
| Bowers      | Brady       | Brantley    |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Chalk       | Cobb-Hunter | Crawford    |
| Duncan      | Edge        | Erickson    |
| Forrester   | Frye        | Gambrell    |
| Govan       | Haley       | Hamilton    |
| Hardwick    | Harrison    | Harvin      |
| Hayes       | Herbkersman | Hiott       |
| Kirsh       | Limehouse   | Loftis      |
| Lucas       | McEachern   | McLeod      |
| Miller      | Millwood    | Moss        |
| J. H. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Parks       |
| E. H. Pitts | M. A. Pitts | Rice        |
| Scott       | Simrill     | Skelton     |
| D. C. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stringer    | Thompson    | Toole       |
| Vick        | Viers       | Whipper     |
| White       | Whitmire    | Wylie       |
| A. D. Young |             |             |

**Total--73**

Those who voted in the negative are:

|          |        |         |
|----------|--------|---------|
| Gilliard | Howard | Kennedy |
| King     | Mack   | Sellers |
| Williams |        |         |

**Total--7**

Section 67, as amended, was adopted.

**SECTION 68A**

Section 68A was adopted.

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**SECTION 69**

Section 69 was adopted.

**SECTION 70**

Section 70 was adopted.

**SECTION 72--ADOPTED**

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 2

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anderson    | Anthony     |
| Bales       | Bannister   | Barfield    |
| Battle      | Bingham     | Bowen       |
| Bowers      | Brady       | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato        | Clyburn     |
| Cobb-Hunter | Cole        | Cooper      |
| Daning      | Delleney    | Dillard     |
| Duncan      | Edge        | Erickson    |
| Frye        | Funderburk  | Gambrell    |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Haley       | Hamilton    |
| Hardwick    | Harvin      | Hayes       |
| Hearn       | Herbkersman | Hiott       |
| Hodges      | Horne       | Hosey       |
| Howard      | Hutto       | Jefferson   |
| Kelly       | Kirsh       | Limehouse   |
| Loftis      | Lucas       | Mack        |
| McEachern   | Miller      | Millwood    |
| Mitchell    | Moss        | J. M. Neal  |
| Neilson     | Ott         | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Sellers     | Simrill     |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stringer    | Thompson    | Toole       |

[HJ]

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|             |             |          |
|-------------|-------------|----------|
| Umphlett    | Vick        | Viers    |
| Whipper     | White       | Whitmire |
| Williams    | Willis      | Wylie    |
| A. D. Young | T. R. Young |          |

**Total--98**

Those who voted in the negative are:

Ballentine                      Kennedy

**Total--2**

Section 72 was adopted.

**SPEAKER IN CHAIR**

**SECTION 73--ADOPTED**

Rep. VIERS proposed the following Amendment No. 146 (Doc Name h:\legwork\house\amend\H-WM\006\LT. GOV. SEC. DETAIL.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 73, LIEUTENANT GOVERNOR'S OFFICE, page 468, after line 24, by adding an appropriately numbered paragraph to read:

*/ Itg: (prohibits security detail) The Lieutenant Governor's Office is prohibited from expending any funds for the Lieutenant Governor's security detail. All funds expended for the Lieutenant Governor's security detail shall be transferred to the Office on Aging./*

Re-number sections to conform.

Amend totals and titles to conform.

Rep. VIERS explained the amendment.

Rep. KING moved to table the amendment.

Rep. VIERS demanded the yeas and nays which were taken, resulting as follows:

Yeas 76; Nays 35

[HJ]

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Anthony     | Bales       |
| Ballentine  | Bannister   | Barfield    |
| Battle      | Bingham     | Bowen       |
| Brady       | Branham     | Brantley    |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato        | Chalk       | Clyburn     |
| Cobb-Hunter | Cooper      | Daning      |
| Delleney    | Dillard     | Frye        |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Hardwick    | Harrell     | Harrison    |
| Hart        | Harvin      | Hayes       |
| Hodges      | Horne       | Hosey       |
| Howard      | Hutto       | Jefferson   |
| King        | Kirsh       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lucas       | Mack        | McEachern   |
| Miller      | Mitchell    | Moss        |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parks       |
| Pinson      | Sandifer    | Sellers     |
| Simrill     | Skelton     | J. E. Smith |
| Spires      | Vick        | Whipper     |
| White       | Whitmire    | Williams    |
| A. D. Young |             |             |

**Total--76**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Bedingfield | Bowers      |
| Cole        | Duncan      | Erickson    |
| Forrester   | Haley       | Hamilton    |
| Hearn       | Hiott       | Kelly       |
| McLeod      | Merrill     | Millwood    |
| Parker      | E. H. Pitts | M. A. Pitts |
| Rice        | Scott       | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Stavrinakis | Stewart     |
| Stringer    | Thompson    | Toole       |

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Umphlett  
Wylie

Viers  
T. R. Young

Willis

**Total--35**

So, the amendment was tabled.

The question then recurred to the adoption of the Section.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 16

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Bales       | Ballentine  |
| Bannister   | Barfield    | Battle      |
| Bingham     | Bowen       | Bowers      |
| Brady       | Brantley    | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato        |
| Chalk       | Clyburn     | Cobb-Hunter |
| Daning      | Delleney    | Dillard     |
| Edge        | Erickson    | Frye        |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Hardwick    | Harrell     | Harrison    |
| Hart        | Harvin      | Hearn       |
| Herbkersman | Hiott       | Hodges      |
| Horne       | Hosey       | Howard      |
| Hutto       | Jefferson   | Kelly       |
| King        | Limehouse   | Littlejohn  |
| Loftis      | Long        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Mitchell    | Moss        | J. H. Neal  |
| Neilson     | Ott         | Owens       |
| Pinson      | M. A. Pitts | Rice        |
| Sellers     | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | J. R. Smith |
| Sottile     | Stavrinakis | Thompson    |
| Umphlett    | Vick        | White       |

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|          |             |        |
|----------|-------------|--------|
| Whitmire | Williams    | Willis |
| Wylie    | A. D. Young |        |

**Total--83**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Bedingfield | Duncan      |
| Forrester   | Haley       | Hamilton    |
| Millwood    | Parker      | E. H. Pitts |
| Scott       | G. R. Smith | Stewart     |
| Stringer    | Toole       | Viers       |
| T. R. Young |             |             |

**Total--16**

Section 73 was adopted.

#### **STATEMENTS FOR THE JOURNAL**

We voted against approval of the the budget for the Lt. Governor's office because we do not believe the appropriation for the security detail is necessary.

Reps. Tom Young and Jim Stewart

Rep. WHITE moved that the House recede until 7:15 p.m., which was adopted.

#### **LEAVE OF ABSENCE**

The SPEAKER granted Rep. DUNCAN a temporary leave of absence.

#### **THE HOUSE RESUMES**

At 7:15 p.m. the House resumed, Acting Speaker J. M. NEAL in the Chair.

#### **POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

#### **H. 3560--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of Part IB.

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**H. 3560--THE GENERAL APPROPRIATION BILL**

H. 3560 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THIS OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

**PART IB**

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SECTION 75**

Section 75 was adopted.

**SECTION 77--SECTION NOT ADDED**

Rep. KENNEDY proposed the following Amendment No. 148 (Doc Name h:\legwork\house\amend\H-WM\001\RET SYST INV COMM MEETINGS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 77, RETIREMENT SYSTEM INVESTMENT COMMISSION, page 472, after line 4, by adding Section 77 and an appropriately numbered paragraph to read:

/ SECTION 77 - E19 - RETIREMENT SYSTEM INVESTMENT COMMISSION

*(RSIC: Meeting Notification) The Retirement System Investment Commission shall notify members of the General Assembly of commission meetings at least one week prior to the scheduled meeting.*

/

Renumber sections to conform.

Amend totals and titles to conform.

Rep. KENNEDY explained the amendment.

Rep. COOPER moved to table the amendment.

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Rep. KENNEDY demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 66; Nays 44

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Brady       |
| Cato        | Chalk       | Cole        |
| Cooper      | Crawford    | Daning      |
| Edge        | Erickson    | Forrester   |
| Frye        | Gambrell    | Gullick     |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hearn       |
| Hiott       | Horne       | Kelly       |
| Kirsh       | Limehouse   | Littlejohn  |
| Loftis      | Long        | Lowe        |
| Lucas       | Millwood    | Nanney      |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Sandifer    | Scott       | Simrill     |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Whitmire    |
| Willis      | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|             |             |            |
|-------------|-------------|------------|
| Agnew       | Alexander   | Allen      |
| Anderson    | Anthony     | Bales      |
| Bowers      | Branham     | Brantley   |
| G. A. Brown | R. L. Brown | Clyburn    |
| Cobb-Hunter | Dillard     | Funderburk |
| Gilliard    | Govan       | Hart       |
| Harvin      | Hayes       | Hodges     |
| Hosey       | Howard      | Hutto      |
| Jefferson   | Jennings    | Kennedy    |
| King        | Mack        | McEachern  |

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|             |             |          |
|-------------|-------------|----------|
| McLeod      | Miller      | Mitchell |
| Moss        | J. H. Neal  | Neilson  |
| Ott         | Parks       | Sellers  |
| J. E. Smith | Stavrinakis | Vick     |
| Whipper     | Williams    |          |

**Total--44**

So, the amendment was tabled.

The Section was not added.

#### SECTION 79

Section 79 was adopted.

#### SECTION 80A--AMENDED AND ADOPTED

Rep. DUNCAN proposed the following Amendment No. 245 (Doc Name h:\legwork\house\amend\H-WM\006\PUBLIC AUCTION OF SURPLUS PROPERTY.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 80A, BUDGET AND CONTROL BOARD, page 485, paragraph , line 29, by inserting:

/ The Budget and Control Board is hereby directed to sell all surplus real property at public auction, except in cases where transfers occur between state agencies, between a state agency and county or local government, or school districts in the state./

Re-number sections to conform.

Amend totals and titles to conform.

Rep. E. H. PITTS explained the amendment.

Rep. COOPER moved to table the amendment, which was agreed to.

Rep. DANING proposed the following Amendment No. 247 (Doc Name h:\legwork\house\amend\H-WM\006\b&cb - meals on wheels.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 80A, budget and control board, page 487, after line 3, by adding an appropriately numbered paragraph to read:

/ (bcb: meals on wheels) Of the funds authorized and or appropriated to the budget and control board, \$1,000,000 shall be

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transferred to the Lieutenant Governor's Office for the Office on Aging  
for the Meals on Wheels Program./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. DANING explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. CRAWFORD demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 13; Nays 86

Those who voted in the affirmative are:

|           |             |            |
|-----------|-------------|------------|
| Bannister | Barfield    | Cato       |
| Cooper    | Edge        | Gambrell   |
| Hardwick  | Hodges      | Littlejohn |
| McEachern | J. R. Smith | Sottile    |
| White     |             |            |

**Total--13**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allison     |
| Anderson    | Anthony     | Bales       |
| Ballentine  | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Brady       | Branham     | Brantley    |
| G. A. Brown | H. B. Brown | Clyburn     |
| Crawford    | Daning      | Delleney    |
| Dillard     | Erickson    | Forrester   |
| Frye        | Funderburk  | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Haley       | Hamilton    | Harrison    |
| Harvin      | Hayes       | Hearn       |
| Hiott       | Horne       | Hosey       |
| Howard      | Hutto       | Jefferson   |
| Kelly       | Kennedy     | King        |
| Kirsh       | Loftis      | Long        |
| Lowe        | Lucas       | Mack        |
| McLeod      | Miller      | Millwood    |

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|             |             |             |
|-------------|-------------|-------------|
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Skelton     | D. C. Smith |
| G. R. Smith | J. E. Smith | Spires      |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Whipper     | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--86**

So, the House refused to table the amendment.

**POINT OF ORDER**

Rep. J. E. SMITH raised the Point of Order that Amendment No. 247 violated House Rule 5.4 and was out of order in that it would authorize payment to Meals on Meals which was a private claim.

SPEAKER *PRO TEMPORE* CATO stated that the rule prohibited the "payment of a private claim against the state or a department of the state" and that a claim was a judgment or legal right. He stated further that an appropriation to a private entity was not necessarily a legal claim and that the appropriation to Meals on Wheels was not a legal claim. Therefore, he overruled the Point of Order.

Rep. WHITE spoke against the amendment.

The question then recurred to the adoption of the amendment.

Rep. DANING demanded the yeas and nays which were taken, resulting as follows:

Yeas 92; Nays 14

Those who voted in the affirmative are:

|             |           |         |
|-------------|-----------|---------|
| Alexander   | Allen     | Allison |
| Anderson    | Anthony   | Bales   |
| Ballentine  | Bannister | Battle  |
| Bedingfield | Bingham   | Bowen   |
| Bowers      | Brady     | Branham |

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|             |             |             |
|-------------|-------------|-------------|
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato        | Clyburn     | Cobb-Hunter |
| Crawford    | Daning      | Dillard     |
| Edge        | Forrester   | Frye        |
| Gilliard    | Govan       | Gunn        |
| Haley       | Hamilton    | Hardwick    |
| Harrison    | Hart        | Harvin      |
| Hayes       | Herbkersman | Hiott       |
| Horne       | Hosey       | Hutto       |
| Jefferson   | Jennings    | Kennedy     |
| King        | Kirsh       | Limehouse   |
| Long        | Lowe        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Merrill     | Miller      | Millwood    |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| Rice        | Sandifer    | Scott       |
| Sellers     | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | J. E. Smith |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Vick        | Viers       | Whipper     |
| Whitmire    | Williams    | Willis      |
| Wylie       | A. D. Young |             |

**Total--92**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Barfield    | Brantley    |
| Chalk       | Cooper      | Funderburk  |
| Gambrell    | Hodges      | Littlejohn  |
| M. A. Pitts | G. R. Smith | J. R. Smith |
| Sottile     | White       |             |

**Total--14**

The amendment was then adopted.

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**STATEMENT FOR THE JOURNAL**

I did not vote on final passage of Amendment No. 247, due to a possible conflict, as noted in my abstention from voting statement. If I had voted, I would have voted in favor of the Amendment.

