

NO. 48

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2009

TUESDAY, APRIL 28, 2009
(STATEWIDE SESSION)

Tuesday, April 28, 2009
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Lamentations 3:22: "The steadfast love of the Lord never ceases, his mercies never come to an end; they are new every morning; great is your faithfulness."

Let us pray. Gracious God, thank You for Your guidance and wisdom which You provide to these people as they care for this part of Your kingdom. Continue Your blessings upon them as they resume work upon the many tasks placed before them. Comfort Representative Dan Cooper and his family during their time of mourning. Hold each in Your hand and guide them in the right direction so that what is accomplished here will be to the benefit of all. Look in favor upon our Nation, President, State, Governor, Speaker, and all who serve 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 Friday, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. THOMPSON moved that when the House adjourns, it adjourn in memory of former Representative Milford J. "Dolly" Cooper of Anderson, father of Representative Cooper, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the family of Representative Whipper in the death of his sister, Ogretta Whipper Hawkins.

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MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., April 23, 2009

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 18, H. 3583, by a vote of 36 to 6:

(R18) H. 3583 -- Reprs. Funderburk, Lucas and Gunn: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 4, 2009, BY THE STUDENTS OF MIDWAY ELEMENTARY, BETHUNE ELEMENTARY, MOUNT PISGAH ELEMENTARY, BARON DEKALB ELEMENTARY, NORTH CENTRAL MIDDLE, AND NORTH CENTRAL HIGH SCHOOLS WHEN THE SCHOOLS WERE CLOSED 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; AND TO PROVIDE THAT SCHOOL DISTRICTS MAY CLOSE FOR UP TO THREE DAYS OF THE SCHOOL DISTRICT'S CHOOSING DURING THE 2008-2009 SCHOOL YEAR AND THAT MAKE-UP REQUIREMENTS ARE WAIVED.

Very respectfully,
President

REGULATION REVISED

Document No. 4042

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

Seasons, Bag Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas; Use of Fertility Control or Other Chemical Substances in Wildlife

Received by Speaker of the House of Representatives February 4, 2009

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

[HJ]

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Legislative Review Expiration June 4, 2009

Revised: January 16, 2010

REPORTS OF STANDING COMMITTEES

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

S. 126 -- Senators Sheheen and Elliott: A BILL TO AMEND SECTION 56-3-1910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF SPECIAL LICENSE TAGS TO CERTAIN HANDICAPPED PERSONS, SO AS TO DEFINE THE TERM "HANDICAPPED", DELETE THE TERM "LICENSE TAG" AND REPLACE IT WITH THE TERM "LICENSE PLATE", AND TO REVISE THE CRITERIA FOR THE ISSUANCE OF THE LICENSE PLATE; TO AMEND SECTION 56-3-1950, RELATING TO THE DEFINITION OF THE TERM "HANDICAPPED", AND THE REQUIREMENT THAT A LICENSED PHYSICIAN SHALL CERTIFY THAT A PERSON'S TOTAL AND PERMANENT DISABILITY SUBSTANTIALLY IMPAIRS HIS ABILITY TO WALK, SO AS TO REVISE THE DEFINITION OF THE TERM "HANDICAPPED" AND TO DELETE THE PROVISION RELATING TO THE CERTIFICATION OF A PERSON WHO IS TOTALLY AND PERMANENTLY DISABLED; TO AMEND SECTION 56-3-1960, RELATING TO FREE PARKING FOR HANDICAPPED PERSONS, AND THE ISSUANCE AND DISPLAY OF HANDICAPPED LICENSE PLATES AND PLACARDS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR THE ISSUANCE OF HANDICAPPED LICENSE PLATES, AND TO REVISE THE PROVISIONS REGARDING THE CONTENT, ISSUANCE PROCEDURE, AND DISPLAY OF HANDICAPPED PLACARDS; TO AMEND SECTION 56-3-1965, RELATING TO MUNICIPALITIES DESIGNATING PARKING SPACES FOR HANDICAPPED PERSONS, SO AS TO REVISE THE PROCEDURES THAT ALLOW A HANDICAPPED PERSON TO PARK IN METERED OR TIMED PARKING PLACES WITHOUT BEING SUBJECT TO PARKING FEES OR FINES; AND TO AMEND SECTION 56-3-2010, RELATING TO THE ISSUANCE OF PERSONALIZED LICENSE PLATES, SO AS TO PROVIDE THAT A PERSON WHO ALSO QUALIFIES IS QUALIFIED TO RECEIVE THIS LICENSE PLATE AND A HANDICAPPED LICENSE PLATE MAY BE ISSUED A PERSONALIZED LICENSE PLATE THAT

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INCLUDES A DECAL THAT CONTAINS THE INTERNATIONAL SYMBOL OF ACCESS.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3814 -- Reps. Allison, Cole, Forrester, Kelly and Parker: A JOINT RESOLUTION TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO DESIGN AND IMPLEMENT A HIGHWAY BEAUTIFICATION PILOT PROJECT TO REDUCE THE NUMBER OF NONCONFORMING BILLBOARDS THROUGHOUT THE STATE.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3297 -- Reps. Sellers, E. H. Pitts, Brady and Hutto: A BILL TO AMEND SECTION 59-10-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SNACKS SOLD FOR STUDENT CONSUMPTION IN SCHOOLS, SO AS TO PROVIDE FOR FAT, CALORIE, AND SUGAR CONTENT STANDARDS THAT SNACK FOOD AND BEVERAGES MUST MEET IN ORDER TO BE SOLD IN SCHOOLS; AND BY ADDING SECTION 59-10-345 SO AS TO PROVIDE THAT ELEMENTARY SCHOOLS MAY OFFER ONLY FULL MEALS FOR STUDENT CONSUMPTION, AND TO PROVIDE FOR FAT, CALORIE, AND SUGAR CONTENT STANDARDS THAT FOODS AND BEVERAGES MUST MEET IN ORDER TO BE SOLD IN SCHOOLS.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3543 -- Reps. Brady and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS

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IN DEVELOPING THEIR OWN POLICIES FOR REPORTING AND RESPONDING TO DATING VIOLENCE, TO PROVIDE WHAT MUST BE INCLUDED IN THE POLICIES, TO PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST.

Ordered for consideration tomorrow.

HOUSE RESOLUTION

The following was introduced:

H. 3968 -- Reps. Sellers, 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, 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 COMMEND WALTER E. "PETE" BROOKER OF BAMBERG COUNTY FOR HIS MANY YEARS OF OUTSTANDING PUBLIC SERVICE, AND TO CONGRATULATE HIM ON BEING AWARDED THE SOUTH CAROLINA ORDER OF THE PALMETTO.

