

NO. 45

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

WEDNESDAY, APRIL 22, 2009
(STATEWIDE SESSION)

Wednesday, April 22, 2009
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Isaiah 51:1: "Listen to me, you that pursue righteousness, you that seek the Lord."

Let us pray. God of steadfast love, help us to know Your truth in the midst of the confusing messages that surround us each day. Strengthen us to stay focused on You and the many tasks that have been set before these Representatives. Continue to give them integrity, wisdom, strength, and courage, as they meet the assigned work before them. Continue Your blessings 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. DUNCAN moved that when the House adjourns, it adjourn in memory of Joe Goldsmith of Clinton, which was agreed to.

REPORTS OF STANDING COMMITTEES

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

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

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

Ordered for consideration tomorrow.

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Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3550 -- Reps. Cato, Herbkersman, Agnew, Merrill, Stavrinakis, Funderburk, Brady, Anderson, R. L. Brown, Kelly, Limehouse, J. E. Smith, Whipper, Hutto, Allison, Parker and Sottile: A BILL TO AMEND CHAPTER 10, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BUILDING ENERGY EFFICIENCY STANDARD ACT, SO AS TO REVISE THE TITLE OF THE ACT TO THE "ENERGY STANDARD ACT", TO REVISE DEFINITIONS, TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE AS THE ENERGY STANDARD AND TO PROVIDE THAT ALL NEW AND RENOVATED BUILDINGS MUST COMPLY WITH THIS STANDARD, TO PROVIDE THAT LOCAL BUILDING OFFICIALS SHALL ENFORCE THE ENERGY STANDARD AND TO PROVIDE ALTERNATIVE ENFORCERS IN AREAS WITHOUT A BUILDING OFFICIAL, TO PROVIDE THAT BUILDING OFFICIALS SHALL ISSUE AND REVOKE BUILDING PERMITS AND INSPECT CONSTRUCTION OF BUILDINGS PURSUANT TO THE PERMITS ISSUED, TO REQUIRE LOCAL JURISDICTIONS TO PROVIDE AN APPEALS BOARD AND PROCESS FOR GRANTING OF CERTAIN VARIANCES, TO PROVIDE AN EXCEPTION AND TO ALLOW CERTAIN APPEALS TO BE HEARD BY THE SOUTH CAROLINA BUILDING CODES COUNCIL, AND TO PROVIDE THAT A PERSON OR PARTY MAY OBTAIN INJUNCTIVE RELIEF; AND TO AMEND SECTION 6-9-50, AS AMENDED, RELATING TO THE MANDATORY ADOPTION OF CERTAIN NATIONAL BUILDING CODES, BUILDING ENVELOPE REQUIREMENTS OF THE ENERGY CODE, FREE ACCESS TO CODE DOCUMENTS, AND THREE STORY HOMES, SO AS TO DELETE PROVISIONS RELATING TO WHAT CONSTITUTES COMPLIANCE WITH THE BUILDING ENVELOPE REQUIREMENTS OF THE ENERGY CODE, FREE ACCESS TO DOCUMENTS CONTAINING CODES ADOPTED BY THE BUILDING CODES COUNCIL, AND BUILDING PERMITS FOR THREE STORY HOMES.

Ordered for consideration tomorrow.

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Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 3790 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA MORTGAGE LENDING ACT", BY ADDING CHAPTER 22 TO TITLE 37 SO AS TO REQUIRE THE LICENSING OF A MORTGAGE LENDER, LOAN ORIGINATOR, OR SOMEONE ACTING AS A MORTGAGE LENDER; PROVIDE DEFINITIONS; ESTABLISH QUALIFICATIONS FOR LICENSURE AND GROUNDS FOR REVOCATION, SUSPENSION, RENEWAL, AND TERMINATION; DESCRIBE PROHIBITED ACTIVITIES; PROVIDE FOR RECORD-KEEPING, TRUST AND ESCROW ACCOUNTS, AND ANNUAL REPORTS; PROVIDE FOR ENFORCEMENT THROUGH ADMINISTRATIVE ACTION BY THE COMMISSIONER OF THE CONSUMER FINANCE DIVISION OF THE BOARD OF FINANCIAL INSTITUTIONS AND THROUGH CRIMINAL PENALTIES, AND TO PROVIDE FOR PARTICIPATION IN A NATIONAL MORTGAGE REGISTRY; TO AMEND SECTIONS 37-1-301, 37-3-105, 37-3-501, AND 37-23-20, ALL RELATING TO DEFINITIONS IN CONNECTION WITH MORTGAGE LENDING AND BROKERING AND HIGH-COST AND CONSUMER HOME LOANS, SO AS TO CONFORM DEFINITIONS, AND TO ADD A DEFINITION FOR "ADJUSTABLE RATE MORTGAGE"; TO AMEND SECTIONS 37-23-40, 37-23-45, AND 37-23-75, ALL RELATING TO PROTECTIONS FOR THE BORROWER IN A HIGH-COST OR CONSUMER HOME LOAN TRANSACTION, SO AS TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH AN ADJUSTABLE RATE MORTGAGE; TO AMEND SECTION 29-4-20, RELATING TO THE DEFINITION OF "REVERSE MORTGAGE", SO AS TO CONFORM THE DEFINITION; AND TO AMEND CHAPTER 58, TITLE 40, RELATING TO THE REGISTRATION OF MORTGAGE LOAN BROKERS, SO AS TO CHANGE THE REGISTRATION REQUIREMENTS TO LICENSING REQUIREMENTS, TO CONFORM DEFINITIONS TO THOSE SET FORTH IN THE SOUTH CAROLINA MORTGAGE LENDING ACT, REQUIRE CERTAIN PROFESSIONAL COURSES, AN ADDITIONAL YEAR OF EXPERIENCE, AND A FINGERPRINT CHECK FOR MORTGAGE BROKERS AND LOAN ORIGINATORS, REQUIRE CERTAIN RECORDS BE KEPT AND

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MADE ACCESSIBLE, ADD CERTAIN PROHIBITIONS IN CONNECTION WITH A REAL ESTATE APPRAISAL, REQUIRE AND PRESCRIBE MORTGAGE BROKER AGREEMENTS, AUTHORIZE ENFORCEMENT BY THE DEPARTMENT OF CONSUMER AFFAIRS AND PRESCRIBE ADMINISTRATIVE PENALTIES INCLUDING FINES AND INJUNCTIONS AND A CRIMINAL PENALTY, REQUIRE CERTAIN REPORTS AND FILINGS, AND PROVIDE FOR PARTICIPATION IN A NATIONWIDE MORTGAGE REGISTRY.

Ordered for consideration tomorrow.

Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 3707 -- Reps. T. R. Young, Cato, Cobb-Hunter, Toole, Ott, Cooper, Gambrell, Bowen, Agnew, McLeod, J. H. Neal, Gunn, Hayes, Stewart, Thompson, White, Duncan, Moss, H. B. Brown and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-41-235 SO AS TO REQUIRE MOTOR FUEL TERMINALS TO OFFER FOR SALE PRODUCTS THAT ARE SUITABLE FOR SUBSEQUENT BLENDING EITHER WITH ETHANOL OR BIODIESEL; TO PROHIBIT A PERSON OR ENTITY FROM TAKING AN ACTION TO DENY A MOTOR FUEL DISTRIBUTOR OR RETAILER FROM BEING THE BLENDER OF RECORD; TO REQUIRE MOTOR FUEL DISTRIBUTORS, RETAILERS, AND REFINERS TO UTILIZE THE RENEWABLE IDENTIFICATION NUMBER; AND TO DECLARE VIOLATIONS AN UNFAIR TRADE PRACTICE.

Ordered for consideration tomorrow.

Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

S. 232 -- Senators Ryberg, Hutto, Massey, Coleman, O'Dell, Anderson, L. Martin and Nicholson: A BILL TO AMEND SECTION 48-52-210 OF THE 1976 CODE, RELATING TO THE PLAN FOR THE STATE ENERGY POLICY, TO ENCOURAGE THE USE OF CLEAN ENERGY SOURCES; AND TO AMEND ARTICLE 2, CHAPTER 52, TITLE 48 BY ADDING SECTION 48-52-220 TO

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PROVIDE A DEFINITION FOR "RENEWABLE ENERGY RESOURCES".

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3118 -- Reps. Kirsh, J. E. Smith and Funderburk: A BILL TO AMEND SECTION 63-11-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWERS AND DUTIES OF GUARDIANS AD LITEM IN CHILD ABUSE AND NEGLECT CASES, SO AS TO PROVIDE THAT THE SOUTH CAROLINA GUARDIAN AD LITEM PROGRAM HAS THE RIGHT TO INTERVENE IN A PROCEEDING TO PETITION TO HAVE THE GUARDIAN AD LITEM REMOVED IF THE GUARDIAN AD LITEM IS NOT IN COMPLIANCE WITH STATE LAW OR IS NOT ACTING IN THE BEST INTEREST OF THE CHILD; AND TO AMEND SECTION 63-11-550, RELATING TO CONFIDENTIALITY OF REPORTS AND INFORMATION MAINTAINED BY THE GUARDIAN AD LITEM PROGRAM, SO AS TO ALSO PROVIDE THAT REPORTS AND INFORMATION MAINTAINED BY A GUARDIAN AD LITEM IS CONFIDENTIAL.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3377 -- Reps. Moss, Vick, Simrill, Anthony, Bedingfield, H. B. Brown, Duncan, Gambrell, Gullick, Jennings and A. D. Young: A BILL TO AMEND SECTION 23-1-212, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT OF STATE CRIMINAL LAWS BY FEDERAL LAW ENFORCEMENT OFFICERS, SO AS TO PROVIDE THAT NATIONAL PARK SERVICE RANGERS ARE FEDERAL LAW ENFORCEMENT OFFICERS WHO ARE AUTHORIZED TO ENFORCE THE STATE'S CRIMINAL LAWS.

Ordered for consideration tomorrow.

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Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3761 -- Rep. Cooper: A BILL TO AMEND SECTION 44-53-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FORFEITURE PROCEDURES RELATED TO DRUG PROCEEDS, SO AS TO ALLOW THE USE OF FORFEITED MONIES AND PROCEEDS FROM THE SALE OF PROPERTY FOR TRAINING AND EDUCATION BY LAW ENFORCEMENT IN ADDITION TO OTHER USES PREVIOUSLY DELINEATED.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3130 -- Rep. Harvin: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AS A RESULT OF AN ASSESSABLE TRANSFER OF INTEREST, SO AS TO PROVIDE THAT A CONVEYANCE TO A TRUST DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE SETTLOR OR SETTLOR'S SPOUSE CONVEYS THE PROPERTY TO A TRUST THE BENEFICIARIES OF WHICH ARE A CHILD OR CHILDREN OF THE SETTLOR OR THE SETTLOR'S SPOUSE AND TO PROVIDE THAT A CONVEYANCE BY DISTRIBUTION UNDER A WILL OR BY INTESTATE SUCCESSION DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE DISTRIBUTEE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT'S DATE OF DEATH.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3252 -- Rep. Sellers: A BILL TO AMEND SECTION 56-1-745, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANDATORY SUSPENSION OF A PERSON'S DRIVER'S LICENSE FOR CERTAIN CONTROLLED SUBSTANCE

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CONVICTIONS, SO AS TO PROVIDE THAT DRIVER'S LICENSE SUSPENSION UNDER THESE CIRCUMSTANCES IS IN THE DISCRETION OF THE JUDGE.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3087 -- Reps. Brady and M. A. Pitts: A BILL TO AMEND SECTION 23-3-535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIMITATIONS ON PLACES OF RESIDENCE FOR SEX OFFENDERS, SO AS TO PROVIDE THAT A LOCAL GOVERNMENT MAY NOT ENACT AN ORDINANCE THAT EXPANDS OR CONTRACTS THE BOUNDARIES OF THE AREAS IN WHICH A SEX OFFENDER MAY OR MAY NOT RESIDE THAT ARE CONTAINED IN THIS SECTION.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3720 -- Rep. Clemmons: A BILL TO AMEND SECTION 15-9-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SERVICE ON UNKNOWN PARTIES BY PUBLICATION, SO AS TO PROVIDE IN A MORTGAGE FORECLOSURE ACTION INVOLVING MULTIPLE UNITS IN A SINGLE HORIZONTAL PROPERTY REGIME, A PARTY MAY ACCOMPLISH NOTICE BY PUBLICATION BY CONSOLIDATING THE NOTICES INTO A SINGLE NOTICE THAT IDENTIFIES EACH APARTMENT INCLUDED IN THE FORECLOSURE ACTION BASED ON THE APARTMENT'S DESCRIPTION IN THE MASTER DEED.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3231 -- Reps. E. H. Pitts, T. R. Young, Ballentine, Haley, Harrison, J. E. Smith, Sellers, Govan, Bannister, G. M. Smith and Funderburk: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO

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THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE FOR THE JOINT ELECTION OF GOVERNOR AND LIEUTENANT GOVERNOR BEGINNING WITH THE GENERAL ELECTION OF 2014.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

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

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3280 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Horne and Funderburk: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF

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STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3746 -- Rep. Clemmons: A BILL TO AMEND SECTION 7-11-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOMINATION OF CANDIDATES BY A PETITION, SO AS TO PROVIDE THAT NO QUALIFIED ELECTOR WHO VOTED IN A PRIMARY ELECTION IS ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO RUN FOR AN OFFICE TO BE FILLED AT THE GENERAL ELECTION FOLLOWING THAT PRIMARY AND TO PROVIDE THAT A QUALIFIED ELECTOR OTHERWISE ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT MAY NOT SIGN MORE THAN ONE PETITION PER GENERAL ELECTION PER OFFICE; BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST HAVE FIRST NOTIFIED THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY THE BEGINNING DATE OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, AND TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION; TO AMEND SECTION 7-11-80, AS AMENDED, RELATING TO THE FORM OF NOMINATING

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PETITIONS, SO AS TO REQUIRE ALL THE SIGNATURES TO BE LEGIBLE SO THAT THE NAME OF THE VOTER CAN BE IDENTIFIED BEYOND A REASONABLE DOUBT; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO REQUIRE THE REGISTRATION BOARD TO VERIFY THE VOTER IS A QUALIFIED ELECTOR IN THAT JURISDICTION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION IF, AFTER A HEARING, THE ENTITY FINDS THAT BY A PREPONDERANCE OF THE EVIDENCE FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION, AND TO PROVIDE THAT THE VALIDATION OF THE SIGNATURES ON A PETITION AND THE DETERMINATION OF WHETHER OR NOT FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION MUST BE CONDUCTED IN PUBLIC AFTER NOTICE; AND BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY TO WHICH A PETITION MUST BE FILED MAY BE APPEALED TO THE STATE ELECTION COMMISSION AND THEREAFTER TO A COURT OF COMPETENT JURISDICTION IN THE MANNER IN WHICH APPEALS FROM THE STATE ELECTION COMMISSION MAY BE TAKEN.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3199 -- Reps. Harrison, Allison and G. M. Smith: A BILL TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, TO ENACT THE BEHAVIORAL HEALTH SERVICES ACT OF 2009, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES AND TO DELETE THE DEPARTMENT OF ALCOHOL

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AND OTHER DRUG ABUSE SERVICES AND THE DEPARTMENT OF MENTAL HEALTH; TO AMEND SECTION 1-30-20, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO PROVIDE THAT THE POWER AND DUTIES OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; TO AMEND SECTION 1-30-70, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO PROVIDE THAT THE POWERS AND DUTIES OF THE DEPARTMENT OF MENTAL HEALTH ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF MENTAL HEALTH; BY ADDING SECTION 1-30-72 SO AS TO PLACE THE DEPARTMENT OF MENTAL HEALTH AND THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES UNDER THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES; BY ADDING CHAPTER 8 TO TITLE 44 SO AS TO CREATE THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES COMPRISED OF THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES AND THE DIVISION OF MENTAL HEALTH AND TO PROVIDE FOR THE DEPARTMENT'S POWERS AND DUTIES, INCLUDING DEVELOPING AND IMPLEMENTING A STATE PLAN FOR THE COORDINATED CARE AND UNIFIED DELIVERY OF BEHAVIORAL HEALTH SERVICES AND OVERSEEING THE ADMINISTRATION AND DELIVERY OF BEHAVIORAL HEALTH SERVICES; TO AMEND CHAPTERS 9, 11, 13, and 15 OF TITLE 44, RELATING, AMONG OTHER THINGS, TO THE ORGANIZATION AND OPERATION OF THE DEPARTMENT OF MENTAL HEALTH AND ITS FACILITIES, THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, AND LOCAL MENTAL HEALTH PROGRAMS AND BOARDS, SO AS TO CONFORM THESE CHAPTERS TO THE PROVISIONS OF THIS ACT AND TO PROVIDE THAT THE MENTAL HEALTH COMMISSION IS AN ADVISORY BOARD TO THE DIVISION OF MENTAL HEALTH; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CONFORM

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THIS CHAPTER TO THE PROVISIONS OF THIS ACT AND TO CREATE AN ADVISORY BOARD TO THE DIVISION; AND TO AMEND SECTIONS 44-52-10, 44-52-165, 44-52-200, AND 44-52-210, RELATING, AMONG OTHER THINGS, TO ALCOHOL AND DRUG ABUSE COMMITMENTS AND PROGRAMS FOR CHEMICALLY DEPENDENT PERSONS, SO AS TO CONFORM THESE SECTIONS TO THE PROVISIONS OF THIS ACT

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

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

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3918 -- Rep. Agnew: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ROBERT MONTY WOOLEY OF ABBEVILLE COUNTY, VICE PRESIDENT FOR STUDENT SERVICES AT ERSKINE COLLEGE, UPON THE OCCASION OF HIS RETIREMENT IN JUNE 2009, TO THANK HIM FOR HIS MANY YEARS OF OUTSTANDING PUBLIC SERVICE, AND TO WISH HIM MUCH FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

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INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3919 -- Reps. Mitchell, Alexander, Gunn, Dillard, Hamilton, Limehouse, J. R. Smith, King, Kirsh, Littlejohn and J. M. Neal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-250 SO AS TO ESTABLISH THE SOUTH CAROLINA HOUSING COMMISSION TO PROVIDE RECOMMENDATIONS TO ENSURE AND FOSTER THE AVAILABILITY OF SAFE, SOUND, AND AFFORDABLE WORKFORCE HOUSING FOR EVERY SOUTH CAROLINIAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMISSION, AND FOR OTHER PROCEDURAL MATTERS.

