~~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 Psalm 25:4: “Make me to know your ways, O Lord; teach me your paths.”

Let us pray. Lord God, walk with us through our journey during these days. Be our guardian and direct our thoughts and deeds, that these may be our life and our pathway of accomplishing the work given to us. Look in favor 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 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. DUNCAN moved that when the House adjourns, it adjourn in memory of Atha C. Mangum of Lake City, grandmother of Representative Duncan, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for police officer Maurice Merritt of Cheraw who was wounded in the line of duty and for all police officers, firefighters and those who bear arms for our safety.

**REGULATION RECEIVED**

The following was received and referred to the appropriate committee for consideration:

Document No. 4077

Agency: Alcoholic Beverages, Beer and Wine

Statutory Authority: 1976 Code Sections 12-4-320 and 61-2-60

Premises

Received by Speaker of the House of Representatives

February 19, 2010

Referred to Judiciary Committee

Legislative Review Expiration June 19, 2010

**HOUSE RESOLUTION**

The following was introduced:

H. 4604 -- Reps. 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, 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, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, 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 JUDITH ASHLEY BURTS, RETIRING EXECUTIVE ASSISTANT TO THE PRESIDENT OF ERSKINE COLLEGE AND THEOLOGICAL SEMINARY, FOR HER FORTY-FOUR YEARS OF SERVICE TO ERSKINE, TO CONGRATULATE HER ON BEING PRESENTED AN HONORARY DOCTORATE OF HUMANE LETTERS, AND TO WISH HER MANY YEARS OF FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4605 -- Rep. Huggins: A CONCURRENT RESOLUTION TO DECLARE TUESDAY, MARCH 2, 2010, SOUTH CAROLINA REALTOR DAY IN ORDER TO RECOGNIZE AND HONOR THE MANY OUTSTANDING REALTORS AND REAL ESTATE PROFESSIONALS IN OUR STATE.

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. 1191 -- Senators Ryberg, Leatherman, Sheheen, Peeler, Hayes, Verdin, Campbell, Grooms, Hutto, McConnell, Lourie, Williams, Alexander, Setzler, Knotts, Massey, Nicholson, Anderson, Rose, Leventis, L. Martin, Land, Matthews and Shoopman: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2010 AS "SHAKEN BABY SYNDROME AWARENESS WEEK" TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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

**INTRODUCTION OF BILLS**

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

H. 4601 -- Reps. Herbkersman, Chalk, Bowen, Bowers, Edge, Spires, Toole and Willis: A BILL TO AMEND SECTION 56-3-6500, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF "UNITED STATES NAVAL ACADEMY" SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT A WIDOW OR WIDOWER OF A GRADUATE OF THE UNITED

STATES NAVAL ACADEMY MAY BE ISSUED THIS SPECIAL LICENSE PLATE.

Referred to Committee on Education and Public Works

H. 4602 -- Rep. Viers: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS, BY ADDING SECTION 25 SO AS TO PREEMPT ANY FEDERAL LAW OR RULE THAT RESTRICTS A PERSON'S CHOICE OF PRIVATE HEALTH CARE PROVIDERS OR THE RIGHT TO PAY FOR MEDICAL SERVICES.

Referred to Committee on Judiciary

H. 4603 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEAR 2010-2011, AND TO PROVIDE THAT FOR FISCAL YEAR 2010-2011 COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

Referred to Committee on Ways and Means

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anthony | Bales |
| Ballentine | 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 | Daning |
| Delleney | Dillard | Duncan |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Gunn | Haley | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Kelly | Kennedy |
| King | Kirsh | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Merrill | Miller | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, February 23.

|  |  |
| --- | --- |
| Jerry Govan | Leon Howard |
| Chris Hart | Tracy Edge |
| Lanny Littlejohn | Leon Stavrinakis |
| David Weeks | David Mack |
| G. Murrell Smith  Carl Anderson | Jackson "Seth" Whipper  Patsy Knight |

**Total Present--117**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HAMILTON a leave of absence for the day due to business out-of-state.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CRAWFORD a leave of absence for the day due to business out-of-state.

**DOCTOR OF THE DAY**

Announcement was made that Dr. James J. McCoy of Summerville was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3192 |
| Date: | ADD: |
| 02/23/10 | HALEY |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3489 |
| Date: | ADD: |
| 02/23/10 | HORNE and CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3779 |
| Date: | ADD: |
| 02/23/10 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4282 |
| Date: | ADD: |
| 02/23/10 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4282 |
| Date: | ADD: |
| 02/23/10 | HARRISON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4343 |
| Date: | ADD: |
| 02/23/10 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4448 |
| Date: | ADD: |
| 02/23/10 | HERBKERSMAN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4451 |
| Date: | ADD: |
| 02/23/10 | CATO |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4554 |
| Date: | ADD: |
| 02/23/10 | HALEY |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4585 |
| Date: | ADD: |
| 02/23/10 | HARDWICK, HEARN, T. R. YOUNG, HORNE, ALLISON and PARKER |

**JOINT ASSEMBLY**

At 12:30 p.m. the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

**ADDRESS BY THE NATIONAL COMMANDER OF THE AMERICAN LEGION**

The Reading Clerk of the House read the following Concurrent Resolution:

H. 4290 -- Rep. Kirsh: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE CLARENCE HILL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 23, 2010.

