~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Isaiah 4:6: “God’s very presence will create a holy and safe place for the people.”

Let us pray. O God, help us to recognize Your presence in the midst of the storms of life. Provide for these Representatives the will and the way to produce good things for this State. Guide them in all their endeavors to be good stewards of Your gifts. Bless our Nation, State, and all those in leadership positions. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. COBB-HUNTER moved that when the House adjourns, it adjourn in memory of Dr. Dorothy Height of Washington, D.C., which was agreed to.

**INVITATIONS**

On motion of Rep. KIRSH, with unanimous consent, the following were taken up for immediate consideration and accepted:

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Conservation Community, the Members of the House of Representatives are invited to the 7th Annual Conservation Lobby Day Oyster Roast. This event will be held on Tuesday, May 5, 2010, from 6:00 p.m. until 8:00 p.m. at 701 Whaley Street in Columbia.

Sincerely,

Patrick Moore

Legislative Director

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Primary Health Care Association, the Members of the House of Representatives are invited to a legislative breakfast. This event will be held on Wednesday, May 5, 2010, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Catherine A. Warner

Health Policy Analyst

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Palmetto Agriculture and Food Industry Council, the Members and staff of the House of Representatives are invited to a legislative luncheon. This event will be held on Wednesday, May 5, 2010, from 12:00 p.m. until 2:00 p.m. on the State House Grounds.

Sincerely,

Jackie Moore

Chairman

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Vocational Rehabilitation Association, the Members and staff of the House of Representatives are invited to a legislative breakfast. This event will be held on Thursday, May 6, 2010, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Mark G. Wade

SCVRA Liaison

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of BlueCross BlueShield of South Carolina, the Members and staff of the House of Representatives are invited to the 17th Annual Legislative Softball Game and Picnic. This event will be held on Tuesday, May 11, 2010, at 6:00 p.m. at the Capital City Stadium.

Sincerely,

M. Edward Sellers

Chairman & CEO

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the American Institute of Architects - South Carolina Chapter, the Members and staff of the House of Representatives are invited to a legislative breakfast. This event will be held on Wednesday, May 12, 2010, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Adrienne Montare

Interim Executive Director

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of Wil Lou Gray Opportunity School, the Members of the House of Representatives are invited to a legislative luncheon. This event will be held on Wednesday, May 12, 2010, from 12:00 p.m. until 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,

Shannon Woovis

Executive Assistant

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Electric, Telephone and Gas Utilities and the SC Manufacturers Alliance, the Members and staff of the House of Representatives are invited to the 10th Annual Spring Fling Legislative Event and “Made in South Carolina Day”. This event will be held on Wednesday, May 12, 2010, from 6:00 p.m. until 8:00 p.m. at The Coop located at 1100 Key Road.

Sincerely,

Gene Upchurch Bobby Hitt

Vice President Director

External Relations Public Affairs

Progress Energy S.C. Manufacturers Alliance

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina HIV/AIDS Care Crisis Task Force, the Members of the House of Representatives are invited to a legislative breakfast. This event will be held on Thursday, May 13, 2010, from 8:00 a.m. until 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Dr. Bambi Gaddist

Chairperson

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the South Carolina Health Information Management Association, the Members of the House of Representatives are invited to a legislative luncheon. This event will be held on Wednesday, May 19, 2010, from 12:00 p.m. until 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,

Wanda Puryear

Health Information Manager

April 27, 2010

The Honorable Herb Kirsh

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Kirsh:

On behalf of the Alpha Kappa Alpha Sorority, the members of the House of Representatives are invited to a legislative breakfast. This event will be held on Thursday, May 20, 2010 from 8:00am until 10:00am in Room 112 of the Blatt Building.

Sincerely,

DeVetta Williams Hughes

AKA State of South Carolina

Connection Coordinator

**REPORTS OF STANDING COMMITTEES**

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

H. 4888 -- Reps. Duncan, Ott and Forrester: A JOINT RESOLUTION TO ADOPT THE PROPOSED "TAILORING RULE" OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY IN SOUTH CAROLINA UPON ITS ADOPTION BY THE EPA IN ORDER TO GIVE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SUFFICIENT TIME TO PROMULGATE APPROPRIATE REGULATIONS REGARDING GREENHOUSE GASES.

Ordered for consideration tomorrow.

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

S. 452 -- Senators Campbell, Leatherman, Reese, Shoopman, Williams, Mulvaney, Pinckney, O'Dell, Ford, Knotts, Bryant, Land, Grooms, Hutto, Fair, Peeler, Sheheen, Ryberg, Massey, Elliott, Alexander, McGill, Bright, L. Martin, Matthews, Setzler, Rose, Hayes and Campsen: A BILL TO AMEND CHAPTER 4, TITLE 49 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA SURFACE WATER WITHDRAWAL AND REPORTING ACT, TO PROVIDE THAT SUBJECT TO CERTAIN EXCEPTIONS, SURFACE WATER WITHDRAWALS MUST BE MADE PURSUANT TO A PERMIT, TO PROVIDE FOR COMPLETE EXEMPTIONS FROM THE PERMITTING REQUIREMENT, TO PROVIDE THAT REGISTERED SURFACE WATER WITHDRAWERS MAY WITHDRAW SURFACE WATER WITHOUT A PERMIT BUT SUBJECT TO CERTAIN RESTRICTIONS, TO PROVIDE FOR NONCONSUMPTIVE SURFACE WATER WITHDRAWAL PERMITS, TO PROVIDE FOR AN APPLICATION PROCEDURE FOR SURFACE WATER WITHDRAWERS THAT OWN AND OPERATE A LICENSED IMPOUNDMENT OR NEW SURFACE WATER WITHDRAWERS THAT WITHDRAW WATER FROM A LICENSED IMPOUNDMENT, TO PROVIDE FOR REPORTS TO THE DEPARTMENT OF NATURAL RESOURCES FROM PERMITTED AND REGISTERED WATER WITHDRAWERS AND THE CONTENTS OF THOSE REPORTS, TO PROVIDE THAT REGISTERED AND EXEMPT SURFACE WATER WITHDRAWERS MAY APPLY FOR A SURFACE WATER WITHDRAWAL PERMIT, TO AUTHORIZE NONRIPARIAN USE OF SURFACE WATER, TO PROVIDE FOR A PERMITTING PROCESS FOR NEW SURFACE WATER WITHDRAWERS, TO PROVIDE FOR THE CONTENTS OF THE APPLICATION, TO PROVIDE FOR THE DEPARTMENT'S DETERMINATION CONCERNING THE PERMIT, TO PROVIDE FOR PUBLIC HEARINGS CONCERNING NEW PERMIT APPLICATIONS FOR INTERBASIN TRANSFERS, TO PROVIDE FOR THE CONTENTS OF ISSUED PERMITS AND THE RIGHTS CONFERRED BY A PERMIT, TO PROVIDE FOR CIRCUMSTANCES UNDER WHICH A PERMIT MAY BE MODIFIED, SUSPENDED, OR REVOKED, TO PROVIDE FOR NOTICE TO THE DEPARTMENT CONCERNING CERTAIN NEW WATER INTAKES, TO PROVIDE FOR TEMPORARY PERMITS, TO PROVIDE AUTHORIZED WITHDRAWAL AMOUNTS, TO PROVIDE FOR OPERATIONAL AND CONTINGENCY PLANS, TO PROVIDE FOR POWERS AND DUTIES OF THE DEPARTMENT OF NATURAL RESOURCES CONCERNING IMPLEMENTATION OF THE CHAPTER, TO PROVIDE APPROPRIATE PENALTIES FOR VIOLATIONS, TO PROVIDE FOR PERMIT APPLICATION FEES; AND TO REPEAL CHAPTER 21, TITLE 49, RELATING TO THE INTERBASIN TRANSFER OF WATER, TO PROVIDE THAT CHAPTER 1, TITLE 49, RELATING TO GENERAL PROVISIONS CONCERNING WATER, WATER RESOURCES, AND DRAINAGE IS NOT AFFECTED BY AND SUPERCEDED BY CHAPTER 4, TITLE 49 AND TO PROVIDE APPROPRIATE DEFINITIONS.

Ordered for consideration tomorrow.

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

S. 932 -- Senators L. Martin and Campsen: A BILL TO AMEND SECTION 50-16-25 OF THE 1976 CODE, RELATING TO THE RELEASE OF PIGS FOR HUNTING PURPOSES, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS, BUY, SELL, OFFER FOR SALE, TRANSFER, RELEASE, OR TRANSPORT FOR THE PURPOSE OF RELEASE A MEMBER OF THE SUIDAE FAMILY FOR HUNTING OR TO SUPPLEMENT A FREE ROAMING POPULATION, TO PROVIDE THAT IT IS UNLAWFUL TO REMOVE A LIVE HOG FROM A TRAP OR FROM THE WOODS, FIELDS, OR MARSHES OF THIS STATE, AND TO CLARIFY THAT THIS SECTION DOES NOT APPLY TO ACCEPTED FARMING PRACTICES RELATED TO MEMBERS OF THE SUIDAE FAMILY.

Ordered for consideration tomorrow.

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

S. 1261 -- Senator Cromer: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CUTTING OF TIMBER ON LANDS HELD BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE TECHNICAL CORRECTIONS; TO DELETE OBSOLETE REFERENCES; TO REQUIRE THE DEPARTMENT TO COORDINATE THE CUTTING AND SALE OF SUCH TIMBER WITH THE STATE FORESTER, RATHER THAN TO SUBMIT THE MATTER TO THE STATE FORESTER FOR APPROVAL; TO PROVIDE THAT LAND OWNED BY THE DEPARTMENT THAT WAS PREVIOUSLY USED FOR AGRICULTURE OR MANAGED FOREST LAND MUST BE MANAGED TO PROVIDE OPTIMUM FISH AND WILDLIFE HABITAT AND TIMBER PRODUCTION; TO REVISE PROCEDURES FOR ADVERTISING FOR BIDS ON THE TIMBER; TO PROVIDE PROCEDURES FOR THE HARVEST AND SALE OF TIMBER IF AN EMERGENCY OR NATURAL DISASTER OCCURS NECESSITATING IMMEDIATE HARVESTING OF TIMBER; TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT, RATHER THAN THE BOARD, TO EXECUTE DEEDS AND CONTRACTS REQUIRED IN CARRYING OUT THIS ARTICLE; AND TO PROVIDE THAT, UNLESS OTHERWISE PROVIDED FOR, THE PROCEEDS OF THESE TIMBER SALES MUST CONTINUE TO BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND.

Ordered for consideration tomorrow.

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4899 -- Rep. McLeod: A HOUSE RESOLUTION TO DESIGNATE THE MONTH OF MAY 2010 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE COMMUNITY AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

Ordered for consideration tomorrow.

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4900 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 38 IN MARLBORO COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAYS 15 AND 401 TO ITS INTERSECTION WITH HIGH STREET IN THE TOWN OF BLENHEIM "REPRESENTATIVE DOUG JENNINGS, JR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "REPRESENTATIVE DOUG JENNINGS, JR. HIGHWAY".

Ordered for consideration tomorrow.

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

H. 4280 -- Reps. M. A. Pitts, Toole, Parks, Vick, Pinson, Huggins, Duncan, Jennings, Rice, Hiott, Agnew, J. E. Smith, J. R. Smith, Millwood, Anthony, Simrill, Nanney, Hardwick, Govan, Bingham, Littlejohn, Bannister, Harrell, Hearn, G. R. Smith, Clemmons, Anderson, Limehouse, D. C. Moss, V. S. Moss, Parker, Howard, Gambrell, Allison, Horne, Sottile, Bedingfield, Long, Spires, Hamilton, T. R. Young, Delleney, J. M. Neal, Williams, Kennedy, Lowe, Stavrinakis, Knight, Crawford, Daning, Bowen, Thompson, G. A. Brown, King, Lucas, Herbkersman, Wylie, Stewart, Branham, Ott, Hayes, Battle, Miller, Harvin, H. B. Brown, Hosey, Chalk, McEachern, Hodges, Gunn, J. H. Neal, Cobb-Hunter, Jefferson and Cato: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SOUTH CAROLINA HIGHWAY PATROL-RETIRED LICENSE PLATES.

Ordered for consideration tomorrow.