On motion of Rep. MITCHELL, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 3920 -- Rep. Bales: A BILL TO AMEND SECTION 61-4-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIREMENTS FOR RETAIL PERMITS REGARDING BEER AND WINE, SO AS TO ADD AN ADDITIONAL REQUIREMENT THAT THE LOCATION OF THE PLACE OF BUSINESS NOT BE WITHIN THREE HUNDRED FEET OF A RESIDENCE; AND TO AMEND SECTION 61-6-120, RELATING TO THE ISSUANCE OF RETAIL PERMITS REGARDING ALCOHOLIC LIQUORS, SO AS TO PROHIBIT THE ISSUANCE OF A LICENSE WHEN THE PLACE OF BUSINESS IS WITHIN A CERTAIN DISTANCE OF A RESIDENCE AND TO DEFINE THE TERM "RESIDENCE".

Referred to Committee on Judiciary

H. 3921 -- Reps. Gunn, McEachern, King, Ballentine and J. H. Neal: A BILL TO AMEND SECTION 34-11-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DRAWING AND UTTERING OF A FRAUDULENT CHECK, SO AS TO ADD A FINGERPRINT EXEMPLAR AS AN ITEM THE RECEIVER OF THE CHECK MUST OBTAIN TO PRESENT PRIMA FACIE EVIDENCE OF THE IDENTITY OF THE ISSUER OF THE CHECK.

Referred to Committee on Judiciary

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H. 3922 -- Reps. Gunn, Cobb-Hunter, McEachern, Spires, Ballentine, Moss, J. H. Neal and M. A. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-1-100 SO AS TO REQUIRE A PERSON WHO SELLS A PREPAID WIRELESS TELEPHONE TO VERIFY THE IDENTITY OF THE PURCHASER BY REQUIRING THE PURCHASER TO SHOW AT LEAST ONE PHOTO IDENTIFICATION CARD, TO PROVIDE SPECIFICATIONS FOR THE PHOTO IDENTIFICATION CARD, TO REQUIRE THE SELLER OF THE TELEPHONE TO REGISTER THE IDENTITY OF THE PURCHASER IN A SECURE FILE OR DATABASE AND TO SUBMIT THE REGISTRATION DATA TO THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR SITUATIONS IN WHICH A SELLER MAY DISCLOSE DATABASE INFORMATION, TO PROVIDE PENALTIES FOR FAILURE TO COMPLETE OR REMIT THE REGISTRATION OF PHONE PURCHASERS, TO PROVIDE PENALTIES FOR POSSESSING OR USING FALSE INFORMATION FOR PHONE PURCHASES, AND TO PROVIDE DEFINITIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3923 -- Reps. Gunn, Funderburk, King, Gilliard, Sellers and Mitchell: A JOINT RESOLUTION TO REQUIRE THE GOVERNOR TO APPLY FOR STATE FISCAL STABILIZATION FUNDS AVAILABLE PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, TO MAKE FINDINGS THAT IT IS IN THE BEST INTEREST OF THE STATE FOR THE GOVERNOR TO APPLY FOR THESE FUNDS AND THAT THE GENERAL ASSEMBLY HAS THE AUTHORITY TO REQUIRE THE GOVERNOR TO MAKE THE APPLICATION, TO PROVIDE THAT THE GOVERNOR MUST APPLY FOR THE FUNDS WITHIN THIRTY DAYS OF THE EFFECTIVE DATE OF THE JOINT RESOLUTION, TO PROVIDE THAT THE ASSURANCES THAT MUST BE MADE TO OBTAIN THE FUNDS ARE THE POLICY OF THIS STATE, TO PROVIDE FOR BASELINE DATA ON THESE ASSURANCES, AND TO DESCRIBE HOW THE STATE WILL UTILIZE THE FUNDS.

Referred to Committee on Ways and Means

H. 3924 -- Rep. Harrison: A BILL TO AMEND SECTION 48-34-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING

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TO THE REQUIREMENTS FOR CONDUCTING A PRESCRIBED FIRE, SO AS TO REFERENCE OTHER SPECIFIC STATUTORY AND REGULATORY REQUIREMENTS; AND TO AMEND SECTION 48-34-50, RELATING TO LIABILITY FOR DAMAGES CAUSED BY A PRESCRIBED FIRE, SO AS TO PROVIDE THAT NO PROPERTY OWNER, LESSEE, AGENT, OR EMPLOYEE MAY BE HELD LIABLE FOR DAMAGES CAUSED BY THE RESULTING SMOKE OF A PRESCRIBED FIRE UNLESS GROSS NEGLIGENCE IS PROVEN AND TO DEFINE GROSS NEGLIGENCE.

Referred to Committee on Judiciary

H. 3927 -- Reps. Loftis, Brantley, Wylie, Hosey, Millwood, M. A. Pitts and Stringer: A BILL TO AMEND SECTION 2-17-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF LOBBYISTS, SO AS TO REQUIRE LOBBYISTS WHO ARE ALSO LICENSED TO PRACTICE LAW IN THIS STATE TO DISCLOSE THE NAME OF THE LAW FIRM OR LAW PRACTICE WITH WHICH THE LOBBYIST IS PRINCIPALLY ASSOCIATED ON THE LOBBYIST'S REGISTRATION FORM FILED WITH THE STATE ETHICS COMMISSION.

Referred to Committee on Judiciary

S. 196 -- Senator McConnell: A BILL TO AMEND CHAPTER 3, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CIVIL ACTIONS, SO AS TO LIMIT LIABILITY FOR CERTAIN LIQUEFIED PETROLEUM GAS PROVIDERS FOR INJURIES OR DAMAGES PROXIMATELY CAUSED BY ALTERATIONS, MODIFICATIONS, OR REPAIRS OF LIQUEFIED PETROLEUM GAS EQUIPMENT THE LIQUEFIED PETROLEUM GAS PROVIDER COULD NOT HAVE DISCOVERED, OR WHEN LIQUEFIED PETROLEUM GAS EQUIPMENT IS USED IN A MANNER OR FOR A PURPOSE OTHER THAN THAT WHICH THE EQUIPMENT WAS INTENDED TO BE USED, OR COULD REASONABLY HAVE BEEN FORESEEN TO BE USED FOR, AND TO PROVIDE AN EFFECTIVE DATE.

Referred to Committee on Judiciary

S. 218 -- Senators Fair and Leventis: A BILL TO AMEND SECTIONS 24-13-210 AND 24-13-230, BOTH AS AMENDED,

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CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GOOD BEHAVIOR, WORK, AND ACADEMIC CREDITS, SO AS TO REQUIRE THE DIRECTOR OF THE DEPARTMENT OF CORRECTIONS TO ESTABLISH POLICIES AND PROCEDURES TO RESTORE TO AN INMATE GOOD-TIME CREDIT LOST FOR A DISCIPLINARY ACTION IF THE INMATE IS NOT FOUND GUILTY OF A SUBSEQUENT DISCIPLINARY ACTION, TO ALLOW THE DIRECTOR TO AWARD GOOD-TIME CREDIT TO AN INMATE WHO PERFORMS CERTAIN MERITORIOUS ACTS, AND TO PROVIDE THAT THE DIRECTOR MUST ESTABLISH POLICIES AND PROCEDURES TO ALLOW CERTAIN PRISONERS WHO ARE ENROLLED IN CERTAIN PROGRAMS THAT INCLUDE SELF-HELP PROGRAMS TO RECEIVE A REDUCTION IN THEIR SENTENCES; TO AMEND SECTION 24-27-200, RELATING TO THE FORFEITURE OF WORK, EDUCATION, OR GOOD CONDUCT CREDITS, SO AS TO PROVIDE THAT A REDUCTION IN THESE CREDITS MAY BE IMPLEMENTED PURSUANT TO AN ADMINISTRATIVE LAW JUDGE'S RECOMMENDATION; AND TO AMEND SECTION 30-4-40, AS AMENDED, RELATING TO MATTERS EXEMPT FROM DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE THAT CERTAIN ARCHITECTURAL PLANS, DRAWINGS, OR SCHEMATICS OR LAW ENFORCEMENT POLICIES WHOSE DISCLOSURE WOULD REASONABLY BE USED TO FACILITATE AN ESCAPE FROM LAWFUL CUSTODY MAY BE EXEMPT FROM DISCLOSURE.

Referred to Committee on Judiciary

S. 286 -- Senators Cleary, Rose and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 TO TITLE 44 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO IMPLEMENT A TARGETED COMMUNITY HEALTH PROGRAM IN THREE TO FIVE COUNTIES OF NEED FOR DENTAL HEALTH EDUCATION, SCREENING, AND TREATMENT REFERRALS IN PUBLIC SCHOOLS FOR CHILDREN IN KINDERGARTEN, THIRD, SEVENTH, AND TENTH GRADES OR UPON ENTRY INTO PUBLIC SCHOOLS, TO REQUIRE PROGRAM GUIDELINES TO BE PROMULGATED IN REGULATIONS, TO REQUIRE AN ACKNOWLEDGMENT OF DENTAL SCREENING TO BE ISSUED UPON COMPLETION OF

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THE SCREENING AND TO REQUIRE THIS ACKNOWLEDGMENT TO BE PRESENTED TO THE CHILD'S SCHOOL, TO REQUIRE NOTIFICATION TO THE CHILD'S PARENT IF PROFESSIONAL ATTENTION IS INDICATED BY THE SCREENING AND IF AUTHORIZED BY THE CHILD'S PARENTS, TO PROVIDE NOTIFICATION TO THE COMMUNITY HEALTH COORDINATOR TO FACILITATE FURTHER ATTENTION IF NEEDED, AND TO PROVIDE THAT A SCREENING MUST BE COMPLETED UNLESS A CHILD'S PARENT COMPLETES AN EXEMPTION FORM.

Referred to Committee on Education and Public Works

S. 694 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO PROCEDURES AND STANDARDS FOR REVIEW OF CHARTER SCHOOL APPLICATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4026, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Education and Public Works

S. 698 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO LIGHT BROWN APPLE MOTH QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4052, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Rep. DUNCAN, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

S. 711 -- Senator Verdin: A JOINT RESOLUTION TO DIRECT THE CLEMSON UNIVERSITY REGULATORY AND PUBLIC SERVICE PROGRAMS DIVISION TO ESTABLISH A QUARANTINE FOR CITRUS GREENING, ALSO KNOWN AS HUANGLONGBING (CANDIDATUS LIBERIBACTER ASIATICUS) A DISEASE OF CITRUS PLANTS, AND TO PROVIDE REQUIREMENTS FOR AND THE DURATION OF THE QUARANTINE AND PENALTIES FOR VIOLATION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

[HJ]

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HOUSE RESOLUTION

The following was introduced:

H. 3925 -- Reps. Knight, Horne and A. D. Young: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF EMILY DORCAS TREACY MOORER REEVES OF REEVESVILLE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3926 -- Reps. Knight, Horne and A. D. Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CROSSES FOUR HOLE SWAMP WHERE IT FLOWS INTO THE EDISTO RIVER ALONG WIRE ROAD IN DORCHESTER COUNTY THAT CONTAIN THE WORDS "MUCKENFUSS (1792 - 1813) MINUS (1813 - 1848) HARLEY (1848 - 1862) BRIDGE".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The following was introduced:

H. 3928 -- Rep. Whipper: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MORNINGSIDE MIDDLE SCHOOL IMPROVEMENT COUNCIL OF CHARLESTON COUNTY, UPON THE OCCASION OF RECEIVING THE DICK AND TUNKY RILEY SCHOOL IMPROVEMENT AWARD FOR 2009, AND TO COMMEND THE MEMBERS WHO CONTRIBUTED TO THIS SUCCESS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

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CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 716 -- Senator Pinckney: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 601 IN JASPER COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 321 TO ITS INTERSECTION WITH THE JASPER/HAMPTON COUNTY LINE THE "EUNICE HOLMAN DOE HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "EUNICE HOLMAN DOE HIGHWAY".

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 734 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LOWER RICHLAND HIGH SCHOOL "LADY DIAMONDS" BASKETBALL TEAM ON ITS IMPRESSIVE WIN OF THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS, COACH, AND STAFF ON AN OUTSTANDING SEASON.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

ROLL CALL

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

Agnew	Alexander	Allison
Anderson	Anthony	Bales
Ballentine	Bannister	Barfield
Battle	Bedingfield	Bingham
Bowen	Brady	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Cato	Chalk
Clemmons	Clyburn	Cobb-Hunter
Cole	Cooper	Crawford
Daning	Delleney	Dillard

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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	Hutto
Jefferson	Kelly	Kennedy
King	Kirsh	Knight
Littlejohn	Loftis	Long
Lowe	Mack	McEachern
McLeod	Miller	Millwood
Mitchell	Moss	Nanney
J. H. Neal	J. M. Neal	Owens
Parker	Parks	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Scott	Sellers	Simrill
Skelton	D. C. 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		

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Wednesday, April 22.

H.B. "Chip" Limehouse	James Merrill
Denny Neilson	Lewis E. Pinson
G.R. Smith	Harry Ott
Thad Viers	James Lucas
G. Murrell Smith	Karl Allen
Todd Rutherford	Chip Huggins
Douglas Jennings	

Total Present--122

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LEAVE OF ABSENCE

The SPEAKER granted Rep. BOWERS a leave of absence for today to attend the funeral of his brother, James Cleborn "Cleby" Broxton.

STATEMENTS OF ATTENDANCE

Reps. G. M. SMITH, LIMEHOUSE, J. E. SMITH and JENNINGS signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Tuesday, April 21.

DOCTOR OF THE DAY

Announcement was made that Dr. Boyce Tollison of Easley was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. J. R. SMITH presented to the House the Silver Bluff High School Navy Junior Reserve Officers Training Corps, the 2008 AA Drill Team Champions, their instructors and other school officials.

SPECIAL PRESENTATION

Reps. E. H. PITTS and HALEY presented to the House the Lexington High School "Lady Cats" Golf Team, the 2008 Class AAAA Champions, their coaches and other school officials.

CO-SPONSORS ADDED AND REMOVED

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."

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CO-SPONSOR ADDED

Bill Number: H. 3047
Date: ADD:
04/22/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3248
Date: ADD:
04/22/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3550
Date: ADD:
04/22/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3567
Date: ADD:
04/22/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3737
Date: ADD:
04/22/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3748
Date: ADD:
04/22/09 ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3047
Date: ADD:
04/22/09 NEILSON

CO-SPONSOR ADDED

Bill Number: H. 3415
Date: ADD:
04/22/09 MILLWOOD

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CO-SPONSOR ADDED

Bill Number: H. 3707
Date: ADD:
04/22/09 KNIGHT

CO-SPONSOR ADDED

Bill Number: H. 3749
Date: ADD:
04/22/09 WILLIAMS

CO-SPONSOR ADDED

Bill Number: H. 3769
Date: ADD:
04/22/09 STEWART

CO-SPONSORS ADDED

Bill Number: H. 3841
Date: ADD:
04/22/09 STAVRINAKIS, HUTTO, JEFFERSON,
UMPHLETT, DANING, KIRSH, KNIGHT,
MERRILL, WILLIAMS, WEEKS, WHIPPER,
MACK, G. M. SMITH, GULLICK, LOWE,
CLEMMONS, SELLERS, GILLIARD and
ERICKSON

CO-SPONSOR ADDED

Bill Number: H. 3358
Date: ADD:
04/22/09 WHIPPER

CO-SPONSORS ADDED

Bill Number: H. 3878
Date: ADD:
04/22/09 BINGHAM and TOOLE

CO-SPONSORS ADDED

Bill Number: H. 3919
Date: ADD:
04/22/09 HERBKERSMAN, STAVRINAKIS, CHALK and
COBB-HUNTER

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CO-SPONSORS ADDED

Bill Number: H. 3888
Date: ADD:
04/22/09 LITTLEJOHN, FRYE, SPIRES, HIOTT, WYLIE,
STRINGER, GAMBRELL, WILLIS, NEILSON,
HAYES, G. M. SMITH, WEEKS, M. A. PITTS,
LOWE, CLEMMONS, JENNINGS and ERICKSON

CO-SPONSORS REMOVED

Bill Number: H. 3608
Date: REMOVE:
04/22/09 GILLIARD, WHIPPER, CLYBURN, JEFFERSON
and MILLER

S. 537--POINT OF ORDER

The following Joint Resolution was taken up:

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

POINT OF ORDER

Rep. E. H. PITTS made the Point of Order that the Joint Resolution was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

ORDERED TO THIRD READING

The following Bills and Joint Resolution were taken up, read the second time, and ordered to a third reading:

S. 540 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS ATTENDING OCONEE COUNTY SCHOOLS ON MARCH 2, 2009, DUE TO SNOW, IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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H. 3254 -- Reps. Edge, Sellers, Barfield, Kelly, G. M. Smith and Branham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-87 SO AS TO PROVIDE THAT CERTAIN SPEECH-LANGUAGE PATHOLOGISTS WHO HAVE RECEIVED NATIONAL CERTIFICATION FROM THE AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION AND WHO ARE EMPLOYED IN A SOUTH CAROLINA PUBLIC SCHOOL DISTRICT SHALL RECEIVE A YEARLY INCENTIVE FOR THE LIFE OF THE CERTIFICATION, AND TO PROVIDE THAT THESE INCENTIVES MUST BE PAID FROM FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY FOR THIS PURPOSE IF AVAILABLE.