Rep. Tom Young

**AMENDMENT NO. 247--MOTION TO RECONSIDER  
TABLED**

Rep. E. H. PITTS moved to reconsider the vote whereby Amendment No. 247 was adopted.

Rep. E. H. PITTS moved to table the motion to reconsider, which was agreed to.

So, the motion to reconsider was tabled.

Rep. GOVAN proposed the following Amendment No. 166 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5812CM09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 80A, BUDGET AND CONTROL BOARD, page 487, after line 4, by adding an appropriately numbered paragraph to read:

/80A.53 (BCB: Fines and Fees) *Of the other funds appropriated to or authorized for use by the Budget and Control Board, the Budget and Control Board must compile and release to the public on an annual basis a list of all fines and fees that are charged and collected by the departments and agencies of this state.*

Re-number sections to conform.

Amend totals and titles to conform.

Rep. GOVAN explained the amendment.

**SPEAKER IN CHAIR**

Rep. WHITE moved to table the amendment.

Rep. GOVAN demanded the yeas and nays which were taken, resulting as follows:

Yeas 52; Nays 51

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Bales       | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Brady       |
| Cato        | Cooper      | Crawford    |
| Daning      | Edge        | Forrester   |
| Gambrell    | Hardwick    | Harrell     |
| Harrison    | Harvin      | Hayes       |
| Herbkersman | Hiott       | Horne       |
| Hutto       | Jennings    | Kirsh       |
| Limehouse   | Littlejohn  | Loftis      |
| Lowe        | Lucas       | Merrill     |
| Miller      | Moss        | Neilson     |
| Owens       | Pinson      | M. A. Pitts |
| Rice        | Sandifer    | Skelton     |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| White       | Whitmire    | Willis      |
| A. D. Young |             |             |

**Total--52**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Allison     |
| Anderson    | Anthony     | Ballentine  |
| Bowers      | Branham     | Brantley    |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn     | Cobb-Hunter | Dillard     |
| Erickson    | Frye        | Funderburk  |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Haley       | Hamilton    |
| Hart        | Hosey       | Howard      |
| Jefferson   | Kennedy     | King        |
| Mack        | McEachern   | McLeod      |
| Millwood    | Mitchell    | Nanney      |
| J. H. Neal  | J. M. Neal  | Ott         |
| Parker      | Parks       | E. H. Pitts |
| Scott       | Simrill     | G. M. Smith |

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Stringer  
Vick

Thompson  
Viers

Toole  
Williams

**Total--51**

So, the amendment was tabled.

**AMENDMENT NO. 166--MOTION TO RECONSIDER  
TABLED**

Rep. COOPER moved to reconsider the vote whereby Amendment No. 166 was tabled.

Rep. COOPER moved to table the motion to reconsider.

Rep. GOVAN demanded the yeas and nays which were taken, resulting as follows:

Yeas 56; Nays 53

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allison     | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Brady       | Cato        | Cooper      |
| Crawford    | Edge        | Erickson    |
| Forrester   | Funderburk  | Gambrell    |
| Hardwick    | Harrell     | Harrison    |
| Hayes       | Herbkersman | Hiott       |
| Jennings    | Kirsh       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lowe        | Lucas       | Merrill     |
| Miller      | Millwood    | Owens       |
| Parker      | Pinson      | M. A. Pitts |
| Rice        | Sandifer    | Simrill     |
| Skelton     | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Umphlett    |
| White       | Whitmire    | Willis      |
| Wylie       | A. D. Young |             |

**Total--56**

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Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Bales       | Ballentine  |
| Branham     | Brantley    | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn     |
| Cobb-Hunter | Dillard     | Frye        |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Haley       | Hamilton    |
| Hart        | Harvin      | Horne       |
| Hosey       | Howard      | Hutto       |
| Jefferson   | Kennedy     | King        |
| Mack        | McEachern   | McLeod      |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Parks       | E. H. Pitts |
| Scott       | Sellers     | G. M. Smith |
| J. E. Smith | Stringer    | Thompson    |
| Toole       | Vick        | Viers       |
| Whipper     | Williams    |             |

**Total--53**

So, the motion to reconsider was tabled.

The question then recurred to the adoption of the Section.

Rep. BALLENTINE spoke upon the Section.

The yeas and nays were taken resulting as follows:

Yeas 80; Nays 11

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allison     | Anderson    |
| Anthony     | Bales       | Barfield    |
| Battle      | Bingham     | Bowen       |
| Bowers      | Brantley    | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato        |
| Chalk       | Clyburn     | Cooper      |
| Crawford    | Daning      | Dillard     |
| Edge        | Forrester   | Frye        |
| Gambrell    | Gilliard    | Govan       |

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|             |             |             |
|-------------|-------------|-------------|
| Gullick     | Hardwick    | Harrell     |
| Harrison    | Hart        | Hayes       |
| Herbkersman | Hiott       | Hodges      |
| Hosey       | Howard      | Jefferson   |
| King        | Kirsh       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lowe        | Lucas       | Mack        |
| McEachern   | McLeod      | Merrill     |
| Mitchell    | Moss        | J. H. Neal  |
| J. M. Neal  | Ott         | Owens       |
| Parker      | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sellers     |
| Skelton     | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Thompson    |
| Toole       | Umphlett    | Vick        |
| White       | Whitmire    | Williams    |
| Willis      | A. D. Young |             |

**Total--80**

Those who voted in the negative are:

|            |             |          |
|------------|-------------|----------|
| Ballentine | Bedingfield | Haley    |
| Hamilton   | Kennedy     | Millwood |
| Nanney     | Scott       | Simrill  |
| Stringer   | Wylie       |          |

**Total--11**

Section 80A, as amended, was adopted.

**SECTION 80C--AMENDED AND ADOPTED**

Reps. RICE and DUNCAN proposed the following Amendment No. 147 (Doc Name h:\legwork\house\amend\H-WM\006\FUNDING ABORTIONS PROHIBITED.DOCX), which was rejected:

Amend the bill, as and if amended, Part IB, Section 80C, B&C BD-EMPLOYEE BENEFITS, page 487, paragraph 80C.2., lines 12-13, by striking:/except in cases of rape, incest, or where the life of the mother is in jeopardy,/

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Renumber sections to conform.  
Amend totals and titles to conform.

Rep. RICE explained the amendment.

Rep. J. E. SMITH moved to table the amendment.

Rep. SIMRILL demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 41; Nays 63

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Battle      | Brady       |
| Branham     | Brantley    | H. B. Brown |
| R. L. Brown | Cobb-Hunter | Dillard     |
| Funderburk  | Gilliard    | Gullick     |
| Gunn        | Hart        | Hodges      |
| Hosey       | Howard      | Hutto       |
| Jefferson   | Jennings    | Kennedy     |
| King        | Long        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Merrill     | Miller      | Mitchell    |
| J. H. Neal  | Parks       | Sellers     |
| J. E. Smith | Stavrinakis | Vick        |
| Whipper     | Williams    |             |

**Total--41**

Those who voted in the negative are:

|           |             |             |
|-----------|-------------|-------------|
| Allison   | Anthony     | Ballentine  |
| Bannister | Barfield    | Bedingfield |
| Bingham   | Bowen       | Bowers      |
| Cato      | Chalk       | Cooper      |
| Crawford  | Daning      | Delleney    |
| Edge      | Erickson    | Forrester   |
| Frye      | Gambrell    | Haley       |
| Hamilton  | Hardwick    | Hayes       |
| Hearn     | Herbkersman | Hiott       |
| Horne     | Kelly       | Kirsh       |
| Limehouse | Littlejohn  | Loftis      |

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|             |             |             |
|-------------|-------------|-------------|
| Lowe        | Millwood    | Moss        |
| Nanney      | Owens       | Parker      |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--63**

So, the House refused to table the amendment.

Rep. J. E. SMITH spoke against the amendment.

Rep. RICE spoke in favor of the amendment.

The question then recurred to the adoption of the amendment, which was not agreed to.

So, the amendment was rejected.

Rep. JENNINGS proposed the following Amendment No. 188 (Doc Name h:\legwork\house\amend\H-WM\001\EIP PARTICIPANT.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 80C, B&C BD-EMPLOYEE BENEFITS, page 487, after line 32, by adding an appropriately numbered paragraph to read:

/ (BCB/EB: County Council Member) A person who is eligible to participate in the state health and dental insurance plans as a council member of a participating county and who is also eligible to participate as the spouse of a covered employee or retiree may choose to participate in the insurance plans as either an employee or a spouse, but not both. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. JENNINGS explained the amendment.

The amendment was then adopted.

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The question then recurred to the adoption of the Section.

Section 80C, as amended, was adopted.

**STATEMENT FOR THE JOURNAL**

I disagree with Section 80C of the General Appropriation Bill, H. 3560.

Rep. Wendy Nanney

**STATEMENT FOR THE JOURNAL**

It was my intention to vote against Section 80C of the General Appropriation Bill, H. 3560, which provides funding for state employees for abortions. Section 80C was ruled passed by unanimous consent, however, I was against it.

Rep. Dan Hamilton

**STATEMENT FOR THE JOURNAL**

Regarding the vote on Amendment No. 147 to Section 80C of the General Appropriation Bill, H. 3560, prohibiting abortions being paid for through the state health plan, the Amendment was defeated by a voice vote and the Section was passed by unanimous consent. There was not an opportunity for a roll call vote.

Please allow the record to show that I voted by voice in favor of the Amendment to prohibit the state health plan from funding abortions.

Rep. Tommy Stringer

**STATEMENT FOR THE JOURNAL**

Regarding the vote on Amendment No. 147 to Section 80C of the General Appropriation Bill, H. 3560, prohibiting abortions being paid for through the state health plan, the Amendment was defeated by a voice vote and the Section was passed by unanimous consent. There was not an opportunity for a roll call vote.

Please allow the record to show that I voted by voice in favor of the Amendment to prohibit the state health plan from funding abortions.

Rep. William T. Wylie

**SECTION 81**

Section 81 was adopted.

[HJ]

TUESDAY, MARCH 10, 2009

**SECTION 85--AMENDED AND ADOPTED**

Reps. SCOTT and T. R. YOUNG proposed the following Amendment No. 85 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\GJK\20183SD09.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 85, AID TO SUBDIVISIONS-COMPTROLLER GENERAL, page 490, paragraph 85.1, by adding at the end of line 31:

/ However, the governing body of a county may reduce the expenditures in the operation of the offices of these officials without any required corresponding reduction in the county's state aid to subdivisions distribution. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SCOTT explained the amendment.

Rep. STAVRINAKIS spoke in favor of the amendment.

Rep. LOWE demanded the yeas and nays which were taken, resulting as follows:

Yeas 110; Nays 4

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anderson    | Anthony     |
| Bales       | Ballentine  | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Brady       | Branham     | H. B. Brown |
| R. L. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Crawford    | Daning      |
| Delleney    | Dillard     | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Funderburk  | Gambrell    |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Haley       | Hamilton    |
| Hardwick    | Harrell     | Harrison    |
| Harvin      | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Hosey       | Howard      | Hutto       |

[HJ]

**TUESDAY, MARCH 10, 2009**

|             |             |             |
|-------------|-------------|-------------|
| Jefferson   | Jennings    | Kelly       |
| Kennedy     | King        | Kirsh       |
| Limehouse   | Littlejohn  | Loftis      |
| Long        | Lowe        | Lucas       |
| Mack        | McEachern   | Miller      |
| Millwood    | Mitchell    | Moss        |
| Nanney      | J. H. Neal  | J. M. Neal  |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Sellers     | Simrill     |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Stringer    | Thompson    |
| Toole       | Vick        | Viers       |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--110**

Those who voted in the negative are:

|          |             |      |
|----------|-------------|------|
| Brantley | G. A. Brown | Hart |
| McLeod   |             |      |

**Total--4**

So, the amendment was adopted.

Section 85, as amended, was adopted.

**SECTION 86--AMENDED AND ADOPTED**

Rep. T. R. YOUNG proposed the following Amendment No. 106 (Doc Name h:\legwork\house\amend\H-WM\009\LOCAL GOVT FLEX.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 491, after line 12, by adding an appropriately numbered paragraph to read:

[HJ]

TUESDAY, MARCH 10, 2009

/ (AS-Treas: Local Government Flexibility) For fiscal year 2009-2010, counties of this State may transfer funds among appropriated state revenues as needed to ensure the delivery of services. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. T. R. YOUNG explained the amendment.

Rep. J. H. NEAL demanded the yeas and nays which were taken, resulting as follows:

Yeas 106; Nays 2

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anderson    | Anthony     |
| Bales       | Ballentine  | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Brady       | Brantley    | G. A. Brown |
| H. B. Brown | Cato        | Chalk       |
| Clyburn     | Cobb-Hunter | Cole        |
| Cooper      | Crawford    | Daning      |
| Delleney    | Dillard     | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Funderburk  | Gambrell    |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Haley       | Hamilton    |
| Hardwick    | Harrell     | Harrison    |
| Harvin      | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Hosey       | Howard      | Hutto       |
| Jefferson   | Jennings    | Kelly       |
| King        | Kirsh       | Limehouse   |
| Long        | Lowe        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Miller      | Millwood    | Moss        |
| Nanney      | J. H. Neal  | J. M. Neal  |
| Ott         | Owens       | Parker      |
| Parks       | E. H. Pitts | Rice        |
| Sandifer    | Scott       | Sellers     |
| Simrill     | Skelton     | D. C. Smith |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Vick        | Viers       | Whipper     |
| White       | Whitmire    | Williams    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--106**

Those who voted in the negative are:  
Hart                      Kennedy

**Total--2**

The amendment was then adopted.