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

S. 1356 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4116, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4910 -- Reps. Gilliard, Brantley, Whipper, Alexander, Agnew, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Govan, 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, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH CAROLINA UPON THE DEATH OF DOROTHY I. HEIGHT, AND TO HONOR HER MOST EXTRAORDINARY LIFE AND ACCOMPLISHMENTS FOR THE CAUSE OF CIVIL RIGHTS IN OUR NATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4911 -- Reps. J. H. Neal, Mitchell, Mack and Alexander: A HOUSE RESOLUTION TO RECOGNIZE THE BENEDICT COLLEGE OFFICE OF INTERNATIONAL PROGRAMS FOR ITS OUTSTANDING WORK IN COORDINATING LEGISLATIVE EXCHANGES BETWEEN THE STATE OF SOUTH CAROLINA

AND POLITICAL LEADERS OF AFRICA, ASIA, AND LATIN AMERICA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

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

H. 4912 -- Rep. McLeod: A CONCURRENT RESOLUTION TO DESIGNATE THE MONTH OF MAY 2010 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE COMMUNITY AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4913 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE FIRST PROVIDENCE CHURCH OF NORTH AUGUSTA ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FIFTIETH ANNIVERSARY, AND TO COMMEND THE CHURCH FOR A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4914 -- Reps. Haley, 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, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LEXINGTON HIGH SCHOOL GIRLS GOLF TEAM FOR CAPTURING THE 2009 CLASS AAAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S SUPERLATIVE PLAYERS, COACHES, AND STAFF.

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

**INTRODUCTION OF BILLS**

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

H. 4915 -- Rep. Ott: A BILL TO AMEND SECTION 8-13-1308, AS AMENDED, RELATING TO INFORMATION REGARDING EXPENDITURES THAT MUST BE CONTAINED IN A CERTIFIED CAMPAIGN REPORT, TO DELETE A REFERENCE TO CAMPAIGN FUNDS AND REQUIRE THAT ALL EXPENDITURES BE LISTED IN THE REPORT.

Referred to Committee on Judiciary

H. 4916 -- Reps. Lucas, Neilson and Williams: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON APRIL 26, 2010, BY THE STUDENTS OF DARLINGTON COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO A TORNADO IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 4917 -- Reps. Williams, Brantley, Hosey, Gilliard, Dillard and Kirsh: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57 TO TITLE 44 SO AS TO PROVIDE THAT THE RESTROOM FACILITIES IN ANY PLACE OF BUSINESS IN THIS STATE OF A RETAILER SELLING TANGIBLE PERSONAL PROPERTY MUST BE AVAILABLE FOR USE BY PURCHASERS OR PROSPECTIVE PURCHASERS ENTERING THIS PLACE OF BUSINESS UPON THEIR REQUEST.

Referred to Committee on Labor, Commerce and Industry

H. 4918 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO INFECTIOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4107, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4919 -- Reps. Bedingfield, D. C. Moss, Merrill, Norman, Stringer, Simrill, Millwood, G. R. Smith, Nanney, Haley, Bingham, Cooper, Duncan, Herbkersman, Littlejohn, M. A. Pitts, Scott, Toole, White, Willis and Viers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 15 TO CHAPTER 3, TITLE 23 SO AS TO ENTITLE THE ARTICLE "ILLEGAL ALIENS ENFORCEMENT", TO PROVIDE FOR PROCEDURES FOR VERIFICATION OF A PERSON'S IMMIGRATION STATUS UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE FOR THE WARRANTLESS ARREST OF PERSONS SUSPECTED OF BEING PRESENT IN THE UNITED STATES UNLAWFULLY; BY ADDING SECTION 16-9-470 SO AS TO CREATE THE OFFENSE OF WILFUL FAILURE TO COMPLETE OR CARRY AN ALIEN REGISTRATION DOCUMENT UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE PENALTIES FOR THE VARIOUS DEGREES OF THE OFFENSE; AND BY ADDING SECTION 16-9-480 SO AS TO CREATE THE OFFENSE OF UNLAWFULLY HIRING AND PICKING UP WORKERS AT DIFFERENT LOCATIONS WHILE IMPEDING TRAFFIC, TO CREATE THE OFFENSE OF ENTERING MOTOR VEHICLES STOPPED IN RIGHTS-OF-WAY TO BE HIRED TO WORK AT A DIFFERENT LOCATION, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Referred to Committee on Judiciary

S. 749 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 57-3-45 AND 57-3-55 SO AS TO ESTABLISH THE DIVISION OF RAILROAD TRANSPORTATION AS A COMPONENT OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND PROVIDE FOR ITS FUNCTIONS AND TO REQUIRE RAILROADS AND RAILWAYS ANNUALLY TO REPORT TO THIS DIVISION THEIR ACTIVE, INACTIVE, TO BE ABANDONED, AND ABANDONED RAIL LINES; AND TO AMEND SECTIONS 57-3-10, 57-3-20, AND 57-3-40, RELATING RESPECTIVELY TO THE DIVISIONS COMPRISING THE DEPARTMENT OF TRANSPORTATION, THE RESPONSIBILITIES AND DUTIES OF DIVISION DEPUTY DIRECTORS ADMINISTERING THESE DIVISIONS, AND THE FUNCTIONS OF THE MASS TRANSIT DIVISION, SO AS TO CONFORM THESE PROVISIONS TO REFLECT THE ESTABLISHMENT OF THE DIVISION OF RAILROAD TRANSPORTATION WITHIN THE DEPARTMENT OF TRANSPORTATION.

Referred to Committee on Ways and Means

S. 790 -- Senators L. Martin and Bryant: A BILL TO AMEND CHAPTER 3, TITLE 16 OF THE 1976 CODE, BY ADDING ARTICLE 19 TO ESTABLISH A PROCEDURE FOR THE ISSUANCE OF TEMPORARY AND PERMANENT CIVIL NO-CONTACT ORDERS UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE DURATION OF CIVIL NO-CONTACT ORDERS, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE A PENALTY FOR THE VIOLATION OF CIVIL NO-CONTACT ORDERS, TO PROVIDE FOR THE ENFORCEMENT OF FOREIGN PROTECTION ORDERS, AND TO PROVIDE FOR THE REQUIREMENTS FOR VALID FOREIGN PROTECTION ORDERS.

Referred to Committee on Judiciary

S. 1073 -- Senators Thomas, Leventis and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 18 TO TITLE 37, SO AS TO REQUIRE THOSE WHO ENGAGE IN COLLATERAL RECOVERY TO APPLY FOR LICENSURE WITH THE DEPARTMENT OF CONSUMER AFFAIRS, TO PROVIDE WHAT MUST BE INCLUDED IN AN APPLICATION, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR THOSE WHO ENGAGE IN COLLATERAL RECOVERY, TO PROVIDE LICENSE FEES, TO PROVIDE FOR THE INVESTIGATION OF LICENSE APPLICANTS, TO PROVIDE FOR THE FORM, VALIDITY PERIOD, AND RENEWAL OF ISSUED LICENSES, TO PROVIDE CANCELLATION REQUIREMENTS OF ISSUED LICENSES, TO PROVIDE FOR THE TRAINING OF INTERN COLLATERAL RECOVERERS, TO PROVIDE FOR VIOLATIONS AND ASSOCIATED PENALTIES OF THE CHAPTER, TO PROVIDE FOR THE CONFIDENTIALITY OF REQUIRED INVESTIGATIONS, TO ALLOW THE DEPARTMENT ACCESS TO CERTAIN RECORDS FOR INVESTIGATIONS, TO REQUIRE THE DEPARTMENT TO MAINTAIN CERTAIN STATISTICS, TO PROVIDE INVENTORY AND TITLE REQUIREMENTS, AND TO DEFINE CERTAIN TERMS.

Referred to Committee on Labor, Commerce and Industry

S. 1171 -- Senator Hutto: A BILL TO AMEND SECTION 56-1-10 OF THE 1976 CODE, RELATING TO DRIVER'S LICENSES, TO MODIFY THE DEFINITION OF CERTAIN TERMS; TO AMEND SECTION 56-1-640, TO INCLUDE CANADA AND MEXICO AS PARTY JURISDICTIONS; TO AMEND SECTION 56-1-2030, TO MODIFY THE DEFINITION OF HAZARDOUS MATERIAL; TO AMEND SECTION 56-1-2100, TO MODIFY THE DESCRIPTION OF A CLASS C VEHICLE; AND TO AMEND SECTION 56-1-2070, TO PROVIDE GRADUATED FINES FOR VIOLATIONS OF OUT-OF-SERVICE ORDERS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1185 -- Senators Malloy, Ford, Pinckney, McConnell, Rose and Campsen: A BILL TO AMEND TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 8 ENTITLED THE "SOUTH CAROLINA FAMILY LAW MEDIATION ACT", SO AS TO MANDATE MEDIATION IN ALL DOMESTIC RELATIONS ACTIONS IN FAMILY COURT; TO PROVIDE FOR DEFINITIONS OF MEDIATION AND MEDIATOR; TO PROVIDE FOR AUTOMATIC EXCEPTIONS WHERE MEDIATION IS NOT REQUIRED; TO INCLUDE CONTEMPT ACTIONS, CHILD ABUSE AND NEGLECT PROCEEDINGS, DEPARTMENT OF SOCIAL SERVICES ADULT PROTECTIVE SERVICES CASES, CASES WHERE THERE HAS BEEN A FINDING OF ABUSE OR NEGLECT, JUVENILE PROCEEDINGS, UNCONTESTED ISSUES, ACTIONS WHERE PARTIES AGREE TO VOLUNTARY MEDIATION, AND THE ENTRY OF DIVORCE OR SEPARATE MAINTENANCE DECREES; TO PROVIDE CIRCUMSTANCES WHERE MEDIATION MAY BE WAIVED BY THE FAMILY COURT; TO INCLUDE GEOGRAPHIC CONSIDERATIONS, INCAPACITY OF ONE OR MORE PARTIES, INCOMPETENCE OF ONE OR MORE PARTIES, CASES WHERE INVOLVING ABUSE OR NEGLECT OCCURRING MORE THAN ONE YEAR FROM THE HEARING, CASES INVOLVING SUBSTANCE ABUSE BY ONE OR MORE PARTIES; TO PROVIDE THAT MEDIATION MUST OCCUR BETWEEN NINETY AND ONE HUNDRED AND EIGHTY DAYS AFTER THE FILING OF THE ACTION; AND TO PROVIDE THAT NO FINAL HEARING IN A DOMESTIC RELATIONS ACTION SHALL BE SCHEDULED UNTIL MEDIATION IS COMPLETED IN THE MATTER, UNLESS IT IS EXEMPTED OR EXCEPTED FROM MEDIATION.