Rep. EDGE explained the Bill.

STATEMENT FOR THE JOURNAL

I was in the lobby speaking with constituents and a school board member about education funding and was not present during the vote on H. 3254. Had I been present, I would have asked for a roll call vote and I would have voted against the Bill. In these economic times, approving bonuses for one group of citizens while other teachers, state employees, and other citizens are losing jobs, is not only inappropriate; but also not fiscally responsible.

Rep. Nathan Ballentine

STATEMENT FOR THE JOURNAL

I was temporarily out of the Chamber speaking with constituents during the passage of H. 3254. House Bill 3254 should not have been passed without a roll call vote. This Bill had been debated a couple of weeks ago. I have great respect for speech pathologists and the service they do. I do not think that in a time where teachers jobs are at risk, that we need to be discussing bonuses.

Rep. Nikki Haley

H. 3872 -- Reps. Cato, Bannister, Wylie, Loftis, Bedingfield, Allen, Stringer, Nanney, Dillard, Hamilton, Rice, G. R. Smith and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 26 TO CHAPTER 53, TITLE 59 SO AS TO ENACT THE "GREENVILLE TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY ACT", AND TO PROVIDE

[HJ]

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FOR THE POWERS AND DUTIES OF THE GREENVILLE
TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

Rep. CATO explained the Bill.

S. 420 -- Senators Knotts, Land, Coleman, Setzler, McConnell, Leatherman, Courson, Thomas and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-4975 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR CERTAIN PERSONS TO OPERATE A VEHICLE THAT IS UPFITTED AS AN AMBULANCE OR NO LONGER PERMITTED AND LICENSED AS AN AMBULANCE UNLESS CERTAIN EXTERIOR ITEMS THAT DISTINGUISH IT AS AN AMBULANCE ARE REMOVED, TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION, AND TO PROVIDE THAT THE USE OF THE VEHICLE DURING THE COMMISSION OF A CRIME OR A TERRORIST ACT IS A FELONY.

H. 3482 -- Reps. Harrell, Cooper, Mack and Bannister: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT FROM PROPERTY TAX ALL PERSONAL PROPERTY, INCLUDING AIRCRAFT, OF A COMPANY ENGAGED IN AIR TRANSPORT OF SPECIALIZED CARGO.

Rep. COOPER explained the Bill.

H. 3874 -- Reps. Stavrinakis and Merrill: A BILL TO AMEND SECTION 1-23-525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATION OF MEMBERS OF THE GENERAL ASSEMBLY FROM ELECTION TO AN ADMINISTRATIVE LAW JUDGE POSITION, SO AS TO CHANGE FOUR YEARS TO ONE YEAR.

Rep. STAVRINAKIS explained the Bill.

H. 3706 -- Reps. Weeks and Harrison: A BILL TO AMEND SECTION 8-13-1348, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF CAMPAIGN FUNDS FOR

[HJ]

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PERSONAL EXPENSES, SO AS TO AUTHORIZE A DEBIT CARD DRAWN UPON THE CAMPAIGN ACCOUNT MAY BE USED ON EXPENDITURES MORE THAN TWENTY-FIVE DOLLARS IN ADDITION TO A WRITTEN INSTRUMENT.

Rep. WEEKS explained the Bill.

SENT TO THE SENATE

The following Bills and Joint Resolution were taken up, read the third time, and ordered sent to the Senate:

H. 3572 -- Rep. Umphlett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 50-5-1707 RELATING TO SHARK CATCH LIMITS.

H. 3571 -- Rep. Umphlett: A BILL TO AMEND SECTION 50-11-840, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST TAKING OR DESTROYING THE NESTS OR EGGS OF WILD BIRDS, SO AS TO DEFINE THE TERM "ACTIVE NEST" AND TO PROVIDE THAT THE DEPARTMENT MAY ISSUE PERMITS FOR THE REMOVAL OF CERTAIN ACTIVE NESTS.

H. 3483 -- Reps. White, M. A. Pitts, Toole, Willis, Barfield, Clemmons, Hardwick and Hearn: A JOINT RESOLUTION TO PROPOSE AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS UNDER THE STATE'S CONSTITUTION, BY ADDING SECTION 25 SO AS TO PROVIDE THAT HUNTING AND FISHING ARE VALUABLE PARTS OF THE STATE'S HERITAGE, IMPORTANT FOR CONSERVATION, AND A PROTECTED MEANS OF MANAGING NONTHREATENED WILDLIFE, TO PROVIDE THAT THE CITIZENS OF SOUTH CAROLINA SHALL HAVE THE RIGHT TO HUNT, FISH, AND HARVEST WILDLIFE TRADITIONALLY PURSUED, SUBJECT TO LAWS AND REGULATIONS PRESCRIBED BY THE GENERAL ASSEMBLY, AND TO SPECIFY THAT THIS SECTION MUST NOT BE CONSTRUED TO ABROGATE ANY PRIVATE PROPERTY RIGHTS, EXISTING STATE LAWS OR REGULATIONS, OR THE STATE'S SOVEREIGNTY OVER ITS NATURAL RESOURCES.

[HJ]

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H. 3561--DEBATE ADJOURNED

Rep. COOPER moved to adjourn debate upon the following Joint Resolution until Thursday, April 23, which was adopted:

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

H. 3415--DEBATE ADJOURNED

Rep. COOPER moved to adjourn debate upon the following Joint Resolution, which was adopted:

H. 3415 -- Reps. Harrell, Cato, Cooper, Duncan, Harrison, Owens, Sandifer, White, Bingham, Scott, Erickson, Herbkersman, T. R. Young, G. R. Smith, Huggins, Bedingfield, A. D. Young, Pinson, Lucas, E. H. Pitts, Crawford, Allison, Barfield, Brady, Chalk, Daning, Delleney, Edge, Frye, Hamilton, Hearn, Horne, Long, Merrill, Parker, Rice, Sellers, Skelton, G. M. Smith, J. R. Smith, Spires, Stringer, Thompson, Toole, Viers, Willis, Wylie, Neilson, Bales, Clemmons and Millwood: A JOINT RESOLUTION TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION; TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM INCLUDING ITS SALES TAX AND EXEMPTIONS STRUCTURE AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE; AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

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S. 12--DEBATE ADJOURNED

Rep. COOPER moved to adjourn debate upon the following Bill, which was adopted:

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis, Elliott, Lourie, Malloy and Setzler: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

S. 620--REQUESTS FOR DEBATE

The following Joint Resolution was taken up:

S. 620 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSIONERS OF PILOTAGE, RELATING TO ENFORCEMENT OF PILOT STATUES AND MARITIME HOMELAND SECURITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4053, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. HARRISON explained the Joint Resolution.

Reps. KENNEDY, HOSEY, JEFFERSON, SELLERS and BRANTLEY requested debate on the Joint Resolution.

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H. 3854--DEBATE ADJOURNED

Rep. COOPER moved to adjourn debate upon the following Bill, which was adopted:

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

S. 445--COMMITTED

The following Bill was taken up:

S. 445 -- Senators Cleary and McGill: A BILL TO AMEND CHAPTER 13, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF FISH, BY ADDING SECTION 50-13-2017 TO ESTABLISH THE FLOUNDER POPULATION STUDY PROGRAM IN GEORGETOWN COUNTY, IN THE WATERS OF MURRELLS INLET ESTUARY, PAWLEYS ISLAND ESTUARY, AND THE CREEKS OF LITCHFIELD FLOWING INTO PAWLEYS ISLAND ESTUARY, TO SET FLOUNDER CATCH LIMITS AND PROHIBIT THE USE OF ARTIFICIAL ILLUMINATION POWERED BY GENERATORS, TO SET PENALTIES FOR VIOLATIONS OF THIS RESOLUTION, AND TO ESTABLISH THE DURATION OF THE PROGRAM.

Rep. DUNCAN moved to commit the Bill to the Committee on Agriculture, Natural Resources and Environmental Affairs, which was agreed to.

H. 3878--REQUESTS FOR DEBATE

The following Joint Resolution was taken up:

H. 3878 -- Reps. Rice, Harrison, Cooper, Bingham and Toole: A JOINT RESOLUTION TO ESTABLISH A JOINT STUDY COMMITTEE ON THE CONSOLIDATION OF STATE AGENCIES, PROVIDE FOR ITS MEMBERSHIP AND DUTIES, REQUIRE SUBMISSION OF RECOMMENDATIONS, AND PROVIDE FOR ITS TERMINATION.

Rep. RICE explained the Joint Resolution.

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Reps. SELLERS, HART, KENNEDY, HARVIN, J. E. SMITH, J. H. NEAL, MCEACHERN, MACK, KING, BRANTLEY and STAVRINAKIS requested debate on the Joint Resolution.

H. 3630--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3630 -- Rep. Weeks: A BILL TO AMEND SECTION 5-15-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF A MUNICIPAL ELECTION COMMISSION IN EACH MUNICIPALITY TO CONDUCT MUNICIPAL ELECTIONS, SO AS TO REQUIRE ALL ELECTION COMMISSIONERS AND STAFF TO COMPLETE A TRAINING AND CERTIFICATION PROGRAM CONDUCTED BY THE STATE ELECTION COMMISSION.

Rep. EDGE proposed the following Amendment No. 1 (COUNCIL\AGM\19415MM09), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION ____. Chapter 1, Title 7 of the 1976 Code is amended by adding:

“Section 7-1-110. (A) Political signage in connection with any election being held under the auspices of the State Election Commission may be erected up to forty-five days before and three days after the date of the election in any state-owned right-of-way and on private property with the property owner’s consent.

(B) A sign erected pursuant to subsection (A) may not exceed a face of thirty-two square feet. A sign with a face greater than six square feet must be twelve feet from the edge of the paved surface of the roadway.” /

Renumber sections to conform.

Amend title to conform.

POINT OF ORDER

Rep. DANING raised the Point of Order that Amendment No. 1 was out of order in that it was not germane to the Bill.

SPEAKER HARRELL stated that while the Bill dealt with the training and certification required of election commissioners and staff, Amendment No. 1 dealt with the issue of positioning of campaign

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signs. Therefore, he sustained the Point of Order and ruled the Amendment out of order.

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

ACTING SPEAKER HARRISON IN CHAIR

H. 3371--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3371 -- Reps. Harvin, Kennedy, Alexander, Funderburk, Gunn, Hart, McEachern, McLeod, Ott, J. E. Smith, Spires, Weeks and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-243 SO AS TO REGULATE A PROVIDER OF HEALTH CARE AND THE ISSUER OF INDIVIDUAL HEALTH INSURANCE WHEN AN ISSUER NEGOTIATES RATES WITH A PROVIDER FOR COVERED HEALTH CARE SERVICES AND THEN TERMINATES OR OTHERWISE NONRENEWS THE PROVIDER'S CONTRACT.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3707DW09), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38-71-243. (A) As used in this section:

(1) ‘Continuation of care’ means the provision of in-network level benefits for services rendered by certain out-of-network providers for a definite period of time in order to ensure continuity of care for covered persons for a serious medical condition. Continuation of care must be provided for ninety days or until the termination of the benefit period, whichever is greater.

(2) ‘Health insurance coverage’ means as defined in Sections 38-71-670(6) and 38-71-840(14).

(3) ‘Health insurance issuer’ or ‘issuer’ means an entity that provides health insurance coverage in this State as defined in Sections 38-71-670(7) and 38-71-840(16).

(4) ‘State health plan’ means the employee and retiree insurance program provided for in Article 5, Chapter 11, Title 1.

[HJ]

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(5) 'Serious medical condition' means a health condition or illness, that requires medical attention, and where failure to provide the current course of treatment through the current provider would place the person's health in serious jeopardy, and includes cancer, acute myocardial infarction, and pregnancy. Such attestation by the treating physician must be made upon the request of the patient and in a written form approved by the Department of Insurance or prescribed through regulation, order, or bulletin.

(B) This section applies to an individual health plan, a group health plan, or a health benefit plan, including the state health plan, that is delivered, issued for delivery, or renewed in this State and which provides health insurance coverage. Continuation of care must not be provided if suspension or revocation of the provider's license occurs.

(C) If a provider contract is terminated or nonrenewed, the issuer and the provider shall comply with the following requirements:

(1) The issuer is liable for covered benefits rendered in the continuation of care by a provider to a covered person for a serious medical condition. Except as required by this section, the benefits payable for services rendered during the continuation of care are subject to the policy's or contract's regular benefit limits.

(2) The issuer shall not require a covered person to pay a deductible or copayment which is greater than the in network rate for services rendered during the continuation of care.

(3) An issuer offering health insurance coverage shall not require a covered person, as a condition of continued coverage under the plan, to pay a premium or contribution which is greater than the premium or contribution for a similarly situated individual enrolled in the plan on the basis of covered benefits rendered as provided for in this section to the covered person or the dependent of a covered person.

(4) The provider shall accept as payment in full for services rendered within in the continuation of care the negotiated rate under the provider contract.

(5) Except for an applicable deductible or a copayment, a provider shall not bill or otherwise hold a covered person financially responsible for services rendered in the continuation of care and furnished by the provider, unless the provider has not received payment in accordance with item (4) of this subsection and in accordance with Article 2, Chapter 59 of this title.

(6) Upon receipt of the patient's request accompanied by the physician's attestation on the prescribed form, the issuer shall notify the provider and the covered person of the provider's date of

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termination from the network and of the continuation of care provisions as provided for in this section.

(7) The issuer is responsible for determining if a covered person qualifies for continuation of care and may request additional information in reaching such determination.

Section 38-71-245. Each provider contract must contain a continuation of care provision consistent with the language of Section 38-71-243.

Section 38-71-247. Each health insurance issuer shall include a plain language description of the continuation of care provisions set forth in Section 38-71-243 in the policy, certificate, membership booklet, outline of coverage, or other evidence of coverage it provides to covered persons.”

SECTION 2. The Department of Insurance may promulgate regulations necessary for implementation of this act.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor and applies to an individual health plan, a group health plan, or a health benefit plan, including the state health plan, issued, renewed, delivered, or entered into after December 31, 2009. /

Re-number sections to conform.

Amend title to conform.

Rep. BRADY explained the amendment.

The amendment was then adopted.

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

SPEAKER IN CHAIR

[HJ]

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S. 268--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

S. 268 -- Senator McConnell: A BILL TO AMEND CHAPTER 8, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BUILDING CODES ENFORCEMENT OFFICERS, SO AS TO ESTABLISH A "SPECIAL INSPECTOR" OR "SPECIAL INSPECTION AGENCY" TO PERFORM BUILDING INSPECTIONS IN ONE OR MORE CONSTRUCTION TRADE DISCIPLINES, AND TO PROVIDE THE LICENSING PROCEDURE TO REQUIRE AUTHORIZATION FOR PERFORMING THESE INSPECTIONS FROM THE SOUTH CAROLINA BUILDING CODES COUNCIL AND THE DEPARTMENT OF LABOR, LICENSING AND REGULATION.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3703DW09), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 8, Title 6 of the 1976 Code is amended to read:

“CHAPTER 8

Building Codes Enforcement Officers

Section 6-8-10. ~~When As~~ used in this chapter:

(1) ‘Building codes enforcement officer’ means a person employed by a ~~public entity~~ local jurisdiction, who is ~~primarily~~ responsible for ~~the overall inspection or enforcement of applicable building code requirements within the jurisdiction of the employer administering a building inspection department, enforcement or rendering interpretations of building, residential, plumbing, electrical, mechanical, fuel gas and energy conservation codes, performing building plans review, or performing inspections on one or more building systems.~~

(2) ‘Construction trade discipline’ means a discipline, other than any activity regulated by Chapter 13, Title 46, related to the construction of a building including, but not limited to, building, electrical, gas, plumbing, mechanical, or energy services.

(3) ‘Contract inspector’ means a person certified to perform a building inspection, other than a special inspection, in a construction trade discipline within a local jurisdiction on a contract basis.

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(4) 'Local jurisdiction' means a municipality or county of this State.

(5) 'Special inspector' means a person certified to perform special inspections in one or more construction trade disciplines pursuant to the International Building Code.

(6) 'Special registration' means a current authorization issued by the South Carolina Building Codes Council for a person who holds a certification by a recognized code organization, approved by the council, in no more than one construction trade discipline.

(7) 'General registration' means a current authorization issued by the South Carolina Building Codes Council for a person certified in multiple construction trade disciplines by a code organization recognized and approved by the council.

Section 6-8-20. (A) The South Carolina Building Codes Council is responsible for the registration of ~~a~~ building codes enforcement officers officer, contract inspector, and special inspector pursuant to this chapter. The council or its designated ~~representatives~~ representative may conduct hearings and proceedings required by law or considered necessary by the council. The Department of Labor, Licensing and Regulation shall employ and supervise personnel ~~necessary for the administration of~~ needed to administer this chapter. The council may promulgate regulations for the proper enforcement of this chapter.

(B) The council shall keep a record of its hearings and proceedings and ~~a register of applications for the certificates of registration showing the date of application, name, qualifications, and addresses of the business and residence of the applicant and whether the certificate is approved or denied. The council shall publish biannually during odd numbered years the applications in the register which are approved. Applicants and Registrants~~ publish a roster of its registrants. A registrant shall notify the council of changes a change in required information within ten days of ~~a~~ the change.