The Resolution was adopted.

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HOUSE RESOLUTION

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

H. 3969 -- Rep. Hamilton: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE EASTSIDE HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON THEIR IMPRESSIVE SEASON AND FOR CAPTURING THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Eastside High School wrestling team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended on their impressive season and for capturing the 2009 Class AAA State Championship title.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3970 -- Rep. Hamilton: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE EASTSIDE HIGH SCHOOL WRESTLING TEAM OF GREENVILLE COUNTY FOR ANOTHER IMPRESSIVE SEASON AND TO CONGRATULATE THE PLAYERS AND COACHES FOR CAPTURING THE 2009 CLASS AAA STATE WRESTLING CHAMPIONSHIP TITLE, THEIR SIXTH CONSECUTIVE STATE TITLE WHICH IS A RECORD FOR ALL CLASSES.

The Resolution was adopted.

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CONCURRENT RESOLUTION

The following was introduced:

H. 3971 -- Reprs. Hart, Gunn, King, Allen, Bannister, H. B. Brown, Dillard, Hearn, E. H. Pitts, Spires, Agnew, Alexander, Allison, Anderson, Anthony, Bales, Ballentine, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gullick, Haley, Hamilton, Hardwick, Harrell, Harrison, Harvin, Hayes, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, 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, 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 MEMORIALIZE THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) TO CHOOSE COLUMBIA AS A HOST CITY FOR AN NCAA BASKETBALL TOURNAMENT REGIONAL GAME OR THE FINAL FOUR.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 744 -- Judiciary Committee: A CONCURRENT RESOLUTION TO DISAPPROVE AMENDMENTS TO THE RULES OF PROCEDURE OF THE ADMINISTRATIVE LAW COURT, PURSUANT TO THE PROVISIONS OF ARTICLE V OF THE SOUTH CAROLINA CONSTITUTION AND ARTICLE 5, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Concurrent Resolution was ordered referred to the Committee on Judiciary.

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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. 3972 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF PUBLIC SAFETY, RELATING TO CONTACT INFORMATION FROM TRAFFIC STOPS, DESIGNATED AS REGULATION DOCUMENT NUMBER 3208, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3973 -- Rep. Delleney: A BILL TO AMEND SECTION 56-1-440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR DRIVING WITHOUT A LICENSE, SO AS TO PERMIT THE VARIOUS OFFENSES TO BE TRIED IN MAGISTRATES OR MUNICIPAL COURT.

Referred to Committee on Judiciary

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

Referred to Committee on Education and Public Works

S. 288 -- Senator L. Martin: A BILL TO AMEND CHAPTER 1, TITLE 56 OF THE 1976 CODE, BY ADDING SECTION 56-1-146 TO PROVIDE THAT A PERSON WHO IS CONVICTED OF A VIOLENT CRIME MUST SURRENDER HIS DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD TO THE COURT WHICH MUST TRANSMIT IT TO THE DEPARTMENT OF MOTOR VEHICLES TOGETHER WITH NOTICE OF THE CRIME AND TO PROVIDE THAT THE DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD IS CONSIDERED REVOKED AND MUST NOT BE RETURNED TO THE PERSON UNDER CERTAIN CIRCUMSTANCES; BY ADDING 56-1-148 TO PROVIDE THAT A PERSON CONVICTED OF A VIOLENT CRIME MUST HAVE A SPECIAL CODE AFFIXED TO THE REVERSE SIDE OF HIS DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD

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THAT IDENTIFIES THE PERSON AS HAVING BEEN CONVICTED OF A VIOLENT CRIME, TO PROVIDE A FEE TO BE CHARGED FOR AFFIXING THE CODE AND FOR ITS DISTRIBUTION, AND TO PROVIDE A PROCESS FOR REMOVING THE CODE; TO AMEND SECTION 56-1-80, RELATING TO THE CONTENTS OF A DRIVER'S LICENSE APPLICATION, TO PROVIDE THAT THE APPLICATION MUST CONTAIN A STATEMENT TO DETERMINE WHETHER THE APPLICANT HAS BEEN CONVICTED OF A VIOLENT CRIME; AND TO AMEND SECTION 56-1-3350, RELATING TO THE ISSUANCE OF A SPECIAL IDENTIFICATION CARD BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT THE APPLICATION FOR A SPECIAL IDENTIFICATION CARD MUST CONTAIN A STATEMENT TO DETERMINE WHETHER THE APPLICANT HAS BEEN CONVICTED OF A VIOLENT CRIME.

Referred to Committee on Judiciary

S. 617 -- Senator Cromer: 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.

Referred to Committee on Judiciary

S. 727 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE CLEMSON UNIVERSITY, STATE CROP PEST COMMISSION, RELATING TO PHYTOPHTHORA RAMORUM QUARANTINE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4062,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE 1976 CODE.

Referred to Committee on Agriculture, Natural Resources and
Environmental Affairs

ROLL CALL

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

Allen	Allison	Anderson
Anthony	Bales	Bannister
Barfield	Battle	Bedingfield
Bingham	Bowen	Bowers
Brady	Branham	Brantley
H. B. Brown	R. L. Brown	Clemmons
Cole	Daning	Delleney
Dillard	Erickson	Forrester
Frye	Funderburk	Gambrell
Gilliard	Gullick	Gunn
Haley	Hamilton	Hardwick
Harrell	Harrison	Hart
Harvin	Hayes	Hearn
Herbkersman	Hiott	Hodges
Horne	Huggins	Hutto
Jefferson	Jennings	Kelly
Kennedy	King	Knight
Littlejohn	Loftis	Long
Lowe	Lucas	Mack
McEachern	McLeod	Merrill
Miller	Millwood	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	Sottile	Spires
Stewart	Stringer	Thompson
Toole	Umphlett	Vick
Viers	Weeks	Whitmire

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Williams
T. R. Young

Willis

Wylie

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Tuesday, April 28.

Brian White	Roland Smith
Richard Chalk	Leon Stavrinakis
Kris Crawford	Grady Brown
H.B. "Chip" Limehouse	Tracy Edge
Paul Agnew	Terry Alexander
Jeffrey D. Duncan	Jerry Govan
Leon Howard	Gilda Cobb-Hunter

Total Present--114

STATEMENT OF ATTENDANCE

Rep. VICK signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Thursday, April 23.

LEAVE OF ABSENCE

The SPEAKER granted Rep. COOPER a leave of absence for the day due to a death in the family.