Referred to Committee on Judiciary

S. 1188 -- Senators Malloy, McConnell, Ford, Pinckney, Rose and Campsen: A BILL TO AMEND TITLE 20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CHILDREN'S CODE, BY ADDING CHAPTER 6 ENTITLED THE "SOUTH CAROLINA FAMILY COURT HEARING OFFICER ACT", SO AS TO PROVIDE FOR VOLUNTEER FAMILY COURT HEARING OFFICERS APPOINTED BY THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT AND WHO ARE PROTECTED PURSUANT TO THE SOUTH CAROLINA TORT CLAIMS ACT; TO PROVIDE THAT HEARING OFFICERS MUST BE MEMBERS OF THE SOUTH CAROLINA BAR IN GOOD STANDING WITH A MINIMUM OF TEN YEARS OF FAMILY COURT EXPERIENCE; TO PROVIDE THAT RETIRED JUDGES, EXCEPT SUMMARY COURT JUDGES, MAY BE APPOINTED AS HEARING OFFICERS ABSENT TEN YEARS OF EXPERIENCE IN FAMILY COURT MATTERS, TO REQUIRE HEARING OFFICERS TO RECEIVE AT LEAST SIX HOURS OF FAMILY LAW CONTINUING LEGAL EDUCATION EVERY YEAR; TO PROVIDE THAT HEARING OFFICERS MAY BE ASSIGNED TO ALL UNCONTESTED DOMESTIC RELATIONS MATTERS, THAT THEY MAY MAKE FINDINGS AND RECOMMENDATIONS FOR THE FAMILY COURT JUDGE ON UNIFORM INTERSTATE FAMILY SUPPORT ACT ACTIONS, THAT THEY MAY BE ASSIGNED MOTION HEARINGS FOR TEMPORARY RELIEF IN DOMESTIC RELATIONS MATTERS, WITH THE CONSENT OF THE PARTIES, AND MAY MAKE RECOMMENDATIONS OF FINDINGS OF FACT AND CONCLUSIONS OF LAW TO THE FAMILY COURT JUDGES, THAT THE CHIEF JUSTICE MUST ISSUE DIRECTIVES CONCERNING OTHER TYPES OF CASES THAT MAY BE ASSIGNED ONLY TO RETIRED JUDGE HEARING OFFICERS, TO PROVIDE A LIST OF TYPES OF CASES THAT MAY BE ASSIGNED, THAT THE CLERK OF COURT SHALL MAINTAIN A FAMILY COURT HEARING OFFICER DOCKET, THAT HEARING OFFICERS SHALL HAVE THE SAME AUTHORITY AS A FAMILY COURT JUDGE TO ADMINISTER OATHS, PRESERVE AND ENFORCE ORDER IN THE COURT, HOLD PERSONS IN CONTEMPT AND SANCTION THEM, EXAMINE WITNESSES, ISSUE BENCH WARRANTS, ISSUE ORDERS AND RULINGS ON MOTIONS, ACT AS A FINDER OF FACT AND LAW, TAKE MINORS AND VULNERABLE ADULTS INTO EMERGENCY PROTECTIVE CUSTODY, TO ISSUE TEMPORARY ORDERS RELATING TO EQUITABLE DIVISION OF MARITAL PROPERTY, CHILD SUPPORT, CUSTODY, VISITATION, ATTORNEY'S FEES, DISCOVERY, AND RESTRAINING ORDERS, AND TO APPOINT GUARDIANS AD LITEM AS APPROPRIATE; TO PROVIDE THAT MATTERS DIRECTLY APPEALABLE TO THE SUPREME COURT ARE NOT SUBJECT TO REFERRAL TO A HEARING OFFICER, TO PROVIDE THAT PROCEEDINGS SHALL BE HELD IN THE COUNTY OF APPROPRIATE VENUE UNLESS THE PARTIES CONSENT TO ANOTHER COUNTY; TO PROVIDE THAT ORDERS ISSUED BY RETIRED JUDGE HEARING OFFICERS SHALL BE CONSIDERED FINAL AND SHALL BE APPEALED DIRECTLY TO THE COURT OF APPEALS; TO PROVIDE THAT ORDERS ISSUED BY OTHER HEARING OFFICERS ARE SUBJECT TO REVIEW BY A FAMILY COURT JUDGE; TO PROVIDE THAT HEARING OFFICERS ARE NOT BARRED FROM THE PRACTICE OF LAW IN FAMILY COURT; TO PROVIDE THAT THE FAMILY COURT RULES APPLY IN PROCEEDINGS BEFORE HEARING OFFICERS; AND TO PROVIDE THAT HEARING OFFICERS SHALL RECEIVE CREDIT FOR COURT APPOINTMENTS.

Referred to Committee on Judiciary

S. 1271 -- Senators Campsen and Knotts: A BILL TO AMEND ARTICLE 1, CHAPTER 11, TITLE 50 OF THE 1976 CODE, BY ADDING SECTION 50-11-108 TO PROVIDE THAT A PERSON MAY USE A FIREARM TO KILL OR ATTEMPT TO KILL ANY ANIMAL DURING ANY SEASON IN SELF-DEFENSE, DEFENSE OF ANOTHER, OR DEFENSE OF PROPERTY, AND TO PROVIDE EXCEPTIONS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1294 -- Senator Peeler: A BILL TO AMEND SECTION 50-11-2540 OF THE 1976 CODE, RELATING TO THE TRAPPING SEASON OF FURBEARING ANIMALS, TO PROVIDE THAT IT IS LAWFUL TO TRAP COYOTES FROM NOVEMBER FIRST OF EACH YEAR TO MARCH FIRST OF THE SUCCEEDING YEAR.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1298 -- Senator McGill: A BILL TO AMEND SECTION 56-5-70 OF THE 1976 CODE, RELATING TO THE REGULATION OF TRAFFIC ON HIGHWAYS, TO PROVIDE GUIDELINES FOR RELIEF FROM REGULATIONS DURING TIMES OF EMERGENCY.

Referred to Committee on Education and Public Works

S. 1379 -- Senators Peeler, Campbell and O'Dell: A BILL TO AMEND SECTION 63-11-500 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, TO HONOR THE MEMORY OF CASS ELIAS MCCARTER BY NAMING THE SOUTH CAROLINA GUARDIAN AD LITEM PROGRAM AS THE CASS ELIAS MCCARTER GUARDIAN AD LITEM PROGRAM.

Referred to Committee on Invitations and Memorial Resolutions

**HOUSE RESOLUTION**

The following was introduced:

H. 4920 -- Rep. D. C. Moss: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR BETHESDA PRESBYTERIAN CHURCH, UPON THE OCCASION OF HER TWO HUNDRED FIFTIETH ANNIVERSARY, AND TO COMMEND THE PASTOR AND CONGREGATION FOR THE SIGNIFICANT SPIRITUAL IMPACT THIS CHURCH HAS OFFERED THE COMMUNITY AND STATE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1386 -- Senators Campsen, Land, McGill and Davis: A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS TO TAKE ANY MEASURE WITHIN ITS POWER TO MITIGATE OR OVERTURN ANY EXECUTIVE ORDER ISSUED TO IMPLEMENT RECOMMENDATIONS BY THE INTERAGENCY OCEAN POLICY TASK FORCE IF THESE RECOMMENDATIONS FAIL TO ENSURE AND PROMOTE RECREATIONAL FISHING AND ACCESS TO PUBLIC WATERS, AND IF THESE RECOMMENDATIONS FAIL TO INCLUDE RESPONSIBLY REGULATED RECREATIONAL BOATING AND FISHING AS NATIONAL PRIORITIES FOR OUR OCEANS, COASTS, AND LAKES.

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

**CONCURRENT RESOLUTION**

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

S. 1401 -- Senators Anderson, Reese, Peeler, Scott, Malloy, Leatherman, Ryberg, Ford, Nicholson, Elliott, Setzler, Land, Williams, Jackson, Leventis, L. Martin, Hayes, Cromer, McGill, Rankin, Alexander and Coleman: A CONCURRENT RESOLUTION TO DESIGNATE MAY 5, 2010, AS "SOUTH CAROLINA CLEAN HANDS DAY", AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE DAILY THE IMPORTANCE OF PROPER HAND HYGIENE TO REDUCE AND PREVENT THE SPREAD OF INFECTIONS AND TO DISCUSS PROPER HAND HYGIENE WITH FAMILIES, FRIENDS, AND HEALTH CARE PROVIDERS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1402 -- Senator Verdin: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. PEGGY C. PRESCOTT UPON THE OCCASION OF HER RETIREMENT FROM PIEDMONT TECHNICAL COLLEGE, AND TO WISH HER MUCH HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| 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 |
| Edge | Forrester | Frye |
| Gambrell | Gilliard | Gunn |
| Haley | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Toole | Umphlett | Weeks |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, April 29.

|  |  |
| --- | --- |
| Paul Agnew | Terry Alexander |
| Laurie Funderburk | Jerry Govan |
| Chris Hart | Harold Mitchell |
| Anne Parks | Lewis E. Pinson |
| Bakari Sellers | G. Murrell Smith |
| Michael Thompson | Ted Vick |
| Thad Viers | Jackson "Seth" Whipper |
| Joseph Neal |  |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. LOFTIS a leave of absence for the day due to attending an energy conference.

**DOCTOR OF THE DAY**

Announcement was made that Dr. R. Brian Huff of Columbia was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. MILLWOOD presented to the House the Landrum High School Varsity Boys Cross Country Team, the 2009 Class A Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. MILLWOOD presented to the House the Landrum High School Varsity Girls Cross Country Team, the 2009 Class A/AA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. OWENS presented to the House the South Carolina 2009-2010 District Teachers of the Year.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3839 |
| Date: | ADD: |
| 04/29/10 | JEFFERSON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4855 |
| Date: | ADD: |
| 04/29/10 | HAYES and HIOTT |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3645 |
| Date: | ADD: |
| 04/29/10 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4269 |
| Date: | ADD: |
| 04/29/10 | BOWERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4470 |
| Date: | ADD: |
| 04/29/10 | WYLIE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4808 |
| Date: | ADD: |
| 04/29/10 | HARDWICK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4919 |
| Date: | ADD: |
| 04/29/10 | VIERS |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3645 |
| Date: | REMOVE: |
| 04/29/10 | HALEY |

**H. 4906--DEBATE ADJOURNED**

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

H. 4906 -- Reps. Bannister, Hamilton, Wylie, Nanney, Bedingfield, Loftis, Allen, Cato and Stringer: A BILL TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

**SENT TO THE SENATE**

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

H. 4562 -- Rep. Vick: A BILL TO AMEND SECTION 39-11-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REGISTRATION FEES OF WEIGHMASTERS AND DEPUTY WEIGHMASTERS, SO AS TO REVISE THE REGISTRATION FEE FOR WEIGHMASTERS AND TO DELETE THE ADDITIONAL FEE FOR DEPUTY PUBLIC WEIGHMASTERS; TO AMEND SECTION 39-11-60, RELATING TO LENGTH OF REGISTRATION AND RENEWAL, SO AS TO REVISE THE TIME IN WHICH PUBLIC WEIGHMASTER REGISTRATIONS MUST BE RENEWED; TO AMEND SECTION 39-11-80, RELATING TO REFUSAL OR REVOCATION OF A LICENSE, SO AS TO DELETE THE REFUSAL OR REVOCATION OF A DEPUTY PUBLIC WEIGHMASTER LICENSE BY THE COMMISSIONER OF AGRICULTURE; AND TO REPEAL SECTIONS 39-11-40 AND 39-11-50 RELATING TO EMPLOYMENT OR DESIGNATION OF DEPUTY WEIGHMASTERS AND RENEWAL OF REGISTRATION, RESPECTIVELY.

H. 4820 -- Reps. Allison, Harrell, Cato, Mitchell, G. R. Smith, Bedingfield, Parker, Millwood, Bannister, Forrester, Hamilton, Kelly, Littlejohn, Nanney, Stringer and Wylie: A JOINT RESOLUTION TO PROVIDE THAT IN 2011 AND 2012, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN SUCH MANUFACTURER'S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SIX HUNDRED NINETY-NINE DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

H. 4821 -- Reps. Allison, Harrell, Cato, Mitchell, Parker, Millwood, Hamilton, G. R. Smith, Bedingfield, Bannister, Forrester, Kelly, Littlejohn, Nanney, Stringer and Wylie: A BILL TO AMEND SECTION 56-3-2330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER LICENSE PLATES FOR MOTOR VEHICLES, SO AS TO INCREASE FROM FOUR TO FIVE HUNDRED THE NUMBER OF THESE PLATES THAT MAY BE ISSUED TO A MANUFACTURER AND TO INCREASE FROM TEN TO TWENTY DAYS THE MAXIMUM NUMBER OF CONSECUTIVE DAYS THAT VEHICLES WITH THESE PLATES MAY BE USED IN CONNECTION WITH CIVIC AND SPORTING EVENTS.

H. 4260 -- Reps. R. L. Brown and Whipper: A BILL TO AMEND SECTION 57-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONING A COURT TO ABANDON OR CLOSE A STREET, ROAD, OR HIGHWAY, SO AS TO PROVIDE THAT NOTICE OF INTENTION TO FILE A PETITION MUST BE POSTED ALONG THE STREET, ROAD, OR HIGHWAY.