Section 6-8-30. (A) Certificates of registration ~~may be~~ issued without examination to building codes enforcement officers employed in codes enforcement ~~on the effective date of this chapter by July 2, 2003, remain valid~~ only for the position and locality held at the time of registration ~~pursuant to this section. This registration is valid for two years and may be renewed.~~

(B) Upon initial employment by a ~~political subdivision~~ local jurisdiction, an uncertified individual must be granted a provisional ~~certificate of~~ registration without examination which is valid from the

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date the individual is assigned to perform code enforcement, for the time period stipulated authorized by regulation for each the requested registration classification from the date of issuance. A current or previously registered individual holding all certifications required for the registration classification for which the person was hired, may be granted a provisional registration for a different classification. The provisional certificate of registration may not be renewed.

~~“Section 6-8-40. No person may practice as a codes enforcement officer in this State unless registered as provided in this chapter. A person violating the provisions of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days. Each day the violation continues is a separate offense.~~

(A) Unless registered pursuant to the requirements of this chapter, a person may not practice as a code enforcement officer, contract inspector, or special inspector in this State, except an architect licensed by the Board of Architectural Examiners of this State or an engineer registered by the Board of Professional Engineers and Land Surveyors of this State may practice as a special inspector without additional registration required by this chapter.

(B) It is unlawful to act as a building codes enforcement officer, contract inspector, or special inspector without having first obtained authorization from the Building Codes Council and the Department of Labor, Licensing and Regulation. A person violating this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days for a first violation of this section. For each subsequent violation, a person is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars.

(C) A separate violation occurs on each day of a violation.

Section 6-8-50. If the council has reason to believe that a person is violating or intends to violate a provision of this chapter, in addition to other remedies, it may order the person ~~immediately~~ to refrain from the conduct. The council may apply to the ~~court of common pleas~~ Administrative Law Court for an injunction restraining the person from the conduct. The court may issue a temporary injunction ex parte not to exceed ten days and upon notice and full hearing may issue other orders in the matter it considers proper. No bond is required of the council by the court as a condition to the issuance of an injunction or order pursuant to this section.

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Section 6-8-60. (A) A person ~~desiring to be registered as a building codes enforcement officer seeking registration~~ as required by this chapter shall apply ~~upon~~ on a form prescribed by the council.

(B) An applicant shall furnish satisfactory proof to the council of valid certification by a recognized code organization or testing agency in the general or special ~~capacity in which he desires to be registered~~ construction trade discipline for which he is employed to perform an inspection. A special certificates of registration authorize ~~authorize~~ the registrant to practice in the named ~~specialty construction discipline~~ only. A general certificates of registration are not restricted ~~authorizes~~ a registrant to practice in all construction trade disciplines for which certification has been obtained. The council or its designated representatives shall review the guidelines employed by the code organization or testing agency in order to determine their continued compatibility with the requirements considered by the council to be consistent with this chapter.

(C) A local jurisdiction may impose additional requirements upon a person employed as a building codes enforcement officer or contract inspector in its jurisdiction.

Section 6-8-70. (A) ~~A certificate of registration is valid for two years and expires~~ All registrations, except provisional, expire on July first of each odd-numbered year unless renewed before that date. Renewal of ~~all registrations~~ a registration must be based upon a determination by council of the applicant's participation in approved continuing education ~~programs.~~ The council ~~must~~ may promulgate regulations setting forth the continuing education requirements for ~~building codes enforcement officers~~ a registrant. A person failing to ~~make timely renewal of his certificate is not registered unless qualified in the manner provided for new registrants and~~ renew registration by the expiration date may not practice until registered in accordance with this chapter and shall qualify in the manner provided for new registrants.

(B) Funding for the certification, training, and continuing education of building code enforcement officers employed by local jurisdictions must be appropriated to the Department of Labor, Licensing and Regulation in the manner provided in Section 38-7-35.

(C) Certification, training, and continuing education of building code enforcement officers providing inspection services to local jurisdictions on a contractual basis do not qualify for funding as provided in subsection (B)."

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SECTION 8. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 9. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Rep. BALES explained the amendment.

The amendment was then adopted.

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

H. 3882--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3882 -- Labor, Commerce and Industry Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-55 SO AS TO PROVIDE THE STATE BUDGET AND CONTROL BOARD SHALL DEVELOP A WEB-BASED APPLICATION FOR THE SUBMISSION OF QUESTIONS AND CONCERNS ABOUT STATE AGENCY LICENSING,

[HJ]

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PERMITTING, AND REGULATION OF ECONOMIC ACTIVITY, AND TO PROVIDE A STATE AGENCY THAT PROMULGATES REGULATIONS, ISSUES PERMITS OR LICENSES, AND HAS A WEBSITE ON THE INTERNET SHALL PLACE ON ITS WEBSITE HOMEPAGE A HYPERLINK OR UNIFORM RESOURCE LOCATOR THAT PROVIDES DIRECT ACCESS TO THIS WEB-BASED APPLICATION; BY ADDING SECTION 48-39-155 SO AS TO PROVIDE A CERTIFICATION OF CONSISTENCY WITH THE COASTAL ZONE MANAGEMENT PLAN MUST BE MADE BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL WITHIN THIRTY DAYS AFTER THE DATE THE REQUEST IS SUBMITTED TO THE DEPARTMENT FOR THIS CERTIFICATION, AND IF THE DEPARTMENT FAILS TO ISSUE A WRITTEN DECISION WITHIN THIS THIRTY-DAY PERIOD, THE PROPOSED ACTIVITY OR LICENSE IS CONSIDERED CONSISTENT WITH THE COASTAL ZONE MANAGEMENT PLAN AND PROGRAM; AND TO AMEND SECTION 33-41-1110, RELATING TO A RENEWAL APPLICATION FOR A REGISTERED LIMITED LIABILITY COMPANY, SO AS TO PROVIDE THIS APPLICATION ANNUALLY MUST BE RENEWED BEFORE APRIL FIRST.

Rep. SANDIFER proposed the following Amendment No. 1 (COUNCIL\AGM\19407MM09), which was adopted:

Amend the bill, as and if amended, Section 33-41-1110(C) as found in SECTION 3, by deleting SECTION 3 in its entirety and inserting:

/ SECTION 3. Section 33-41-1110(C), (D), and (E) of the 1976 Code is amended to read:

/ “(C) The initial application or a renewal application filed with the Secretary of State must be accompanied by a fee of one hundred dollars. A renewal application annually must be filed before April first.

~~(D) The Secretary of State shall register as a registered limited liability partnership and shall renew the registration of any registered limited liability partnership, any partnership that submits a completed application or renewal application with the required fee. The Secretary of State shall register a partnership that submits a completed application with the required fee as a registered liability partnership and shall renew the registration of a registered liability partnership that submits a renewal application with the required fee.~~

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~~(E) Registration is effective for one year after the date an application is filed unless voluntarily withdrawn pursuant to Section 33-41-1190. Registration, whether pursuant to an original application or a renewal application, as a registered limited liability partnership is renewed if during the sixty day period preceding the date the application or renewal application otherwise would have expired the partnership files with the Secretary of State a renewal application. A renewal application expires one year after the date an original application would have expired if the last renewal of the application had not occurred.” /~~

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

Rep. SANDIFER proposed the following Amendment No. 2 (COUNCIL\AGM\19409MM09), which was adopted:

Amend the bill, as and if amended, by inserting on line 41:

/ Whereas, the General Assembly recognizes that businesses in this State face unique challenges in the economic downturn and that, when businesses suffer, the people of this State who invest in or work for these businesses likewise suffer; and

Whereas, the General Assembly further recognizes that the purpose of government is not to hinder business operations and development, but to facilitate its growth for the good of our state's workers and its economic development; and

Whereas, the General Assembly continuously must identify and streamline government operations and regulations to facilitate rather than hinder economic development, with the intended result being a growth in business and an increase in jobs that at least offer stability, security, and a living wage to the working people of South Carolina.
Now, therefore, /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

Rep. SANDIFER explained the Bill.

[HJ]

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

Yeas 110; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Bales
Ballentine	Bannister	Barfield
Battle	Bingham	Bowen
Brady	Branham	Brantley
G. A. Brown	Cato	Chalk
Clemmons	Clyburn	Cobb-Hunter
Cole	Cooper	Crawford
Daning	Delleney	Dillard
Duncan	Edge	Erickson
Forrester	Frye	Funderburk
Gambrell	Govan	Gullick
Gunn	Haley	Hamilton
Hardwick	Harrison	Hart
Harvin	Hayes	Hearn
Herbkersman	Hodges	Horne
Hosey	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	Ott	Owens
Parker	Parks	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

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Williams	Willis	Wylie
A. D. Young	T. R. Young	

Total--110

Those who voted in the negative are:

Total--0

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

LEAVE OF ABSENCE

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

Rep. RICE 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 ALLISON in the Chair.

POINT OF QUORUM

The question of a quorum was raised.
A quorum was later present.

SPEAKER IN CHAIR

Further proceedings were interrupted by time expiring in the uncontested time period.

H. 3878--REQUESTS FOR DEBATE WITHDRAWN

Reps. SELLERS, J. E. SMITH, MCEACHERN, HART, KENNEDY, KING and BRANTLEY withdrew their requests for debate to the following Joint Resolution:

H. 3878 -- Reps. Rice, Harrison, Cooper, Bingham and Toole: A JOINT RESOLUTION TO ESTABLISH A JOINT STUDY COMMITTEE ON THE CONSOLIDATION OF STATE AGENCIES, PROVIDE FOR ITS MEMBERSHIP AND DUTIES, REQUIRE

[HJ]

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SUBMISSION OF RECOMMENDATIONS, AND PROVIDE FOR ITS TERMINATION.

**S. 97--RECALLED FROM COMMITTEE ON EDUCATION
AND PUBLIC WORKS**

On motion of Rep. G. M. SMITH, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works:

S. 97 -- Senators Leventis, Land and Malloy: A BILL TO AMEND SECTION 59-53-1410 OF THE 1976 CODE, RELATING TO THE CENTRAL CAROLINA TECHNICAL COLLEGE COMMISSION, TO PROVIDE AN ADDITIONAL MEMBER FROM CLARENDON COUNTY AND AN ADDITIONAL MEMBER FROM KERSHAW COUNTY.

OBJECTION TO RECALL

Rep. HART asked unanimous consent to recall H. 3853 from the Committee on Judiciary.

Rep. KELLY objected.

**H. 3749--RECALLED FROM COMMITTEE ON MEDICAL,
MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. J. E. SMITH, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

H. 3749 -- Reps. J. E. Smith and Williams: A BILL TO AMEND SECTION 25-1-380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSISTANT ADJUTANT GENERAL FOR THE ARMY, SO AS TO PROVIDE UPON NATIONAL GUARD BUREAU AUTHORIZATION, AN ADDITIONAL ASSISTANT ADJUTANT GENERAL WITH THE RANK OF MAJOR GENERAL.

**H. 3889--RECALLED FROM COMMITTEE ON
AGRICULTURE, NATURAL RESOURCES AND
ENVIRONMENTAL AFFAIRS**

On motion of Rep. VICK, with unanimous consent, the following Bill was ordered recalled from the Committee on Agriculture, Natural Resources and Environmental Affairs:

[HJ]

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H. 3889 -- Rep. Bales: A BILL TO AMEND SECTION 47-13-1350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HEALTH CERTIFICATION REQUIREMENTS FOR A HORSE TO ENTER THE STATE, SO AS TO REQUIRE TESTING FOR EQUINE STRANGLES AND A VETERINARY CERTIFICATE OF GOOD HEALTH ISSUED NOT MORE THAN THIRTY DAYS BEFORE ENTRY; TO AMEND SECTION 47-13-1370, AS AMENDED, RELATING TO THE PROOF OF TESTS REQUIRED FOR THE PUBLIC ASSEMBLY OF HORSES, SO AS TO REQUIRE THAT HORSES MAINTAINED AT A PUBLIC STABLE OR OTHER PUBLIC FACILITY BE TESTED FOR EQUINE INFECTIOUS ANEMIA NOT LESS THAN ONCE EACH TWENTY-FOUR MONTHS AND TO INCREASE THE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 47-13-1390, AS AMENDED, RELATING TO THE POSSESSION OF A FALSE CERTIFICATE SHOWING A NEGATIVE COGGINS TEST FOR ANY HORSE, SO AS TO INCREASE THE PENALTIES FOR VIOLATIONS; AND TO AMEND SECTION 47-13-1400, AS AMENDED, RELATING TO ADDITIONAL PENALTIES FOR VIOLATIONS OF ARTICLE 13, CHAPTER 13, TITLE 47, SO AS TO INCREASE THE RANGE OF PENALTIES.

OBJECTION TO RECALL

Rep. KENNEDY asked unanimous consent to recall H. 3340 from the Committee on Education and Public Works.

Rep. KELLY objected.

OBJECTION TO RECALL

Rep. KENNEDY asked unanimous consent to recall H. 3492 from the Committee on Labor, Commerce and Industry.

Rep. THOMPSON objected.

OBJECTION TO RECALL

Rep. HART asked unanimous consent to recall H. 3669 from the Committee on Ways and Means.

Rep. A. D. YOUNG objected.

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**H. 3627--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3627 -- Reps. Miller and Anderson: A BILL TO AMEND SECTION 59-67-535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF BOATS OPERATED BY THE STATE DEPARTMENT OF EDUCATION FOR THE TRANSPORTATION OF SCHOOL CHILDREN FROM ISLANDS TO MAINLAND SCHOOLS BY CERTAIN OTHER PERSONS, SO AS TO FURTHER PROVIDE FOR THE OPERATION OF THESE BOATS BY THE DEPARTMENT ON SANDY ISLAND, FOR USE OF THESE BOATS BY SPECIFIED PERSONS, AND THE PROCEDURES APPLICABLE FOR USE.

Rep. MILLER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anderson	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Branham	Brantley	G. A. Brown
H. B. Brown	R. L. Brown	Cato
Chalk	Clemmons	Clyburn
Cobb-Hunter	Cole	Daning
Delleney	Dillard	Duncan
Erickson	Forrester	Frye
Funderburk	Gambrell	Gilliard
Gullick	Gunn	Haley
Hamilton	Harrell	Hart
Herbkersman	Hiott	Hodges
Horne	Hosey	Huggins
Hutto	Jefferson	Kelly
King	Kirsh	Knight
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas

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McEachern	Merrill	Miller
Millwood	Mitchell	Moss
Nanney	J. M. 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. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Thompson
Toole	Umphlett	Vick
White	Whitmire	Williams
Willis	Wylie	A. D. Young
T. R. Young		

Total--97

Those who voted in the negative are:

Total--0

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3378--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3378 -- Rep. Cooper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-192 SO AS TO PROVIDE FOR THE TERMS AND CONDITIONS OF MANDATORY STATE AGENCY FURLOUGH PROGRAMS AND TO DELETE THE PROVISIONS OF PARAGRAPH 89.120, PART IB, OF ACT 310 OF 2008, RELATING TO STATE AGENCY FURLOUGHS.

Rep. A. D. YOUNG explained the Senate Amendments.

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The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anderson	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	Branham	G. A. Brown
H. B. Brown	R. L. Brown	Cato
Chalk	Clemmons	Cobb-Hunter
Cole	Crawford	Daning
Dillard	Erickson	Gambrell
Gilliard	Govan	Gullick
Gunn	Haley	Hamilton
Hardwick	Harrell	Hart
Harvin	Hayes	Hearn
Herbkersman	Hiott	Hodges
Horne	Huggins	Jefferson
King	Kirsh	Knight
Littlejohn	Loftis	Long
Lowe	Lucas	McEachern
Miller	Millwood	Mitchell
Moss	Nanney	J. M. Neal
Neilson	Ott	Owens
Parker	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Sellers	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Thompson	Umphlett	Vick
White	Whitmire	Williams
Willis	Wylie	A. D. Young
T. R. Young		

Total--91

Those who voted in the negative are:

Total--0

[HJ]

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The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**H. 3121--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3121 -- Reps. J. E. Smith, E. H. Pitts, T. R. Young, Hutto, M. A. Pitts, Allison and Parker: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-15-75 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO REMOVE, OR ATTEMPT TO REMOVE, FROM THIS STATE MORE THAN TEN TURTLES OF CERTAIN NAMED SPECIES, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Rep. DUNCAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

Allen	Allison	Anderson
Bales	Ballentine	Bannister
Battle	Bedingfield	Bingham
Bowen	Brady	Branham
Brantley	G. A. Brown	H. B. Brown
R. L. Brown	Cato	Chalk
Clemmons	Clyburn	Cobb-Hunter
Cole	Crawford	Daning
Delleney	Dillard	Duncan
Erickson	Funderburk	Gambrell
Gilliard	Govan	Gullick
Gunn	Haley	Hamilton
Hardwick	Harrell	Harrison
Hart	Harvin	Hearn
Herbkersman	Hiott	Hodges
Hosey	Huggins	Hutto
Jefferson	Kelly	Kennedy

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King	Kirsh	Knight
Limehouse	Long	Lowe
Lucas	McEachern	Miller
Millwood	Mitchell	Moss
Nanney	J. M. Neal	Neilson
Ott	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	Vick	White
Whitmire	Williams	Willis
Wylie	T. R. Young	

Total--95

Those who voted in the negative are:

Total--0

The Senate Amendments were agreed to, and the Bill having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

H. 3272--DEBATE ADJOURNED

Rep. OTT moved to adjourn debate upon the following Bill, which was adopted:

H. 3272 -- Reps. Cooper, Merrill, Erickson, Herbkersman, Chalk, Duncan, Long, Sottile, Daning, Lowe, Bowen, Harrison, Horne, A. D. Young, Limehouse, R. L. Brown, Clemmons, Edge and Wylie: A BILL TO AMEND SECTION 12-37-3140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING THE FAIR MARKET VALUE OF REAL PROPERTY FOR PURPOSES OF THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, SO AS TO POSTPONE THE IMPLEMENTATION OF THE TRANSFER VALUE OF A PARCEL OF REAL PROPERTY UNIMPROVED SINCE THE LAST COUNTYWIDE REASSESSMENT PROGRAM UNTIL THE TIME

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OF IMPLEMENTATION OF THE NEXT COUNTYWIDE REASSESSMENT PROGRAM AND TO REQUIRE THE FIFTEEN PERCENT LIMIT ON INCREASES IN VALUE TO BE CALCULATED SEPARATELY ON LAND AND IMPROVEMENTS; TO AMEND SECTION 12-37-3150, AS AMENDED, RELATING TO THE TIME AN ASSESSABLE TRANSFER OF INTEREST OCCURS, SO AS TO REVISE THE PENALTY FOR FAILURE TO PROVIDE NOTICE OR FAILURE TO PROVIDE ACCURATE NOTICE TO THE ASSESSING AUTHORITY OF BUSINESS ENTITY TRANSFERS; TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO THE CLASSIFICATION AND VALUATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE RESIDENTIAL REAL PROPERTY HELD IN TRUST DOES NOT QUALIFY AS A LEGAL RESIDENCE UNLESS A NAMED INDIVIDUAL BENEFICIARY UNDER THE TRUST OCCUPIES THE RESIDENCE AS THAT NAMED BENEFICIARY'S LEGAL RESIDENCE AND THAT INDIVIDUAL BENEFICIARY'S NAME APPEARS ON THE DEED TO THE RESIDENCE AND REQUIRE SOCIAL SECURITY NUMBERS OF APPLICANTS FOR THE LEGAL RESIDENCE ASSESSMENT RATIO; AND TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR ASSESSORS, SO AS TO REVISE THE REQUIREMENT.