Rep. CLYBURN proposed the following Amendment No. 107 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9236HTC09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 491, after line 12, by adding an appropriately numbered paragraph to read:

/ 86. (AS-TREAS: Certain Municipalities Exempted from Budget Reduction) The budget reductions in Part IA, Section 85, Aid to Subdivisions, pursuant to the suspension of Section 6-27-30 of the 1976 Code for the current fiscal year, do not apply to a municipality with a population of less than three hundred. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. CLYBURN explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. J. H. NEAL demanded the yeas and nays which were taken, resulting as follows:

Yeas 59; Nays 50

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Bedingfield | Bingham     |
| Bowen       | Brady       | Cato        |
| Chalk       | Cole        | Cooper      |
| Crawford    | Daning      | Duncan      |
| Edge        | Erickson    | Forrester   |
| Gullick     | Haley       | Hamilton    |
| Hardwick    | Harrell     | Harrison    |
| Hearn       | Herbkersman | Hiott       |
| Horne       | Kelly       | Kirsh       |
| Limehouse   | Littlejohn  | Long        |
| Lowe        | Lucas       | Millwood    |
| Nanney      | Owens       | Parker      |
| E. H. Pitts | M. A. Pitts | Sandifer    |
| Scott       | Simrill     | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Willis      |
| Wylie       | A. D. Young |             |

**Total--59**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Anthony     | Bales       |
| Battle      | Bowers      | Brantley    |
| H. B. Brown | R. L. Brown | Clyburn     |
| Cobb-Hunter | Dillard     | Frye        |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gunn        | Hart        |
| Harvin      | Hayes       | Hodges      |
| Hosey       | Howard      | Hutto       |
| Jefferson   | Jennings    | Kennedy     |
| King        | Mack        | McEachern   |
| McLeod      | Miller      | Mitchell    |
| Moss        | J. H. Neal  | J. M. Neal  |
| Neilson     | Ott         | Parks       |
| Rice        | Sellers     | J. E. Smith |

TUESDAY, MARCH 10, 2009

Stavrinakis  
Williams

Vick  
T. R. Young

Whipper

**Total--50**

So, the amendment was tabled.

Rep. PINSON proposed the following Amendment No. 151 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5822DW09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 491, by adding a new paragraph after line 12 to read:

/ 86. AS - TREAS: Uniform County Furloughs and Salary Reductions A county receiving a distribution from the Local Government Fund pursuant to appropriations in SECTION 86, Part IA of this act may reduce employee salaries or furlough employees only pursuant to a plan that imposes these reductions or furloughs uniformly on employees of all county agencies and departments. Provisions in existing law or regulation that would prohibit this uniform application as to all employees of all county agencies and departments are suspended for the current fiscal year. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. PINSON explained the amendment.

Rep. WHITE moved to table the amendment, which was agreed to.

Rep. TOOLE proposed the following Amendment No. 155 (Doc Name h:\legwork\house\amend\H-WM\009\MUNICIPALITIES EXEMPTION.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 491, after line 12, by adding an appropriately numbered paragraph to read:

/ (AS – Treas: Municipalities Exemption) Municipalities that have not imposed a millage rate for the purpose of levying taxes must not be reduced if funding for the local government fund is reduced. /

Renumber sections to conform.

Amend totals and titles to conform.

[HJ]

**TUESDAY, MARCH 10, 2009**

Rep. TOOLE explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 61; Nays 53

Those who voted in the affirmative are:

|             |             |           |
|-------------|-------------|-----------|
| Alexander   | Allison     | Bales     |
| Ballentine  | Bannister   | Barfield  |
| Bedingfield | Bingham     | Bowen     |
| G. A. Brown | Cato        | Chalk     |
| Cole        | Cooper      | Crawford  |
| Daning      | Edge        | Erickson  |
| Forrester   | Frye        | Gullick   |
| Haley       | Hamilton    | Hardwick  |
| Harrell     | Harrison    | Hearn     |
| Herbkerman  | Hiott       | Horne     |
| Kelly       | Kirsh       | Limehouse |
| Littlejohn  | Loftis      | Long      |
| Lowe        | Millwood    | Nanney    |
| Owens       | Parker      | Pinson    |
| E. H. Pitts | M. A. Pitts | Rice      |
| Sandifer    | Scott       | Simrill   |
| Skelton     | G. R. Smith | Sottile   |
| Spires      | Stringer    | Thompson  |
| Umphlett    | Viers       | White     |
| Whitmire    | Willis      | Wylie     |
| A. D. Young |             |           |

**Total--61**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allen       | Anderson    |
| Anthony     | Battle      | Bowers      |
| Brady       | Branham     | Brantley    |
| H. B. Brown | R. L. Brown | Cobb-Hunter |
| Delleney    | Dillard     | Duncan      |
| Funderburk  | Gilliard    | Govan       |
| Gunn        | Harvin      | Hayes       |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| Hodges      | Hosey       | Howard      |
| Hutto       | Jefferson   | Jennings    |
| Kennedy     | King        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Miller      | Mitchell    | Moss        |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Parks       | Sellers     |
| D. C. Smith | G. M. Smith | J. E. Smith |
| J. R. Smith | Stavrinakis | Stewart     |
| Toole       | Vick        | Whipper     |
| Williams    | T. R. Young |             |

**Total--53**

So, the amendment was tabled.

Rep. MILLER proposed the following Amendment No. 199 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\GJK\2019.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 491, after line 12, by adding an appropriately numbered paragraph to read:

/86. (AS-Treas: Quarterly Distributions) For fiscal year 2009-2010, the amount of the four quarterly distributions from the Aid to Subdivisions-local government fund shall be as follows: The amount of the first quarterly distribution for each entity shall equal the amount of the last quarterly distribution for fiscal year 2008-2009 and thereafter the next three quarterly distributions shall be in reduced equal amounts, the four distributions together totaling the 2009-2010 appropriation from the local government fund. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. MILLER explained the amendment.

The amendment was then adopted.

Rep. VICK proposed the following Amendment No. 210 to (Doc Name h:\legwork\house\amend\H-WM\009\EQUAL MILLS.DOCX), which was tabled:

[HJ]

**TUESDAY, MARCH 10, 2009**

Amend the bill, as and if amended, Part IB, Section 86, AID TO SUBDIVISIONS-STATE TREASURER, page 491, after line 12, by adding an appropriately numbered paragraph to read:

/ (AS-TREAS: Equal Mills) The formula used to calculate the reductions assessed to county and municipal governments should be such that the mills needed to offset the reduction shall be equal. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. VICK explained the amendment.

Rep. SIMRILL moved to table the amendment.

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 73; Nays 39

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allison     | Bannister   |
| Barfield    | Bedingfield | Bingham     |
| Bowen       | Brady       | R. L. Brown |
| Cato        | Chalk       | Cole        |
| Cooper      | Crawford    | Daning      |
| Delleney    | Duncan      | Edge        |
| Erickson    | Forrester   | Frye        |
| Gambrell    | Gilliard    | Gullick     |
| Hamilton    | Hardwick    | Harrell     |
| Harrison    | Hearn       | Herbkersman |
| Hiott       | Hodges      | Horne       |
| Hutto       | Kelly       | King        |
| Limehouse   | Littlejohn  | Loftis      |
| Long        | Lowe        | Mack        |
| Miller      | Millwood    | Nanney      |
| Owens       | Parker      | Pinson      |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Toole       | Umphlett    | Viers       |
| Whipper     | White       | Whitmire    |

[HJ]

**TUESDAY, MARCH 10, 2009**

|             |       |             |
|-------------|-------|-------------|
| Willis      | Wylie | A. D. Young |
| T. R. Young |       |             |

**Total--73**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allen       | Anderson    |
| Anthony     | Bales       | Ballentine  |
| Battle      | Bowers      | Branham     |
| G. A. Brown | H. B. Brown | Cobb-Hunter |
| Dillard     | Funderburk  | Govan       |
| Gunn        | Haley       | Harvin      |
| Hayes       | Hosey       | Jefferson   |
| Jennings    | Kennedy     | Lucas       |
| McEachern   | McLeod      | Mitchell    |
| Moss        | J. H. Neal  | J. M. Neal  |
| Neilson     | Ott         | Parks       |
| E. H. Pitts | Sellers     | J. E. Smith |
| Thompson    | Vick        | Williams    |

**Total--39**

So, the amendment was tabled.

Rep. HART spoke upon the Section.

Rep. CRAWFORD spoke in favor of the Section.

The yeas and nays were taken resulting as follows:

Yeas 85; Nays 26

Those who voted in the affirmative are:

|            |             |           |
|------------|-------------|-----------|
| Allen      | Allison     | Anthony   |
| Ballentine | Bannister   | Barfield  |
| Battle     | Bedingfield | Bingham   |
| Bowen      | Bowers      | Brady     |
| Branham    | R. L. Brown | Cato      |
| Chalk      | Cole        | Cooper    |
| Crawford   | Danig       | Delleney  |
| Duncan     | Edge        | Forrester |
| Frye       | Gambrell    | Gilliard  |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| Gullick     | Haley       | Hamilton    |
| Hardwick    | Harrell     | Harvin      |
| Hearn       | Herbkersman | Hiott       |
| Horne       | Hutto       | Jefferson   |
| Jennings    | Kelly       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lowe        | Lucas       | Mack        |
| McLeod      | Miller      | Millwood    |
| Moss        | J. M. Neal  | Neilson     |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Stringer    | Thompson    |
| Toole       | Umphlett    | Viers       |
| Whipper     | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--85**

Those who voted in the negative are:

|             |            |             |
|-------------|------------|-------------|
| Agnew       | Alexander  | Anderson    |
| Bales       | Brantley   | G. A. Brown |
| H. B. Brown | Clyburn    | Cobb-Hunter |
| Dillard     | Funderburk | Govan       |
| Gunn        | Hart       | Hodges      |
| Hosey       | Kennedy    | King        |
| McEachern   | Mitchell   | J. H. Neal  |
| Ott         | Sellers    | J. E. Smith |
| Vick        | Williams   |             |

**Total--26**

Section 86, as amended, was adopted.

**SECTION 89--AMENDED AND ADOPTED**

[HJ]

TUESDAY, MARCH 10, 2009

Rep. SANDIFER proposed the following Amendment No. 253 (Doc Name h:\legwork\house\amend\H-WM\001\FLIGHT LOGS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 504, paragraph 89.27, line 4, by striking line 4 in its entirety and by inserting:

*/continuing log on all flights, which in order to promote accountability and transparency shall be ~~open~~ posted online for public inspection. Any and all aircraft owned or operated by agencies of the /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

Reps. EDGE and WHITE proposed the following Amendment No. 11 (Doc Name h:\legwork\house\amend\H-WM\005\PROVIDER RATES.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 519, paragraph 89.96, after line 17, by inserting:

*/ It is not the intent of this proviso to restrict the annual updating of cost based rates and those rates which are indexed to methodologies described in the Medicaid State Plan. /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

The amendment was then adopted.

Rep. VIERS proposed the following Amendment No. 26 to (Doc Name h:\legwork\house\amend\H-WM\001\LOBBYIST.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

*/ (GP: State Agency Lobbyist Prohibition) It is unlawful for a state agency, instrumentality, or department to expend public funds in order to employ or contract with a "lobbyist" as defined in Section 2-17-10 of the 1976 Code. /*

Renumber sections to conform.

Amend totals and titles to conform.

[HJ]

**TUESDAY, MARCH 10, 2009**

Rep. VIERS explained the amendment.  
Rep. GUNN spoke against the amendment.  
Rep. STAVRINAKIS spoke upon the amendment.

Rep. SKELTON moved to table the amendment.

Rep. BALLENTINE demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 62; Nays 54

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Alexander   | Allen       | Anderson    |
| Anthony     | Bales       | Bannister   |
| Barfield    | Battle      | Branham     |
| Brantley    | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato        | Clyburn     |
| Cobb-Hunter | Cooper      | Crawford    |
| Daning      | Dillard     | Funderburk  |
| Gilliard    | Govan       | Gullick     |
| Gunn        | Hardwick    | Hart        |
| Harvin      | Herbkersman | Hodges      |
| Hosey       | Howard      | Hutto       |
| Jefferson   | Jennings    | Kennedy     |
| King        | Limehouse   | Littlejohn  |
| Lowe        | Lucas       | Mack        |
| McEachern   | McLeod      | Miller      |
| Mitchell    | Moss        | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Parks       | Sandifer    | Sellers     |
| Skelton     | J. E. Smith | Sottile     |
| Stavrinakis | Vick        | Whipper     |
| White       | Williams    |             |

**Total--62**

Those who voted in the negative are:

|             |          |            |
|-------------|----------|------------|
| Agnew       | Allison  | Ballentine |
| Bedingfield | Bingham  | Bowen      |
| Bowers      | Brady    | Chalk      |
| Cole        | Delleney | Duncan     |
| Edge        | Erickson | Forrester  |

[HJ]

**TUESDAY, MARCH 10, 2009**

|             |             |             |
|-------------|-------------|-------------|
| Gambrell    | Haley       | Hamilton    |
| Harrell     | Harrison    | Hearn       |
| Hiott       | Horne       | Huggins     |
| Kelly       | Loftis      | Long        |
| Merrill     | Millwood    | Nanney      |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Scott       | Simrill     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | Whitmire    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--54**

So, the amendment was tabled.