H. 4559 -- Reps. Barfield, Huggins, Crawford, Jefferson, Williams, H. B. Brown, Viers, Govan, Chalk, G. M. Smith, Weeks, Bowen, Clemmons, Gunn, Hardwick, Harrison, Hart, Hearn, Long, V. S. Moss, J. H. Neal, Ott, J. E. Smith, Toole, Vick, White, Willis, Whipper, R. L. Brown and Neilson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 53, TITLE 44 TO ENACT THE "UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT" SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONSULTATION WITH THE BOARD OF PHARMACY, SHALL DEVELOP A VOLUNTARY PROGRAM WHEREBY HEALTH CARE FACILITIES CAN DONATE UNUSED PRESCRIPTION DRUGS OF PATIENTS WHO NO LONGER NEED THEM AND WHO HAVE VOLUNTARILY AGREED TO DONATE THEIR PRESCRIPTION DRUGS TO CHARITABLE CLINICS PROVIDING SERVICES TO MEDICALLY INDIGENT PERSONS; TO PROVIDE THAT CERTAIN PROGRAM PROCEDURES AND REQUIREMENTS MUST BE PROMULGATED IN REGULATION BY THE DEPARTMENT AND BY THE BOARD OF PHARMACY, INDIVIDUALLY, TO CARRY OUT THE PROVISIONS OF THIS ARTICLE; AND TO CREATE AN ADVISORY COUNCIL TO OVERSEE AND ADVISE THE DEPARTMENT IN ESTABLISHING THIS PROGRAM AND IN CARRYING OUT THE RESPONSIBILITIES UNDER THIS ARTICLE; BY ADDING SECTION 44-53-60 SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONJUNCTION WITH THE BOARD OF PHARMACY, SHALL DEVELOP A PROGRAM TO RECEIVE AND DISPOSE OF UNUSED MEDICATIONS FROM THE PUBLIC AND SHALL DEVELOP GUIDELINES FOR THE SAFE AND PROPER DISPOSAL OF MEDICATIONS WHICH MUST BE AVAILABLE AND DISTRIBUTED TO THE PUBLIC.

H. 3393 -- Reps. Spires, Clyburn, Herbkersman, Hosey, Jefferson, Knight, Long, D. C. Smith, J. R. Smith, Williams, Forrester, A. D. Young, Huggins and Hiott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-190 SO AS TO ESTABLISH A JOINT COMMITTEE WITH MEMBERS FROM THE BOARD OF MEDICAL EXAMINERS AND BOARD OF PHARMACY TO ASSIST THESE BOARDS IN ESTABLISHING A PROTOCOL AUTHORIZING PHARMACISTS TO ADMINISTER CERTAIN VACCINES WITHOUT AN ORDER OF A PRACTITIONER; BY ADDING SECTION 40-43-200 SO AS TO REQUIRE THE STATE BOARD OF PHARMACY AND THE BOARD OF MEDICAL EXAMINERS TO ISSUE A JOINT WRITTEN PROTOCOL AUTHORIZING PHARMACISTS TO ADMINISTER CERTAIN VACCINATIONS WITHOUT AN ORDER OF A PRACTITIONER; AND TO AMEND SECTION 40-43-86, AS AMENDED, RELATING TO, AMONG OTHER THINGS, VARIOUS PHARMACY FACILITY, STAFFING, AND PRESCRIPTION REQUIREMENTS, SO AS TO INCREASE THE MAXIMUM AMOUNT OF A LEGEND DRUG THAT A PHYSICIAN IN CHARGE OF AN EMERGENCY ROOM MAY DISPENSE FROM A SEVENTY-TWO HOUR SUPPLY TO A ONE HUNDRED FORTY-FOUR HOUR SUPPLY.

H. 4715 -- Rep. Vick: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF JEFFERSON NATIONAL GUARD ARMORY IN JEFFERSON, SOUTH CAROLINA, TO THE COUNTY OF CHESTERFIELD.

H. 4616 -- Reps. Littlejohn, Brantley, Hodges, Jefferson, R. L. Brown, Clemmons, Cobb-Hunter, Herbkersman, Weeks and M. A. Pitts: A BILL TO AMEND SECTION 50-9-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HUNTING AND OTHER LICENSES, SO AS TO ADD A ONE-DOLLAR SURCHARGE TO EACH LICENSE FEE CONTAINED IN THE SECTION AND PROVIDE THAT THIS SURCHARGE MUST BE USED FOR THE PURPOSE OF FEEDING HUNGRY INDIVIDUALS IN THE MANNER PROVIDED IN SECTION 50-1-275; AND TO ADD SECTION 50-1-275 SO AS TO PROVIDE FOR THE MANNER IN WHICH THE ONE-DOLLAR SURCHARGE MUST BE USED FOR THE PURPOSE OF FEEDING HUNGRY INDIVIDUALS, INCLUDING THE ESTABLISHMENT OF A SEVEN-MEMBER BOARD IN EACH GAME ZONE TO OVERSEE THE EXPENDITURE OF THE FUNDS ALLOCATED TO THAT GAME ZONE FOR THIS PURPOSE.

H. 4893 -- Reps. Limehouse, Stavrinakis, Gilliard, Sottile, Viers, Toole, Neilson and Duncan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-190 SO AS TO ESTABLISH THE "STATE DAY OF PRAYER" AS THE FIRST THURSDAY IN MAY OF EACH YEAR.

**H. 3561--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Joint Resolution until Tuesday, May 4, 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. 3854--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. BINGHAM proposed the following Amendment No. 2 (COUNCIL\DKA\4005AB10), which was adopted:

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

/ SECTION 1. Article 9, Chapter 13, Title 8 of the 1976 Code is amended by adding:

“Section 8‑13‑940. (A)(1) A candidate for or person intending to become a candidate for the Department of Workforce Appellate Panel may not directly or indirectly seek the pledge of a member of the General Assembly’s vote or directly or indirectly contact a member of the General Assembly regarding screening for that panel until:

(a) the qualifications of all candidates for that office have been determined by the Department of Workforce Review Committee; and

(b) the review committee has released formally to the General Assembly its report regarding the qualifications of all candidates for the office.

(2) For purposes of this section, ‘indirectly seeking a pledge’ means a candidate, or someone acting on behalf of and at the request of the candidate, who requests a person to contact a member of the General Assembly on his behalf before the review committee has released formally to the General Assembly its report regarding the qualifications of all candidates for the office.

(3) A prohibition in this section extends to no announcement of candidacy by the candidate or statement by the candidate detailing his qualifications.

(B) A member of the General Assembly may not offer his pledge to a candidate or potential candidate for the Department of Workforce Appellate Panel until:

(1) the qualifications of all candidates for that panel have been determined by the Department of Workforce Review Committee; and

(2) the review committee has released formally to the General Assembly its report regarding the qualifications of all candidates for the office. The committee’s formal release of this report must occur no earlier than forty‑eight hours after the names of all candidates found qualified by the review committee have been released initially to the General Assembly.

(C) A member of the General Assembly may not trade a thing of value, including a pledge to vote for legislation or for another candidate, in exchange for another member’s pledge to vote for a candidate for the Department of Workforce Appellate Panel.

(D)(1) A violation of this section by:

(a) a member of the General Assembly:

(i) may be considered by the Department of Workforce Review Committee when it considers the candidate’s qualifications; and

(ii) must be reported by the review committee to the House or Senate Ethics Committee, as applicable; and

(b) an incumbent appellate panelist seeking reelection must be reported by the Department of Workforce and the Department of Workforce Appellate Panel to the State Ethics Commission.

(2) A violation of this section is a misdemeanor and, upon conviction, the violator must be fined not more than one thousand dollars or imprisoned not more than ninety days.

(3) A case tried for a violation of this section may not be transferred from general sessions court pursuant to Section 22‑3‑545.”

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

Renumber sections to conform.

Amend title to conform.

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

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

**H. 3854--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BINGHAM, with unanimous consent, it was ordered that H. 3854 be read the third time tomorrow.

**S. 1146--DEBATE ADJOURNED**

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

S. 1146 -- Senator Alexander: A BILL TO AMEND SECTIONS 9-1-1770, 9-1-1775, 9-8-110, 9-9-100, 9-11-120, 9-11-125, AND 9-11-140 OF THE 1976 CODE, RELATING TO THE PAYMENT OF DEATH BENEFITS IN RETIREMENT PLANS ADMINISTERED BY THE SOUTH CAROLINA RETIREMENT SYSTEMS, TO REPEAL CERTAIN DUTIES AND RESPONSIBILITIES OF THE BOARD, TO PROVIDE THAT BENEFITS PAID PURSUANT TO THE ACCIDENTAL DEATH INSURANCE BENEFIT SHALL NOT BE TREATED AS A LIFE INSURANCE BENEFIT, AND TO PROVIDE THAT ADJUSTMENTS TO BENEFITS SHALL BE MADE IN THE MANNER PROVIDED IN SECTION 9-11-310.

**S. 1145--DEBATE ADJOURNED**

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

S. 1145 -- Senator Leatherman: A BILL TO AMEND SECTIONS 9-1-1540, 9-9-65, AND 9-11-80 OF THE 1976 CODE, RELATING TO THE DATE UPON WHICH AN APPLICATION FOR DISABILITY RETIREMENT MUST BE FILED WITH THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER IS CONSIDERED TO BE IN SERVICE ON THE DATE THE APPLICATION IS FILED IF THE MEMBER IS NOT RETIRED AND THE LAST DAY THE MEMBER WAS EMPLOYED BY A COVERED EMPLOYER IN THE SYSTEM OCCURRED NOT MORE THAN NINETY DAYS PRIOR TO THE DATE OF FILING.

**S. 906--DEBATE ADJOURNED**

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

S. 906 -- Senators Leatherman, Land, Coleman and Elliott: A BILL TO AMEND SECTION 9-8-50 OF THE 1976 CODE, RELATING TO SERVICE CREDIT IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER UPON TERMINATION WHO DOES NOT QUALIFY FOR A MONTHLY BENEFIT MAY TRANSFER HIS SERVICE CREDIT TO THE SOUTH CAROLINA RETIREMENT SYSTEM, AND TO CLARIFY PROVISIONS RELATED TO THE TRANSFER OF EARNED SERVICE CREDIT IN RETIREMENT PLANS ADMINISTERED BY THE SOUTH CAROLINA RETIREMENT SYSTEMS.

**H. 4245--RECOMMITTED**

The following Joint Resolution was taken up:

H. 4245 -- Reps. Merrill, Daning, Long, Wylie and Hutto: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY ALLOW RAFFLES TO BE CONDUCTED BY CHARITABLE OR NONPROFIT ORGANIZATIONS AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION ALLOWED TO CONDUCT RAFFLES, PROVIDE THE STANDARDS FOR THE CONDUCT AND MANAGEMENT OF THE RAFFLES, PROVIDE PENALTIES FOR VIOLATIONS, AND PROVIDE FOR ANY OTHER LAW NECESSARY TO ASSURE THE PROPER FUNCTIONING,

HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

Rep. DELLENEY moved to recommit the Joint Resolution to the Committee on Ways and Means.

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

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Duncan |
| Edge | Forrester | Frye |
| Gilliard | Govan | Gunn |
| Haley | Hardwick | Harrell |
| Harvin | Hayes | Hiott |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Limehouse | Littlejohn | 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 |
| M. A. Pitts | Rice | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young |  |

**Total--101**

Those who voted in the negative are:

**Total--0**

So, the Joint Resolution was recommitted.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 4245. If I had been present, I would have voted to commit the Bill to the Judiciary Committee. I strongly believe that before any gambling laws are changed in South Carolina, we need to be certain that any change in the laws will not “reopen the gate” for video poker to return as it was during the 1990’s in our State. We also do not need to vote on this Bill’s proposed changes without enabling legislation to define what will be allowed.

Rep. Tom Young

**H. 4506--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 4506 -- Reps. Lucas, Harrison, J. E. Smith, Harrell, Battle and Rutherford: A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

Rep. HERBKERSMAN explained the Joint Resolution.

Rep. BALES moved to adjourn debate on the Joint Resolution until Tuesday, May 4.

Rep. HARRISON moved to table the motion.

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

Yeas 61; Nays 30

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Bannister | Battle | Bingham |
| Bowen | Brady | Brantley |
| H. B. Brown | Cato | Chalk |
| Cole | Cooper | Daning |
| Delleney | Duncan | Edge |
| Forrester | Gambrell | Gunn |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Horne |
| Hutto | Jefferson | Jennings |
| Kelly | Limehouse | Littlejohn |
| Lowe | Lucas | Merrill |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Neilson | Owens |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | G. M. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Stewart | Stringer | Umphlett |
| Weeks | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--61**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bales | Ballentine | Bowers |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Frye |
| Gilliard | Govan | Harvin |
| Hodges | Hosey | Howard |
| Huggins | King | McEachern |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Parker | Parks |
| Pinson | Rutherford | Spires |
| Toole | Whipper | Williams |

**Total--30**

So, the motion to adjourn debate was tabled.