LEAVE OF ABSENCE

The SPEAKER granted Rep. WHIPPER a leave of absence for today due to a death in the family.

LEAVE OF ABSENCE

The SPEAKER granted Rep. BALLENTINE a leave of absence for today due to business reasons.

DOCTOR OF THE DAY

Announcement was made that Dr. Ted Watson of Greenville was the Doctor of the Day for the General Assembly.

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,

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

CO-SPONSOR ADDED

Bill Number: H. 3253
Date: ADD:
04/28/09 BRADY

CO-SPONSOR ADDED

Bill Number: H. 3280
Date: ADD:
04/28/09 VIERS

CO-SPONSOR ADDED

Bill Number: H. 3527
Date: ADD:
04/28/09 WILLIS

CO-SPONSOR ADDED

Bill Number: H. 3707
Date: ADD:
04/28/09 VICK

CO-SPONSOR ADDED

Bill Number: H. 3802
Date: ADD:
04/28/09 WILLIS

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CO-SPONSORS ADDED

Bill Number: H. 3888
Date: ADD:
04/28/09 BRADY, D. C. SMITH, OTT, WHITMIRE and
ANDERSON

CO-SPONSORS ADDED

Bill Number: H. 3841
Date: ADD:
04/28/09 HARRELL, VICK, STEWART, GUNN and
J. R. SMITH

CO-SPONSOR REMOVED

Bill Number: H. 3623
Date: REMOVE:
04/28/09 KNIGHT

H. 3561--DEBATE ADJOURNED

Rep. LITTLEJOHN moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, 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. LITTLEJOHN moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, 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

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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.

H. 3854--DEBATE ADJOURNED

Rep. LITTLEJOHN moved to adjourn debate upon the following Bill until Wednesday, April 29, 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. 3917--DEBATE ADJOURNED

Rep. SKELTON moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, which was adopted:

H. 3917 -- Reps. Harrell, Edge and Hutto: 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.

S. 184--AMENDED AND DEBATE ADJOURNED

The following Bill was taken up:

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

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

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

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\SWB\5862CM09), which was adopted:

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

/ SECTION 1. Section 16-11-523 of the 1976 Code, as last added by Act 260 of 2008, is amended to read:

“Section 16-11-523. (A) For purposes of this section, ‘nonferrous metals’ means metals not containing significant quantities of iron or steel, including copper wire, copper clad steel wire, copper pipe, copper bars, copper sheeting, aluminum, a product that is a mixture of aluminum and copper, catalytic converters, and stainless steel beer kegs or containers.

(B) It is unlawful for a person to wilfully and maliciously cut, mutilate, deface, or otherwise injure any personal or real property, including any fixtures or improvements, for the purpose of obtaining nonferrous metals in any amount.

(C) A person who violates the provisions of this section is guilty of a:

(1) misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned not more than thirty days, or both, if the direct injury to the property, the amount of loss in value to the property, the amount of repairs necessary to return the property to its condition before the act, or the property loss, including fixtures or improvements, is one thousand dollars or less;

(2) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than five years, or both, if the direct injury to the property, the amount of loss in value to the property, the amount of repairs necessary to return the property to its condition before the act, or the property loss, including fixtures or improvements, is more than one thousand dollars but less than five thousand dollars; or

(3) felony and, upon conviction, must be fined in the discretion of the court or imprisoned not more than ten years, or both, if the direct injury to the property, the amount of loss in value to the property, the amount of repairs necessary to return the property to its condition before the act, or the property loss, including fixtures or improvements, is five thousand dollars or more.

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(D)(1) A person who violates the provisions of this section and the violation results in great bodily injury to another person is guilty of a felony and, upon conviction, must be imprisoned not more than fifteen years. For purposes of this subsection, "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.

(2) A person who violates the provisions of this section and the violation results in the death of another person is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

(E)(1) A public or private ~~landowner or a possessor of land~~ owner of personal or real property is not civilly liable to a person who is injured during the theft or attempted theft, by the person or a third party, of nonferrous metals in any amount.

(2) A public or private ~~landowner or a possessor of land~~ owner of personal or real property is not civilly liable for a person's injuries caused by a dangerous condition created as a result of the theft or attempted theft of nonferrous metals in any amount, of the ~~landowner or the possessor~~ owner when the ~~landowner or possessor~~ owner of personal or real property did not know and could not have reasonably known of the dangerous condition.

(3) This subsection does not create or impose a duty of care upon a ~~landowner or possessor of land~~ owner of personal or real property that would not otherwise exist under common law."

SECTION 2. Section 16-17-680(F)(1), as added by Act 260 of 2008, is amended to read:

"(1) 'Nonferrous metals' means metals not containing significant quantities of iron or steel, including copper wire, cooper clad steel wire, copper pipe, copper bars, copper sheeting, aluminum, a product that is a mixture of aluminum and copper, catalytic converters, and stainless steel beer kegs or containers."

SECTION 3. Section 40-27-10 of the 1976 Code of Laws is amended to read:

"Section 40-27-10. Any person buying junk shall keep a book ~~which~~ that he shall keep open to the inspection of all persons, wherein he shall set down the name and address, city and street, of every person selling junk and an itemized statement of all junk bought from such person and the date of purchase. Any person buying junk that consists of nonferrous metals, as defined by Section 16-17-680 is subject to the provisions of Section 16-17-680."

SECTION 4. Section 40-27-30 of the 1976 Code is repealed.

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SECTION 5. Section 40-27-40 of the 1976 Code of Laws is amended to read:

“Section 40-27-40. ~~Any~~ A person violating ~~any of the provisions a provision~~ of this article shall be fined ~~in~~ a sum not exceeding ~~one~~ five hundred dollars or imprisoned not exceeding thirty days. Each violation constitutes a separate offense.”

SECTION 6. Section 56-5-5670 of the 1976 Code is amended to read:

“Section 56-5-5670. (A) A demolisher who purchases or otherwise acquires a vehicle for purposes of wrecking, dismantling, or demolishing is not required to obtain a certificate of title for the vehicle in his own name. After the vehicle has been demolished, processed, or changed so that it physically is no longer a vehicle, the demolisher must surrender for cancellation the certificate of title, auction sales receipt, or disposal authority certificate. The Department of Motor Vehicles must issue forms, rules, and regulations governing the surrender of auction sales receipts, disposal authority certificates, and certificates of title as appropriate.

(B) A demolisher who purchases or otherwise acquires nonferrous metals as defined by Section 16-17-680 must comply with and is subject to the provisions of Section 16-17-680.