Rep. CRAWFORD proposed the following Amendment No. 27 (Doc Name h:\legwork\house\amend\H-WM\001\CONST OFCR FTE STATUS.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (GP: Constitutional Officers' Employee Status) Personnel employed by the Governor, Lieutenant Governor, State Treasurer, Secretary of State, Comptroller General, Attorney General, Commissioner of Agriculture, Adjutant General, and State Superintendent of Education, whether classified or unclassified, shall be exempt from the provisions of Article 3, Chapter 11, Title 8 and Article 5, Chapter 17, Title 8 of the 1976 Code of Laws, as amended. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. CRAWFORD explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. CRAWFORD demanded the yeas and nays which were taken, resulting as follows:

Yeas 82; Nays 29

[HJ]

**TUESDAY, MARCH 10, 2009**

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anderson    | Anthony     |
| Bales       | Barfield    | Battle      |
| Bingham     | Bowen       | Bowers      |
| Brady       | Branham     | Brantley    |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato        | Chalk       | Cobb-Hunter |
| Cole        | Cooper      | Delleney    |
| Dillard     | Duncan      | Edge        |
| Forrester   | Frye        | Funderburk  |
| Gambrell    | Gilliard    | Govan       |
| Gullick     | Hardwick    | Harrell     |
| Harrison    | Hart        | Harvin      |
| Hayes       | Herbkersman | Hiott       |
| Hodges      | Horne       | Hosey       |
| Hutto       | Jefferson   | Jennings    |
| Kelly       | Kennedy     | King        |
| Limehouse   | Littlejohn  | Lucas       |
| Mack        | McEachern   | McLeod      |
| Miller      | Mitchell    | Moss        |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Parker      | Parks       |
| Pinson      | M. A. Pitts | Sellers     |
| Skelton     | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile     |
| Spires      | Toole       | Vick        |
| Viers       | White       | Whitmire    |
| A. D. Young |             |             |

**Total--82**

Those who voted in the negative are:

|            |             |             |
|------------|-------------|-------------|
| Ballentine | Bannister   | Bedingfield |
| Crawford   | Daning      | Erickson    |
| Haley      | Hamilton    | Hearn       |
| Loftis     | Lowe        | Merrill     |
| Nanney     | Owens       | E. H. Pitts |
| Rice       | Sandifer    | Scott       |
| Simrill    | G. M. Smith | Stavrinakis |
| Stewart    | Stringer    | Thompson    |

[HJ]

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Umphlett  
Wylie

Williams  
T. R. Young

Willis

**Total--29**

So, the amendment was tabled.

Rep. COBB-HUNTER proposed the following Amendment No. 39 (Doc Name h:\legwork\house\amend\H-WM\006\RIF RTWR CONTRACT EMPLOYEES.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

*/ (GP: RIF Plan) Notwithstanding any other provisions of law, any agency planning to implement a reduction in force plan must first eliminate any retirees who have returned to work and any contractual employees who do not have grievance rights under the State Employee Grievance Procedure Act before the agency can implement the reduction in force plan./*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. COBB-HUNTER spoke in favor of the amendment.

Rep. WHITE spoke against the amendment.

Rep. WHITE moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 77; Nays 36

Those who voted in the affirmative are:

|             |           |            |
|-------------|-----------|------------|
| Allison     | Anthony   | Ballentine |
| Bannister   | Barfield  | Battle     |
| Bedingfield | Bingham   | Bowen      |
| Brady       | Branham   | Cato       |
| Chalk       | Cole      | Cooper     |
| Delleney    | Duncan    | Edge       |
| Erickson    | Forrester | Frye       |
| Gambrell    | Gullick   | Haley      |

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|             |             |             |
|-------------|-------------|-------------|
| Hamilton    | Hardwick    | Harrell     |
| Harrison    | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Hosey       | Huggins     | Hutto       |
| Jennings    | Kelly       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lowe        | Lucas       | Merrill     |
| Millwood    | Moss        | Nanney      |
| J. M. Neal  | Owens       | Parker      |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Viers       | White       |
| Whitmire    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--77**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Anderson    | Bowers      | Brantley    |
| H. B. Brown | R. L. Brown | Cobb-Hunter |
| Crawford    | Dillard     | Funderburk  |
| Gilliard    | Govan       | Gunn        |
| Hart        | Harvin      | Hodges      |
| Howard      | Jefferson   | Kennedy     |
| King        | Mack        | McEachern   |
| McLeod      | Miller      | Mitchell    |
| J. H. Neal  | Neilson     | Ott         |
| Parks       | Sellers     | J. E. Smith |
| Vick        | Whipper     | Williams    |

**Total--36**

So, the amendment was tabled.

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Rep. Gambrell proposed the following Amendment No. 48 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3639HTC09.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by inserting a new paragraph appropriately numbered to read:

/ 89. (GP: Fire Service Vehicles Allowed to use "Offroad Diesel")  
Fire service vehicles operated by political subdivisions of this State are exempt from the user fee on diesel fuel imposed pursuant to Chapter 28, Title 12 of the 1976 Code for fuel purchased in the current fiscal year. "Offroad diesel" may be purchased to operated these vehicles. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. GAMBRELL explained the amendment.

Rep. KENNEDY demanded the yeas and nays which were taken, resulting as follows:

Yeas 98; Nays 12

Those who voted in the affirmative are:

|           |            |             |
|-----------|------------|-------------|
| Agnew     | Allison    | Anderson    |
| Anthony   | Ballentine | Bannister   |
| Barfield  | Battle     | Bedingfield |
| Bingham   | Bowen      | Bowers      |
| Brady     | Branham    | H. B. Brown |
| Cato      | Chalk      | Clyburn     |
| Cole      | Cooper     | Crawford    |
| Daning    | Delleney   | Dillard     |
| Duncan    | Edge       | Erickson    |
| Forrester | Frye       | Funderburk  |
| Gambrell  | Govan      | Gullick     |
| Gunn      | Haley      | Hamilton    |
| Harrell   | Harrison   | Harvin      |
| Hayes     | Hearn      | Herbkersman |
| Hiott     | Horne      | Howard      |
| Hutto     | Kelly      | King        |
| Limehouse | Littlejohn | Loftis      |
| Long      | Lowe       | Lucas       |
| Mack      | McEachern  | McLeod      |
| Merrill   | Miller     | Millwood    |

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|             |             |             |
|-------------|-------------|-------------|
| Moss        | Nanney      | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stringer    | Thompson    |
| Toole       | Umphlett    | Vick        |
| Viers       | Whipper     | White       |
| Whitmire    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--98**

Those who voted in the negative are:

|           |           |          |
|-----------|-----------|----------|
| Alexander | Allen     | Brantley |
| Gilliard  | Hart      | Hodges   |
| Hosey     | Jefferson | Kennedy  |
| Mitchell  | Sellers   | Williams |

**Total--12**

So, the amendment was adopted.

Rep. J. E. SMITH proposed the following Amendment No. 68 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5801HTC09.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, by adding a new paragraph appropriately numbered to read:

/ 89. (GP:Solar Power Income Tax Credit Increased) The State income tax credit allowed pursuant to Section 12-6-3587 of the 1976 Code for the costs of purchase and installation of a qualifying solar energy system in a taxable year ending in 2009 is increased from twenty-five to thirty percent of such costs. /

Renumber sections to conform.

Amend totals and titles to conform.

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Rep. J. E. SMITH explained the amendment.  
The amendment was then adopted.

Rep. VICK proposed the following Amendment No. 87 to (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3636HTC09.docx), which was rejected:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by inserting a new paragraph appropriately numbered to read:

/ 89. (GP: Notice Requirements Suspended) The notice requirements imposed on counties and municipalities pursuant to Section 6-1-80 of the 1976 Code for adoption of the annual budget are suspended for county and municipal budgets for fiscal year 2009-2010./

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. VICK explained the amendment.  
The amendment was then rejected.

Rep. SKELTON proposed the following Amendment No. 92 (Doc Name h:\legwork\house\amend\H-WM\006\TERI REINSTATEMENT.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, paragraph 89.111, lines 6-7, by striking: / (gp: teri program closure) the teacher and employee retention incentive (teri) program is closed to new participatns effective july 1, 2009. /

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. SKELTON explained the amendment.  
Rep. HAYES spoke in favor of the amendment.  
Rep. ANTHONY spoke in favor of the amendment.

Rep. WHITE moved to table the amendment.

Rep. HAYES demanded the yeas and nays which were taken, resulting as follows:

Yeas 62; Nays 47

[HJ]

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Bedingfield | Bingham     |
| Bowen       | Brady       | Cato        |
| Chalk       | Cole        | Cooper      |
| Crawford    | Delleney    | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Gullick     | Haley       |
| Hamilton    | Hardwick    | Harrell     |
| Harrison    | Harvin      | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Huggins     | Kelly       | Limehouse   |
| Littlejohn  | Lowe        | Merrill     |
| Millwood    | Moss        | Nanney      |
| Owens       | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stringer    | Thompson    |
| Toole       | Umphlett    | Viers       |
| White       | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--62**

Those who voted in the negative are:

|             |             |           |
|-------------|-------------|-----------|
| Agnew       | Alexander   | Allen     |
| Anderson    | Anthony     | Battle    |
| Bowers      | Branham     | Brantley  |
| H. B. Brown | R. L. Brown | Clyburn   |
| Cobb-Hunter | Daning      | Dillard   |
| Funderburk  | Gilliard    | Gunn      |
| Hayes       | Hodges      | Hosey     |
| Howard      | Hutto       | Jefferson |
| Jennings    | Kennedy     | King      |
| Lucas       | Mack        | McEachern |
| McLeod      | Miller      | Mitchell  |
| J. H. Neal  | J. M. Neal  | Neilson   |
| Ott         | Parker      | Parks     |
| Pinson      | Sellers     | Skelton   |

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Stavrinakis  
Whitmire

Vick  
Williams

Whipper

**Total--47**

So, the amendment was tabled.

Reps. HAMILTON, NANNEY, MERRILL and G. M. SMITH proposed the following Amendment No. 94 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\DKA\3619BH09.DOC X), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, by inserting after line 12 an appropriately numbered paragraph to read:

/ 89. (GP: Television Commercials) A statewide constitutional officer may not use public funds, whether appropriated or generated by fees to state government, for television commercials featuring his likeness in picture or video. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HAMILTON explained the amendment.

#### **POINT OF ORDER**

Rep. COBB-HUNTER raised the Point of Order that Amendment No, 94 was out of order in that it was not germane to the Bill since the Amendment would prohibit public funds from being utilized to promote statewide constitutional officers.

SPEAKER HARRELL stated that whether public funds were used for television commercials featuring a constitutional officer's likeness in picture or video was germane to the Bill and he overruled the Point of Order.

Rep. HAMILTON continued speaking.

Rep. WHITE moved to table the amendment.

Rep. CRAWFORD demanded the yeas and nays which were taken, resulting as follows:

Yeas 80; Nays 29

[HJ]

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allen       |
| Allison     | Anderson    | Anthony     |
| Barfield    | Battle      | Bingham     |
| Bowen       | Brady       | Branham     |
| Brantley    | H. B. Brown | R. L. Brown |
| Cato        | Chalk       | Clyburn     |
| Cobb-Hunter | Cole        | Cooper      |
| Daning      | Delleney    | Dillard     |
| Edge        | Erickson    | Forrester   |
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Harrell     | Harrison    | Harvin      |
| Hayes       | Herbkersman | Hiott       |
| Hodges      | Horne       | Hosey       |
| Howard      | Hutto       | Jefferson   |
| Jennings    | Kelly       | Kennedy     |
| King        | Limehouse   | Lowe        |
| Lucas       | Mack        | McEachern   |
| McLeod      | Miller      | Mitchell    |
| Moss        | J. H. Neal  | Neilson     |
| Ott         | Owens       | Parks       |
| Pinson      | M. A. Pitts | Sandifer    |
| Scott       | Sellers     | Skelton     |
| J. R. Smith | Sottile     | Spires      |
| Stewart     | Umphlett    | Vick        |
| White       | Whitmire    | Williams    |
| A. D. Young | T. R. Young |             |

**Total--80**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Ballentine  | Bannister   | Bedingfield |
| Crawford    | Duncan      | Frye        |
| Haley       | Hamilton    | Hardwick    |
| Hearn       | Huggins     | Long        |
| Merrill     | Millwood    | Nanney      |
| Parker      | E. H. Pitts | Rice        |
| Simrill     | D. C. Smith | G. M. Smith |
| G. R. Smith | Stringer    | Thompson    |

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Toole                      Viers                      Whipper  
Willis                      Wylie

**Total--29**

So, the amendment was tabled.

Rep. G. M. SMITH proposed the following Amendment No. 127 (Doc Name h:\legwork\house\amend\H-WM\004\FREETICKETS.DOCX), which was ruled out of order:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/(GP: Athletic Event Tickets) For Fiscal Year 2009-2010, faculty, staff, and board of Trustee members of state supported higher education institutions are Prohibited from receiving free tickets to athletic events./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. G. M. SMITH explained the amendment.

Rep. HAYES moved to table the amendment.

Rep. HALEY demanded the yeas and nays which were taken, resulting as follows:

Yeas 37; Nays 68

Those who voted in the affirmative are:

|           |            |             |
|-----------|------------|-------------|
| Allison   | Anderson   | Anthony     |
| Barfield  | Battle     | Brady       |
| Branham   | Cooper     | Dillard     |
| Edge      | Harrell    | Harvin      |
| Hayes     | Hiott      | Horne       |
| Jennings  | Kelly      | King        |
| Limehouse | Littlejohn | Lowe        |
| Lucas     | Mack       | McEachern   |
| Miller    | Moss       | J. M. Neal  |
| Neilson   | Owens      | M. A. Pitts |
| Sellers   | Skelton    | J. E. Smith |

[HJ]

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Sottile                      Vick                      Whipper  
White

**Total--37**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allen       | Ballentine  |
| Bannister   | Bedingfield | Bingham     |
| Bowen       | Brantley    | H. B. Brown |
| Cato        | Chalk       | Clyburn     |
| Cobb-Hunter | Cole        | Crawford    |
| Daning      | Delleney    | Duncan      |
| Erickson    | Forrester   | Frye        |
| Funderburk  | Gilliard    | Gunn        |
| Haley       | Hamilton    | Hardwick    |
| Harrison    | Hearn       | Herbkersman |
| Hodges      | Hosey       | Howard      |
| Huggins     | Hutto       | Jefferson   |
| Kennedy     | Long        | McLeod      |
| Merrill     | Millwood    | Nanney      |
| J. H. Neal  | Ott         | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| Rice        | Scott       | Simrill     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Spires      | Stewart     |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Viers       | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--68**

So, the House refused to table the amendment.

Rep. COOPER spoke against the amendment.

**POINT OF ORDER**

Rep. WHIPPER raised the Point of Order that Amendment No. 127 was out of order in that it was not germane to the Bill.

SPEAKER HARRELL stated that in accordance with House Rule 5.3 (B), the substantial effect of the Amendment was not directly

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related to appropriations or the raising of revenue nor was it a rule, directive or regulation directly related to appropriations or revenues. He therefore sustained the Point of Order and ruled the Amendment out of order.

So, the amendment was ruled out of order.