The Honorable Clarence Hill and distinguished party were escorted to the rostrum by Senators Rose, S. Martin, Lourie, Anderson and Nicholson and Representatives MCLEOD, ERICKSON, D.C. MOSS, D.C. SMITH and R. L. BROWN.

The Lieutenant Governor recognized our special guests and then introduced the Honorable Clarence Hill, the National Commander of the American Legion who gave the following remarks:

Greetings. Lt. Governor Bauer. I thank you for that wonderful introduction. I do appreciate your kind words. I’m glad to be here and I thank you for the opportunity to speak to you today. Before I begin, let me take a moment to introduce members of The American Legion family who are with me today: the Commander of the South Carolina American Legion, Cecil F. Hennis, from Murrells Inlet, South Carolina; the National Executive Committeeman for The American Legion of South Carolina, Billy Bell of Camden, South Carolina; the Adjutant of The American Legion Department of South Carolina, Jim Hawk, of Irmo, South Carolina; the President of the American Legion Auxiliary for South Carolina, Brenda Collins of Greenville and the Secretary of The American Legion Auxiliary of South Carolina, Louise Winnesett of Columbia. We also have with us the director of the South Carolina American Legion Riders, Bob Duncan of Murrells Inlet.

On behalf of the 2.5 million Legionnaires around the world and the nearly 200 Legion posts throughout the state of South Carolina, I want to thank each of you for what you do for our men and women who serve in our military. The American Legion posts in this state sponsored 870 young men to Palmetto Boys State, the fifth largest Boys State program in The American Legion.

South Carolina is also the home of one of our Samsung Scholarship recipients, Colby Tharpe of Hodges, and a Samsung national finalist, Jordan Taylor of Ladson.

I would be remiss if I did not acknowledge the fine work of the two men designated by the Department of South Carolina as the Outstanding Members of the Legislature for 2010, State Senator Ray Cleary and Representative William R. Whitmire. We appreciate all that you do on behalf of veterans.

The American Legion has some concerns about budget cuts, particularly those affecting the Governor’s Office of Veteran’s Affairs that we believe could negatively impact the lives of veterans in South Carolina. A recent letter to this legislature from our Department Adjutant Jim Hawk and other members of the South Carolina Veterans Advocacy Council points out that funding cuts will reduce training and counseling available to veterans at the county level, will diminish the operations of the state’s only veterans cemetery and will cause manpower shortages at the Veterans Affairs Office. It is simply unacceptable to balance the budget on the backs of the veterans who have made the whole budget process – in fact, our whole democratic process – possible. I am not an expert on the issues facing this legislature, -- I defer to The American Legion Department of South Carolina for that – but when studying the issues of veterans, I suggest you ask yourselves “W.W.E.D”- What Would E-Roy Do? The man whose name is on your State Veterans Home, E. Roy Stone, was a proud son of South Carolina and an American Legion giant. A World War II veteran and a past national commander of our organization, E-Roy once said that he became a Legionnaire because he was –quote- “determined that I would try to alleviate crowded conditions in our VA hospitals, give sympathy to the suffering, give strength to the weak; and to keep faith with my fallen comrades. I was determined that their supreme sacrifice would not be in vain.”

We must always remember the sacrifices of young men, such as 21-year-old Army PFC Geoffrey A. Whitsitt (Wit Sit), of Travelers Rest, South Carolina. Geoffrey was killed on January 13 when the Humvee he was driving hit an I.E.D. in Afghanistan. His older brother, Steven, is a sailor who took time off from his tour in the Persian Gulf to attend Geoffrey’s funeral. Geoffrey was one of about 50 recent graduates of Greenville Tech Charter High School who served in the military.

The young people of South Carolina, like those of previous generations, know the meaning of service and sacrifice. We must remember them. There are many ways to show our gratitude. The American Legion honors these heroes not just with Blue and Gold Star banners but with life-changing support programs such as Heroes to Hometowns, which helps service members transition back into society, a strong Family Support Network and American Legion Legacy Scholarships, that pay the education costs for the children of the fallen.

The Department of South Carolina has raised $25,000 for the Legacy Scholarship Fund over the past year. The American Legion’s Operation Comfort Warriors has provided hundreds of thousands of dollars worth of gifts and needed comfort items to wounded warriors recovering in U.S. military hospitals and warrior transition units around the world. These items will not make these heroes “whole again” but they do show them that we care.

In many ways, South Carolina has shown its appreciation for veterans. Veterans are given certain tax exemptions, free hunting and fishing licenses and credit toward state retirement. You offer free tuition assistance for veterans and even free tuition for the children of certain veterans. Special license plates and parking fee exemptions show that your state is aware that there is a debt owed to our nation’s veterans. It is a debt that we can never fully repay, but we can certainly close the gap.

I would like to thank the more than 420,000 veterans in the Palmetto State who have served our country honorably. South Carolina should be proud of having one of the largest per-capita populations of veterans in the country. We must remember their service to this nation. I thank you for all that you do for God and country.

Upon conclusion of his address, the National Commander and his escort party retired from the Chamber.

**JOINT ASSEMBLY RECEDES**

The purposes of the Joint Assembly having been accomplished, the President announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 12:45 p.m. the House resumed, the SPEAKER in the Chair.

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

**ADJOURNMENT**

At 12:48 p.m. the House, in accordance with the motion of Rep. DUNCAN, adjourned in memory of Atha C. Mangum of Lake City, grandmother of Representative Duncan, to meet at 10:00 a.m. tomorrow.

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