S. 559--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

S. 559 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON THURSDAY, JUNE 11, 2009, AND FRIDAY, JUNE 12, 2009.

The Concurrent Resolution was adopted and sent to the Senate.

RECURRENCE TO THE MORNING HOUR

Rep. KELLY moved that the House recur to the Morning Hour, which was agreed to.

[HJ]

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REPORTS OF STANDING COMMITTEES

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3488 -- Reps. J. E. Smith, Hart, Williams and R. L. Brown: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY CERTAIN ISSUES AFFECTING VETERANS AND PROVIDE FOR RELATED MATTERS INCLUDING, BUT NOT LIMITED TO, COMMITTEE MEMBERSHIP AND DUTIES, THE FILLING OF VACANCIES, AND COMMITTEE MEETINGS, AND STAFFING.

Ordered for consideration tomorrow.

Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3794 -- Rep. Umphlett: A BILL TO AMEND SECTION 50-11-2200, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF WILDLIFE MANAGEMENT AREAS, SO AS TO SPECIFY ADDITIONAL PROHIBITED ACTIVITIES; TO AMEND SECTION 50-11-2210, RELATING TO ABUSE OF WILDLIFE MANAGEMENT AREA LANDS, SO AS TO INCLUDE HERITAGE TRUST AND DEPARTMENT OWNED LANDS; TO AMEND SECTION 50-11-2220, AS AMENDED, RELATING TO ADDITIONAL PENALTIES FOR ABUSING WILDLIFE MANAGEMENT AREA LANDS, SO AS TO INCLUDE HERITAGE TRUST AND DEPARTMENT OWNED LANDS; AND BY ADDING SECTION 50-11-2225 SO AS TO CREATE A MISDEMEANOR CRIMINAL OFFENSE FOR ENTERING OR REMAINING ON A CLOSED AREA CONTRARY TO THE INSTRUCTIONS OF A LAW ENFORCEMENT OFFICER, MANAGER, OR DEPARTMENT CUSTODIAL PERSONNEL.

Ordered for consideration tomorrow.

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Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3718 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-148 SO AS TO PROHIBIT THE RESALE OF FRESH OR FROZEN MEAT OR MEAT PRODUCTS SOLD TO AND RETURNED BY A CONSUMER.

Ordered for consideration tomorrow.

Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 3651 -- Reps. Duncan, Umphlett, Anthony, Knight, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-23-205 SO AS TO LIMIT THE AUTHORITY OF COUNTIES AND MUNICIPALITIES TO RESTRICT OR REGULATE CERTAIN FORESTRY ACTIVITIES, AND TO PROVIDE THE TERMS AND CONDITIONS OF CERTAIN PERMITTED REGULATIONS.

Ordered for consideration tomorrow.

Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

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

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LIVESTOCK AND POULTRY ARE PREEMPTED AND SUPERSEDED.

Ordered for consideration tomorrow.

Rep. DUNCAN, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

S. 9 -- Senators McConnell, Leventis, Rose, Elliott, Massey, Peeler, Bright and Setzler: A BILL TO AMEND CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENERGY EFFICIENCY, BY ADDING ARTICLE 12, SO AS TO ESTABLISH ENERGY EFFICIENCY AND RENEWABLE ENERGY GOALS FOR STATE GOVERNMENT, TO DIRECT STATE AGENCIES TO PROCURE ENERGY EFFICIENT PRODUCTS, AND TO DIRECT EVERY STATE AGENCY HEAD TO REQUIRE THE REPLACEMENT OF ALL INCANDESCENT LIGHT BULBS WITH COMPACT FLUORESCENT LIGHT BULBS IN EACH STATE AGENCY BY JULY 1, 2011.

Ordered for consideration tomorrow.

Rep. LITTLEJOHN, from the Spartanburg Delegation, submitted a favorable report on:

S. 703 -- Senators S. Martin, Bright, Reese and Peeler: A BILL TO AMEND ACT 612 OF 1984, RELATING TO THE METHOD OF CONDUCTING ELECTIONS FOR MEMBERS OF THE SCHOOL DISTRICT BOARDS OF TRUSTEES IN SPARTANBURG COUNTY, TO REDUCE THE NUMBER OF QUALIFIED ELECTORS THAT MUST SIGN A PETITION FOR A PERSON TO PLACE HIS NAME AS AN AT-LARGE CANDIDATE ON THE BALLOT AND TO PROVIDE FOR THE MANNER IN WHICH A SCHOOL DISTRICT BOARD OF TRUSTEE CANDIDATE FROM A SINGLE MEMBER DISTRICT IN ONE OF SPARTANBURG COUNTY'S SCHOOL DISTRICTS MAY PLACE HIS NAME ON THE BALLOT.

Ordered for consideration tomorrow.

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HOUSE RESOLUTION

The following was introduced:

H. 3929 -- Reps. Cato, Bedingfield, Nanney, Hamilton, Stringer, Rice, Bannister, Dillard, Loftis, Allen, Willis, G. R. Smith, Wylie, Agnew, Alexander, Allison, Anderson, Anthony, Bales, Ballentine, Barfield, Battle, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Gunn, Haley, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, Moss, J. H. Neal, J. M. Neal, Neilson, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND TO THE SHRINERS HOSPITALS FOR CHILDREN THE SUPPORT OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES IN DEALING WITH A BUDGET SHORTFALL WHICH THREATENS TO CLOSE SIX SHRINERS HOSPITALS FOR CHILDREN THROUGHOUT THE COUNTRY, ONE OF WHICH IS THE SHRINERS HOSPITAL FOR CHILDREN IN GREENVILLE, AND TO ENCOURAGE THE SHRINERS HOSPITAL SYSTEM TO EXPLORE EVERY AVAILABLE OPTION FOR MAKING THE SYSTEM FINANCIALLY SOUND AND FOR KEEPING THE GREENVILLE HOSPITAL OPEN WHICH SERVES THE NEEDS OF CHILDREN AND FAMILIES IN A SIX-STATE AREA.

The Resolution was adopted.

HOUSE RESOLUTION

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

H. 3930 -- Reps. Harrell, Cooper and White: A HOUSE RESOLUTION TO PROVIDE THAT MEMBERS OF THE HOUSE

[HJ]

WEDNESDAY, APRIL 22, 2009

OF REPRESENTATIVES MAY NOT USE MORE THAN ONE HUNDRED DOLLARS OF THEIR TELEPHONE ALLOTMENT AND THEIR POSTAGE ALLOTMENT COMBINED AFTER APRIL 21, 2009.

Be it resolved by the House of Representatives:

That members of the House of Representatives may not use more than one hundred dollars of their telephone allotment and their postage allotment combined after April 21, 2009.

The House Resolution was ordered placed on the calendar.

HOUSE RESOLUTION

The following was introduced:

H. 3931 -- Reprs. Huggins, E. H. Pitts, 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, 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, Ott, Owens, Parker, Parks, Pinson, 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 RECOGNIZE AND CONGRATULATE THE SKILLSUSA WINNERS OF SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES FOR THEIR OUTSTANDING PERFORMANCE AT THE SKILLSUSA CHAMPIONSHIPS ON APRIL 3-4, 2009.

The Resolution was adopted.

[HJ]

WEDNESDAY, APRIL 22, 2009

HOUSE RESOLUTION

The following was introduced:

H. 3932 -- Reps. Pinson, Parks and M. A. Pitts: A HOUSE RESOLUTION TO CONGRATULATE MATHIS PLUMBING & HEATING COMPANY INC. OF GREENWOOD FOR BEING NAMED THE 2009 SMALL BUSINESS ADMINISTRATION (SBA) JEFF BUTLAND FAMILY-OWNED BUSINESS OF THE YEAR FOR BOTH SOUTH CAROLINA AND THE EIGHT-STATE SOUTHEAST REGION.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3933 -- Rep. J. H. Neal: A HOUSE RESOLUTION TO RECOGNIZE THE GLENN-MCCONNELL-BOYD FAMILY REUNION AND TO CONGRATULATE THE FAMILY MEMBERS UPON THE OCCASION OF THEIR SEVENTEENTH BIENNIAL REUNION OVER THE PAST THIRTY-FOUR YEARS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3934 -- Reps. Horne, A. D. Young and Harrell: A HOUSE RESOLUTION TO CONGRATULATE CAMMY GROOME, PRINCIPAL OF NEWINGTON ELEMENTARY SCHOOL IN DORCHESTER COUNTY SCHOOL DISTRICT 2, ON BEING NAMED ELEMENTARY SCHOOL PRINCIPAL OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF SCHOOL ADMINISTRATORS.

The Resolution was adopted.

WEDNESDAY, APRIL 22, 2009

HOUSE RESOLUTION

The following was introduced:

H. 3935 -- Reps. Limehouse, Sottile and Harrell: A HOUSE RESOLUTION TO CONGRATULATE MS. LUCY G. BECKHAM OF MOUNT PLEASANT ON BEING NAMED 2009 SECONDARY PRINCIPAL OF THE YEAR FOR THE STATE OF SOUTH CAROLINA, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA, AND TO WISH HER MUCH SUCCESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3936 -- Reps. Gilliard, 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, Govan, Gullick, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Home, 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, 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, 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 RECOGNIZE AND HONOR THE SIXTH-GRADE MATH STUDENTS OF THE CHARLESTON DEVELOPMENT ACADEMY PUBLIC CHARTER SCHOOL FOR THEIR OUTSTANDING ACADEMIC PERFORMANCE AND TO CONGRATULATE THEM FOR

WEDNESDAY, APRIL 22, 2009

WINNING THE 2009 SOUTH CAROLINA STATEWIDE MATH
COMPETITION MATHFEST EXTRAVAGANZA.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3937 -- Rep. Jennings: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF JACKIE RONALD SCOTT OF MCCOLL AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

CONCURRENT RESOLUTION

The following was introduced:

H. 3938 -- Reprs. J. E. Smith, 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, 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. 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 CONCURRENT RESOLUTION TO COMMEND AND RECOGNIZE THE MEMBERS OF THE BLUE STAR MOTHERS OF THE MIDLANDS UPON THE OCCASION OF THE

WEDNESDAY, APRIL 22, 2009

FIRST ANNUAL PALMETTO PATRIOT'S BALL HOSTED BY THE SOUTH CAROLINA BLUE STAR MOTHERS.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

INTRODUCTION OF BILLS

The following Bills and Joint Resolutions were introduced, read the first time, and referred to appropriate committees:

H. 3939 -- Reps. Loftis, Lowe, Willis, T. R. Young, Clyburn, Hosey, Stringer and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-59-410 SO AS TO PROVIDE PROCEDURES FOR LIMITING THE NUMBER OF MEDICAL SERVICES AND SUPPLIES REQUIRING PREAUTHORIZATION BY AN INSURER.

Referred to Committee on Labor, Commerce and Industry

H. 3940 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 41-35-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN DEFINITIONS ASSOCIATED WITH EXTENDED UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE AN ADDITIONAL "STATE 'ON' INDICATOR"; TO AMEND SECTION 41-35-380, RELATING TO THE DEFINITION OF THE ELIGIBILITY PERIOD FOR UNEMPLOYMENT BENEFITS, SO AS TO ADD TO THE DEFINITION OF THIS ELIGIBILITY PERIOD; AND TO AMEND SECTION 41-35-440, RELATING TO THE TOTAL EXTENDED BENEFIT AMOUNT OF UNEMPLOYMENT BENEFITS PAYABLE TO AN INDIVIDUAL WITHIN A BENEFIT YEAR, SO AS TO PROVIDE FOR A FORMULA FOR DETERMINING THE TOTAL EXTENDED BENEFIT AMOUNT PAYABLE TO AN INDIVIDUAL WITH RESPECT TO THE APPLICABLE BENEFIT YEAR FOR WEEKS BEGINNING IN A HIGH-UNEMPLOYMENT PERIOD.

Referred to Committee on Ways and Means

H. 3941 -- Reps. Hayes, Gambrell, Agnew, Bowen, Gullick and Moss: A BILL TO AMEND CHAPTER 56, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF PYROTECHNIC REGULATIONS, SO AS TO REVISE THE CHAPTER TITLE, TO PROVIDE STATE POLICY

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CONCERNING PYROTECHNICS, TO INCREASE THE STATE BOARD OF PYROTECHNIC SAFETY FROM SIX TO SEVEN MEMBERS, TO DEFINE TERMS, TO REQUIRE LICENSURE FOR THE MANUFACTURING, SALE, OR STORAGE OF FIREWORKS, TO AUTHORIZE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, FIRE CHIEFS, AND LAW ENFORCEMENT OFFICERS TO INVESTIGATE COMPLAINTS, TO PROVIDE GROUNDS FOR DISCIPLINARY ACTION, TO REQUIRE LIABILITY INSURANCE, TO REQUIRE REPORTING OF FIRES AND EXPLOSIONS, TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS, AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF PERSONS HANDLING FIREWORKS.

Referred to Committee on Judiciary

H. 3942 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE RIVERBANKS PARKS COMMISSION, RELATING TO RIVERBANKS PARKS COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4022, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3943 -- Reps. Whipper, Brantley, Sellers, Gilliard, R. L. Brown, Cobb-Hunter, Howard, Hutto, Knight, Limehouse, Sottile and Stavrinakis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION OF PUBLIC OFFICERS GAMBLING OR BETTING ON GAMES OF CHANCE, SO AS TO PROVIDE AN EXCEPTION THAT ALLOWS PARTICIPATION IN LOTTERIES CONDUCTED BY THE STATE OF SOUTH CAROLINA BY PUBLIC OFFICERS OTHER THAN CERTAIN NAMED OFFICEHOLDERS.

Referred to Committee on Judiciary

H. 3944 -- Reps. Jennings and Neilson: A BILL TO AMEND SECTION 56-3-8710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF NASCAR SPECIAL LICENSE PLATES BY THE DEPARTMENT OF MOTOR

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VEHICLES, SO AS TO PROVIDE THAT A PORTION OF THE FEES COLLECTED FROM THE SALE OF THESE LICENSE PLATES MUST BE DISTRIBUTED TO THE SOUTH CAROLINA ASSOCIATION OF CHILDREN'S HOMES AND FAMILY SERVICES AND NO LONGER TO THE SOUTH CAROLINA CHILDREN'S EMERGENCY SHELTER FOUNDATION.

Referred to Committee on Education and Public Works

H. 3945 -- Reps. Brady, Cato, H. B. Brown, King, Chalk, Miller, Allison, Anderson, Bowers, G. A. Brown, Dillard, Funderburk, Harrison, Harvin, Hiott, Horne, Hutto, Limehouse, Long, Lowe, Neilson, Toole and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 85 TO TITLE 40 SO AS TO ENACT THE "REGISTERED INTERIOR DESIGNER PRACTICE ACT"; TO DEFINE TERMS; TO REQUIRE A PERSON RENDERING AN INTERIOR DESIGN SERVICE TO REGISTER WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE REQUIREMENTS FOR REGISTRATION AND RENEWAL OF REGISTRATION; AND TO FURTHER PROVIDE FOR THE REGISTRATION AND REGULATION OF INTERIOR DESIGNERS.

Referred to Committee on Labor, Commerce and Industry

H. 3946 -- Reps. E. H. Pitts, Merrill, Parker, Ballentine, Haley, Rice, Allison, Anthony, Bannister, Bedingfield, Bowen, Cato, Duncan, Forrester, Gullick, Hamilton, Huggins, Kelly, Kirsh, Littlejohn, Millwood, Nanney, Owens, M. A. Pitts, Simrill, G. R. Smith, Sottile, Stringer and Wylie: A BILL TO AMEND SECTION 12-6-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANNUAL INFLATION ADJUSTMENTS TO STATE INDIVIDUAL INCOME TAX BRACKETS, SO AS TO DELETE THE PROVISION LIMITING THE INFLATION ADJUSTMENT TO ONE-HALF OF THE ACTUAL INFLATION RATE AND THE OVERALL FOUR PERCENT LIMIT ON THE TOTAL INFLATION ADJUSTMENT, AND TO DELETE REDUNDANT LANGUAGE.