Rep. LUCAS proposed the following Amendment No. 142 (Doc Name h:\legwork\house\amend\H-WM\009\cb 89 llr.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (GP: Conservation Bank Funding LLR)The Department of Labor, Licensing, and Regulation is directed to transfer \$207,050 from carry-forward monies in subfund 3135 to the South Carolina Conservation Bank which shall be used for personal services and other operation expenses. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. LUCAS explained the amendment.

Rep. SIMRILL moved to table the amendment.

Rep. E. H. PITTS demanded the yeas and nays which were taken, resulting as follows:

Yeas 11; Nays 97

Those who voted in the affirmative are:

|             |             |          |
|-------------|-------------|----------|
| Bedingfield | Cooper      | Frye     |
| Hamilton    | Littlejohn  | Millwood |
| Nanney      | Scott       | Stringer |
| Viers       | A. D. Young |          |

**Total--11**

Those who voted in the negative are:

|           |          |            |
|-----------|----------|------------|
| Agnew     | Allen    | Allison    |
| Anderson  | Anthony  | Ballentine |
| Bannister | Barfield | Battle     |

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|             |             |             |
|-------------|-------------|-------------|
| Bingham     | Bowen       | Bowers      |
| Brady       | Branham     | Brantley    |
| H. B. Brown | R. L. Brown | Cato        |
| Chalk       | Clyburn     | Cobb-Hunter |
| Cole        | Crawford    | Daning      |
| Delleney    | Dillard     | Duncan      |
| Erickson    | Forrester   | Funderburk  |
| Gambrell    | Gilliard    | Govan       |
| Gullick     | Gunn        | Haley       |
| Hardwick    | Harrell     | Harrison    |
| Hart        | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Hosey       | Howard      | Huggins     |
| Jefferson   | Jennings    | Kelly       |
| Kennedy     | King        | Limehouse   |
| Long        | Lowe        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Merrill     | Miller      | Mitchell    |
| Moss        | J. H. Neal  | J. M. Neal  |
| Neilson     | Ott         | Owens       |
| Parker      | Parks       | Pinson      |
| E. H. Pitts | Rice        | Sandifer    |
| Sellers     | Simrill     | Skelton     |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Thompson    |
| Toole       | Umphlett    | Vick        |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Wylie       |
| T. R. Young |             |             |

**Total--97**

So, the House refused to table the amendment.

The amendment was then adopted.

**RECORD FOR VOTING**

During the recorded vote on Amendment No. 142, I inadvertently voted against adopting the Amendment. Please allow the record to

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reflect my intention to vote in favor of the Conservation Bank Funding Amendment.

Rep. Tim Scott

Rep. ROBERT BROWN proposed the following Amendment No. 145 (Doc Name h:\legwork\house\amend\H-WM\003\STIMULUS FUNDS REPORT.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ 89. (General provisions: Transparency) State Agencies must publish on their homepage a listing of all programs funded during the current fiscal year with funds from the American Recovery and Reinvestment Act of 2009 to include program name, location, starting date, and funding level. this listing must be updated monthly to allow the public to easily identify how these funds are being used./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. R. L. BROWN explained the amendment.

The amendment was then adopted.

Rep. HART proposed the following Amendment No. 194 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5816MM09.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, by adding an appropriately numbered paragraph after line 12, to read:

/ Sec. 89. (GP: WIFI Network) Beginning July 1, 2009, the State Information Technology Management Officer shall coordinate with representatives from the various state agencies, institutions, and commissions, in furtherance of the establishment and implementation of a statewide wireless network with overlapping access points, a mesh of networks, and other statewide interconnecting access points to the Internet. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. HART explained the amendment.

Rep. COOPER moved to table the amendment.

[HJ]

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Rep. FUNDERBURK demanded the yeas and nays which were taken, resulting as follows:

Yeas 66; Nays 42

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Bedingfield | Bingham     |
| Bowen       | Brady       | Cato        |
| Chalk       | Cole        | Cooper      |
| Crawford    | Daning      | Delleney    |
| Duncan      | Edge        | Erickson    |
| Forrester   | Frye        | Gambrell    |
| Gullick     | Haley       | Hardwick    |
| Harrell     | Hearn       | Herbkersman |
| Hiott       | Horne       | Huggins     |
| Kelly       | Limehouse   | Littlejohn  |
| Long        | Lowe        | Lucas       |
| Merrill     | Millwood    | Nanney      |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Sandifer    | Scott       | Simrill     |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| White       | Whitmire    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--66**

Those who voted in the negative are:

|             |             |            |
|-------------|-------------|------------|
| Alexander   | Anderson    | Anthony    |
| Battle      | Bowers      | Branham    |
| Brantley    | H. B. Brown | Clyburn    |
| Cobb-Hunter | Dillard     | Funderburk |
| Gilliard    | Govan       | Gunn       |
| Hamilton    | Hart        | Harvin     |
| Hayes       | Hodges      | Hosey      |
| Howard      | Hutto       | Jefferson  |
| Jennings    | Kennedy     | King       |
| Mack        | McEachern   | McLeod     |

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|             |            |             |
|-------------|------------|-------------|
| Miller      | Mitchell   | Moss        |
| J. H. Neal  | J. M. Neal | Neilson     |
| Ott         | Sellers    | J. E. Smith |
| Stavrinakis | Whipper    | Williams    |

**Total--42**

So, the amendment was tabled.

Rep. EDGE proposed the following Amendment No. 208 (Doc Name h:\legwork\house\amend\H-WM\001\CONST OFCR SECURITY DETAIL.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (GP: Constitutional Officers' Security Detail) Agencies which provide a security detail to constitutional officers shall submit a request for payment on a monthly basis. Payment shall be made by the constitutional officer within forty-five days of receipt of the bill. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

Rep. KING moved to table the amendment.

The House refused to table the amendment by a division vote of 23 to 50.

The amendment was then adopted.

Rep. OTT proposed the following Amendment No. 214 to (Doc Name h:\legwork\house\amend\H-WM\009\TRACKING FED STIM MONEY.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (GP: ARRA oversight) In order to provide transparency and accountability of the funds associated with the American Recovery and Reinvestment Act of 2009 the State Treasurer shall be responsible for collecting information associated with funds received by state

[HJ]

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agencies, school districts, and local government from the American Recovery and Reinvestment Act of 2009. Information collected shall include, but not be limited to, state agency or local government entity, program designation, purpose for which the funds were received and expended, and the amount of funds received. The State Treasurer shall also collect information pertaining to jobs created resulting from receipt of the federal stimulus funds. The State Treasurer shall also collect other information as required by the American Recovery and Reinvestment Act of 2009. The State Treasurer is authorized to collect any other information deemed relevant to providing disclosure of the American Recovery and Reinvestment Act of 2009 funds to the public /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

Rep. RICE proposed the following Amendment No. 217 to (Doc Name h:\legwork\house\amend\H-WM\006\CONSOLIDATION OF STATE AGENCIES .DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (gp: consolidation of state agencies study committee) A Joint Study Committee on the Consolidation of State Agencies is established to review the feasibility and cost savings related to the consolidation of certain state agencies. The joint study committee shall be composed of the Governor, or his designee, Chairman of the Senate Judiciary Committee, or his designee, the Chairman of the House Judiciary Committee, or his designee, the Chairman of the Senate Finance Committee, or his designee, the Chairman of the House Ways and Means Committee. Designees, if appointed, must be from within the respective committee. The study committee may solicit input from agency heads and from other sources as deemed necessary. Recommendations for elimination of duplication within state agencies and cost savings mechanism shall be reported to the General Assembly by January 15, 2010. /

Renumber sections to conform.

Amend totals and titles to conform.

[HJ]

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Rep. RICE explained the amendment.  
The amendment was then adopted.

Reps. BANNISTER and EDGE proposed the following Amendment No. 227 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9238BH09.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ 89. (GP: One-stop Health) Of the funds appropriated in fiscal year 2009-2010 to Vocational Rehabilitation, the Department of Health and Human Services, the Department of Health and Environmental Control, the Department of Mental Health, the Department of Disabilities and Special Needs, the Department of Alcohol and Other Drug Abuse Services, the Department of Social Services, and the Commission for the Blind, those agencies shall explore the feasibility of a "one-stop" healthcare information system for the populations served under each agency. Since the State, through the Department of Revenue, has developed a one-stop software system for businesses, and in order to save time and expense, this system must be considered for use and adaptation for the healthcare information system. Furthermore, if the Department of Revenue's one-stop system is deemed feasible, the agencies listed herein shall use funds appropriated or authorized to implement the system using the model and contract adopted and implemented by the Department of Revenue. The engagement of the current contractor for the one-stop healthcare information system is authorized for the purposes of this provision. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. BANNISTER explained the amendment.  
The amendment was then adopted.

Reps. ERICKSON, LIMEHOUSE and HERBKERSMAN proposed the following Amendment No. 238 (Doc Name h:\legwork\house\amend\H-WM\001\printed reports2.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

[HJ]

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/ (GP: Printed Report Requirements) (A) For Fiscal Year 2009-10, state supported institutions of higher learning shall not be required to submit printed reports mandated by Sections 2-47-40, 2-47-50, and 59-103-110 of the 1976 Code, and shall instead only submit the documents electronically.

Submission of the plans or reports required by Sections 2-47-55, 59-101-350, 59-103-15(A), 59-103-20, 59-103-30, 59-103-35, 59-103-45, and 59-103-60 shall be waived for the current fiscal year.

Institutions of higher learning and technical colleges shall use any monetary savings resulting from the provisions of Section (A) to provide direct student services and savings realized should, at a minimum, be \$376,220.

(B) For Fiscal Year 2009-10, the Department of Agriculture shall not be required to submit printed reports mandated by Section 46-49-10 of the 1976 Code. The department shall provide these reports electronically and shall use any monetary savings for K5-12 agriculture education programs.

(C) For Fiscal Year 2009-10 the Department of Health and Human Services shall not be required to provide printed copies of the Medicaid Annual Report required pursuant to Section 44-6-80 of the 1976 Code and the Provider Reimbursement Rate Report required pursuant to proviso 21.16, and shall instead only submit the documents electronically.

(D) For Fiscal Year 2009-10 the Department of Commerce is prohibited from printing and distributing or mailing hard copy color brochures, that have been produced at department expense, to members of the General Assembly. Brochures or documents provided to members of the General Assembly shall only be produced in black and white.

(E) For Fiscal Year 2009-10, the Department of Transportation shall not be required to submit printed reports or publications mandated by Sections 1-11-58, 2-47-55, and 58-17-1450 of the 1976 Code.

The Department of Transportation may combine their Annual Report and Mass Transit Report into their Annual Accountability Report. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. ERICKSON explained the amendment.

[HJ]

**TUESDAY, MARCH 10, 2009**

Rep. SKELTON moved to table the amendment.

Rep. HALEY demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 3; Nays 94

Those who voted in the affirmative are:

|        |        |         |
|--------|--------|---------|
| Cooper | Howard | Skelton |
|--------|--------|---------|

**Total--3**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allison     | Anderson    |
| Anthony     | Ballentine  | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Brady       | Brantley    | H. B. Brown |
| Cato        | Chalk       | Cole        |
| Crawford    | Daning      | Delleney    |
| Dillard     | Duncan      | Edge        |
| Erickson    | Forrester   | Frye        |
| Funderburk  | Gambrell    | Govan       |
| Gullick     | Gunn        | Haley       |
| Hamilton    | Hardwick    | Harrell     |
| Hart        | Harvin      | Hayes       |
| Hearn       | Herbkersman | Horne       |
| Hosey       | Huggins     | Hutto       |
| Jefferson   | Jennings    | Kelly       |
| Kennedy     | King        | Limehouse   |
| Long        | Lowe        | Mack        |
| McEachern   | McLeod      | Merrill     |
| Miller      | Millwood    | Mitchell    |
| Moss        | Nanney      | Owens       |
| Parker      | Pinson      | E. H. Pitts |
| Rice        | Sandifer    | Scott       |
| Sellers     | Simrill     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Vick        | Viers       | Whipper     |

[HJ]

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|             |          |             |
|-------------|----------|-------------|
| White       | Whitmire | Williams    |
| Willis      | Wylie    | A. D. Young |
| T. R. Young |          |             |

**Total--94**

So, the House refused to table the amendment.

The amendment was then adopted.

Rep. EDGE proposed the following Amendment No. 240 (Doc Name h:\legwork\house\amend\H-WM\001\imd\_operations2.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

*/ (GP: IMD Operations) All funds received by State child placing agencies for the Institution for Mental Diseases Transition Plan (IMD) of the discontinued behavioral health services in group homes and child caring institutions, as described in the Children's Behavioral Health Services Manual Section 2, dated 7/01/06, shall be applied only for out of home placement in providers which operate Department of Social Services or Department of Health and Environmental Control licensed institutional, residential, or treatment programs. An annual report on the expenditures of all IMD transition funds shall be provided to the Chairman of the Senate Finance Committee, Chairman of the House Ways and Means Committee, and the Governor. Funds must be allocated based on the Department of Health and Human Services allocation methodology developed for the distribution of these funds. /*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

The amendment was then adopted.

Reps. DUNCAN, HERBKERSMAN, JENNINGS, JOE NEAL, MILLER, VICK and HODGES proposed the following Amendment No. 243 (Doc Name h:\legwork\house\amend\H-WM\003\wilderness pal pride 89.docx), which was tabled:

[HJ]

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**TUESDAY, MARCH 10, 2009**

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ 89. (GP: Palmetto Pride funds transfer) From the funds appropriated to PRT for Palmetto Pride, during the current fiscal year, \$2.5 million must be transferred to the Department of Juvenile Justice to maintain the operation of 11 wilderness camps. These funds must be transferred to DJJ in four equal payments during the first week of October, January, April, and June. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. DUNCAN explained the amendment.

Rep. JENNINGS spoke in favor of the amendment.

Rep. J. H. NEAL spoke in favor of the amendment.

Rep. FORRESTER moved to table the amendment.