The question then recurred to the passage of the Joint Resolution.

The Joint Resolution was read the second time and ordered to third reading.

**OBJECTION TO MOTION**

Rep. HARRISON asked unanimous consent that H. 4506 be read a third time tomorrow.

Rep. BALES objected.

**H. 3853--DEBATE ADJOURNED**

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

H. 3853 -- Rep. Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "MIDDLE COURT PROCESSES ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A MIDDLE COURT PROCESS IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A MIDDLE COURT JUDGE, TO PROVIDE REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A MIDDLE COURT PROCESS, AND TO REQUIRE FUNDING OF THE MIDDLE COURT PROCESS BY THE GENERAL ASSEMBLY TO THE JUDICIAL DEPARTMENT, THE OFFICE OF THE ATTORNEY GENERAL, AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

**ORDERED TO THIRD READING**

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

H. 4695 -- Reps. Anderson, Miller, Crawford, Brantley, Allen, G. A. Brown, Dillard, Hayes, Hodges, Hosey, Jefferson, Littlejohn, Lowe and J. H. Neal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33-31-1040 SO AS TO PROVIDE FOR THE MANNER IN WHICH A NONPROFIT CORPORATION MAY CONVERT TO A FOR PROFIT CORPORATION; BY ADDING SECTION 33-31-1045 SO AS TO PROVIDE FURTHER CONDITIONS FOR THE CONVERSION OF A PUBLIC BENEFIT OR RELIGIOUS CORPORATION TO A FOR PROFIT CORPORATION; AND TO AMEND SECTION 33-1-200, AS AMENDED, RELATING TO FILING REQUIREMENTS UNDER THE BUSINESS CORPORATION ACT, SO AS TO ADD A REFERENCE TO THE CHAPTER ON NONPROFIT CORPORATIONS.

Rep. MILLER explained the Bill.

H. 4865 -- Rep. Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-674 SO AS TO DESIGNATE THE SOUTH CAROLINA PECAN FESTIVAL IN FLORENCE COUNTY AS THE OFFICIAL STATE PECAN FESTIVAL.

Rep. LOWE explained the Bill.

**H. 4695--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. MILLER, with unanimous consent, it was ordered that H. 4695 be read the third time tomorrow.

**H. 4865--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LOWE, with unanimous consent, it was ordered that H. 4865 be read the third time tomorrow.

**S. 1030--DEBATE ADJOURNED**

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

S. 1030 -- Senators Hayes, Mulvaney, Coleman, Verdin, S. Martin, Bryant, O'Dell, Davis, Campsen and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-714 SO AS TO DESIGNATE THE MARSH TACKY AS THE OFFICIAL STATE HERITAGE HORSE OF SOUTH CAROLINA.

**H. 4909--DEBATE ADJOURNED**

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

H. 4909 -- Reps. King, Gilliard, Parks, Dillard, Gunn, Howard and Mack: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-72 SO AS TO REQUIRE A STUDENT WHO PARTICIPATES ON A SCHOOL SPONSORED ATHLETIC TEAM TO BE ADMINISTERED A TEST TO DETERMINE IF THE STUDENT HAS SICKLE CELL ANEMIA DURING THE STUDENT'S PREPARTICIPATION PHYSICAL AND TO REQUIRE THE DOCTOR WHO ADMINISTERS THE TEST TO CLEAR THE STUDENT FOR PARTICIPATION ON THE TEAM BEFORE HE IS ELIGIBLE TO PARTICIPATE.

**H. 4837--POINT OF ORDER**

The following Bill was taken up:

H. 4837 -- Reps. J. E. Smith, Miller and McLeod: A BILL TO AMEND SECTION 12-21-3940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BINGO LICENSE REQUIRED FOR NONPROFIT ORGANIZATIONS, SO AS TO ELIMINATE THE PROHIBITION ON ISSUING SUCH A LICENSE TO A NONPROFIT ORGANIZATION THAT IS A NONPUBLIC, LIMITED MEMBERSHIP ORGANIZATION ESTABLISHED FOR SOCIAL, BENEVOLENT, PATRIOTIC, RECREATIONAL, OR FRATERNAL PURPOSES WHICH HOLDS A LICENSE TO SELL ALCOHOLIC LIQUORS BY THE DRINK.

Rep. MERRILL proposed the following Amendment No. 1 (COUNCIL\GGS\22613SD10):

Amend the bill, as and if amended, by adding a new SECTION to be appropriately numbered which shall read:

/ SECTION \_\_\_. A. Chapter 22, Title 12 of the 1976 Code is amended by adding:

“Article 2

Charitable Raffles and Fundraising Events

Section 12‑22‑100. (A) A lottery or raffle of any type whatsoever is unlawful unless it is authorized by the following:

(1) Chapter 150, Title 59;

(2) Chapter 22, Title 12.

(B) The penalties for operating an unlawful lottery or raffle are provided pursuant to this chapter. Each violation is a separate offense.

Section 12‑22-110. (A) It is the intention of the General Assembly that only tax‑exempt religious, fraternal, and civic organizations, schools, or other charitable groups shall be allowed to operate raffles or special limited charity fundraising events.

(B) For purposes of this chapter:

(1) ‘Adjusted gross receipts’ mean gross receipts less all cash prizes and the amount paid for merchandise prizes purchased.

(2) ‘Charitable gaming supplies and equipment’ means any material, device, apparatus, or paraphernalia customarily used in the conduct of charitable gaming, including bingo cards and paper, charity game tickets, and other apparatus or paraphernalia used in conducting games of chance at charity fundraising events subject to regulation under this chapter. The term shall not include any material, device, apparatus, or paraphernalia incidental to the game, such as pencils, daubers, playing cards, or other supplies that may be purchased from normal sources of supply.

(3) ‘Charitable organization’ means a nonprofit entity organized for charitable, religious, educational, literary, civic, fraternal, or patriotic purposes.

(4) ‘Gross receipts’ mean all monies collected or received from the conduct of charitable gaming.

(5) ‘Net receipts’ mean adjusted gross receipts less all expenses, charges, fees, and deductions authorized under this chapter.

(6) ‘Operate’, ‘operated’, or ‘operating’ means the conduct, direction, supervision, management, operation, control, or guidance or activity.

(7) ‘Person’ means a natural person, partnership, association, company, corporation, or organization, or a manager, agent, servant, officer, or employee thereof.

(8) ‘Raffle’ means a game of chance in which a participant is required to pay something of value for a ticket for a chance to win a prize, with the winner to be determined by a random drawing or similar process whereby all entries have an equal chance of winning.

(9) ‘Special limited charity game’ means games involving live individuals playing roulette, blackjack, poker, baccarat, or other card games, dice games and must not include events with any electronic device or machine, slot machines, electronic video gaming devices, wagering on live sporting events, or simulcast broadcasts of horse races.

(10) ‘Special limited charity fundraising event’ means any type of charity fundraising event, such as rubber duck races, hole‑in‑one golf, or basketball shooting, or events at which the predominate number or types of games offered for play are special limited charity games.

(11)‘Year’ means calendar year.

Section 12‑22‑120. (A) A charitable organization is allowed to conduct raffles or special limited charity fundraising events in accordance with the provisions of this chapter if the charitable organization:

(1) is recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation;

(2) has been in continuous existence and operation in the state for a period of not less than one year from the date of the first raffle or special limited charity fundraising event; and

(3) is registered with the Secretary of State pursuant to the requirements of Chapter 56, Title 33. In the event that the charitable organization is unable to provide the Secretary of State with documents that are required by such chapter, the charitable organization must provide sufficient evidence concerning the structure and operation of the organization to enable the agency to determine whether the applicant meets the charitable, religious, or fraternal criteria. Sufficient evidence includes submission of a document attesting to the stated purpose of the organization, names of board members or organizers of the organization, and the formation date of the organization.

(B) The requirement to register for the purpose of conducting raffles and special limited charity fundraising events with the Secretary of State shall apply to any and all charitable organizations that intend to conduct a raffle or special limited charity fundraising event in this State, including those organizations that are exempt or not required to follow the registration requirements of Chapter 56, Title 33, unless the raffle is held by a charitable organization where a prize is donated by a member of the charitable organization, the total value of the prize is less than five hundred dollars, and each raffle ticket is sold for not more than five dollars.

(C) Registrations for raffles and special limited charity fundraising events shall expire twelve months from the date of issuance. Organizations that meet the requirements of Section 12‑22‑120(A) shall submit an annual raffle and special limited charity fundraising event form along with a fee of fifty dollars to the Office of the Secretary of State. This registration form and fee shall cover all allowable raffles and special limited charity fundraising events for the year. Proceeds from the fees shall be retained by the Secretary of State for enforcement of these provisions.

(D) Charitable organizations registering with the Secretary of State shall be subject to investigation and other actions by the Secretary of State, and subject to all penalties contained in Chapter 56, Title 33. The Office of the Secretary of State shall refer violations to law enforcement for criminal prosecution pursuant to the provisions of this chapter.

(E) Charitable organizations may advertise raffles or special limited charity fundraising events.

(F) Charitable organizations are limited to four raffles and four special limited charity fundraising events per year. Each affiliate or subsidiary of a charitable organization that otherwise qualifies pursuant to the requirements of this chapter and shares a Federal Employer’s identification Number (EIN) with the parent charitable organization shall be entitled to hold four raffles per year and four special limited charity fundraising events per year. This restriction does not apply to raffles held by charitable organizations where a prize is donated by a member of the charitable organization, and the total value of the prize is less than five hundred dollars, and each raffle ticket is sold for not more than five dollars.

Section 12‑22‑130. (A) No less than ninety percent of the net receipts of a raffle or special limited charity fundraising event authorized pursuant to this chapter must be used for the charitable, religious, or philanthropic purposes of the charitable organization. No gross receipts, expenses, or net receipts of a raffle or special limited charity fundraising event shall be used to influence the outcome of a political office or to influence the outcome of an issue pending before a political body.

(B) No charitable organization shall enter into a contract with any person to have that person operate raffles or special limited charity fundraising events on behalf of the charitable organization.

(C) A charitable organization shall not lend its name nor allow its identity to be used by any person in the operating or advertising of a raffle or special limited charity fundraising event in which the charitable organization is not directly and solely operating the raffle or special limited charity fundraising event. Nothing in this section, however, shall prohibit two or more charitable organizations from participating together to run a raffle or special limited charity fundraising event.

(D) A raffle or special limited charity fundraising event shall be conducted only by an authorized charitable organization through its bona fide officers and members who volunteer their time and receive no compensation for their services. Food and beverages served to and consumed by volunteers during a raffle or special limited charity fundraising event is not compensation.

(E) A charitable organization shall not conduct raffles or special limited charity fundraising events through any agent or third party, and shall not pay consulting fees or something of value to any person for any services performed in relation to the operation or conduct of a raffle or special limited charity fundraising event. Rental of raffle or special limited charity game equipment is not considered conducting a raffle or special limited charity fundraising event.

(F) The provisions of this chapter are not intended and shall not be construed to allow the play of raffles or special limited charity games through any electronic device or machine.

Section 12‑22‑140. Expenses that are reasonable and necessary to raffles or special limited charity fundraising events as authorized by this chapter are allowable and include expenses incurred for:

(A) advertising, including the cost of printing raffle and special limited charity fundraising event gift certificates;

(B) food and beverage costs;

(C) rental of equipment and hiring a person to operate the equipment during the limited time period allowed for raffles or special limited charity fundraising games;

(D) repairs to premises and equipment;

(E) door prizes or prizes;

(F) stated rental or insurance expenses; and

(G) bookkeeping or accounting services.

Section 12‑22‑150. A charitable organization may conduct or participate in a special limited charity fundraising event that does not exceed four events a year per organization and at which each event does not continue for more than six consecutive hours. Special limited charity fundraising events may include special limited charity games, if the following requirements are met:

(A) the charitable organization must meet all of the requirements of Section 12‑22‑120;

(B) no merchandise prize shall be purchased or offered or cash prize offered that exceeds the gross receipts collected by the applicant exclusive of any potential prize amounts secured by a policy of insurance, and no individual cash prize not so insured shall exceed twenty‑five thousand dollars; and

(C) no less than ninety percent of the net receipts must be applied to the charitable, religious, fraternal, or nonprofit purposes of the applicant, and all of the restrictions in this chapter shall apply to any expenses, charges, fees or deductions to manufacturers, distributors, or persons conducting the special limited charity fundraising event.