Referred to Committee on Ways and Means

H. 3947 -- Reps. Loftis, Wylie, Erickson, Pinson, Hamilton, Brady, Hardwick, Allen, Allison, Bannister, Cato, Hearn, Horne, Hosey, Knight, Parks, Rice and Stringer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER

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36 TO TITLE 1 SO AS TO CREATE THE "21ST CENTURY GOVERNMENT EFFICIENCY ACT", AND TO PROVIDE FOR THE POWERS, DUTIES, AND RESPONSIBILITY OF THE DIVISION OF STATE INFORMATION TECHNOLOGY (DSIT) OF THE STATE BUDGET AND CONTROL BOARD TO EFFECTUATE THE PROVISIONS OF THIS ACT.

Referred to Committee on Ways and Means

H. 3948 -- Rep. Rice: A BILL TO AMEND SECTION 42-1-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF EMPLOYEE, SO AS TO INCLUDE LEGAL IMMIGRANTS AND ILLEGAL IMMIGRANTS, PROVIDED THE EMPLOYER WAS NOT AWARE OF THE IMMIGRANT'S ILLEGAL STATUS PRIOR TO THE EMPLOYEE'S INJURY; TO AMEND SECTION 42-1-360, AS AMENDED, RELATING TO PERSONS NOT COVERED UNDER THE WORKERS' COMPENSATION LAW, SO AS TO EXCLUDE FROM WORKERS' COMPENSATION ILLEGAL IMMIGRANTS WHOSE ILLEGAL STATUS WAS KNOWN TO THE EMPLOYER AT THE TIME OF THE IMMIGRANTS' HIRE AND ILLEGAL IMMIGRANTS WHOM THE EMPLOYER DISCOVERS THE ILLEGAL STATUS DURING EMPLOYMENT BUT BEFORE INJURY AND TO RESTRICT RECOVERY IN THESE CIRCUMSTANCES TO THE PROVISIONS OF CHAPTER 10, TITLE 41; AND TO AMEND SECTION 41-10-10, AS AMENDED, RELATING TO DEFINITIONS REGARDING PAYMENT OF WAGES, SO AS TO INCLUDE IN "WAGES" MEDICAL PAYMENTS PROVIDED TO ILLEGAL IMMIGRANTS EXCLUDED FROM WORKERS' COMPENSATION.

Referred to Committee on Judiciary

H. 3949 -- Rep. Crawford: A BILL TO AMEND ARTICLE 3, CHAPTER 31, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMITMENT OF TUBERCULOSIS PATIENTS, SO AS TO PROVIDE FOR AN EMERGENCY ORDER ISSUED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR AN ORDER ISSUED BY THE PROBATE COURT FOR THE DETENTION, EXAMINATION, ISOLATION, AND TREATMENT OF A PERSON WITH TUBERCULOSIS WHO POSES A RISK TO THE PUBLIC; TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH AN

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EMERGENCY ORDER MAY BE ISSUED AND THE SCOPE OF AN EMERGENCY ORDER; TO PROVIDE REVIEW AND APPEAL PROCEDURES FOR AN EMERGENCY ORDER; TO AUTHORIZE THE COURT TO WAIVE NOTICE REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES; TO PROHIBIT STAYING A COMMITMENT ORDER PENDING APPEAL; TO PROVIDE THAT INVOLUNTARY EXAMINATION OF A PERSON WITH SUSPECTED TUBERCULOSIS IS NOT COMPULSORY TREATMENT; AND TO DELETE PROVISIONS PERTAINING TO THE ESTABLISHMENT OF TUBERCULOSIS FACILITIES AT THE STATE PARK HEALTH CENTER AND THAT THE ENFORCEMENT OF THIS ARTICLE IS CONTINGENT UPON THE AVAILABILITY OF FACILITIES FOR HOSPITALIZATION.

Referred to Committee on Judiciary

S. 491 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 23, TITLE 57 SO AS TO DESIGNATE CERTAIN HIGHWAYS IN WESTERN YORK COUNTY AS THE WESTERN YORK COUNTY SCENIC BYWAY, TO MAKE IT SUBJECT TO THE REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA SCENIC HIGHWAYS COMMITTEE, AND TO PROHIBIT OFF-PREMISES OUTDOOR ADVERTISING ON THE ROUTES COMPRISING THE WESTERN YORK COUNTY SCENIC BYWAY.

Referred to York Delegation

S. 512 -- Senators Lourie, Anderson, Nicholson, Knotts, Cromer, Leventis and L. Martin: A BILL TO AMEND SECTION 16-3-740 OF THE 1976 CODE, RELATING TO TESTING FOR HEPATITIS B AND HIV FOR OFFENDERS AND VICTIMS OF CERTAIN CRIMES, TO BRING THE PROVISIONS INTO COMPLIANCE WITH THE FEDERAL VIOLENCE AGAINST WOMEN ACT; TO AMEND CHAPTER 3, TITLE 16, BY ADDING SECTION 16-3-750, RELATING TO REQUIRING VICTIMS OF CERTAIN CRIMES TO SUBMIT TO POLYGRAPH EXAMINATIONS, TO MANDATE THE INVESTIGATIVE AND PROSECUTORIAL PROCEDURES OF CERTAIN CRIMES IN SOUTH CAROLINA COMPLY WITH THE FEDERAL VIOLENCE AGAINST WOMEN ACT; TO AMEND SECTION 16-3-1350, RELATING COST OF

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MEDICOLEGAL EXAM FOR VICTIMS OF CERTAIN CRIMES, TO PREVENT THE VICTIM OF CERTAIN CRIMES FROM BEARING THE COST OF THE EXAM AS REQUIRED BY THE FEDERAL VIOLENCE AGAINST WOMEN ACT; TO AMEND SECTION 20-4-60, RELATING TO THE CONTENT OF ORDERS OF PROTECTION, TO BRING THE PROVISIONS INTO COMPLIANCE WITH THE FEDERAL VIOLENCE AGAINST WOMEN ACT; TO AMEND CHAPTER 25, TITLE 16 OF THE 1976 CODE, BY ADDING SECTION 16-25-30, RELATING TO OFFENDERS CONVICTED OF CERTAIN CRIMES, TO REQUIRE NOTIFICATION OF FEDERAL LAW BE PROVIDED UPON CONVICTION AS REQUIRED BY THE FEDERAL VIOLENCE AGAINST WOMEN ACT; AND TO AMEND SECTION 16-3-1770, RELATING TO THE CONTENT OF RESTRAINING ORDERS, TO BRING THE PROVISIONS INTO COMPLIANCE WITH THE FEDERAL VIOLENCE AGAINST WOMEN ACT.

Referred to Committee on Judiciary

S. 692 -- Senators Sheheen, McConnell, Hutto and Knotts: A JOINT RESOLUTION TO EXTEND THE DEADLINE REQUIRING ALL CIRCUIT SOLICITORS TO HAVE A TRAFFIC EDUCATION PROGRAM IN EFFECT FROM JULY 1, 2009, AS PROVIDED IN ACT 176 OF 2008, TO JULY 1, 2010.

Referred to Committee on Judiciary

S. 704 -- Senators McGill and Cleary: A BILL TO AMEND SECTION 7-7-270, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN GEORGETOWN COUNTY, SO AS TO REDESIGNATE A MAP NUMBER ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD AND TO CORRECT ARCHAIC REFERENCES.

Referred to Georgetown Delegation

S. 705 -- Senators Leventis and Land: A BILL TO AMEND SECTION 7-7-501, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SUMTER COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF SUMTER

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COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

Referred to Sumter Delegation

H. 3415--DEBATE ADJOURNED

Rep. WHITE moved to adjourn debate upon the following Joint Resolution until Thursday, April 23, which was adopted:

H. 3415 -- Reps. Harrell, Cato, Cooper, Duncan, Harrison, Owens, Sandifer, White, Bingham, Scott, Erickson, Herbkersman, T. R. Young, G. R. Smith, Huggins, Bedingfield, A. D. Young, Pinson, Lucas, E. H. Pitts, Crawford, Allison, Barfield, Brady, Chalk, Daning, Delleney, Edge, Frye, Hamilton, Hearn, Horne, Long, Merrill, Parker, Rice, Sellers, Skelton, G. M. Smith, J. R. Smith, Spires, Stringer, Thompson, Toole, Viers, Willis, Wylie, Neilson, Bales, Clemmons and Millwood: A JOINT RESOLUTION TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION; TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES; TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM INCLUDING ITS SALES TAX AND EXEMPTIONS STRUCTURE AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE; AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

SPEAKER *PRO TEMPORE* IN CHAIR

S. 12--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis, Elliott, Lourie, Malloy and Setzler: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION,

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TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

The Ways and Means Committee proposed the following Amendment No. 1 (COUNCIL\BBM\9302HTC09):

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

/ (A) There is created the South Carolina Taxation Realignment Commission to be comprised of seventeen members appointed as follows:

- (1) two members appointed by the Governor;
- (2) two members appointed by the President *Pro Tempore* of the Senate;
- (3) two members appointed by the Speaker of the House of Representatives;
- (4) two members appointed by the Chairman of the Senate Finance Committee;
- (5) two members appointed by the Chairman of the House Ways and Means Committee;
- (6) three members of the Senate to serve ex officio, to be appointed by the President *Pro Tempore* of the Senate;
- (7) three members of the House to serve ex officio, to be appointed by the Speaker of the House of Representatives;
- (8) the Director of the Department of Revenue to serve ex officio.

The members appointed pursuant to items (1) through (5) above must not be members of the General Assembly and must have substantial academic or professional experience or specialization in one or more areas of public finance, government budgeting and administration, tax administration, economics, accounting, or tax law.

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The members appointed pursuant to items (1) through (7) above shall serve at the pleasure of their appointing authority.

All vacancies must be filled in the manner of original appointment.

(B) The members of the commission:

(1) shall meet as soon as practicable after appointment and organize by electing one of their number as chairman and such other officers as the commission considers necessary. Thereafter, the commission shall meet as necessary to fulfill the duties required by this joint resolution at the call of the chairman or by a majority of the members. A quorum consists of a majority of its members. The commission may engage or employ staff or consultants as may be necessary and prudent to assist the commission in the performance of its duties and responsibilities, the cost of which must receive the prior approval of the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives. Any staff or consultants must possess an academic background or substantial career experience in one or more fields including, but not limited to, economics, government budgeting and administration, urban and regional economic development, economic forecasting, or state and local public finance;

(2) shall serve without compensation and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of boards, committees, and commissions. Other expenses incurred by the commission must be paid equally from approved accounts of each house subject to the approval of the respective Operations and Management Committees; and

(3) unless authorized by a further or subsequent enactment, conclude the commission's business by January 1, 2011, at which time the commission is dissolved. The General Assembly may extend the dates by which the commission shall submit reports required by this joint resolution.

(C) The duties of the commission are to:

(1) develop criteria for assessing the effectiveness of the current tax system structure, as well as the likely systemic impact of any proposed changes effecting tax revenues and report the criteria to the General Assembly within six months of the effective date of this joint resolution, provided that all such criteria must be designed with an emphasis on the systemic balance of the state's revenue structure from the standpoint of adequacy, equity, and efficiency and with the goal of maintaining and enhancing the State as an optimum competitor in

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efforts to attract businesses and individuals to locate, live, work, and invest in the State;

(2) no later than December 1, 2009, prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee setting forth the sales tax exemptions or limitations to be retained, modified or repealed, including the text of an amendment to the provisions of Article 21, Chapter 36, Title 12 of the 1976 Code, that effectuates the recommendations contained in the commission's report; and

(3) study and recommend to the General Assembly changes regarding the assessment of state taxes levied and other provisions affecting state revenue to fund the operation and responsibilities of state government. The commission's study must be a detailed, comprehensive, and careful evaluation of the state's tax system structure, to include all revenue laws of the State together with all other laws of the State which have a bearing on the study of the revenue laws and the results of the study and any legislative recommendations must be delivered no later than December 1, 2010. Any recommendations by the commission must consider and include in the discretion of the commission changes to: (1) taxes levied by any local taxing entity except for sales taxes on items exempt from state sales tax pursuant to Section 12-36-2120, and (2) the property tax system of this State regulated by the general law and the constitution and property tax relief provided by the General Assembly.

(D) The chairman of the Ways and Means Committee and the chairman of the Senate Finance Committee must receive the report required by subsection (C)(2) and subsequently shall introduce legislation solely concerning the contents of the report.

An amendment that seeks to add, delete, or substantively change a recommendation or other provision affecting state revenue included in any legislation recommended by the commission only may be adopted or concurred in by a majority roll-call vote of those present and voting in each respective house.

(E) Further legislative recommendations made by the commission must be introduced in both houses by Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee respectively.

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SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. NEILSON explained the amendment.

Rep. OTT spoke against the amendment.

Rep. SKELTON spoke against the amendment.

Reps. OTT, WHITE, RICE, LOFTIS, COBB-HUNTER, NEILSON, J. R. SMITH, T. R. YOUNG, KING, JEFFERSON, G. R. SMITH, J. H. NEAL, GUNN and KENNEDY requested debate on the Bill.

H. 3854--DEBATE ADJOURNED

Rep. WHITE moved to adjourn debate upon the following Bill until Thursday, April 23, which was adopted:

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

H. 3914--POINT OF ORDER

The following Joint Resolution was taken up:

H. 3914 -- Rep. White: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF SOCIAL SERVICES TO SUSPEND THE ENFORCEMENT OF CERTAIN CHILDCARE CENTER STAFF-CHILD RATIO REGULATIONS.

POINT OF ORDER

Rep. WHITE made the Point of Order that the Joint Resolution was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

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H. 3917--POINT OF ORDER

The following Joint Resolution was taken up:

H. 3917 -- Rep. Harrell: A JOINT RESOLUTION TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES SHALL MAINTAIN ITS MEDICALLY FRAGILE CHILDREN'S PROGRAM AND SHALL PURSUE OPTIONS TO OBTAIN AUTHORITY TO MAINTAIN THE EXISTING PROGRAM WITH ITS CURRENT ELIGIBILITY CRITERIA.

POINT OF ORDER

Rep. RICE made the Point of Order that the Joint Resolution was improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

H. 3878--AMENDED AND ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 3878 -- Reps. Rice, Harrison, Cooper, Bingham and Toole: A JOINT RESOLUTION TO ESTABLISH A JOINT STUDY COMMITTEE ON THE CONSOLIDATION OF STATE AGENCIES, PROVIDE FOR ITS MEMBERSHIP AND DUTIES, REQUIRE SUBMISSION OF RECOMMENDATIONS, AND PROVIDE FOR ITS TERMINATION.

Reps. OTT and RICE proposed the following Amendment No. 1 (COUNCIL\AGM\19417MM09), which was adopted:

Amend the joint resolution, as and if amended, SECTION 1.C. by deleting subsection C in its entirety and inserting:

/ C. The Joint Study Committee must 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, or his designee; the majority and minority leaders of the House of Representatives, or their designees; and the majority and minority leaders of the Senate, or their designees. Designees, if appointed, must

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be from within the respective committee. The study committee may solicit input from agency heads and from other sources as necessary. /

Renumber sections to conform.

Amend title to conform.

Rep. RICE explained the amendment.

The amendment was then adopted.

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

OBJECTION TO RECALL

Rep. GAMBRELL asked unanimous consent to recall H. 3941 from the Committee on Judiciary.

Rep. HART objected.

SENT TO THE SENATE

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 3272 -- Reps. Cooper, Merrill, Erickson, Herbkersman, Chalk, Duncan, Long, Sottile, Daning, Lowe, Bowen, Harrison, Horne, A. D. Young, Limehouse, R. L. Brown, Clemmons, Edge and Wylie: A BILL TO AMEND SECTION 12-37-3140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING THE FAIR MARKET VALUE OF REAL PROPERTY FOR PURPOSES OF THE SOUTH CAROLINA REAL PROPERTY VALUATION REFORM ACT, SO AS TO POSTPONE THE IMPLEMENTATION OF THE TRANSFER VALUE OF A PARCEL OF REAL PROPERTY UNIMPROVED SINCE THE LAST COUNTYWIDE REASSESSMENT PROGRAM UNTIL THE TIME OF IMPLEMENTATION OF THE NEXT COUNTYWIDE REASSESSMENT PROGRAM AND TO REQUIRE THE FIFTEEN PERCENT LIMIT ON INCREASES IN VALUE TO BE CALCULATED SEPARATELY ON LAND AND IMPROVEMENTS; TO AMEND SECTION 12-37-3150, AS AMENDED, RELATING TO THE TIME AN ASSESSABLE TRANSFER OF INTEREST OCCURS, SO AS TO REVISE THE PENALTY FOR FAILURE TO PROVIDE NOTICE OR FAILURE TO PROVIDE ACCURATE NOTICE TO THE ASSESSING AUTHORITY OF BUSINESS ENTITY TRANSFERS; TO AMEND

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SECTION 12-43-220, AS AMENDED, RELATING TO THE CLASSIFICATION AND VALUATION OF PROPERTY FOR PURPOSES OF THE PROPERTY TAX, SO AS TO PROVIDE RESIDENTIAL REAL PROPERTY HELD IN TRUST DOES NOT QUALIFY AS A LEGAL RESIDENCE UNLESS A NAMED INDIVIDUAL BENEFICIARY UNDER THE TRUST OCCUPIES THE RESIDENCE AS THAT NAMED BENEFICIARY'S LEGAL RESIDENCE AND THAT INDIVIDUAL BENEFICIARY'S NAME APPEARS ON THE DEED TO THE RESIDENCE AND REQUIRE SOCIAL SECURITY NUMBERS OF APPLICANTS FOR THE LEGAL RESIDENCE ASSESSMENT RATIO; AND TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS FOR ASSESSORS, SO AS TO REVISE THE REQUIREMENT.

MOTION PERIOD

The motion period was dispensed with on motion of Rep. WHITE.