Rep. JENNINGS demanded the yeas and nays which were taken, resulting as follows:

Yeas 71; Nays 36

Those who voted in the affirmative are:

|            |           |             |
|------------|-----------|-------------|
| Alexander  | Allison   | Ballentine  |
| Bannister  | Barfield  | Bingham     |
| Bowen      | Brady     | R. L. Brown |
| Cato       | Clyburn   | Cobb-Hunter |
| Cole       | Cooper    | Crawford    |
| Daning     | Delleney  | Dillard     |
| Edge       | Forrester | Frye        |
| Gambrell   | Hamilton  | Hardwick    |
| Harrell    | Harvin    | Hearn       |
| Hiott      | Horne     | Huggins     |
| Jefferson  | Kelly     | Kennedy     |
| King       | Limehouse | Long        |
| Lowe       | Mack      | Merrill     |
| Millwood   | Mitchell  | Nanney      |
| J. H. Neal | Neilson   | Ott         |
| Owens      | Parker    | Parks       |
| Pinson     | Rice      | Sandifer    |
| Scott      | Simrill   | Skelton     |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stringer    | Umphlett    | Viers       |
| Whipper     | White       | Whitmire    |
| Williams    | Willis      | Wylie       |
| A. D. Young | T. R. Young |             |

**Total--71**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Anderson    | Anthony     |
| Battle      | Bedingfield | Bowers      |
| Branham     | Brantley    | H. B. Brown |
| Chalk       | Duncan      | Erickson    |
| Funderburk  | Gilliard    | Govan       |
| Haley       | Harrison    | Hart        |
| Hayes       | Herbkersman | Hodges      |
| Hosey       | Howard      | Hutto       |
| Jennings    | Lucas       | McLeod      |
| Miller      | Moss        | J. M. Neal  |
| E. H. Pitts | Sellers     | J. E. Smith |
| Stavrinakis | Thompson    | Vick        |

**Total--36**

So, the amendment was tabled.

Rep. SIMRILL proposed the following Amendment No. 249 (Doc Name h:\legwork\house\amend\H-WM\003\WATER AG 2<sup>ND</sup>.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ 89. (GP: AG Funds) During the current fiscal year, the department is authorized to use funds collected under drug forfeitures provisions to assist with water litigation expenses./

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SIMRILL explained the amendment.

Rep. HART spoke against the amendment.

[HJ]

**TUESDAY, MARCH 10, 2009**

Rep. KENNEDY demanded the yeas and nays which were taken, resulting as follows:

Yeas 87; Nays 22

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Anthony     | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Bowers      |
| Brady       | H. B. Brown | R. L. Brown |
| Cato        | Chalk       | Clyburn     |
| Cobb-Hunter | Cole        | Cooper      |
| Crawford    | Daning      | Delleney    |
| Duncan      | Edge        | Erickson    |
| Forrester   | Frye        | Funderburk  |
| Gullick     | Gunn        | Haley       |
| Hamilton    | Hardwick    | Harrell     |
| Harrison    | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Huggins     | King        | Limehouse   |
| Long        | Lowe        | Lucas       |
| McEachern   | McLeod      | Merrill     |
| Miller      | Millwood    | Mitchell    |
| Moss        | Nanney      | J. H. Neal  |
| J. M. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Sandifer    | Scott       | Simrill     |
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Viers       | Whipper     |
| White       | Whitmire    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--87**

Those who voted in the negative are:

|            |           |          |
|------------|-----------|----------|
| Agnew      | Alexander | Anderson |
| Ballentine | Branham   | Brantley |
| Dillard    | Gambrell  | Gilliard |

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|           |       |         |
|-----------|-------|---------|
| Govan     | Hart  | Harvin  |
| Hodges    | Hosey | Howard  |
| Jefferson | Kelly | Kennedy |
| Mack      | Parks | Vick    |
| Williams  |       |         |

**Total--22**

So, the amendment was adopted.

Reps. GOVAN and GUNN proposed the following Amendment No. 257 (Doc Name h:\legwork\house\amend\H-WM\001\state agencies fines and fees report2.docx) which was rejected:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (GP: Fines and Fees Report) All state agencies must provide and release to the public via each agency's website, a report of all aggregate amounts of fines and fees that are charged and collected by state agencies. Provided however, no names of individuals shall be disclosed in making this report. Funds appropriated to and/or authorized for use by state agencies shall be used to accomplish this directive. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. GUNN explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. GUNN demanded the yeas and nays which were taken, resulting as follows:

Yeas 51; Nays 60

Those who voted in the affirmative are:

|           |           |             |
|-----------|-----------|-------------|
| Allison   | Bannister | Barfield    |
| Bingham   | Bowen     | Brady       |
| Chalk     | Cole      | Cooper      |
| Daning    | Duncan    | Edge        |
| Forrester | Gambrell  | Hardwick    |
| Harrell   | Hearn     | Herbkersman |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| Hiott       | Horne       | Kelly       |
| Limehouse   | Loftis      | Long        |
| Lucas       | Merrill     | Millwood    |
| Owens       | Parker      | Pinson      |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Skelton     | D. C. Smith |
| G. M. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Thompson    |
| Toole       | Umphlett    | Viers       |
| White       | Whitmire    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--51**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Anderson    |
| Anthony     | Ballentine  | Battle      |
| Bedingfield | Bowers      | Branham     |
| Brantley    | H. B. Brown | R. L. Brown |
| Clyburn     | Cobb-Hunter | Crawford    |
| Delleney    | Dillard     | Erickson    |
| Frye        | Funderburk  | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Haley       | Hamilton    | Hart        |
| Harvin      | Hayes       | Hodges      |
| Hosey       | Howard      | Huggins     |
| Hutto       | Jefferson   | Kennedy     |
| King        | Lowe        | Mack        |
| McEachern   | McLeod      | Miller      |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Parks       | E. H. Pitts |
| Sellers     | Simrill     | G. R. Smith |
| J. E. Smith | Stavrinakis | Stringer    |
| Vick        | Whipper     | Williams    |

**Total--60**

So, the House refused to table the amendment.

Rep. WHITE spoke against the amendment.

[HJ]

**TUESDAY, MARCH 10, 2009**

Rep. OTT demanded the yeas and nays which were taken, resulting as follows:

Yeas 51; Nays 61

Those who voted in the affirmative are:

|             |            |             |
|-------------|------------|-------------|
| Agnew       | Alexander  | Anderson    |
| Anthony     | Ballentine | Bowers      |
| Branham     | Brantley   | H. B. Brown |
| R. L. Brown | Clyburn    | Cobb-Hunter |
| Crawford    | Dillard    | Edge        |
| Funderburk  | Gilliard   | Gullick     |
| Gunn        | Haley      | Harvin      |
| Hayes       | Hodges     | Hosey       |
| Howard      | Huggins    | Hutto       |
| Jefferson   | Kennedy    | King        |
| Long        | Lowe       | Mack        |
| McEachern   | McLeod     | Mitchell    |
| Moss        | J. H. Neal | J. M. Neal  |
| Neilson     | Ott        | Parks       |
| E. H. Pitts | Sellers    | J. E. Smith |
| Stavrinakis | Thompson   | Vick        |
| Whipper     | Williams   | Willis      |

**Total--51**

Those who voted in the negative are:

|            |             |           |
|------------|-------------|-----------|
| Allison    | Bannister   | Barfield  |
| Battle     | Bedingfield | Bingham   |
| Bowen      | Brady       | Cato      |
| Chalk      | Cole        | Cooper    |
| Daning     | Delleney    | Duncan    |
| Erickson   | Forrester   | Frye      |
| Gambrell   | Govan       | Hamilton  |
| Hardwick   | Harrell     | Harrison  |
| Hearn      | Herbkersman | Hiott     |
| Horne      | Kelly       | Limehouse |
| Littlejohn | Loftis      | Lucas     |
| Merrill    | Miller      | Millwood  |
| Nanney     | Owens       | Parker    |
| Pinson     | M. A. Pitts | Rice      |
| Sandifer   | Scott       | Simrill   |

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|             |             |             |
|-------------|-------------|-------------|
| Skelton     | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile     |
| Spires      | Stewart     | Stringer    |
| Toole       | Umphlett    | Viers       |
| White       | Whitmire    | Wylie       |
| T. R. Young |             |             |

**Total--61**

So, the amendment was rejected.

**AMENDMENT NO. 257--MOTION TO RECONSIDER  
TABLED**

Rep. GOVAN moved to reconsider the vote whereby Amendment No. 257 was rejected.

Rep. GOVAN spoke in favor of the motion to reconsider.

Rep. WHITE moved to table the motion to reconsider, which was adopted.

So, the motion to reconsider was tabled.

Rep. CLYBURN proposed the following Amendment No. 261 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9952SD09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ 89. (GP- Certain Municipalities Exempted from Budget Reduction) The budget reductions in this act in Aid to Subdivisions, pursuant to the suspension of Section 6-27-30 of the 1976 Code for the current fiscal year, do not apply to a municipality with a population of less than eight hundred. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. CLYBURN explained the amendment.

Rep. COOPER moved to table the amendment.

[HJ]

**TUESDAY, MARCH 10, 2009**

Rep. CLYBURN demanded the yeas and nays which were taken,  
resulting as follows:

Yeas 55; Nays 53

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Bannister   | Bedingfield |
| Bingham     | Bowen       | Brady       |
| Cato        | Chalk       | Cole        |
| Cooper      | Crawford    | Daning      |
| Duncan      | Edge        | Erickson    |
| Forrester   | Gullick     | Haley       |
| Hamilton    | Hardwick    | Harrell     |
| Harrison    | Hearn       | Herbkersman |
| Hiott       | Horne       | Huggins     |
| Kelly       | Limehouse   | Loftis      |
| Long        | Merrill     | Millwood    |
| Nanney      | Owens       | Parker      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Sandifer    | Scott       | G. R. Smith |
| J. R. Smith | Sottile     | Stewart     |
| Stringer    | Thompson    | Umphlett    |
| Viers       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--55**

Those who voted in the negative are:

|             |             |            |
|-------------|-------------|------------|
| Agnew       | Alexander   | Anderson   |
| Anthony     | Ballentine  | Battle     |
| Bowers      | Branham     | Brantley   |
| H. B. Brown | R. L. Brown | Clyburn    |
| Cobb-Hunter | Delleney    | Dillard    |
| Frye        | Funderburk  | Gambrell   |
| Gilliard    | Govan       | Gunn       |
| Hart        | Hayes       | Hodges     |
| Hosey       | Howard      | Hutto      |
| Jefferson   | King        | Littlejohn |
| Lowe        | Lucas       | Mack       |
| McEachern   | McLeod      | Miller     |
| Mitchell    | Moss        | J. H. Neal |

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|             |             |             |
|-------------|-------------|-------------|
| J. M. Neal  | Neilson     | Ott         |
| Pinson      | Sellers     | Simrill     |
| D. C. Smith | G. M. Smith | J. E. Smith |
| Spires      | Toole       | Vick        |
| Whipper     | Williams    |             |

**Total--53**

So, the amendment was tabled.

Rep. E. H. PITTS proposed the following Amendment No. 263 (Doc Name h:\legwork\house\amend\H-WM\009\DELETE PROVISIO 89.83.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 515, paragraph 89.83, lines 34-35, and page 516, lines 1-2, by striking the paragraph in its entirety.

Renumber sections to conform.

Amend totals and titles to conform.

Rep. E. H. PITTS explained the amendment.

**POINT OF ORDER**

Rep. HAYES raised the Point of Order that Amendment No. 263 was not germane to the Bill.

SPEAKER HARRELL stated that in accordance with House Rule 5.3 (B), the substantial effect of the Amendment was directly related to appropriations since it actually struck language in the Bill that directed revenue. Therefore, he overruled the Point of Order.

Rep. E. H. PITTS demanded the yeas and nays which were taken, resulting as follows:

Yeas 100; Nays 7

Those who voted in the affirmative are:

|             |           |            |
|-------------|-----------|------------|
| Agnew       | Alexander | Allison    |
| Anderson    | Anthony   | Ballentine |
| Bannister   | Barfield  | Battle     |
| Bedingfield | Bingham   | Bowen      |
| Bowers      | Brady     | Branham    |
| H. B. Brown | Cato      | Chalk      |
| Cobb-Hunter | Cole      | Cooper     |

[HJ]

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|             |             |             |
|-------------|-------------|-------------|
| Crawford    | Daning      | Delleney    |
| Dillard     | Duncan      | Edge        |
| Erickson    | Forrester   | Frye        |
| Funderburk  | Gambrell    | Govan       |
| Gullick     | Gunn        | Haley       |
| Hamilton    | Hardwick    | Harrison    |
| Harvin      | Hayes       | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Hosey       | Huggins     | Hutto       |
| Kelly       | King        | Limehouse   |
| Loftis      | Long        | Lowe        |
| Lucas       | McEachern   | McLeod      |
| Merrill     | Miller      | Millwood    |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Sandifer    | Scott       | Sellers     |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Vick        | Viers       | Whipper     |
| White       | Whitmire    | Williams    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--100**

Those who voted in the negative are:

|           |          |            |
|-----------|----------|------------|
| Brantley  | Gilliard | Hart       |
| Jefferson | Mack     | J. M. Neal |
| Parks     |          |            |

**Total--7**

The amendment was then adopted.

Rep. COBB-HUNTER proposed the following Amendment No. 251  
(Doc Name h:\legwork\house\amend\H-WM\001\ 89.70  
ASSESSMENT AUDIT.DOCX), which was adopted:

[HJ]

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Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 513, paragraph 89.70, lines 5-15, by striking lines 5-15 in their entirety and by inserting:

/Assistance. The State Office of Victim Assistance is authorized to conduct programmatic reviews on any entity or non-profit organization receiving victim assistance funding based on the referrals from the State Auditor or complaints of a specific nature received by the State Office of Victim Assistance to ensure that crime victim funds are expended in accordance with the law. Any local entity or non-profit organization who receives funding from victim assistance is required to submit their budget to the State Office of Victim Assistance within thirty days of the budget being approved by the local governing entity. In addition, any entity or non-profit organization receiving victim assistance funding must cooperate and provide expenditure/program data requested by the State Office of Victim Assistance. If the State Office of Victim Assistance finds an error, the entity or non-profit organization has ninety days to rectify the error. An error constitutes an entity or non-profit organization spending victim assistance funding on unauthorized items. If the entity or non-profit organization fails to rectify the error within ninety days, the State Office of Victim Assistance shall assess and collect a penalty of the amount of the unauthorized expenditure plus \$5,000 against the entity or non-profit organization for improper expenditures in a fiscal year. All penalties receive by the State Office of Victim Assistance shall be credited to the General Fund of the State. If the penalty is not received by the State Office of Victim Assistance within ninety days, the political subdivision will deduct the amount of the penalty from the entity or non-profit organization's subsequent fiscal year appropriation. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COBB-HUNTER explained the amendment.