~~(B)(C)~~ A demolisher must keep an accurate and complete record of all abandoned vehicles and vehicle parts with a total weight of twenty-five pounds or more purchased or received by him in the course of his business. These records must contain the name and address of the person from whom ~~each~~ the vehicle or vehicle parts was were purchased or received, a photocopy of the person’s driver’s license or other government issued picture identification card that shows the person’s name and address, the date when the purchases or receipts occurred, and the year, make, model, and identification number of the vehicle or vehicle parts, if ascertainable, along with any other identifying features. The records are open for inspection by any police officer at any time during normal business hours. Any record required by this section must be kept by the demolisher for at least one year after the transaction to which it applies.

(D) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars for each offense not to exceed five thousand dollars for the same set of transactions or occurrences, or imprisoned for not more than sixty days, or both. Each violation constitutes a separate offense.”

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SECTION 7. Section 56-5-5850 of the 1976 Code is amended to read:

“Section 56-5-5850. (A) When any vehicle is left unattended on a highway or on other public or private property without the consent of the owner or person in control of the property, an officer may place a colored tag on the vehicle which is notice to the owner, the person in possession of the vehicle, or any lienholder that it may be considered to be derelict or abandoned and is subject to forfeiture to the State.

(B) The colored tag serves as the only legal notice that the vehicle will be moved to a designated place to be sold if the vehicle is not removed by the owner or person in control of the vehicle. The vehicle must be removed within the following times from the date the tag is placed on the vehicle:

- (1) forty-eight hours if it is located on a highway, or
- (2) seven days if it is located on other public or private property.

(C) A vehicle that has had at least two colored tags previously placed on it is an abandoned vehicle for purposes of this article and may be removed immediately by a law enforcement agency to a designated place to be sold.

(D) Abandoned or derelict vehicles must be disposed of pursuant to Sections 29-15-10 and 56-5-5635.”

SECTION 8. Section 56-5-5945 of the 1976 Code is amended to read:

“Section 56-5-5945. ~~(a) Any~~ (A) A demolisher who purchases or otherwise acquires a vehicle for purposes of wrecking, dismantling, or demolition shall not be required to obtain a certificate of title for such vehicle in his own name. After the vehicle has been demolished, processed, or changed so that it physically is no longer a vehicle, the demolisher shall surrender for cancellation the certificate of title or sales receipt issued under Section 56-5-5850.

(B) A demolisher who purchases or otherwise acquires nonferrous metals as defined by Section 16-17-680 must comply with and is subject to the provisions of Section 16-17-680.

~~(b)(C)~~ (C) A demolisher shall keep an accurate and complete record of all vehicles and vehicle parts with a total weight of twenty-five pounds or more purchased or received by him in the course of his business. These records shall contain the name and address of the person from whom ~~each~~ the vehicle or vehicle parts ~~was~~ were purchased or received, a photocopy of the person’s driver’s license or other government issued picture identification card that shows the

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person's name and address, and the date when such purchases or receipts occurred, and the year, make, model, and identification number of the vehicle or vehicle parts, if ascertainable, along with any other identifying features. The records shall be open for inspection by any law enforcement officer at any time during normal business hours. Any record required by this section shall be kept by the demolisher for at least one year after the transaction to which it applies.

(D) A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars for each offense not to exceed five thousand dollars for the same set of transactions or occurrences, or imprisoned for not more than sixty days, or both. Each violation constitutes a separate offense."

SECTION 9. Section 57-27-20(a) of the 1976 Code is amended to read:

“(a) The term ‘junk’ shall mean old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, waste, junked, dismantled, or wrecked automobiles, trucks and other motor vehicles, or parts ~~thereof of them~~, iron, steel, and other old or scrap ferrous or nonferrous material.”

SECTION 10. Chapter 27, Title 57 of the 1976 Code is amended by adding:

“Section 57-27-57. It is unlawful for a junkyard owner to allow motor vehicles to be parked on a highway adjacent to its property.”

SECTION 11. 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 12. 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,

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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 13. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

Rep. SANDIFER moved to adjourn debate on the Bill until Wednesday, April 29, which was agreed to.

H. 3550--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3550 -- Reps. Cato, Herbkersman, Agnew, Merrill, Stavrinakis, Funderburk, Brady, Anderson, R. L. Brown, Kelly, Limehouse, J. E. Smith, Whipper, Hutto, Allison, Parker, Sottile, Erickson and Bales: 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

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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.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\BBM\9348AC09), which was adopted:

Amend the bill, as and if amended, by deleting Section 6-10-30, as contained in SECTION 1, pages 4 and 5, and inserting:

/ Section 6-10-30. (a) ~~The current 2006 edition of Appendix J (Code for Energy Conservation in new building construction) to the Standard Building Code of the Southern Building Code Congress International, Incorporated, the International Energy Conservation Code is hereby adopted as the South Carolina Building Energy Efficiency Standard unless otherwise provided for in this chapter. All new and renovated buildings and additions constructed one hundred and twenty days after the effective date of this chapter within the State shall must comply with this standard.~~

~~(b) Until one hundred and twenty days after adoption of the South Carolina Building Energy Efficiency Standard, energy related building regulations adopted by a local government shall continue in effect unless repealed. Thereafter, such regulations adopted by a local government shall be void and of no effect unless they are no less stringent than the South Carolina Building Energy Efficiency Standard. A building permit validly issued pursuant to local building regulations within one hundred and twenty days after adoption of the South Carolina Building Energy Efficiency Standard is valid thereafter and the construction of a building may be completed pursuant to and in accordance with the permit. In areas of the State having no building regulations or not requiring building permits, the construction of a building started before adoption of the South Carolina Building Energy Efficiency Standard may be completed without a building permit.~~

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~~(e) Until one hundred and twenty days after adoption of the South Carolina Building Energy Efficiency Standard, energy related building regulations for new and renovated buildings promulgated by any state board, department, commission or agency shall continue in effect unless repealed. Thereafter, such regulations shall be void and of no effect unless they are no less stringent than the South Carolina Building Energy Efficiency Standard.~~

~~(d) Notwithstanding the provisions of subsection (a), in one and two family dwellings double pane or storm windows must be used for window glass and in the case of ceilings, exterior walls, floors with crawl space, and heating and air conditioning duct work, the determination of the minimum thermal resistance ratings (R value) must be:~~

~~(1) R-30 for ceilings, except for ceiling/roof combinations, which must be R-19;~~

~~(2) R-13 for exterior walls;~~

~~(3) R-19 for floors with crawl space;~~

~~(4) R-6, or the installed equivalent, for heating and air conditioning duct work not located in conditioned space~~