H. 3442--DEBATE ADJOURNED

Rep. BINGHAM moved to adjourn debate upon the following Bill until Thursday, April 23, which was adopted:

H. 3442 -- Reps. Bingham, Harrell, Duncan, Harrison, Owens, Toole, Merrill, Brady, E. H. Pitts, G. M. Smith, Daning, Haley, Huggins, Cato, Ballentine, D. C. Smith, J. R. Smith, Rice, T. R. Young, Horne, Wylie and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-29-300 SO AS CREATE THE WORKFORCE DEPARTMENT APPELLATE PANEL WITHIN THE DEPARTMENT OF WORKFORCE, TO PROVIDE FOR THE FILLING OF A VACANCY, TO REQUIRE THE PRESENT MEMBERS OF THE SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION MUST CONSTITUTE THE INITIAL MEMBERSHIP OF THE NEW PANEL, TO PROVIDE THE PANEL SHALL DISSOLVE WHEN THE MEMBERS' TERMS EXPIRE IN 2012, AND TO PROVIDE RELATED APPELLATE PROCEDURES; BY ADDING SECTION 41-29-310 SO AS TO TRANSFER THE WORKFORCE INVESTMENT ACT PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF WORKFORCE; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE

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GOVERNMENT, SO AS TO CREATE THE SOUTH CAROLINA DEPARTMENT OF WORKFORCE WITHIN THE EXECUTIVE BRANCH; TO AMEND SECTION 41-29-10, RELATING TO THE EMPLOYMENT SECURITY COMMISSION, SO AS TO PROVIDE THAT CERTAIN CHAPTERS WITHIN TITLE 41 MUST BE ADMINISTERED BY THE DEPARTMENT OF WORKFORCE AND TO DELETE REFERENCES TO THE EMPLOYMENT SECURITY COMMISSION; TO AMEND SECTION 41-29-20, RELATING TO THE CHAIRMAN, QUORUM, AND FILLING OF A VACANCY ON THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE THE DEPARTMENT OF WORKFORCE MUST BE MANAGED AND OPERATED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE DIRECTOR IS SUBJECT TO REMOVAL BY THE GOVERNOR AT HIS DISCRETION BY EXECUTIVE ORDER; TO AMEND SECTION 41-29-30, RELATING TO THE APPOINTMENT OF A SECRETARY OF THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND PROVIDE THE DIRECTOR OF THE DEPARTMENT OF WORKFORCE OR HIS DESIGNEE MUST RECEIVE ANNUAL COMPENSATION AS PROVIDED BY THE GENERAL ASSEMBLY AND OFFICIAL EXPENSES AS PROVIDED BY LAW FOR EXECUTING THE DUTIES AND FUNCTIONS OF THE DEPARTMENT; TO AMEND SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCESS, SO AS TO INCLUDE EMPLOYEES OF THE DEPARTMENT OF WORKFORCE AMONG THOSE EXEMPTED; TO AMEND SECTIONS 41-27-10, 41-27-30, 41-27-150, 41-27-160, 41-27-190, 41-27-210, AS AMENDED, 41-27-230, 41-27-235, AS AMENDED, 41-27-260, AS AMENDED, 41-27-360, 41-27-370, AS AMENDED, 41-27-380, 41-27-390, 41-27-510, 41-27-550, 41-27-560, 41-27-570, 41-27-580, 41-27-600, 41-27-610, 41-27-620, 41-27-630, 41-27-670, 41-29-40, 41-29-50, 41-29-60, 41-29-70, 41-29-80, 41-29-90, 41-29-100, 41-29-110, 41-29-120, AS AMENDED, 41-29-130, 41-29-140, 41-29-150, 41-29-170, AS AMENDED, 41-29-180, 41-29-190, 41-29-200, 41-29-210, 41-29-220, 41-29-230, 41-29-240, 41-29-250, 41-29-270, 41-29-280, 41-29-290, 41-33-10, 41-33-20, 41-33-30, 41-33-40, 41-33-45, 41-33-80, AS AMENDED, 41-33-90, 41-33-100, 41-33-110, 41-33-120, 41-33-130, 41-33-170, 41-33-180, 41-33-190, 41-33-200, 41-

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33-210, 41-33-430, 41-33-460, 41-33-470, 41-33-610, 41-33-710, 41-35-10, 41-35-30, 41-35-100, 41-35-110, AS AMENDED, 41-35-115, AS AMENDED, 41-35-120, AS AMENDED, 41-35-125, 41-35-126, 41-35-130, AS AMENDED, 41-35-140, 41-35-330, 41-35-340, 41-35-410, 41-35-420, AS AMENDED, 41-35-450, 41-35-610, 41-35-630, 41-35-640, AS AMENDED, 41-35-670, 41-35-680, AS AMENDED, 41-35-690, 41-35-700, 41-35-710, AS AMENDED, 41-35-720, 41-35-730, 41-35-740, 41-35-750, AS AMENDED, 41-37-20, 41-37-30, 41-39-30, 41-39-40, 41-41-20, AS AMENDED, 41-41-40, AS AMENDED, 41-41-50, 41-42-10, 41-42-20, 41-42-30, AND 41-42-40, ALL RELATING TO VARIOUS DEPARTMENT PROVISIONS, SO AS TO CONFORM THEM TO THE REPLACEMENT OF THE EMPLOYMENT SECURITY COMMISSION WITH THE DEPARTMENT OF WORKFORCE; AND TO REPEAL SECTION 41-29-260 RELATING TO THE ABILITY OF COMMISSIONERS OF THE EMPLOYMENT SECURITY COMMISSION TO FILE OPINIONS OR OFFICIAL MINUTES.

H. 3358--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3358 -- Reps. Harrison, Weeks, Horne, Hutto and Whipper: A BILL TO AMEND SECTION 43-35-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE OMNIBUS ADULT PROTECTION ACT, SO AS TO REVISE THE DEFINITIONS OF "INVESTIGATIVE ENTITY" AND "NEGLECT"; TO AMEND SECTION 43-35-40, AS AMENDED, RELATING TO REQUIREMENTS OF AN INVESTIGATIVE ENTITY UPON RECEIVING A REPORT OF ADULT ABUSE, SO AS TO FURTHER SPECIFY AND CLARIFY PROCEDURES FOR REPORTING CASES IN WHICH THERE IS A REASONABLE SUSPICION OF CRIMINAL CONDUCT; AND TO AMEND SECTION 43-35-85, AS AMENDED, RELATING TO CRIMINAL PENALTIES FOR FAILING TO REPORT ADULT ABUSE WHEN REQUIRED TO REPORT, SO AS TO DELETE PROVISIONS AUTHORIZING DISCIPLINARY ACTION WHEN A PERSON WHO HAS REASON TO BELIEVE THAT ABUSE OCCURRED FAILS TO REPORT AND TO ESTABLISH CRIMINAL PENALTIES IF A CAREGIVER, DUE TO RECKLESS DISREGARD FOR THE HEALTH OR SAFETY OF A

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VULNERABLE ADULT, NEGLECTS OR CAUSES GREAT BODILY INJURY OR DEATH TO A VULNERABLE ADULT.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\NBD\11374AC09), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Section 43-35-10(5) of the 1976 Code, as last amended by Act 301 of 2006, is further amended to read:

“(5) ‘Investigative entity’ means the Long Term Care Ombudsman Program ~~or~~ the Adult Protective Services Program in the Department of Social Services, the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division, or the Medicaid Fraud Control Unit of the Office of the Attorney General.”

SECTION 2. Section 43-35-10(6) of the 1976 Code, as added by Act 110 of 1993, is amended to read:

“(6) ‘Neglect’ means the failure or omission of a caregiver to provide the care, goods, or services necessary to maintain the health or safety of a vulnerable adult including, but not limited to, food, clothing, medicine, shelter, supervision, and medical services and the failure or omission has caused, or presents a substantial risk of causing, physical or mental injury to the vulnerable adult. ~~Neglect may be repeated conduct or a single incident which has produced or can be proven to result in serious physical or psychological harm or substantial risk of death.~~ Noncompliance with regulatory standards alone does not constitute neglect. Neglect includes the inability of a vulnerable adult, in the absence of a caretaker, to provide for his or her own health or safety which produces or could reasonably be expected to produce serious physical or psychological harm or substantial risk of death.”

SECTION 3. Section 43-35-10 of the 1976 Code, as last amended by Act 301 of 2006, is further amended by adding:

“(12) ‘Operated facility’ means those facilities directly operated by the Department of Mental Health or the Department of Disabilities and Special Needs.

(13) ‘Contracted facility’ means those public and private facilities contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs.”

SECTION 4. Section 43-35-15(A) of the 1976 Code, as last amended by Act 301 of 2006, is further amended to read:

“(A) The Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division shall receive and coordinate the

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referral of all reports of alleged abuse, neglect, or exploitation of vulnerable adults in facilities operated or contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs. The unit shall establish a toll free number, which must be operated twenty four hours a day, seven days a week, to receive the reports. The unit shall investigate or refer to appropriate law enforcement those reports in which there is reasonable suspicion of criminal conduct. The unit also shall investigate vulnerable adult fatalities as provided for in Article 5, Chapter 35, Title 43. The unit shall refer those reports in which there is no reasonable suspicion of criminal conduct to the appropriate investigative entity for investigation. Upon conclusion of a criminal investigation of abuse, neglect, or exploitation of a vulnerable adult, the unit or other law enforcement shall refer the case to the appropriate prosecutor ~~to determine if~~ when further action is necessary. The South Carolina Law Enforcement Division may develop policies, procedures, and memorandum of agreement with other agencies to be used in fulfilling the requirements of this article. However, the South Carolina Law Enforcement Division must not delegate its responsibility to investigate criminal reports of alleged abuse, neglect, and exploitation to the agencies, facilities, or entities that operate or contract for the operation of the facilities. Nothing in this subsection precludes the Department of Mental Health, the Department of Disabilities and Special Needs, or their contractors from performing administrative responsibilities in compliance with applicable state and federal requirements.”

SECTION 5. Section 43-35-35(B) of the 1976 Code, as last amended by Act 301 of 2006, is further amended to read:

“(B) All deaths involving a vulnerable adult in a facility operated or contracted for operation by the Department of Mental Health, the Department of Disabilities and Special Needs, or their contractors must be referred to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division for investigation pursuant to Section 43-35-520.”

SECTION 6. Section 43-35-40 of the 1976 Code, as last amended by Act 301 of 2006, is further amended to read:

“Section 43-35-40. Upon receiving a report, the ~~investigative entity promptly~~ Long Term Care Ombudsman or Adult Protective Services promptly shall:

- (1) initiate an investigation; ~~and or~~
- (2) review the report within two working days ~~of receiving the report must review the report~~ for the purpose of reporting those cases

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that indicate reasonable suspicion of criminal conduct to local law enforcement or to the Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division ~~those cases which indicate reasonable suspicion of criminal conduct (SLED).~~ A report to ~~the unit~~ local law enforcement or SLED must be made within one working day of completing the review.”

SECTION 7. Section 43-35-85 of the 1976 Code, as last amended by Act 56 of 1999, is further amended to read:

“Section 43-35-85. (A) A person required to report under this chapter who ~~has actual knowledge that abuse, neglect, or exploitation has occurred and who~~ knowingly and wilfully fails to report ~~the~~ abuse, neglect, or exploitation is guilty of a misdemeanor and, upon conviction, must be fined not more than twenty five hundred dollars or imprisoned not more than one year. ~~A person required to report under this chapter who has reason to believe that abuse, neglect, or exploitation has occurred or is likely to occur and who knowingly and wilfully fails to report the abuse, neglect, or exploitation is subject to disciplinary action as may be determined necessary by the appropriate licensing board.~~

(B) Except as otherwise provided in subsections (E) and (F), a person who knowingly and wilfully abuses a vulnerable adult is guilty of a felony and, upon conviction, must be imprisoned not more than five years.

(C) Except as otherwise provided in subsections (E) and (F), a person who knowingly and wilfully neglects a vulnerable adult is guilty of a felony and, upon conviction, must be imprisoned not more than five years.

(D) A person who knowingly and wilfully exploits a vulnerable adult is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than five years, or both, and may be required by the court to make restitution.

(E) A person who knowingly and wilfully abuses or neglects a vulnerable adult resulting in great bodily injury is guilty of a felony and, upon conviction, must be imprisoned not more than fifteen years.

(F) A person who knowingly and wilfully abuses or neglects a vulnerable adult resulting in death is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

(G) A person who threatens, intimidates, or attempts to intimidate a vulnerable adult subject of a report, a witness, or any other person cooperating with an investigation conducted pursuant to this chapter is

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guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than three years.

(H) A person who wilfully and knowingly obstructs or in any way impedes an investigation conducted pursuant to this chapter, upon conviction, is guilty of a misdemeanor and must be fined not more than five thousand dollars or imprisoned for not more than three years.

(I) A caregiver who neglects a vulnerable adult as a result of having acted or failed to act due to a reckless disregard for the health or safety of the vulnerable adult is guilty of a misdemeanor and upon conviction, must be:

(1) imprisoned not more than one year or fined not more than one thousand dollars, or both;

(2) if the vulnerable adult suffered great bodily injury, imprisoned not more than three years or fined not more than five thousand dollars, or both.

(J) A caregiver who neglects a vulnerable adult as a result of having acted or failed to act due to a reckless disregard for the health or safety of a vulnerable adult and the neglect results in the death of the vulnerable adult is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both.

(K) As used in this section, 'great bodily injury' means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ."

SECTION 8. Section 43-35-520 of the 1976 Code, as added by Act 301 of 2006, is further amended to read:

"Section 43-35-520. The Vulnerable Adults Investigations Unit of the South Carolina Law Enforcement Division, created pursuant to Section 23-3-810, shall, in addition to its investigation responsibilities under that section or Article 1, investigate cases of vulnerable adult fatalities in facilities operated or contracted for operation by the Department of Mental Health or the Department of Disabilities and Special Needs. Provided, that in a nursing home, as defined in Section 44-7-130, contracted for operation by the Department of Mental Health, the Vulnerable Adults Investigations Unit shall investigate those fatalities for which there is suspicion that the vulnerable adult died as a result of abuse or neglect, the death is suspicious in nature, or the death is referred by a coroner or medical examiner as provided in Section 43-35-35(A)."

SECTION 9. Article 3, Chapter 7, Title 44 is amended by adding:

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“Section 44-7-295. The department is authorized to enter at all times in or on the property of any facility or service, whether public or private, licensed by the department or unlicensed, for the purpose of inspecting and investigating conditions relating to a violation of this article or regulations of the department. The department’s authorized agents may examine and copy any records or memoranda pertaining to the operation of a licensed or unlicensed facility or service to determine compliance with this article. However, if entry or inspection is denied or not consented to and no emergency exists, the department is empowered to obtain a warrant to enter and inspect the property and its records from the magistrate from the jurisdiction in which the property is located. The magistrate may issue these warrants upon a showing of probable cause for the need for entry and inspection. The department shall furnish a written copy of the results of the inspection or investigation to the owner or operator of the property.”

SECTION 10. Section 44-7-315(A), as last amended by Act 372 of 2006, is further amended to read:

“(A) Information received by the Division of Health Licensing of the department, through inspection or otherwise, in regard to a facility or activity licensed by the department pursuant to this article or subject to inspection by the department, including a nursing home, a community residential care facility, or an intermediate care facility for the mentally retarded, ~~or a group home operated by a county mental retardation board or the State Mental Retardation Department~~ must be disclosed publicly upon written request to the department. The request must be specific as to the facility or ~~home~~ activity, dates, documents, and particular information requested. The department may not disclose the identity of individuals present in a facility licensed by the department pursuant to this article or subject to inspection by the department, including a nursing home, a community residential care facility, or an intermediate care facility for the mentally retarded, ~~or a group home~~. When a report of deficiencies or violations regarding a facility licensed by the department pursuant to this article or subject to inspection by the department, including a nursing home, a community residential care facility, or an intermediate care facility for the mentally retarded, ~~or a group home~~ is present in the department’s files when a request for information is received, the department shall inform the applicant that it has stipulated corrective action and the time it determines for completion of the action. The department also shall inform the applicant that information on the resolution of the corrective action order is expected to be available upon written request within

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fifteen days or less of the termination of time it determines for completion of the action. However, if information on the resolution is present in the files, it must be furnished to the applicant.”

SECTION 11. Section 44-7-320(A), of the 1976 Code is amended to read:

“(A)(1) The department may deny, suspend, or revoke licenses or assess a monetary penalty, or both, against a person or facility for:

(a) violating a provision of this article or departmental regulations;

(b) permitting, aiding, or abetting the commission of an unlawful act relating to the securing of a Certificate of Need or the establishment, maintenance, or operation of a facility requiring certification of need or licensure under this article;

(c) conduct or practices detrimental to the health or safety of patients, residents, clients, or employees of a facility or service. This provision does not refer to health practices authorized by law;

(d) refusing to admit and treat alcoholic and substance abusers, the mentally ill, or the mentally retarded, whose admission or treatment has been prescribed by a physician who is a member of the facility’s medical staff; or discriminating against alcoholics, the mentally ill, or the mentally retarded solely because of the alcoholism, mental illness, or mental retardation;

(e) failing to allow a team advocacy inspection of a community residential care facility by the South Carolina Protection and Advocacy System for the Handicapped, Inc., as allowed by law.

(2) Consideration to deny, suspend, or revoke licenses or assess monetary penalties, or both, is not limited to information relating to the current licensing ~~year~~ period but includes consideration of all pertinent information regarding the facility and the applicant.

(3) If in the department’s judgment conditions or practices exist in a facility that pose an immediate threat to the health, safety, and welfare of the residents, the department immediately may suspend the facility’s license and shall contact the appropriate agencies for placement of the residents. Within five days of the suspension a preliminary hearing must be held to determine if the immediate threatening conditions or practices continue to exist. If they do not, the license must be immediately reinstated. Whether the license is reinstated or suspension remains due to the immediate threatening conditions or practices, the department may proceed with the process for permanent revocation pursuant to this section.”