Section 12‑22‑160. (A) Each charitable organization conducting a raffle or special limited charity fundraising event shall keep records of its gross receipts, expenses, adjusted gross receipts, and net receipts for each single raffle or special limited charity fundraising event at which winning chances are determined. All deductions from gross receipts for each single raffle or special limited charity fundraising event shall be documented with receipts or other records indicating the amount, a description of the purchased item or service or other reason for the deduction, and the recipient. The distribution of net receipts shall be itemized as to payee, purpose, amount and date of payment.

(B) Each charitable organization conducting raffles or special limited charity fundraising events shall report promptly after the conclusion of each raffle or special limited charity fundraising event to its membership, its gross receipts, expenses and net proceeds from raffles and special limited charity fundraising events and the distribution of net proceeds itemized as required in this section.

(C) Records required by this section shall be preserved for three years, and organizations shall make available their records relating to operation of raffles and special limited charity fundraising events for public inspection at reasonable times and places.

Section 12‑22‑170. No person under the age of eighteen years may promote, conduct, operate, or work at a special limited charity fundraising event, and no person under the age of eighteen years may sell or promote the sale of any special limited charity fundraising event tickets, nor shall any sponsoring organization permit any person under the age of eighteen to promote, conduct, or operate any special limited charity fundraising event or any person under the age of eighteen to sell or promote the sale of such tickets. This restriction does not apply to the promotion, sale, conduct, or operation of a raffle.

Section 12‑22‑180. (A) Each of the officers or directors of a charitable organization who violate the provisions of this chapter shall, upon conviction, be fined not less than two thousand dollars and not more than five thousand dollars, or imprisoned for not more than thirty days, or both. Further, a charitable organization convicted of a violation pursuant to this section shall be prohibited from applying for a special limited charity fundraising event until not less than twenty‑four months after the date of the conviction.

(B) Other persons who violate the provisions of this chapter shall be guilty of, upon conviction:

(1) for a first offense, a misdemeanor, and upon conviction, shall be fined not more than five hundred dollars or imprisoned for not more than thirty days, or both;

(2) for a second offense, a misdemeanor, and upon conviction, shall be fined not more than one thousand dollars or imprisoned for not more than ninety days, or both; and

(3) for a third or subsequent offense, a misdemeanor, and upon conviction, shall be fined not more than one thousand five hundred dollars or imprisoned for not more than one year, or both.

(C) Notwithstanding the provisions of Sections 22‑3‑540, 22‑3‑545, and 22‑3‑550, a violation of the provisions of this chapter must be tried exclusively in magistrates court.”

B. Notwithstanding the general effective date of this act, Article 2, Chapter 22, Title 12 of the 1976 Code, as added by this act, becomes effective ninety days after ratification of an amendment to Section 7, Article XVII of the Constitution of this State allowing its terms as proposed to the qualified electors of this State at the 2010 General Election. /

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

Rep. RUTHERFORD requested to waive the printing, pursuant to Rule 5.15.

Rep. DELLENEY moved to table the motion to waive the printing.

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

Yeas 51; Nays 56

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Delleney | Duncan | Forrester |
| Frye | Gunn | Haley |
| Hardwick | Harrison | Hearn |
| Hiott | Huggins | Kelly |
| Kirsh | Long | Lucas |
| Millwood | D. C. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Pinson | Rice | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Toole |
| Whitmire | Willis | T. R. Young |

**Total--51**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Battle | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Edge | Gambrell |
| Gilliard | Govan | Harrell |
| Hart | Harvin | Herbkersman |
| Horne | Hosey | Howard |
| Hutto | Jennings | Kennedy |
| King | Limehouse | Littlejohn |
| Lowe | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | V. S. Moss | Norman |
| Parks | M. A. Pitts | Rutherford |
| Sellers | Sottile | Spires |
| Stavrinakis | Umphlett | Weeks |
| Whipper | White | Williams |
| Wylie | A. D. Young |  |

**Total--56**

So, the House refused to table the motion to waive the printing.

The question recurred to the motion to waive the printing.

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

Yeas 59; Nays 49

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Battle |
| Bowen | Bowers | Brady |
| Branham | G. A. Brown | H. B. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Edge | Gambrell |
| Gilliard | Govan | Harrell |
| Hart | Harvin | Herbkersman |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Limehouse |
| Littlejohn | Long | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | V. S. Moss |
| Norman | Parks | M. A. Pitts |
| Rutherford | Scott | Sellers |
| G. M. Smith | Sottile | Spires |
| Stavrinakis | Umphlett | Weeks |
| Whipper | White | Williams |
| Wylie | A. D. Young |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Delleney |
| Duncan | Forrester | Frye |
| Gunn | Haley | Hardwick |
| Harrison | Hayes | Hearn |
| Hiott | Huggins | Kelly |
| Kirsh | Lowe | Lucas |
| Millwood | D. C. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Pinson | Rice | Sandifer |
| Simrill | D. C. Smith | G. R. Smith |
| J. R. Smith | Stewart | Stringer |
| Toole | Whitmire | Willis |
| T. R. Young |  |  |

**Total--49**

So, the House refused to waive the printing.

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

**RECURRENCE TO THE MORNING HOUR**

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

**S. 328--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., April 27, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to S. 328:

S. 328 -- Senators Verdin, Grooms, Campbell, Bright, Bryant and Campsen: A BILL TO AMEND SECTION 47-5-60 OF THE 1976 CODE, RELATING TO INOCULATING PETS AGAINST RABIES, SO AS TO PROVIDE THAT THESE INOCULATIONS MUST BE ADMINISTERED BY A LICENSED VETERINARIAN OR SOMEONE UNDER THE DIRECT SUPERVISION OF A LICENSED VETERINARIAN.

and asks for a Committee of Conference and has appointed Senators Land, Verdin and Bryant to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. VICK, D. C. MOSS and FRYE to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**R.178, H. 4755--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

April 26, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am hereby vetoing H. 4755, R. 178, which allows the Georgetown County School District to use the proceeds from general obligation bonds to cover operating expenses as a result of an expected operating deficit in FY 2011.

We are sympathetic to the difficulty in which this school district, and others like it, find themselves, but we are compelled to do as we have done in the past and veto this legislation which breaks a cardinal rule of prudent finance. Bonded indebtedness should not be used by school districts to fund operating expenditures because an absolute rule of finance is that you do not fund short-term operations with long-term debt. States like California have attempted to do so and it has come with disastrous consequences.

Doing so in this instance will invite the same consequences over time to our state.

For this reason, I am vetoing H. 4755, R. 178.

Sincerely,

Mark Sanford

Governor

**HOUSE RESOLUTION**

The following was introduced:

H. 4921 -- Reps. Haley, 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, 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 COMMEND THE GILBERT RUGBY CLUB FOR ITS UNDEFEATED SEASON, AND TO CONGRATULATE THE EXCEPTIONAL PLAYERS, COACHES, AND STAFF FOR CAPTURING THE 2010 SOUTH CAROLINA HIGH SCHOOL RUGBY LEAGUE'S STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4922 -- Rep. Haley: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE GILBERT RUGBY CLUB, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM FOR AN OUTSTANDING SEASON AND FOR CAPTURING THE 2010 SOUTH CAROLINA HIGH SCHOOL RUGBY LEAGUE'S STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**INTRODUCTION OF BILL**

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

H. 4923 -- Reps. Govan, Cobb-Hunter, Ott and Sellers: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF ORANGEBURG CONSOLIDATED SCHOOL DISTRICT NO. 4 OF ORANGEBURG COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT UP TO ITS CONSTITUTIONAL DEBT LIMIT IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

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

**CONCURRENT RESOLUTION**

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

H. 4924 -- Reps. Edge, Crawford, 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, Daning, Delleney, Dillard, Duncan, 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 CONCURRENT RESOLUTION TO DESIGNATE MAY 5, 2010, AS "SOUTH CAROLINA CLEAN HANDS DAY", AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE DAILY THE IMPORTANCE OF PROPER HAND HYGIENE TO REDUCE AND PREVENT THE SPREAD OF INFECTIONS AND TO DISCUSS PROPER HAND HYGIENE WITH FAMILIES, FRIENDS, AND HEALTH CARE PROVIDERS.

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

**R. 178, H. 4755--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R178) H. 4755 -- Reps. Miller and Anderson: AN ACT TO PROVIDE THAT THE SCHOOL DISTRICT OF GEORGETOWN COUNTY FOR FISCAL YEAR 2010-2011 MAY EXPEND FUNDS GENERATED FROM A GENERAL OBLIGATION DEBT BOND ISSUE FOR SCHOOL OPERATING PURPOSES, IN ORDER TO DEAL WITH A SHORTAGE OF SCHOOL OPERATING FUNDS, IF PERMITTED BY THE FEDERAL LAW APPLICABLE TO THE PARTICULAR TYPES OF BONDS ISSUED AND IF IT DOES NOT VIOLATE ANY PROVISIONS OF THE BOND INDENTURE APPLICABLE TO THE ISSUANCE AND SALE OF THOSE BONDS.

Rep. MILLER explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of his Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 2; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Miller |  |

**Total--2**

Those who voted in the negative are:

**Total--0**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**ORDERED TO THIRD READING**

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

H. 4906 -- Reps. Bannister, Hamilton, Wylie, Nanney, Bedingfield, Loftis, Allen, Cato and Stringer: A BILL TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

Rep. BANNISTER explained the Bill.

H. 4798 -- Rep. Gunn: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-611 SO AS TO PROVIDE THAT THE HONOR AND REMEMBER FLAG IS THE OFFICIAL STATE FLAG TO HONOR FALLEN SOLDIERS.

Rep. GUNN explained the Bill.

**OBJECTION TO MOTION**

Rep. BANNISTER asked unanimous consent that H. 4906 be read a third time tomorrow.

Rep. KENNEDY objected.

**H. 4798--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. GUNN, with unanimous consent, it was ordered that H. 4798 be read the third time tomorrow.

**S. 1146--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, May 4, which was adopted:

S. 1146 -- Senator Alexander: A BILL TO AMEND SECTIONS 9-1-1770, 9-1-1775, 9-8-110, 9-9-100, 9-11-120, 9-11-125, AND 9-11-140 OF THE 1976 CODE, RELATING TO THE PAYMENT OF DEATH BENEFITS IN RETIREMENT PLANS ADMINISTERED BY THE SOUTH CAROLINA RETIREMENT SYSTEMS, TO REPEAL CERTAIN DUTIES AND RESPONSIBILITIES OF THE BOARD, TO PROVIDE THAT BENEFITS PAID PURSUANT TO THE ACCIDENTAL DEATH INSURANCE BENEFIT SHALL NOT BE TREATED AS A LIFE INSURANCE BENEFIT, AND TO PROVIDE THAT ADJUSTMENTS TO BENEFITS SHALL BE MADE IN THE MANNER PROVIDED IN SECTION 9-11-310.

**S. 1145--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, May 4, which was adopted:

S. 1145 -- Senator Leatherman: A BILL TO AMEND SECTIONS 9-1-1540, 9-9-65, AND 9-11-80 OF THE 1976 CODE, RELATING TO THE DATE UPON WHICH AN APPLICATION FOR DISABILITY RETIREMENT MUST BE FILED WITH THE SOUTH CAROLINA RETIREMENT SYSTEM, TO PROVIDE THAT A MEMBER IS CONSIDERED TO BE IN SERVICE ON THE DATE THE APPLICATION IS FILED IF THE MEMBER IS NOT RETIRED AND THE LAST DAY THE MEMBER WAS EMPLOYED BY A COVERED EMPLOYER IN THE SYSTEM OCCURRED NOT MORE THAN NINETY DAYS PRIOR TO THE DATE OF FILING.

**S. 906--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, May 4, which was adopted:

S. 906 -- Senators Leatherman, Land, Coleman and Elliott: A BILL TO AMEND SECTION 9-8-50 OF THE 1976 CODE, RELATING TO SERVICE CREDIT IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER UPON TERMINATION WHO DOES NOT QUALIFY FOR A MONTHLY BENEFIT MAY TRANSFER HIS SERVICE CREDIT TO THE SOUTH CAROLINA RETIREMENT SYSTEM, AND TO CLARIFY PROVISIONS RELATED TO THE TRANSFER OF EARNED SERVICE CREDIT IN RETIREMENT PLANS ADMINISTERED BY THE SOUTH CAROLINA RETIREMENT SYSTEMS.