The amendment was then adopted.

Rep. SELLERS proposed the following Amendment No. 266 (Doc Name h:\legwork\house\amend\H-WM\009\SCHOOL BUS FUEL EXEMPTION.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

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/ 89. (GP: School Buses allowed to use "Offroad Diesel") School buses operated by local school districts of this state are exempt from the user fee on diesel fuel imposed pursuant to Chapter 28, Title 12 of the 1976 code for fuel purchased in the current fiscal year. "Offroad diesel" may be purchased to operate these vehicles. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SELLERS explained the amendment.

Rep. WHITE moved to table the amendment, which was agreed to.

Rep. Kennedy proposed the following Amendment No. 267 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\GJK\20198SD09.docx), which was tabled:

Amend the bill, as and if amended, Part IB, Section 89, General Provisions, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/89. (GP: Suspension of Act 388 of 2006) For fiscal year 2009-2010, the provisions of Act 388 of 2006 are suspended. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. KENNEDY explained the amendment.

Rep. HART spoke in favor of the amendment.

Rep. WHITE moved to table the amendment.

Rep. WHITE demanded the yeas and nays which were taken, resulting as follows:

Yeas 79; Nays 17

Those who voted in the affirmative are:

|            |             |            |
|------------|-------------|------------|
| Agnew      | Allison     | Anthony    |
| Ballentine | Bannister   | Barfield   |
| Battle     | Bedingfield | Bingham    |
| Bowen      | Brady       | Branham    |
| Chalk      | Cole        | Cooper     |
| Crawford   | Daning      | Delleney   |
| Duncan     | Edge        | Erickson   |
| Forrester  | Frye        | Funderburk |

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|             |             |             |
|-------------|-------------|-------------|
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hayes       |
| Hearn       | Herbkersman | Hiott       |
| Horne       | Huggins     | Hutto       |
| Kelly       | Limehouse   | Loftis      |
| Long        | Lowe        | Lucas       |
| McLeod      | Merrill     | Miller      |
| Millwood    | Moss        | Nanney      |
| J. M. Neal  | Neilson     | Owens       |
| Parker      | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Viers       | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--79**

Those who voted in the negative are:

|           |            |           |
|-----------|------------|-----------|
| Brantley  | Dillard    | Gilliard  |
| Gunn      | Hart       | Harvin    |
| Hosey     | Howard     | Jefferson |
| Kennedy   | King       | Mack      |
| McEachern | J. H. Neal | Parks     |
| Whipper   | Williams   |           |

**Total--17**

So, the amendment was tabled.

Rep. G. M. SMITH proposed the following Amendment No. 84 (Doc Name h:\legwork\house\amend\H-WM\001\BLUE LAW EXCLUSION.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

[HJ]

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/ (GP: Accommodations Tax Reduced for Blue Law Exclusion) For Fiscal year 2009-10, the provisions of Chapter 1, Title 53 of the 1976 Code do not apply to any county area, as defined in Section 6-4-5(1) of the 1976 Code, which collects more than nine dollars in one fiscal year in revenues from the accommodations tax provided for in Section 12-36-2630(3) of the 1976 code and imposed in Section 12-36-920(A) of the 1976 Code. Revenues generated from this exclusion in the amount of \$535,542 shall be directed to the Budget and Control Board. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. E. H. PITTS explained the amendment.

The amendment was then adopted by a division vote of 41 to 23.

Reps. GOVAN and GUNN proposed the following Amendment No. 268 (Doc Name h:\legwork\house\amend\H-WM\001\agency fines and fees.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 89, GENERAL PROVISIONS, page 523, after line 12, by adding an appropriately numbered paragraph to read:

/ (GP: Fines and Fees Report) Each state agency must provide and release to the public via the agency's website, a report of all aggregate amounts of fines and fees that are charged and collected by that state agency. Funds appropriated to and/or authorized for use by each state agency shall be used to accomplish this directive. /

Re-number sections to conform.

Amend totals and titles to conform.

Rep. GUNN explained the amendment.

**SPEAKER PRO TEMPORE IN CHAIR**

The amendment was then adopted by a division vote of 61 to 36.

Section 89, as amended, was adopted.

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SECTION 90--AMENDED AND ADOPTED

Rep. COOPER proposed the following Amendment No. 3 (Doc Name h:\legwork\house\amend\H-WM\001\90.5 TOBACCO COOPER.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 525, paragraph 90.5, line 21, by inserting at the end: / The State Treasurer is further authorized and directed to transfer to the General Fund from funds available to the Tobacco Settlement Revenue Management Authority up to \$1,200,000 to reimburse amounts previously appropriated for Tobacco Arbitration Settlement pursuant to Proviso 73.14(B) item 99 of Act 397 of 2006. Any remaining balance from the appropriation shall be remitted to the General Fund, but the combined transfer and reimbursement shall not total more than \$1,200,000. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

Rep. COOPER and WHITE proposed the following Amendment No. 1 (Doc Name h:\legwork\house\amend\H-WM\001\90.13 as amended.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 529, paragraph 90.13, line 17, by striking /\$390,036,948/ and inserting /\$425,036,948/

Amend the bill further, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 529, paragraph 90.13, line 20, by striking /\$200,000,000/ and inserting /\$235,000,000/

Amend the bill further, as and if amended, Section 90, STATEWIDE REVENUE, page 532, after line 6, by adding an appropriately numbered paragraph to read:

/ (SR: Insurance Reserve Fund Transfer) The Budget and Control Board is required to suspend the payment of annual premiums for all Insurance Reserve Fund insurance lines that would otherwise be paid by State agencies up to an amount of \$37,454,011 in order to meet the requirements of this proviso for Fiscal Year 2009-10. This suspension of annual renewal premium applies to coverages that were in effect

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and would be subject to renewal in Fiscal Year 2009-10. Any new coverages or additional coverages insured with the Insurance Reserve Fund during Fiscal Year 2009-10 are subject to premium collection. Each State agency, as so classified by the Insurance Reserve Fund for purposes of providing insurance, is directed to remit the amount of premium savings, as reported by the Insurance Reserve Fund, to the Budget and Control Board for deposit in an account established by the State Treasurer to the credit of the General Fund. Each State agency is authorized to use funds from any source except federal funds for this payment. By this provision, these remittances are deemed to have occurred and are available for appropriation in the amount of \$37,454,011. The Insurance Reserve Fund is directed to adjust rates in future years as necessary to ensure actuarial soundness of the fund. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

Reps. PARKS, PINSON and CLYBURN proposed the following Amendment No. 93 (Doc Name h:\legwork\house\amend\H-WM\005\LAKELANDS RURAL HEALTH NETWORK.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 529, paragraph 90.13, line 17, by striking /\$390,036,948/ and inserting /\$390,134,948/

Amend the bill further, as and if amended, Part IB, Section 90, page 531, paragraph 90.13, line 4, by inserting:

/ Lakelands Rural Health Network \$98,000 /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. PARKS explained the amendment.

Rep. COOPER moved to table the amendment.

Rep. PARKS demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 42

[HJ]

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Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Battle      | Bedingfield |
| Bingham     | Bowen       | Brady       |
| Cato        | Chalk       | Cole        |
| Cooper      | Daning      | Delleney    |
| Edge        | Erickson    | Forrester   |
| Gullick     | Haley       | Hamilton    |
| Hardwick    | Harrell     | Harrison    |
| Hearn       | Herbkersman | Hiott       |
| Huggins     | Kelly       | Limehouse   |
| Littlejohn  | Loftis      | Long        |
| Lowe        | Lucas       | Merrill     |
| Millwood    | Moss        | Nanney      |
| Owens       | Parker      | E. H. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile     | Spires      | Stavrinakis |
| Stewart     | Stringer    | Umphlett    |
| Viers       | White       | Whitmire    |
| Wylie       | A. D. Young | T. R. Young |

**Total--63**

Those who voted in the negative are:

|            |             |             |
|------------|-------------|-------------|
| Agnew      | Alexander   | Anderson    |
| Anthony    | Bowers      | Branham     |
| Brantley   | H. B. Brown | R. L. Brown |
| Clyburn    | Cobb-Hunter | Dillard     |
| Frye       | Funderburk  | Gilliard    |
| Govan      | Hart        | Harvin      |
| Hayes      | Hodges      | Hosey       |
| Howard     | Jefferson   | King        |
| Mack       | McEachern   | McLeod      |
| Miller     | Mitchell    | J. H. Neal  |
| J. M. Neal | Ott         | Parks       |
| Pinson     | M. A. Pitts | Sellers     |

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J. E. Smith  
Whipper

Thompson  
Williams

Vick  
Willis

**Total--42**

So, the amendment was tabled.

Rep. EDGE proposed the following Amendment No. 101 (Doc Name h:\legwork\house\amend\H-WM\005\stimulus restoration amend.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 529, paragraph 90.13, line 17, by striking */\$390,036,948/* and inserting */\$428,115,948/*

Amend the bill further, as and if amended, Part IB, Section 90, page 530, paragraph 90.13, after line 21, by inserting appropriately numbered items to read:

*/ Kidney Disease Prevention \$250,000*

*Delivery Epidural Codes \$33,000*

*Physician E&M and Procedure Codes \$1,638,000*

*Pediatric Specialists \$658,000*

*Shared Care \$500,000/*

Renumber sections to conform.

Amend totals and titles to conform.

Rep. EDGE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Alexander   | Allison     |
| Anderson    | Anthony     | Ballentine  |
| Bannister   | Barfield    | Battle      |
| Bedingfield | Bingham     | Bowen       |
| Bowers      | Brady       | Branham     |
| Brantley    | H. B. Brown | R. L. Brown |
| Cato        | Chalk       | Clyburn     |
| Cobb-Hunter | Cole        | Cooper      |
| Crawford    | Daning      | Delleney    |
| Dillard     | Duncan      | Edge        |
| Erickson    | Forrester   | Frye        |

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|             |             |             |
|-------------|-------------|-------------|
| Funderburk  | Gambrell    | Gilliard    |
| Govan       | Gullick     | Gunn        |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harvin      | Hayes       |
| Hearn       | Herbkersman | Hiott       |
| Hodges      | Horne       | Hosey       |
| Howard      | Huggins     | Hutto       |
| Jefferson   | Kelly       | Kennedy     |
| King        | Limehouse   | Littlejohn  |
| Long        | Lowe        | Lucas       |
| Mack        | McEachern   | McLeod      |
| Merrill     | Miller      | Millwood    |
| Mitchell    | Moss        | Nanney      |
| J. H. Neal  | J. M. Neal  | Neilson     |
| Ott         | Owens       | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |
| Thompson    | Toole       | Umphlett    |
| Vick        | Viers       | White       |
| Whitmire    | Williams    | Willis      |
| Wylie       | A. D. Young | T. R. Young |

**Total--108**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

Rep. OTT proposed the following Amendment No. 248 (Doc Name h:\legwork\house\amend\H-WM\005\DME.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 530, paragraph 90.13, after line 10, by inserting:

[HJ]

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/ All South Carolina Non-Pharmacy Mail and Non-mail order Durable Medical Equipment Diabetic Supply Providers shall be allowed to participate in all Managed Care Organizations, individual and group insurance policies utilizing the South Carolina Durable Medical Equipment Fee Schedule allowables at a comparable rate to out-of-State providers and shall not be required to participate in pharmacy fee schedules for Durable Medical Equipment products such as Diabetic Test Strips. /

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. OTT explained the amendment.  
The amendment was then adopted.

Rep. GILLIARD proposed the following Amendment No. 262 (Doc Name h:\legwork\house\amend\H-WM\005\WEBB CENTER.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 531, paragraph 90.13, after line 21, by inserting Appropriately numbered items to read:

/ Charles Webb Center and Anderson DSN Board Developmental Center \$150,000 /

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. GILLIARD explained the amendment.

Rep. EDGE moved to table the amendment.

Rep. MILLER demanded the yeas and nays which were taken, resulting as follows:

Yeas 64; Nays 44

Those who voted in the affirmative are:

|           |            |             |
|-----------|------------|-------------|
| Allison   | Ballentine | Bannister   |
| Barfield  | Battle     | Bedingfield |
| Bingham   | Bowen      | Brady       |
| Cato      | Chalk      | Cole        |
| Cooper    | Crawford   | Delleney    |
| Duncan    | Edge       | Erickson    |
| Forrester | Frye       | Gullick     |

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|             |             |             |
|-------------|-------------|-------------|
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Hearn       |
| Herbkersman | Hiott       | Horne       |
| Huggins     | Kelly       | Littlejohn  |
| Long        | Lowe        | Lucas       |
| Merrill     | Millwood    | Nanney      |
| Owens       | Parker      | Pinson      |
| E. H. Pitts | M. A. Pitts | Rice        |
| Sandifer    | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Spires      | Stewart     |
| Stringer    | Thompson    | Toole       |
| Umphlett    | White       | Whitmire    |
| Willis      | Wylie       | A. D. Young |
| T. R. Young |             |             |

**Total--64**

Those who voted in the negative are:

|            |             |             |
|------------|-------------|-------------|
| Agnew      | Alexander   | Anderson    |
| Anthony    | Bowers      | Branham     |
| Brantley   | H. B. Brown | R. L. Brown |
| Clyburn    | Cobb-Hunter | Daning      |
| Dillard    | Funderburk  | Gambrell    |
| Gilliard   | Gunn        | Hart        |
| Harvin     | Hayes       | Hodges      |
| Hosey      | Howard      | Hutto       |
| Jefferson  | King        | Limehouse   |
| Mack       | McEachern   | McLeod      |
| Miller     | Moss        | J. H. Neal  |
| J. M. Neal | Neilson     | Ott         |
| Scott      | Sellers     | J. E. Smith |
| Sottile    | Stavrinakis | Vick        |
| Whipper    | Williams    |             |

**Total--44**

So, the amendment was tabled.