~~Nothing in this subsection may be construed to inhibit utilization of higher minimum thermal ratings.~~

~~To facilitate the affordability of purchases of housing, minimum thermal resistance ratings of R-19 for ceilings and R-11 for floors may be used provided the builder discloses the insulation levels to the buyer. The disclosure must be on a form available from the South Carolina Residential Builders Commission and a copy must be submitted to the commission which must keep it for thirteen years. /~~

~~Amend the bill further, by deleting Section 6-10-80, as contained in SECTION 1, page 8, lines 26 through 33, and inserting:~~

~~/ Section 6-10-80. Any local enforcement agency or the Council The building official may obtain injunctive relief from ~~any~~ a court of competent jurisdiction to enjoin the offering for sale, delivery, use, occupancy, erection, alteration, or installation of ~~any~~ a building covered by this chapter, upon an affidavit from ~~such agency~~ the building official specifying the manner in which the building does not conform to the requirements of this chapter ~~or the South Carolina Building Energy Efficiency Standard.~~ /~~

~~amend the bill further by deleting SECTION 3 of the bill and inserting:~~

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/ SECTION 3. The provisions of this act do not apply to projects which have received the proper permits as required by law before the effective date of this act.

SECTION 4. This act takes effect July 1, 2009. /

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. 3790--DEBATE ADJOURNED

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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

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CONSUMER HOME LOAN TRANSACTION, SO AS TO REQUIRE CERTAIN DISCLOSURES IN CONNECTION WITH AN ADJUSTABLE RATE MORTGAGE; TO AMEND SECTION 29-4-20, RELATING TO THE DEFINITION OF "REVERSE MORTGAGE", SO AS TO CONFORM THE DEFINITION; AND TO AMEND CHAPTER 58, TITLE 40, RELATING TO THE REGISTRATION OF MORTGAGE LOAN BROKERS, SO AS TO CHANGE THE REGISTRATION REQUIREMENTS TO LICENSING REQUIREMENTS, TO CONFORM DEFINITIONS TO THOSE SET FORTH IN THE SOUTH CAROLINA MORTGAGE LENDING ACT, REQUIRE CERTAIN PROFESSIONAL COURSES, AN ADDITIONAL YEAR OF EXPERIENCE, AND A FINGERPRINT CHECK FOR MORTGAGE BROKERS AND LOAN ORIGINATORS, REQUIRE CERTAIN RECORDS BE KEPT AND MADE ACCESSIBLE, ADD CERTAIN PROHIBITIONS IN CONNECTION WITH A REAL ESTATE APPRAISAL, REQUIRE AND PRESCRIBE MORTGAGE BROKER AGREEMENTS, AUTHORIZE ENFORCEMENT BY THE DEPARTMENT OF CONSUMER AFFAIRS AND PRESCRIBE ADMINISTRATIVE PENALTIES INCLUDING FINES AND INJUNCTIONS AND A CRIMINAL PENALTY, REQUIRE CERTAIN REPORTS AND FILINGS, AND PROVIDE FOR PARTICIPATION IN A NATIONWIDE MORTGAGE REGISTRY.

S. 232--DEBATE ADJOURNED

Rep. JEFFERSON moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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 PROVIDE A DEFINITION FOR "RENEWABLE ENERGY RESOURCES".

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H. 3118--DEBATE ADJOURNED

Rep. KELLY moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3118 -- Reps. Kirsh, J. E. Smith, Funderburk and Weeks: 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 TO THIRD READING

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

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.

Rep. KELLY explained the Bill.

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

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TRAINING AND EDUCATION BY LAW ENFORCEMENT IN ADDITION TO OTHER USES PREVIOUSLY DELINEATED.

Rep. VIERS explained the Bill.

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 DISTRIBUTE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT'S DATE OF DEATH.

Rep. HARVIN explained the Bill.

H. 3252 -- Reps. Sellers and Weeks: 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 CONVICTIONS, SO AS TO PROVIDE THAT DRIVER'S LICENSE SUSPENSION UNDER THESE CIRCUMSTANCES IS IN THE DISCRETION OF THE JUDGE.

Rep. KELLY explained the Bill.

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

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IN WHICH A SEX OFFENDER MAY OR MAY NOT RESIDE THAT ARE CONTAINED IN THIS SECTION.

Rep. KELLY explained the Bill.

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.

Rep. FORRESTER explained the Joint Resolution.

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.

Rep. FORRESTER explained the Joint Resolution.

H. 3653 -- Rep. McLeod: A JOINT RESOLUTION TO DELAY IMPLEMENTATION OF THE PROVISIONS OF ACT 270 OF 2008, RELATING TO THE REQUIREMENT THAT MUNICIPAL COURT JURY LISTS INCLUDE OTHERWISE QUALIFIED RESIDENTS OF THE MUNICIPALITY WHO HOLD A VALID SOUTH CAROLINA DRIVER'S LICENSE OR IDENTIFICATION CARD, SO AS TO POSTPONE THIS EXPANSION OF THE MUNICIPAL COURT JURY LIST UNTIL DECEMBER 31, 2009.

Rep. MCLEOD explained the Joint Resolution.

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H. 3720--DEBATE ADJOURNED

Rep. VIERS moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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.

H. 3231--DEBATE ADJOURNED

Rep. HARRISON moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, which was adopted:

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 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.

H. 3279--DEBATE ADJOURNED

Rep. HARRISON moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, which was adopted:

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

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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.

H. 3280--DEBATE ADJOURNED

Rep. HARRISON moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, which was adopted:

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

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H. 3746--DEBATE ADJOURNED

Rep. VIERS moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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

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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.

H. 3199--DEBATE ADJOURNED

Rep. HARRISON moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3199 -- Reps. Harrison, Allison, G. M. Smith and Weeks: A BILL TO AMEND SECTION 1-30-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS IN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, TO ENACT THE BEHAVIORAL HEALTH SERVICES ACT OF 2009, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES AND TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES AND THE DEPARTMENT OF MENTAL HEALTH; TO AMEND SECTION 1-30-20, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO PROVIDE THAT THE POWER AND DUTIES OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; TO AMEND SECTION 1-30-70, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO PROVIDE THAT THE POWERS AND DUTIES OF THE DEPARTMENT OF MENTAL HEALTH ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH

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

H. 3608--DEBATE ADJOURNED

Rep. HARRISON moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3608 -- Reps. Mack, Alexander, Allen, R. L. Brown, Williams and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO

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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.