**H. 3853--DEBATE ADJOURNED**

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

H. 3853 -- Rep. Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "MIDDLE COURT PROCESSES ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A MIDDLE COURT PROCESS IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A MIDDLE COURT JUDGE, TO PROVIDE REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A MIDDLE COURT PROCESS, AND TO REQUIRE FUNDING OF THE MIDDLE COURT PROCESS BY THE GENERAL ASSEMBLY TO THE JUDICIAL DEPARTMENT, THE OFFICE OF THE ATTORNEY GENERAL, AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

**S. 1030--POINT OF ORDER**

The following Bill was taken up:

S. 1030 -- Senators Hayes, Mulvaney, Coleman, Verdin, S. Martin, Bryant, O'Dell, Davis, Campsen and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-714 SO AS TO DESIGNATE THE MARSH TACKY AS THE OFFICIAL STATE HERITAGE HORSE OF SOUTH CAROLINA.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4909--POINT OF ORDER**

The following Bill was taken up:

H. 4909 -- Reps. King, Gilliard, Parks, Dillard, Gunn, Howard and Mack: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-63-72 SO AS TO REQUIRE A STUDENT WHO PARTICIPATES ON A SCHOOL SPONSORED ATHLETIC TEAM TO BE ADMINISTERED A TEST TO DETERMINE IF THE STUDENT HAS SICKLE CELL ANEMIA DURING THE STUDENT'S PREPARTICIPATION PHYSICAL AND TO REQUIRE THE DOCTOR WHO ADMINISTERS THE TEST TO CLEAR THE STUDENT FOR PARTICIPATION ON THE TEAM BEFORE HE IS ELIGIBLE TO PARTICIPATE.

Rep. KING proposed the following Amendment No. 1 (COUNCIL\BBM\9747HTC10):

Amend the bill, as and if amended, by striking Section 59-63-72, as contained in SECTION 1, page 1, and inserting:

/ Section 59-63-72. In order for a student to participate on a school sponsored athletic team, the student must undergo a preparticipation physical, during which time a test to determine if the student has sickle cell anemia or carries the sickle cell anemia trait must be administered. The doctor who administers the test must clear the student for participation on the team before the student is eligible to participate.” /

Renumber sections to conform.

Amend title to conform.

Rep. KING explained the amendment.

Rep. ANTHONY spoke against the amendment.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3853--RECOMMITTED**

The following Bill was taken up:

H. 3853 -- Rep. Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 29 TO TITLE 14 SO AS TO ENACT THE "MIDDLE COURT PROCESSES ACT", TO REQUIRE THE CREATION AND ADMINISTRATION OF A MIDDLE COURT PROCESS IN EACH JUDICIAL CIRCUIT BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE APPOINTMENT, POWERS, AND DUTIES OF A MIDDLE COURT JUDGE, TO PROVIDE REQUIREMENTS FOR AN OFFENDER TO QUALIFY FOR ADMISSION TO A MIDDLE COURT PROCESS, AND TO REQUIRE FUNDING OF THE MIDDLE COURT PROCESS BY THE GENERAL ASSEMBLY TO THE JUDICIAL DEPARTMENT, THE OFFICE OF THE ATTORNEY GENERAL, AND THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES.

Rep. KELLY moved to recommit the Bill to the Committee on Judiciary, which was agreed to.

**OBJECTION TO RECALL**

Rep. BALLENTINE asked unanimous consent to recall H. 4403 from the Committee on Judiciary.

Rep. KENNEDY objected.

**S. 405--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

On motion of Rep. MERRILL, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

S. 405 -- Senator Cleary: A BILL TO AMEND SECTION 12-37-220 OF THE 1976 CODE, RELATING TO PROPERTY TAX EXEMPTIONS, TO CLARIFY THAT A WATERCRAFT AND ITS MOTOR MAY NOT RECEIVE A FORTY-TWO AND 75/100 PERCENT EXEMPTION IF THE BOAT OR WATERCRAFT IS CLASSIFIED AS A PRIMARY OR SECONDARY RESIDENCE FOR PROPERTY TAX PURPOSES; TO AMEND SECTION 12-37-224, RELATING TO BOATS AS A PRIMARY OR SECONDARY RESIDENCE, TO PROVIDE THAT A BOAT OR WATERCRAFT THAT CONTAINS A COOKING AREA WITH AN ONBOARD POWER SOURCE, A TOILET WITH EXTERIOR EVACUATION, AND A SLEEPING QUARTER, SHALL BE CONSIDERED A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF AD VALOREM PROPERTY TAXATION IN THIS STATE; AND TO AMEND SECTION 12-37-714, RELATING TO BOATS WITH A SITUS IN THIS STATE, TO PROVIDE THAT UPON AN ORDINANCE PASSED BY THE LOCAL GOVERNING BODY, A COUNTY MAY SUBJECT A BOAT, INCLUDING ITS MOTOR IF THE MOTOR IS SEPARATELY TAXED, TO PROPERTY TAX IF IT IS WITHIN THIS STATE FOR NINETY DAYS IN THE AGGREGATE, REGARDLESS OF THE NUMBER OF CONSECUTIVE DAYS.

**S. 1204--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

On motion of Rep. COOPER, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

S. 1204 -- Senator Leatherman: A BILL TO AMEND SECTION 48-5-50 OF THE 1976 CODE, RELATING TO USES OF THE CLEAN WATER FUND, TO ALLOW ANY USE PRESCRIBED BY ANY FEDERAL LAW GOVERNING OR APPROPRIATING FUNDS FOR THE CLEAN WATER FUND; AND TO AMEND SECTION 48-5-55, RELATING TO USES OF THE DRINKING WATER FUND, TO ALLOW ANY USE PRESCRIBED BY ANY FEDERAL LAW GOVERNING OR APPROPRIATING FUNDS FOR THE DRINKING WATER FUND.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3033 from the Committee on Judiciary.

Rep. HARRISON objected.

**OBJECTION TO RECALL**

Rep. BEDINGFIELD asked unanimous consent to recall H. 4919 from the Committee on Judiciary.

Rep. COBB-HUNTER objected.

**OBJECTION TO RECALL**

Rep. J. R. SMITH asked unanimous consent to recall S. 915 from the Committee on Ways and Means.

Rep. KENNEDY objected.

**OBJECTION TO RECALL**

Rep. RUTHERFORD asked unanimous consent to recall S. 1014 from the Committee on Judiciary.

Rep. KENNEDY objected.

**S. 1363--RECALLED FROM COMMITTEE ON EDUCATION AND PUBLIC WORKS**

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

S. 1363 -- Senators Hayes, Setzler and Courson: A BILL TO AMEND SECTION 59-26-85 OF THE 1976 CODE, RELATING TO THE INCREASE PAY FOR TEACHERS CERTIFIED BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS, TO PROVIDE THAT TEACHERS RECEIVING CERTIFICATION PRIOR TO JULY 1, 2010, SHALL RECEIVE AN INCREASE IN PAY FOR THE LIFE OF THE CERTIFICATION, TO PROVIDE THAT TEACHERS RECEIVING CERTIFICATION ON OR AFTER JULY 1, 2010, ONLY SHALL RECEIVE AN INCREASE IN PAY FOR THE INITIAL TEN YEARS OF THE CERTIFICATION, AND TO PROVIDE THAT ONLY TEACHERS WHO APPLY FOR CERTIFICATION PRIOR TO JULY 1, 2010, MAY RECEIVE A LOAN FOR THE APPLICATION FEE.

**OBJECTION TO RECALL**

Rep. CLEMMONS asked unanimous consent to recall H. 4806 from the Committee on Judiciary.

Rep. KENNEDY objected.

**OBJECTION TO RECALL**

Rep. GAMBRELL asked unanimous consent to recall H. 4822 from the Committee on Agriculture, Natural Resources and Environmental Affairs.

Rep. UMPHLETT objected.

**H. 3161--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

Debate was resumed on the following Bill, the pending question being the motion to commit the Bill to the Ways and Means Committee:

H. 3161 -- Rep. Harrison: A BILL TO AMEND SECTION 1-23-660, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFICE OF MOTOR VEHICLE HEARINGS WITHIN THE ADMINISTRATIVE LAW COURT, SO AS TO REQUIRE THE OFFICE OF MOTOR VEHICLE HEARINGS TO EMPLOY CERTAIN PROFESSIONAL AND SUPPORT STAFF; AND TO AMEND SECTION 56-5-2952, AS AMENDED, RELATING TO THE FILING FEE TO REQUEST AN ADMINISTRATIVE HEARING, SO AS TO INCREASE THE FILING FEE FROM ONE HUNDRED FIFTY TO TWO HUNDRED FIFTY DOLLARS AND PROVIDE FOR THE DISTRIBUTION OF THE FILING FEE FUNDS COLLECTED.

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

Yeas 33; Nays 71

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Cato |
| Cobb-Hunter | Dillard | Duncan |
| Frye | Gunn | Haley |
| Harrell | Hiott | Hosey |
| Howard | Kennedy | King |
| Kirsh | Long | Merrill |
| Millwood | Nanney | J. H. Neal |
| J. M. Neal | Ott | Parker |
| Rice | Scott | Stewart |
| Thompson | Toole | Vick |
| Whipper | Williams | A. D. Young |

**Total--33**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bingham | Bowen | Bowers |
| Brady | Branham | G. A. Brown |
| H. B. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cole |
| Cooper | Daning | Delleney |
| Forrester | Gambrell | Gilliard |
| Hardwick | Harrison | Hart |
| Harvin | Hearn | Herbkersman |
| Horne | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Limehouse | Littlejohn | Lucas |
| Mack | McEachern | McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Neilson | Norman | Owens |
| Pinson | M. A. Pitts | Rutherford |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Spires | Stavrinakis | Stringer |
| Umphlett | Viers | Weeks |
| White | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--71**

So, the House refused to commit the Bill.

Rep. MERRILL proposed the following Amendment No. 1 (COUNCIL\MS\7839AHB10), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 4 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

Rep. JENNINGS spoke against the amendment.

Rep. KENNEDY spoke upon the amendment.

**LEAVE OF ABSENCE**

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

Rep. ANTHONY spoke upon the amendment.

Rep. GUNN spoke upon the amendment.

Rep. GUNN spoke upon the amendment.

Rep. HART spoke upon the amendment.

Rep. MERRILL spoke in favor of the amendment.

Rep. HARRISON moved to table the amendment.

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

Yeas 43; Nays 63

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | Bannister | Battle |
| Branham | H. B. Brown | Clemmons |
| Clyburn | Cole | Delleney |
| Edge | Forrester | Gilliard |
| Govan | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Horne | Hutto | Jefferson |
| Jennings | Kelly | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | Pinson | Sellers |
| D. C. Smith | G. M. Smith | Stavrinakis |
| Stringer | Viers | Weeks |
| T. R. Young |  |  |

**Total--43**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Ballentine |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | G. A. Brown |
| R. L. Brown | Cato | Cobb-Hunter |
| Cooper | Daning | Duncan |
| Frye | Gambrell | Gunn |
| Haley | Hardwick | Harrell |
| Herbkersman | Hiott | Hodges |
| Hosey | Howard | Huggins |
| Kennedy | King | Kirsh |
| Limehouse | Littlejohn | Long |
| Merrill | Millwood | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | M. A. Pitts |
| Rice | Rutherford | Scott |
| Simrill | J. R. Smith | Sottile |
| Spires | Stewart | Thompson |
| Toole | Umphlett | Vick |
| Whipper | White | Whitmire |
| Williams | Wylie | A. D. Young |

**Total--63**

So, the House refused to table the amendment.

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

The Senate Amendments, as amended, were then agreed to and the Bill was ordered returned to the Senate.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CATO a temporary leave of absence due to attending a Public Utilities Review Committee meeting.

**H. 3280--REJECTED**

The following Joint Resolution was taken up:

H. 3280 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Horne, Funderburk, Wylie, Bedingfield, Harrell, A. D. Young, Viers, Gunn, Erickson, Clemmons and Loftis: 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 GENERAL ASSEMBLY 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.