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Rep. SELLERS proposed the following Amendment No. 42 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\BBM\9223HTC09.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 532, by adding a new paragraph at the end appropriately numbered to read:

/ 90. (SR: Circuit and Family Court Revenues - Reduction in State Revenue) Notwithstanding the provisions of Section 14-1-205 of the 1976 Code, for the current fiscal year, the percentage of revenues generated by circuit and family courts required to be remitted to the State Treasurer is reduced from forty-four to thirty-three percent and the amount remitted to the county treasurer increased from fifty-six to sixty-seven percent. Distribution of the state revenues are reduced proportionately. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. SELLERS explained the amendment.

Rep. A. D. YOUNG moved to table the amendment, which was agreed to.

Rep. RICE proposed the following Amendment No. 99 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5807MM09.DOC X), which was adopted:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 532, by adding after line 6 the following:

/ 90. (SR: E-Verify). For the current fiscal year, a state entity must certify that it is a participant in the E-verify federal work authorization program before it may accept or use any monies that are a part of the federal stimulus package. Failure to do so is a violation of the provisions of Act 280 of 2008. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. RICE explained the amendment.

**SPEAKER IN CHAIR**

Rep. HART moved to table the amendment.

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Rep. RICE demanded the yeas and nays which were taken, resulting as follows:

Yeas 11; Nays 94

Those who voted in the affirmative are:

|             |          |         |
|-------------|----------|---------|
| R. L. Brown | Dillard  | Hart    |
| Hodges      | Horne    | Kennedy |
| Mack        | McLeod   | Sellers |
| Whipper     | Williams |         |

**Total--11**

Those who voted in the negative are:

|             |             |             |
|-------------|-------------|-------------|
| Agnew       | Allison     | Anthony     |
| Ballentine  | Bannister   | Barfield    |
| Battle      | Bedingfield | Bingham     |
| Bowen       | Bowers      | Brady       |
| Branham     | Brantley    | Cato        |
| Chalk       | Clyburn     | Cobb-Hunter |
| Cole        | Cooper      | Crawford    |
| Daning      | Delleney    | Duncan      |
| Edge        | Erickson    | Forrester   |
| Frye        | Funderburk  | Gambrell    |
| Gilliard    | Govan       | Gullick     |
| Haley       | Hamilton    | Hardwick    |
| Harrell     | Harrison    | Harvin      |
| Hayes       | Hearn       | Herbkersman |
| Hiott       | Hosey       | Huggins     |
| Jefferson   | Kelly       | King        |
| Limehouse   | Littlejohn  | Loftis      |
| Long        | Lowe        | Lucas       |
| McEachern   | Merrill     | Miller      |
| Millwood    | Moss        | Nanney      |
| J. H. Neal  | Neilson     | Ott         |
| Owens       | Parker      | Parks       |
| Pinson      | E. H. Pitts | M. A. Pitts |
| Rice        | Sandifer    | Scott       |
| Simrill     | Skelton     | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stavrinakis | Stewart     | Stringer    |

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|             |       |             |
|-------------|-------|-------------|
| Thompson    | Toole | Umphlett    |
| Vick        | White | Whitmire    |
| Willis      | Wylie | A. D. Young |
| T. R. Young |       |             |

**Total--94**

So, the House refused to table the amendment.

The amendment was then adopted.

Rep. MERRILL proposed the following Amendment No. 121 (Doc Name H:\LEGWORK\HOUSE\AMEND\COUNCIL\SWB\5808MM09.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 532, by adding after line 6:

/ 90.\_\_(SR: Accommodations Tax Revenue) For the current fiscal year only, revenues raised by a local subdivision by reason of an accommodations tax imposed pursuant to Article 5, Chapter 1 of Title 6, must be credited to the local governing body of the area in which the revenues were raised. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. MERRILL explained the amendment.

Rep. COOPER moved to table the amendment, which was agreed to.

Section 90, as amended, was adopted.

**SECTION 21--RECONSIDERED, AMENDED AND ADOPTED**

The motion of Rep. COOPER to reconsider the vote whereby Part IB, Section 21 was adopted was taken up and agreed to.

Rep. EDGE proposed the following Amendment No. 252 (Doc Name h:\legwork\house\amend\H-WM\005\RURAL HOSPITAL GRANTS DHHS DELETION.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 391, paragraph 21.40, line 23, by striking paragraph 21.40 (DHHS: Hospital Rural Grants) in its entirety.

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Renumber sections to conform.  
Amend totals and titles to conform.

Rep. EDGE explained the amendment.  
The amendment was then adopted.

Rep. EDGE proposed the following Amendment No. 254 (Doc Name h:\legwork\house\amend\H-WM\001\21.32 MANAGED CARE.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 390, paragraph 21.32, lines 8-10, by striking the paragraph as amended by doc h-wm\005\managed care, in its entirety.

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. EDGE explained the amendment.  
The amendment was then adopted.

Rep. EDGE proposed the following Amendment No. 259 (Doc Name h:\legwork\house\amend\H-WM\001\PRESCRIPTION DRUGS.DOCX), which was adopted:

Amend the bill, as and if amended, Part IB, Section 21, DEPARTMENT OF HEALTH AND HUMAN SERVICES, page 391, paragraph 21.42, lines 33-34, by striking the paragraph in its entirety.

Renumber sections to conform.  
Amend totals and titles to conform.

Rep. EDGE explained the amendment.  
The amendment was then adopted.

**SECTION 90--RECONSIDERED, AMENDED AND ADOPTED**

The motion of Rep. COOPER to reconsider the vote whereby Part IB, Section 90 was adopted was taken up and agreed to.

Rep. COOPER proposed the following Amendment No. 270 (Doc Name h:\legwork\house\amend\H-WM\001\funding amendment.docx), which was adopted:

Amend the bill, as and if amended, Part IB, Section 90, STATEWIDE REVENUE, page 532, after line 6, by adding an appropriately numbered paragraph to read:

[HJ]

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/ (SR: Nonrecurring Revenue) (A) The source of revenue appropriated in this provision is \$5,391,797 of non-recurring revenue generated from the specified source, transferred to the State Treasurer, and subsequently deposited in a fund separate and distinct from the General Fund as established within the State Treasurer's Office. The Second Injury Fund is directed to transfer \$5,391,797 of the funds carried forward from the prior fiscal year in Subfund 4260. This transfer is deemed to have occurred and the funds are available for use in Fiscal year 2009-10 after September 1, 2009, following the Comptroller General's close of the state's books on Fiscal Year 2008-09.

(B) The State Treasurer shall disburse the following appropriations by September 1, 2009, for the purposes stated:

(1) Department of Education

First Steps to School Readiness- CDEPP  
\$2,400,000;

(2) John de la Howe School

Roof Replacement/Repair \$330,000;

(3) Commission on Higher Education

Need-Based Grants \$2,000,000;

(4) Aid to Subdivisions - Comptroller General

(a) Aid Cnty-Auditors \$98,670;

(b) Aid Cnty-Treasurers \$98,669; and

(5) Budget and Control Board \$464,458.

The funds appropriated to the Budget and Control Board shall be utilized to reimburse the board for the funds transferred to the Lieutenant Governor's Office for the Office on Aging's Meals on Wheels Program. /

Renumber sections to conform.

Amend totals and titles to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

Section 90, as amended, was adopted.

#### STATEMENT BY REP. COOPER

Rep. COOPER gave notice of offering amendments on third reading if necessary, pursuant to Rule 9.2.

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**MOTION ADOPTED**

Rep. COOPER moved to table all pending motions to reconsider, which was agreed to.

Rep. Kennedy spoke against the Bill.

Rep. J. E. Smith spoke against the Bill.

Rep. J. H. Neal spoke against the Bill.

Rep. Hart spoke against the Bill.

Rep. Ott spoke against the Bill.

The question then recurred to the passage of the Bill, as amended, on second reading.

The yeas and nays were taken resulting as follows:

Yeas 71; Nays 43

Those who voted in the affirmative are:

|             |             |             |
|-------------|-------------|-------------|
| Allison     | Ballentine  | Bannister   |
| Barfield    | Bedingfield | Bingham     |
| Bowen       | Brady       | Cato        |
| Chalk       | Cole        | Cooper      |
| Crawford    | Daning      | Delleney    |
| Duncan      | Edge        | Erickson    |
| Forrester   | Frye        | Gambrell    |
| Gullick     | Haley       | Hamilton    |
| Hardwick    | Harrell     | Harrison    |
| Hearn       | Herbkersman | Hiott       |
| Horne       | Huggins     | Kelly       |
| Limehouse   | Littlejohn  | Loftis      |
| Long        | Lowe        | Lucas       |
| Merrill     | Millwood    | Nanney      |
| Neilson     | Owens       | Parker      |
| Parks       | Pinson      | E. H. Pitts |
| M. A. Pitts | Rice        | Sandifer    |
| Scott       | Simrill     | Skelton     |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile     | Spires      |
| Stringer    | Thompson    | Toole       |
| Umphlett    | Viers       | White       |

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|             |             |       |
|-------------|-------------|-------|
| Whitmire    | Willis      | Wylie |
| A. D. Young | T. R. Young |       |

**Total--71**

Those who voted in the negative are:

|             |            |             |
|-------------|------------|-------------|
| Agnew       | Alexander  | Anderson    |
| Anthony     | Battle     | Bowers      |
| Branham     | Brantley   | H. B. Brown |
| R. L. Brown | Clyburn    | Cobb-Hunter |
| Dillard     | Funderburk | Gilliard    |
| Govan       | Gunn       | Hart        |
| Harvin      | Hayes      | Hodges      |
| Hosey       | Howard     | Hutto       |
| Jefferson   | Jennings   | Kennedy     |
| King        | Mack       | McEachern   |
| McLeod      | Miller     | Mitchell    |
| Moss        | J. H. Neal | J. M. Neal  |
| Ott         | Sellers    | J. E. Smith |
| Stavrinakis | Vick       | Whipper     |
| Williams    |            |             |

**Total--43**

So, the Bill, as amended, was read the second time and ordered to third reading.

## **H. 3560 - THE GENERAL APPROPRIATION BILL**

### **STATEMENTS FOR HOUSE JOURNAL**

#### **ABSTENTION FROM VOTING BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 26, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

[HJ]

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A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Paul Agnew

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 53, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Karl B. Allen

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Section 6**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Rita Allison

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 56, 58, 59, 60, 61, 62, 64, 66, 65, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

TUESDAY, MARCH 10, 2009

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Bruce Bannister

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 25, 54, 56, 58, 59, 60, 61, 62, 65, 67, 68A, 71, and 81**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Harry F. Cato

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Alan Clemmons

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment

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because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Sections 9, 22, 25, 26, and 53**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Gilda Cobb-Hunter

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 40, 47, 49, 52, 54, 56, 57, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. J. Derham Cole, Jr.

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Sections 6 & 18 and Amendment No. 39 to Section 89**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Joseph S. Daning

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment

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because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. F. Greg Delleney

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IB, Section 2.7**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Chandra Dillard

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Sections 6 & 18**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Mike Forrester

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment

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because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Section 67**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Laurie Slade Funderburk

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Section 34**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Michael Gambrell

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 44, 62, 71, and 81**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. James Harrison

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

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**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Christopher R. Hart

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. George M. Hearn

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 56, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Jenny A. Horne

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment

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because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Douglas Jennings, Jr.

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Keith R. Kelly

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Jay Lucas

\*\*\*\*\*

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In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Sections 17 and 22**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. David J. Mack III

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA and Part IB, Section 1**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Denny W. Neilson

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Todd Rutherford

\*\*\*\*\*

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In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Section 80C, Part IB, Sections 80A, 80C, and 90**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. Bill Sandifer

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IB, Section 47.11**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. B. R. Skelton

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 17, 21.3, 22, 26, 44, 47, 52, 53, 54, 56, 58, 59, 60, 61, 62, 65, 66, 67, 68, 71, 80, 81, and 83**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

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A potential conflict may exist under **S.C. Code §8-13-745(C)** because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. G. Murrell Smith, Jr.

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. James E. Smith, Jr.

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Leon Stavrinakis

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

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**Part IB, Section 85.1**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

Rep. C. David Umphlett, Jr.

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 66, 67, 68A, 71, 80, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of **S.C. Code §8-13-700(B)**.

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under **S.C. Code §8-13-745(C)** because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. J. David Weeks

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA and Part IB, Section 58**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or

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commission by me or an individual or business with whom I am associated within the past year.

Rep. J. Seth Whipper

\*\*\*\*\*

In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced Part, Section and/or amendment because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

**Part IA, Part IB, and Part II, Sections 21, 22, 47, 49, 52, 54, 58, 59, 60, 61, 64, 65, 66, 67, 68A, 71, 80A, 80B, 80C, 81, and 82**

The reason for abstaining on the above referenced legislation is:

A potential conflict may exist under **S.C. Code §8-13-740(C)** because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Tom Young, Jr.

\*\*\*\*\*

**HOUSE TO MEET AT 11:00 A.M. TOMORROW**

Rep. COOPER moved that when the House adjourns it adjourn to meet at 11:00 a.m. tomorrow, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3674 -- Reps. J. H. Neal, Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, Nanney, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis,

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Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO CONGRATULATE LIEUTENANT ULYSSES FLEMMING, SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES LAW ENFORCEMENT OFFICER, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR NEARLY FORTY YEARS OF DEDICATED SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO EXTEND BEST WISHES FOR MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

**ADJOURNMENT**

At 2:48 a.m. the House, in accordance with the motion of Rep. SKELTON, adjourned in memory of Dr. B. J. Todd of Clemson, to meet at 11:00 a.m. tomorrow.

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|               |                |              |   |
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