H. 3919--DEBATE ADJOURNED

Rep. OTT moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3919 -- Reps. Mitchell, Alexander, Gunn, Dillard, Hamilton, Limehouse, J. R. Smith, King, Kirsh, Littlejohn, J. M. Neal, Herbkersman, Stavrinakis, Chalk, Cobb-Hunter, Anthony, Branham, Brantley, Parker, Allison, Gilliard, J. H. Neal, Whipper, Mack, Battle, Hosey, Allen, Weeks, Jennings, Loftis, Knight, Vick and Rutherford: 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.

H. 3889--DEBATE ADJOURNED

Rep. BEDINGFIELD moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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

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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.

H. 3488--DEBATE ADJOURNED

Rep. OTT moved to adjourn debate upon the following Joint Resolution until Wednesday, April 29, which was adopted:

H. 3488 -- Reps. J. E. Smith, Hart, Williams, R. L. Brown, Hutto and Weeks: 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, COMMITTEE MEETINGS, AND STAFFING.

H. 3794--DEBATE ADJOURNED

Rep. OTT moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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

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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.

H. 3718--DEBATE ADJOURNED

The following Bill was taken up:

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.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 (COUNCIL\GJK\20301SD09):

Amend the bill, as and if amended, by striking Section 44-1-148 of the 1976 Code as contained in SECTION 1 and inserting:

/ Section 44-1-148. Fresh meat or fresh meat products sold to a consumer may not be offered to the public for resale if the fresh meat or fresh meat products have been returned by the consumer. /

Re-number sections to conform.

Amend title to conform.

Rep. VICK explained the amendment.

Rep. VICK moved to adjourn debate on the Bill until Wednesday, April 29, which was agreed to.

H. 3651--DEBATE ADJOURNED

Rep. VICK moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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

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TO RESTRICT OR REGULATE CERTAIN FORESTRY ACTIVITIES, AND TO PROVIDE THE TERMS AND CONDITIONS OF CERTAIN PERMITTED REGULATIONS.

S. 453--DEBATE ADJOURNED

Rep. VICK moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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

S. 9--DEBATE ADJOURNED

Rep. HIOTT moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

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.

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H. 3841--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3841 -- Reps. Owens, Cooper, Skelton, Sottile, J. M. Neal, R. L. Brown, Simrill, Battle, Govan, Barfield, Gullick, Stavrinakis, Hutto, Jefferson, Umphlett, Daning, Kirsh, Knight, Williams, Merrill, Weeks, Whipper, Mack, G. M. Smith, Lowe, Clemmons, Gilliard, Sellers, Erickson, Willis, Wylie, Mitchell, Stewart, Gunn, Vick, Harrell and J. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "TECHNICAL COLLEGE ADMINISTRATIVE EFFICIENCIES ACT OF 2009" SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH A TIERED SYSTEM FOR CATEGORIZING TECHNICAL COLLEGES WITH RESPECT TO THEIR FINANCIAL STRENGTH AND ABILITY TO MANAGE DAY-TO-DAY OPERATIONS AND A REVIEW SYSTEM FOR CERTAIN HUMAN RESOURCES, FACILITIES AND CAPITAL IMPROVEMENT, PROCUREMENT, AND GRANTS MANAGEMENT REQUESTS BY TECHNICAL COLLEGES; BY ADDING SECTION 2-47-70 SO AS TO ALLOW TECHNICAL COLLEGES TO ENTER INTO ONE OR MORE LEASE AGREEMENTS UPON CERTAIN CONDITIONS AND SUBJECT TO APPROVAL BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND REVIEW BY THE JOINT BOND REVIEW COMMITTEE AND THE STATE BUDGET AND CONTROL BOARD; BY ADDING SECTION 6-1-137 SO AS TO ALLOW TECHNICAL COLLEGES TO BE A PART OF CERTAIN CONTRACTS MADE BY COUNTIES, MUNICIPALITIES, OR SCHOOL DISTRICTS; TO AMEND SECTION 1-11-65, RELATING TO APPROVAL AND RECORDATION OF REAL PROPERTY TRANSACTIONS INVOLVING GOVERNMENTAL BODIES, SO AS TO EXCLUDE CERTAIN REAL PROPERTY TRANSACTIONS MADE FOR OR BY A TECHNICAL COLLEGE; TO AMEND SECTION 2-47-50, AS AMENDED, RELATING TO THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY THE STATE BUDGET AND CONTROL BOARD, SO AS TO PROVIDE FOR THE ESTABLISHMENT AND AUTHORIZATION OF CERTAIN PERMANENT IMPROVEMENT PROJECTS BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION UNDER CERTAIN CONDITIONS, TO PROVIDE

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THAT A TECHNICAL COLLEGE MAY NOT ADVERTISE AND INTERVIEW FOR PROJECT ARCHITECTURAL AND ENGINEERING SERVICES WITHOUT PRIOR APPROVAL OF THE ARCHITECTURAL AND ENGINEERING PHASE OF A PERMANENT IMPROVEMENT PROJECT BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND TO PROVIDE FOR THE APPROVAL OF SCOPE AND BUDGET CHANGES FOR PREVIOUSLY APPROVED PROJECTS UP TO AN INCREASE OF TWENTY PERCENT OR TOTALING UP TO TWO MILLION DOLLARS BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION AND FOR THE PUBLICATION OF SUCH APPROVAL TO THE JOINT BOND REVIEW COMMITTEE; TO AMEND SECTION 2-65-30, RELATING TO RECEIPT AND EXPENDITURE OF UNANTICIPATED FUNDS, SO AS TO EXCLUDE TECHNICAL COLLEGES FROM STATE BUDGET AND CONTROL BOARD REVIEW OF EXPENDITURE PROPOSALS, AND TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO MONITOR FEDERAL FUNDS WITHIN THE TECHNICAL COLLEGE SYSTEM; TO AMEND SECTION 8-11-35, RELATING TO SALARY PAYMENT SCHEDULES, SO AS TO PROVIDE THAT THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION MAY APPROVE ALTERNATIVE SALARY PAYMENT SCHEDULES FOR TECHNICAL COLLEGE EMPLOYEES; TO AMEND SECTION 8-11-230, RELATING TO THE CREATION AND DUTIES OF THE STATE BUDGET AND CONTROL BOARD, SO AS TO REQUIRE THE STATE BUDGET AND CONTROL BOARD TO COORDINATE WITH THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION IN ESTABLISHING A CLASSIFICATION AND COMPENSATION PLAN FOR TECHNICAL COLLEGE CLASSIFIED EMPLOYEES, AND TO PROVIDE WHAT THE PLAN MUST INCLUDE; TO AMEND SECTION 11-35-1210, AS AMENDED, RELATING TO CERTIFICATION OF PROCUREMENTS, SO AS TO ALLOW FOR STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION APPROVAL FOR UP TO FIFTY THOUSAND DOLLARS IN ADDITIONAL PROCUREMENT AUTHORITY UPON CERTAIN CONDITIONS, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 11-35-1550, AS