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SECTION 12. Section 23-3-810(E) of the 1976 Code, as added by Act 301 of 2006, is amended to read:

“(E) Upon conclusion of a criminal investigation of abuse, neglect, or exploitation of a vulnerable adult, the unit or other law enforcement shall refer the case to the appropriate prosecutor ~~to determine if~~ when further action is necessary.”

SECTION 13. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the general assembly hereby declaring that it would have passed this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 14. This act takes effect upon approval by the Governor./

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

Reps. G. M. SMITH and CRAWFORD proposed the following Amendment No. 2 (COUNCIL\NBD\11450AC09), which was adopted:

Amend the bill, as and if amended, Section 43-3-10(6) page 3358-1, line 36 before /failure/ by inserting /knowing and wilful/.

Amend the bill, further, Section 43-3-10(6) page 3358-1, line 40 before /failure/ by inserting /knowing and wilful/.

Amend the bill, further, by deleting Section 43-35-85(I) and (J) on page 3358-4, lines 28 through 42 and inserting:

/(I) A caregiver who knowingly and wilfully neglects a vulnerable adult is guilty of a misdemeanor and upon conviction, must be:

(1) imprisoned not more than one year or fined not more than one thousand dollars, or both;

(2) if the vulnerable adult suffered great bodily injury, imprisoned not more than three years or fined not more than five thousand dollars, or both.

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(J) A caregiver who knowingly and wilfully neglects a vulnerable adult and the neglect results in the death of the vulnerable adult is guilty of a felony and, upon conviction, must be imprisoned not more than five years or fined not more than ten thousand dollars, or both./

Amend the bill further, by adding an appropriately numbered SECTION to read:

/SECTION __. Section 43-35-10(2) of the 1976 Code, as added by Act 110 of 1993, is amended to read:

“(2) ‘Caregiver’ means a person who provides care to a vulnerable adult, with or without compensation, on a temporary or permanent or full or part-time basis and includes, but is not limited to, a relative, household member, day care personnel, adult foster home sponsor, and personnel of a public or private institution or facility. Caregiver does not include persons who are licensed, or otherwise authorized to practice their profession, pursuant to Title 40./

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The amendment was then adopted.

Rep. WHITE moved to adjourn debate on the Bill, which was not agreed to.

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

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

Alexander	Allen	Allison
Anderson	Bales	Ballentine
Bannister	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	G. A. Brown	H. B. Brown
Cato	Chalk	Clemmons
Clyburn	Cobb-Hunter	Cole
Crawford	Daning	Delleney

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Dillard	Duncan	Edge
Erickson	Forrester	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Hamilton
Hardwick	Hart	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Huggins	Hutto	Jefferson
Jennings	Kelly	Kennedy
King	Knight	Limehouse
Littlejohn	Long	Lowe
Lucas	McEachern	Merrill
Miller	Millwood	Mitchell
Moss	Nanney	J. M. Neal
Ott	Owens	Parker
Parks	Pinson	E. H. Pitts
M. A. Pitts	Rice	Sandifer
Sellers	Simrill	Skelton
D. C. Smith	G. M. Smith	G. R. Smith
J. E. Smith	J. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Thompson	Vick	Weeks
White	Whitmire	Williams
Willis	Wylie	A. D. Young
T. R. Young		

Total--97

Those who voted in the negative are:

Total--0

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

S. 620--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

S. 620 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSIONERS OF PILOTAGE, RELATING TO ENFORCEMENT OF PILOT

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STATUTES AND MARITIME HOMELAND SECURITY,
DESIGNATED AS REGULATION DOCUMENT NUMBER 4053,
PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE 1976 CODE.

Rep. HARRISON explained the Joint Resolution.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Agnew	Alexander	Allen
Allison	Anderson	Bales
Ballentine	Barfield	Battle
Bedingfield	Bingham	Bowen
Brady	Branham	Brantley
G. A. Brown	H. B. Brown	Cato
Chalk	Clemmons	Clyburn
Cobb-Hunter	Cole	Cooper
Crawford	Daning	Delleney
Dillard	Duncan	Edge
Erickson	Forrester	Funderburk
Gambrell	Gilliard	Govan
Gullick	Gunn	Haley
Hamilton	Hardwick	Harrell
Harrison	Hart	Hayes
Hearn	Herbkersman	Hiott
Hodges	Horne	Hosey
Hutto	Jefferson	Jennings
Kelly	King	Kirsh
Knight	Limehouse	Littlejohn
Lowe	Lucas	McEachern
Merrill	Miller	Millwood
Mitchell	Moss	Nanney
J. H. Neal	J. M. Neal	Neilson
Ott	Parker	Parks
Pinson	E. H. Pitts	M. A. Pitts
Rice	Sandifer	Sellers
Simrill	Skelton	D. C. Smith
G. M. Smith	G. R. Smith	J. E. Smith

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J. R. Smith	Sottile	Spires
Stavrinakis	Stewart	Stringer
Thompson	Umphlett	Vick
Weeks	White	Williams
Willis	Wylie	A. D. Young
T. R. Young		

Total--103

Those who voted in the negative are:

Total--0

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

S. 12--DEBATE ADJOURNED

The following Bill was taken up:

S. 12 -- Senators Leatherman, Alexander, O'Dell, Cleary, Leventis, Elliott, Lourie, Malloy and Setzler: A BILL TO ESTABLISH THE SOUTH CAROLINA TAXATION REALIGNMENT COMMISSION, TO PROVIDE FOR THE COMMISSION'S MEMBERSHIP, POWERS, DUTIES, AND RESPONSIBILITIES, TO PROVIDE THAT THE COMMISSION MUST CONDUCT A COMPREHENSIVE STUDY OF THE STATE'S TAX SYSTEM AND SUBMIT A REPORT OF ITS RECOMMENDED CHANGES TO FURTHER THE GOAL OF MAINTAINING AND ENHANCING THE STATE AS AN OPTIMUM COMPETITOR IN THE EFFORT TO ATTRACT BUSINESSES AND INDIVIDUALS TO LOCATE, LIVE, WORK, AND INVEST IN THE STATE, AND TO PROVIDE FOR PROCEDURES GOVERNING THE CONSIDERATION OF LEGISLATION RESULTING FROM THE COMMISSION'S RECOMMENDATIONS.

SPEAKER IN CHAIR

The Ways and Means Committee proposed the following Amendment No. 1 (COUNCIL\BBM\9302HTC09), which was tabled:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting:

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/ (A) There is created the South Carolina Taxation Realignment Commission to be comprised of seventeen members appointed as follows:

- (1) two members appointed by the Governor;
- (2) two members appointed by the President *Pro Tempore* of the Senate;
- (3) two members appointed by the Speaker of the House of Representatives;
- (4) two members appointed by the Chairman of the Senate Finance Committee;
- (5) two members appointed by the Chairman of the House Ways and Means Committee;
- (6) three members of the Senate to serve *ex officio*, to be appointed by the President *Pro Tempore* of the Senate;
- (7) three members of the House to serve *ex officio*, to be appointed by the Speaker of the House of Representatives;
- (8) the Director of the Department of Revenue to serve *ex officio*.

The members appointed pursuant to items (1) through (5) above must not be members of the General Assembly and must have substantial academic or professional experience or specialization in one or more areas of public finance, government budgeting and administration, tax administration, economics, accounting, or tax law.

The members appointed pursuant to items (1) through (7) above shall serve at the pleasure of their appointing authority.

All vacancies must be filled in the manner of original appointment.

(B) The members of the commission:

(1) shall meet as soon as practicable after appointment and organize by electing one of their number as chairman and such other officers as the commission considers necessary. Thereafter, the commission shall meet as necessary to fulfill the duties required by this joint resolution at the call of the chairman or by a majority of the members. A quorum consists of a majority of its members. The commission may engage or employ staff or consultants as may be necessary and prudent to assist the commission in the performance of its duties and responsibilities, the cost of which must receive the prior approval of the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives. Any staff or consultants must possess an academic background or substantial career experience in one or more fields including, but not limited to, economics, government

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budgeting and administration, urban and regional economic development, economic forecasting, or state and local public finance;

(2) shall serve without compensation and are ineligible for the usual mileage, subsistence, and per diem allowed by law for members of boards, committees, and commissions. Other expenses incurred by the commission must be paid equally from approved accounts of each house subject to the approval of the respective Operations and Management Committees; and

(3) unless authorized by a further or subsequent enactment, conclude the commission's business by January 1, 2011, at which time the commission is dissolved. The General Assembly may extend the dates by which the commission shall submit reports required by this joint resolution.

(C) The duties of the commission are to:

(1) develop criteria for assessing the effectiveness of the current tax system structure, as well as the likely systemic impact of any proposed changes effecting tax revenues and report the criteria to the General Assembly within six months of the effective date of this joint resolution, provided that all such criteria must be designed with an emphasis on the systemic balance of the state's revenue structure from the standpoint of adequacy, equity, and efficiency and with the goal of maintaining and enhancing the State as an optimum competitor in efforts to attract businesses and individuals to locate, live, work, and invest in the State;

(2) no later than December 1, 2009, prepare and deliver a report and recommendation to the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee setting forth the sales tax exemptions or limitations to be retained, modified or repealed, including the text of an amendment to the provisions of Article 21, Chapter 36, Title 12 of the 1976 Code, that effectuates the recommendations contained in the commission's report; and

(3) study and recommend to the General Assembly changes regarding the assessment of state taxes levied and other provisions affecting state revenue to fund the operation and responsibilities of state government. The commission's study must be a detailed, comprehensive, and careful evaluation of the state's tax system structure, to include all revenue laws of the State together with all other laws of the State which have a bearing on the study of the revenue laws and the results of the study and any legislative recommendations must be delivered no later than December 1, 2010. Any recommendations

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by the commission must consider and include in the discretion of the commission changes to: (1) taxes levied by any local taxing entity except for sales taxes on items exempt from state sales tax pursuant to Section 12-36-2120, and (2) the property tax system of this State regulated by the general law and the constitution and property tax relief provided by the General Assembly.

(D) The chairman of the Ways and Means Committee and the chairman of the Senate Finance Committee must receive the report required by subsection (C)(2) and subsequently shall introduce legislation solely concerning the contents of the report.

An amendment that seeks to add, delete, or substantively change a recommendation or other provision affecting state revenue included in any legislation recommended by the commission only may be adopted or concurred in by a majority roll-call vote of those present and voting in each respective house.

(E) Further legislative recommendations made by the commission must be introduced in both houses by Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee respectively.

SECTION 2. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. RICE spoke upon the amendment.

Rep. WHITE spoke in favor of the amendment.

Rep. OTT spoke against the amendment.

Rep. OTT moved to table the amendment.

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

Yeas 78; Nays 29

Those who voted in the affirmative are:

Agnew	Allen	Allison
Anderson	Bales	Ballentine
Battle	Bedingfield	Bingham
Brady	Branham	G. A. Brown
H. B. Brown	Chalk	Clyburn
Cobb-Hunter	Cole	Daning

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Dillard	Duncan	Forrester
Frye	Funderburk	Gilliard
Govan	Gullick	Gunn
Haley	Hamilton	Hart
Harvin	Hayes	Hiott
Hodges	Horne	Hosey
Huggins	Hutto	Jefferson
Jennings	Kelly	Kennedy
Knight	Littlejohn	Long
McEachern	Miller	Millwood
Mitchell	Moss	Nanney
J. H. Neal	J. M. Neal	Neilson
Ott	Parker	Parks
Pinson	E. H. Pitts	Rice
Rutherford	Sellers	Skelton
G. M. Smith	J. E. Smith	Spires
Stavrinakis	Stringer	Thompson
Toole	Vick	Weeks
Whitmire	Williams	Willis
Wylie	A. D. Young	T. R. Young

Total--78

Those who voted in the negative are:

Bannister	Barfield	Bowen
Clemmons	Crawford	Delleney
Edge	Gambrell	Hardwick
Harrell	Hearn	Herbkersman
Kirsh	Limehouse	Loftis
Lowe	Lucas	Merrill
Owens	M. A. Pitts	Sandifer
Simrill	D. C. Smith	G. R. Smith
J. R. Smith	Sottile	Umphlett
Viers	White	

Total--29

So, the amendment was tabled.

Rep. RICE moved to adjourn debate on the Bill until Thursday, April 23, 2009.

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Rep. COBB-HUNTER moved to table the motion.

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

Yeas 38; Nays 69

Those who voted in the affirmative are:

Agnew	Allen	Anderson
Bales	Battle	Branham
G. A. Brown	H. B. Brown	Clyburn
Cobb-Hunter	Dillard	Funderburk
Govan	Gunn	Hart
Harvin	Hayes	Hodges
Hosey	Hutto	Jefferson
Jennings	Knight	McEachern
Miller	Mitchell	Moss
J. H. Neal	J. M. Neal	Ott
Parks	Rutherford	Sellers
J. E. Smith	Stavrinakis	Vick
Weeks	Williams	

Total--38

Those who voted in the negative are:

Allison	Ballentine	Bannister
Barfield	Bedingfield	Bingham
Bowen	Brady	Cato
Chalk	Clemmons	Cole
Crawford	Daning	Delleney
Duncan	Edge	Erickson
Forrester	Frye	Gambrell
Gullick	Haley	Hamilton
Hardwick	Harrell	Herbkersman
Hiott	Horne	Huggins
Kelly	Kennedy	Kirsh
Limehouse	Littlejohn	Loftis
Long	Lowe	Lucas
Merrill	Millwood	Nanney
Neilson	Owens	Parker
Pinson	E. H. Pitts	M. A. Pitts
Rice	Simrill	Skelton

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D. C. Smith	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--69

So, the House refused to table the motion.

The question then recurred to the motion to adjourn debate.

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

Yeas 75; Nays 35

Those who voted in the affirmative are:

Allison	Ballentine	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Brady
Cato	Chalk	Clemmons
Cole	Crawford	Daning
Delleney	Duncan	Edge
Erickson	Forrester	Frye
Gambrell	Gilliard	Gullick
Haley	Hamilton	Hardwick
Harrell	Harrison	Hearn
Herbkersman	Hiott	Horne
Huggins	Kelly	Kennedy
Kirsh	Limehouse	Littlejohn
Loftis	Long	Lowe
Lucas	Merrill	Miller
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	Stavrakis
Stewart	Stringer	Thompson
Toole	Umphlett	Viers

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White	Whitmire	Willis
Wylie	A. D. Young	T. R. Young

Total--75

Those who voted in the negative are:

Agnew	Allen	Anderson
Bales	Branham	G. A. Brown
H. B. Brown	Clyburn	Cobb-Hunter
Dillard	Funderburk	Govan
Gunn	Hart	Harvin
Hayes	Hodges	Hosey
Howard	Hutto	Jefferson
Jennings	McEachern	Mitchell
Moss	J. H. Neal	J. M. Neal
Neilson	Ott	Rutherford
Sellers	J. E. Smith	Vick
Weeks	Williams	

Total--35

So, the motion to adjourn debate until Thursday, April 23, was agreed to.

Rep. OTT moved that the House do now adjourn, which was agreed to.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3595 -- Rep. J. E. Smith: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BICYCLE LANES THAT CROSS THE CONGAREE RIVER ALONG THE BLOSSOM STREET BRIDGE IN RICHLAND AND LEXINGTON COUNTIES "JESSE'S WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THESE BICYCLE LANES THAT CONTAIN THE WORDS "JESSE'S WAY".

H. 3900 -- Reps. Clyburn and Howard: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR THE MEMBERS OF THE 1959 GRADUATING CLASS OF ALLEN

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UNIVERSITY ON THE OCCASION OF THEIR GOLDEN ANNIVERSARY, FRIDAY, MAY 1, 2009, AND TO COMMEND ITS MEMBERS FOR THEIR MANY ACCOMPLISHMENTS AND CONTRIBUTIONS TO THEIR COMMUNITIES, STATES, AND NATION.

H. 3901 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR THE MEMBERS OF THE 1959 GRADUATING CLASS OF ALLEN UNIVERSITY ON THE OCCASION OF THEIR GOLDEN ANNIVERSARY, FRIDAY, MAY 1, 2009, AND TO COMMEND ITS MEMBERS FOR THEIR MANY ACCOMPLISHMENTS AND CONTRIBUTIONS TO THEIR COMMUNITIES, STATES, AND NATION.

H. 3912 -- Reps. Rutherford, Bales, Ballentine, Brady, Gunn, Harrison, Hart, Howard, McEachern, J. H. Neal and J. E. Smith: A CONCURRENT RESOLUTION TO RECOGNIZE THE PALMETTO HEALTH RICHLAND VOLUNTEER AUXILIARY IN RICHLAND COUNTY UPON THE CELEBRATION OF ITS CENTENNIAL YEAR, AND TO HONOR ITS ONE HUNDRED YEARS OF SERVICE TO PALMETTO HEALTH RICHLAND, THE CITY OF COLUMBIA, AND THE STATE OF SOUTH CAROLINA.

H. 3928 -- Rep. Whipper: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MORNINGSIDE MIDDLE SCHOOL IMPROVEMENT COUNCIL OF CHARLESTON COUNTY, UPON THE OCCASION OF RECEIVING THE DICK AND TUNKY RILEY SCHOOL IMPROVEMENT AWARD FOR 2009, AND TO COMMEND THE MEMBERS WHO CONTRIBUTED TO THIS SUCCESS.

ADJOURNMENT

At 4:59 p.m. the House, in accordance with the motion of Rep. DUNCAN, adjourned in memory of Joe Goldsmith of Clinton, to meet at 10:00 a.m. tomorrow.

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