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AMENDED, RELATING TO BID PROCEDURES ON PROCUREMENTS UP TO FIFTY THOUSAND DOLLARS, SO AS TO REVISE AMOUNTS TO WHICH CERTAIN PROVISIONS OF THE SECTION APPLY FOR TECHNICAL COLLEGES; TO AMEND SECTION 11-35-3230, AS AMENDED, RELATING TO AN EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRACT, SO AS TO REVISE DOLLAR AMOUNTS FOR SUCH CONTRACTS BY TECHNICAL COLLEGES; TO AMEND SECTION 11-35-3310, AS AMENDED, RELATING TO INDEFINITE DELIVERY CONTRACTS FOR CONSTRUCTION ITEMS, SO AS TO REVISE DOLLAR LIMITS FOR CERTAIN CONTRACTS FOR TECHNICAL COLLEGES; AND TO AMEND SECTION 11-35-3810, AS AMENDED, RELATING TO REGULATIONS FOR THE SALE, LEASE, TRANSFER, AND DISPOSAL OF SURPLUS PROPERTY, SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH POLICIES AND PROCEDURES FOR GOVERNING THE DISPOSAL OF SURPLUS PROPERTY, AND TO PROVIDE FOR ANNUAL REVIEW AND MONITORING OF SUCH DISPOSAL.

The Education and Public Works Committee proposed the following Amendment No. 1 (COUNCIL\NBD\11453BH09), which was adopted:

Amend the bill, as and if amended, beginning on page 4, by deleting SECTIONS 3, 4, 5, 6, and 7 in their entirety and inserting appropriately numbered SECTIONS to read:

/ SECTION __. Section 1-11-65(A) of the 1976 Code is amended by adding a new paragraph at the end to read:

“The provisions of this section do not apply to a real property transaction made for or by a technical college of this state which is included in the college’s master land acquisition plan and is approved by the State Board for Technical and Comprehensive Education.”

SECTION __. Section 2-47-50 of the 1976 Code, as last amended by Act 143 of 2005, is further amended by adding a new subsection at the end to read:

“ (1) Notwithstanding the above provisions of this section, the State Board for Technical and Comprehensive Education, after review by the staffs of the Joint Bond Review Committee and the State Budget and Control Board, shall approve the architectural and engineering phase for permanent improvement projects before a technical college

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may advertise and interview for project architectural and engineering services. The architectural and engineering contract may be awarded before a state project number has been assigned for the permanent improvement project.

(2) The state board shall approve a proposed revision of the scope or of the budget of an established permanent improvement project with an increase of not more than twenty percent of the initially approved total costs and not exceeding two million dollars with regard to budget changes for previously approved projects. Once approved by Joint Bond Committee staff, this increase in budget does not have to be reviewed by the Joint Bond Review Committee. After the state board approves an increase to a proposal, the state board shall inform the Joint Bond Review Committee of its actions.

(3) For purposes of this chapter, with regard to technical colleges, permanent improvement project means a project whose costs after completion of architectural and engineering and other types of planning and design work total one million dollars or more and may include:

(a) acquisition of land;

(b) acquisition of existing buildings and other structures;

(c) construction of additional facilities and work on existing facilities for a project including renovation, repair, maintenance, alteration, or demolition;

(d) capital lease purchase of a facility acquisition or construction; or

(e) equipment that either becomes a permanent fixture of a facility or does not become permanent, but is included in the construction contract.

For purposes of this subsection, a project of technical colleges which involves new construction of a facility that exceeds a total cost of five hundred thousand dollars, after completion of architectural and engineering and other types of planning and design work, must be considered a permanent improvement project.

A permanent improvement project that meets the definition provided in this subsection must become a project, regardless of the source of funds. This provision does not apply to projects that are funded in whole or in part by capital improvement bond funds, capital reserve funds or state-appropriated funds, state institution bond funds, or state infrastructure bonds funded by the General Assembly for capital improvements, regardless of amount.

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Notwithstanding item 3 of this subsection, acquisition of land and of buildings and other structures, regardless of cost, must obtain approval of the Office of State Budget, including a Phase I environmental study and appraisal, and all permanent improvement projects costing one million dollars or more.”

SECTION __. Section 2-65-30 of the 1976 Code is amended to read:

“Section 2-65-30. (A) A state agency may receive and spend unanticipated federal funds, and funds from private foundations or industries, which are not included in the appropriations act, but state agencies, excluding technical colleges as approved by the State Board for Technical and Comprehensive Education, must submit expenditure proposals to the board and receive authorization from the board before expenditure of funds. ~~No~~ An authorization may not be made without first securing and considering the board’s recommendation on each expenditure proposal. ~~Any such~~ An authorization is subject to all of the following standards:

(1) The unanticipated nature of the project precluded it from consideration and approval as part of the state appropriations process as described in Section 2-65-20.

(2) The project assists the applicant state agency to achieve objectives or goals in keeping with the recognized powers and functions of the state agency.

(3) The applicant state agency is the appropriate entity to conduct project activities and ~~no~~ duplication of services is not created by the authorization.

(4) State matching funds, if required, are available within the existing resources of the applicant state agency.

(5) The project benefits the health or welfare of the people of the State.

(B) Notwithstanding any other provisions of this chapter, ~~no~~ an authorization of unanticipated federal or private foundation or industry funds may not involve a commitment of future legislative enactment to provide additional state funds to support the project.

(C) The board shall provide the House Ways and Means Committee and the Senate Finance Committee with periodic reports ~~which~~ that describe actions taken under the provisions of this section.

(D) Notwithstanding any other provisions of this chapter, a state agency may not implement an unanticipated major federal program without prior approval of the General Assembly, except:

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(1) that to the extent that the unanticipated program replaces existing services currently provided by a state agency, other governmental entity, private nonprofit organization, or other service provider, the services may be authorized by the board to continue at an equivalent level, within the constraints of federal law and funding, until the General Assembly acts;

(2) if the unanticipated program creates services not currently provided, and the board agrees that delayed implementation would result in a significant loss of federal funds to the State, the program may be authorized by the board to proceed at a minimal level, until such time as the General Assembly may act.

(E) The State Board for Technical and Comprehensive Education shall monitor all federal funds within the technical college system to ensure federal funds do not exceed the established authority. /

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

/ SECTION __. Section 59-101-620 of the 1976 Code is amended to read:

“Section 59-101-620. (A) A public institution of higher learning may offer educational fee waivers to no more than four percent of the undergraduate student body.

(B) Notwithstanding the provisions of subsection (A), a technical college may offer educational fee waivers to not more than six percent of its student body. Fee waivers above four percent of the student body must be used for in-state students. For purposes of this subsection, ‘in-state student’ is defined by Section 59-112-20(A).

(C) State-supported institutions of higher learning, including technical colleges, shall report annually to the Commission on Higher Education the number of waivers granted during the fiscal year and other information the commission may require.”

SECTION __. Chapter 11, Title 1 of the 1976 Code is amended by adding:

“Section 1-11-57. Notwithstanding Sections 1-11-55 and 1-11-56, a technical college may enter into one or more lease agreements that total up to seventy-five thousand dollars annually for each property or facility, subject to the approval of the State Board for Technical and Comprehensive Education. The state board must ensure compliance with applicable state law and regulation. Lease agreements are subject to the review of the Joint Bond Review Committee and the State Budget and Control Board. /

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Renumber sections to conform.
Amend title to conform.

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

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

H. 3530--DEBATE ADJOURNED

Rep. LITTLEJOHN moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3530 -- Reps. Bannister, Brantley, Simrill, Anthony, Vick, H. B. Brown, Brady, Funderburk, Gambrell, Hardwick, Horne, Knight, Miller, E. H. Pitts, Viers, A. D. Young, Wylie, Branham, Gullick and J. M. Neal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-361, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY IMPOSE AND COLLECT AN ADMINISTRATIVE FINE AGAINST LICENSED MOTOR VEHICLE DEALERS WHO VIOLATE CERTAIN PROVISIONS OF LAW, AND PROVIDE THAT THE DEPARTMENT SHALL EMPLOY THE STAFF NECESSARY TO ENFORCE THE PROVISIONS CONTAINED IN THIS SECTION.

H. 3134--DEBATE ADJOURNED

Rep. BOWERS moved to adjourn debate upon the following Bill until Wednesday, April 29, which was adopted:

H. 3134 -- Reps. Bowers and Long: A BILL TO AMEND SECTION 56-3-9910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF GOLD STAR FAMILY SPECIAL LICENSE PLATES, SO AS TO REDUCE THE FEE FOR THIS SPECIAL LICENSE PLATE.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

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H. 3868--ADOPTED

The following House Resolution was taken up:

H. 3868 -- Reps. Clemmons, Harrell, Alexander, Anderson, Battle, Bingham, Branham, G. A. Brown, Cato, Cooper, Crawford, Edge, Hardwick, Harrison, Harvin, Hayes, Hearn, Jennings, Kennedy, Lowe, Lucas, Miller, Neilson, Owens, Sandifer, Vick, Viers and Willis: A HOUSE RESOLUTION TO MEMORIALIZE THE SECRETARY OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, THE HONORABLE RAY H. LAHOOD, TO SET ASIDE THE FUNDS NECESSARY TO ACQUIRE THE RIGHT-OF-WAY AND BUILD THE APPROXIMATELY TWELVE-MILE PORTION OF INTERSTATE 73 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 34 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 501.

The Resolution was adopted.

H. 3907--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

H. 3907 -- Reps. Ott, Cobb-Hunter, Sellers and Govan: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 149 ALONG INTERSTATE HIGHWAY 26 IN ORANGEBURG COUNTY THE "LANCE CORPORAL JAMES D. HAYNES INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "LANCE CORPORAL JAMES D. HAYNES INTERCHANGE".

The Concurrent Resolution was adopted and sent to the Senate.

H. 3926--ADOPTED AND SENT TO SENATE

The following Concurrent Resolution was taken up:

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

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ALONG WIRE ROAD IN DORCHESTER COUNTY THAT CONTAIN THE WORDS "MUCKENFUSS (1792 - 1813) MINUS (1813 - 1848) HARLEY (1848 - 1862) BRIDGE".

The Concurrent Resolution was adopted and sent to the Senate.

Rep. G. M. SMITH 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. 3938 -- Reps. 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 FIRST ANNUAL PALMETTO PATRIOT'S BALL HOSTED BY THE SOUTH CAROLINA BLUE STAR MOTHERS.

H. 3951 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO FIX NOON WEDNESDAY, MAY 13, 2009, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 4, WHOSE TERM EXPIRES DECEMBER 31, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JULY 31, 2012; TO ELECT A

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SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JULY 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERMS EXPIRES JULY 31, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2014; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2009, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2014; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 5, WHOSE TERM EXPIRES JUNE 30, 2013.

H. 3959 -- Reprs. Jennings, 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, 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 CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE MARK SLADE AVENT OF MARLBORO COUNTY AND TO EXPRESS APPRECIATION FOR HIS MANY AND

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SIGNIFICANT CONTRIBUTIONS TO HIS COMMUNITY AND TO
THE PALMETTO STATE.

ADJOURNMENT

At 1:37 p.m. the House, in accordance with the motion of Rep. THOMPSON, adjourned in memory of former Representative Milford J. "Dolly" Cooper of Anderson, father of Representative Cooper, to meet at 10:00 a.m. tomorrow.

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H. 3087	27	H. 3841	13, 38,
H. 3118	26	H. 3854	14
H. 3130	27	H. 3868	45
H. 3134	44	H. 3888	13
H. 3199	32	H. 3889	34
H. 3231	29	H. 3907	45
H. 3252	27	H. 3917	14
H. 3253	12	H. 3919	34
H. 3279	29	H. 3926	45
H. 3280	12, 30	H. 3938	46
H. 3297	4	H. 3942	28
H. 3377	26	H. 3951	46
H. 3415	13	H. 3959	47
H. 3488	35	H. 3968	5
H. 3527	12	H. 3969	6
H. 3530	44	H. 3970	6
H. 3543	4	H. 3971	7
H. 3550	21	H. 3972	8
H. 3561	13	H. 3973	8
H. 3583	2		
H. 3608	33	S. 9	37
H. 3623	13	S. 9	37
H. 3651	36	S. 126	3
H. 3653	28	S. 166	8
H. 3707	12	S. 184	14
H. 3718	36	S. 232	25
H. 3720	29	S. 288	8
H. 3746	31	S. 453	37
H. 3761	26	S. 617	9
H. 3790	24	S. 698	28
H. 3794	35	S. 727	9
H. 3802	12	S. 744	7
H. 3814	4		