Rep. T. R. YOUNG explained the Joint Resolution.

Pursuant to the provisions of the Constitution the yeas and nays were taken on the passage of the Joint Resolution, resulting as follows:

Yeas 72; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Battle | Bedingfield |
| Bingham | Bowen | Brady |
| H. B. Brown | Chalk | Clemmons |
| Clyburn | Cole | Cooper |
| Daning | Delleney | Duncan |
| Edge | Forrester | Govan |
| Gunn | Haley | Hardwick |
| Harrell | Harrison | Hearn |
| Herbkersman | Hiott | Horne |
| Huggins | Hutto | Limehouse |
| Littlejohn | Long | Lowe |
| Lucas | McEachern | Merrill |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Neilson |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Wylie | A. D. Young | T. R. Young |

**Total--72**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Cobb-Hunter | Dillard |
| Frye | Gambrell | Gilliard |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Mack |
| McLeod | Mitchell | J. H. Neal |
| J. M. Neal | Ott | Parks |
| Sellers | Skelton | Vick |
| Weeks | Whipper | Williams |

**Total--36**

So, the Joint Resolution was rejected.

**H. 4886--ADOPTED**

The following House Resolution was taken up:

H. 4886 -- Rep. Cobb-Hunter: A HOUSE RESOLUTION TO AUTHORIZE THE ANNUAL YOUTH LEGISLATIVE CONFERENCE TO USE THE HOUSE CHAMBER ON MONDAY, SEPTEMBER 27, 2010, FROM 9:00 A.M. TO 12:00 NOON FOR ITS ANNUAL MOCK SESSION.

The Resolution was adopted.

**H. 4855--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4855 -- Reps. Sandifer, Skelton, Hayes and Hiott: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 93 AND PERIMETER ROAD IN THE CITY OF CLEMSON "BILL MCLELLAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "BILL MCLELLAN INTERSECTION".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 4879--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4879 -- Reps. Knight, Horne and A. D. Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION REPLACE THE SIGNS ALONG UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY THAT CONTAIN THE WORDS "CYPRESS SWAMP" WITH SIGNS THAT CONTAIN THE WORDS "GREAT CYPRESS SWAMP".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 4546--RECOMMITTED**

The following Joint Resolution was taken up:

H. 4546 -- Reps. Sandifer, Harrell, Bingham, Cato, Cooper, Harrison, White, Branham, Hardwick, Crawford, Bowen, Skelton, Sottile, Hiott, Toole, Kelly, Forrester, Cole, Bannister, Bowers and Bales: A JOINT RESOLUTION TO ESTABLISH THE SELF-DIRECTED SEMI-INDEPENDENT AGENCY PILOT PROJECT SO AS TO CREATE CERTAIN PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS AS SEPARATE AND DISTINCT INDIVIDUAL STATE AGENCIES TO THE EXTENT PROVIDED FOR IN THIS JOINT RESOLUTION AS OF JANUARY 1, 2011, TO PROVIDE FOR THEIR POWERS AND DUTIES WITH REGARD TO THEIR FISCAL, REGULATORY, AND OPERATIONAL RESPONSIBILITIES, AND TO PROVIDE THAT THIS JOINT RESOLUTION IS REPEALED JULY 1, 2015, UNLESS EXTENDED BY THE GENERAL ASSEMBLY.

Rep. NORMAN moved to recommit the Joint Resolution to the Committee on Labor, Commerce and Industry, which was agreed to.

**H. 3122--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3122 -- Rep. Huggins: A BILL TO AMEND SECTION 12-60-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FAILURE OF A TAXPAYER TO MAKE A REPORT OR FILE A RETURN REQUIRED BY LAW OR A TAXPAYER WHO FILES A FRIVOLOUS RETURN, SO AS TO FURTHER PROVIDE FOR THE INFORMATION THE DEPARTMENT MUST CONSIDER WHEN MAKING AN ESTIMATE OF THE TAX LIABILITY OF THE TAXPAYER UNDER THESE CIRCUMSTANCES.

The Ways and Means Committee proposed the following Amendment No. 1 (COUNCIL\AGM\19986SD10), which was adopted:

Amend the bill, as and if amended, by striking subsection (C) of Section 12‑60‑430 of the 1976 Code, as contained in SECTION 1 and inserting:

/ (C) The ‘best information available’ for purposes of subsections (A) and (B) of this section means either previous returns filed by the taxpayer, if any, or information supplied by the taxpayer upon request of the department sent by first class mail, return receipt requested, if no previous returns have been filed. /

Renumber sections to conform.

Amend title to conform.

Rep. LITTLEJOHN explained the amendment.

The amendment was then adopted.

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

Yeas 94; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | G. A. Brown |
| H. B. Brown | R. L. Brown | Chalk |
| Clemmons | Cole | Cooper |
| Daning | Duncan | Forrester |
| Frye | Gambrell | Gilliard |
| Govan | Haley | Harrell |
| Hart | Hayes | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | Kirsh | Limehouse |
| Littlejohn | 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 | M. A. Pitts |
| Rice | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Williams | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--94**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Kennedy |  |  |

**Total--1**

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

**OBJECTION TO MOTION**

Rep. LITTLEJOHN asked unanimous consent that H. 3122 be read a third time tomorrow.

Rep. KENNEDY objected.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. D. C. SMITH a leave of absence for the remainder of the day.

**H. 4270--COMMITTED**

The following Joint Resolution was taken up:

H. 4270 -- Reps. Merrill, Daning, Wylie, Kirsh and Hutto: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, BY ADDING A NEW PARAGRAPH SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL ENACT A GENERAL LAW AUTHORIZING A CHARITABLE ORGANIZATION TO CONDUCT A RAFFLE, AND WHICH DEFINES THE TYPE OF ORGANIZATION ALLOWED TO CONDUCT A RAFFLE, PROVIDES THE STANDARDS FOR THE CONDUCT AND MANAGEMENT OF THE RAFFLE, PROVIDES PENALTIES FOR VIOLATIONS, AND ENSURES THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLE IS CONDUCTED, AND TO PROVIDE THAT A RAFFLE CONDUCTED IN CONFORMITY WITH LAWS ENACTED PURSUANT TO THIS PARAGRAPH IS NOT CONSIDERED A LOTTERY PROHIBITED BY THE CONSTITUTION.

Rep. DELLENEY moved to commit the Joint Resolution to the Committee on Judiciary.

Rep. MERRILL moved to table the motion.

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

Yeas 36; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Battle | Bowen | Bowers |
| Brady | H. B. Brown | Daning |
| Dillard | Gambrell | Gilliard |
| Govan | Gunn | Harrell |
| Harrison | Herbkersman | Horne |
| Hutto | Jennings | Kennedy |
| Limehouse | Long | Mack |
| McLeod | Merrill | Norman |
| Sottile | Spires | Thompson |
| Umphlett | Whipper | White |
| Williams | Wylie | A. D. Young |

**Total--36**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Ballentine |
| Bannister | Bedingfield | Bingham |
| Branham | Chalk | Clemmons |
| Cole | Delleney | Duncan |
| Edge | Forrester | Frye |
| Hardwick | Hart | Hayes |
| Hearn | Hiott | Hodges |
| Hosey | Howard | Huggins |
| Kelly | King | Kirsh |
| Littlejohn | Lowe | Lucas |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Scott | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Toole |
| Viers | Weeks | T. R. Young |

**Total--54**

So, the House refused to table the motion.

The question then recurred to the motion to commit the Joint Resolution to the Judiciary Committee.

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

Yeas 59; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Ballentine |
| Bannister | Bedingfield | Brady |
| R. L. Brown | Chalk | Clemmons |
| Cole | Delleney | Duncan |
| Edge | Forrester | Frye |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Hayes |
| Hearn | Hiott | Hodges |
| Hosey | Howard | Huggins |
| Jennings | Kelly | Kirsh |
| Littlejohn | Long | Lucas |
| McEachern | Miller | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Owens | Parker | Pinson |
| Rice | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Stewart | Stringer |
| Toole | Vick | Viers |
| Weeks | T. R. Young |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Battle | Bingham | Bowen |
| Bowers | Branham | H. B. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Gambrell | Harrell |
| Herbkersman | Horne | Hutto |
| Kennedy | King | Limehouse |
| Lowe | McLeod | Merrill |
| Norman | M. A. Pitts | Sellers |
| Sottile | Spires | Thompson |
| Umphlett | White | Williams |
| Wylie | A. D. Young |  |

**Total--35**

So, the Joint Resolution was committed.

**H. 4808--DEBATE ADJOURNED**

Rep. CLEMMONS moved to adjourn debate upon the following Bill until Tuesday, May 4, which was adopted:

H. 4808 -- Reps. Clemmons, Bedingfield and Hardwick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-1-70 SO AS TO PROVIDE CERTAIN DEFINITIONS RELATED TO TRANSFER FEE COVENANTS, TO STATE CERTAIN FINDINGS RELATED TO TRANSFER FEE COVENANTS, TO PROVIDE A TRANSFER FEE COVENANT RECORDED AFTER THE EFFECTIVE DATE OF THIS SECTION, OR ANY LIEN TO THE EXTENT THAT IT PURPORTS TO SECURE THE PAYMENT OF A TRANSFER FEE, IS NOT BINDING ON OR ENFORCEABLE AGAINST THE AFFECTED REAL PROPERTY OR ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE OF ANY INTEREST IN THE PROPERTY, AND TO PROVIDE THE SECTION DOES NOT IMPLY THAT A TRANSFER FEE COVENANT RECORDED BEFORE THE EFFECTIVE DATE OF THIS SECTION IS VALID OR ENFORCEABLE.

**H. 4269--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4269 -- Reps. Herbkersman, D. C. Smith, Umphlett, Ballentine, J. R. Smith, Limehouse, Lowe, Bingham, Merrill, Toole, R. L. Brown, T. R. Young, Stewart, McLeod, G. A. Brown, Hiott, Rice, J. E. Smith, Duncan, Agnew, Hutto, Clemmons, Chalk, Clyburn, Hosey, Crawford, Battle, Pinson, Ott, Lucas, Hayes, Stavrinakis, Knight, D. C. Moss, Brady, Horne, Sellers, H. B. Brown, Sottile and Bowers: A BILL TO AMEND ACT 200 OF 2002, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK ACT, SO AS TO DELETE A PROVISION WHICH PROVIDES THAT NO FURTHER DEED RECORDING FEES OR OTHER FUNDS MAY BE CREDITED TO THE CONSERVATION BANK TRUST FUND IN ANY YEAR WHEN A MAJORITY OF STATE AGENCY APPROPRIATIONS ARE REDUCED IN THE ANNUAL GENERAL APPROPRIATIONS ACT OR WHEN THE STATE BUDGET AND CONTROL BOARD IMPOSES ACROSS THE BOARD CUTS AND INSTEAD PROVIDE FOR A REDUCTION ON A PERCENTAGE BASIS IN THE AMOUNT OF DEED RECORDING FEES WHICH MAY BE TRANSFERRED TO THE TRUST FUND, AND TO EXTEND THE EXPIRATION DATE OF THE PROVISIONS OF LAW RELATING TO THE CONSERVATION BANK ACT AND OTHER RELATED DATES PERTAINING TO THE CLOSURE OF THE CONSERVATION BANK ACT AND CONSERVATION BANK FUND.

The Ways and Means Committee proposed the following Amendment No. 1 (COUNCIL\GGS\22592SD10), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

The amendment was then adopted.

Rep. WHITE proposed the following Amendment No. 2 (COUNCIL\BBM\9746HTC10), which was adopted:

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

/ SECTION \_\_. Beginning July 1, 2010, before the Conservation Bank Trust Fund or the Department of Natural Resources may acquire or accept real property on behalf of the State to be placed and held in a public program or to be put to a recreational or wildlife use by the general public, the department or conservation bank trust fund shall insure that a means is provided in the transaction agreements for the seller or donor, or department or trust fund, to reimburse the county and property taxing jurisdictions in the county in which the property is located for the ad valorem tax revenue lost each year as a result of removing the property from the property tax rolls. /

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

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

Yeas 93; Nays 8

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | H. B. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Duncan |
| Edge | Forrester | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrell | Hart |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Kelly |
| Kennedy | King | Limehouse |
| Littlejohn | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Scott | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--93**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Frye |
| Kirsh | Millwood | Nanney |
| Norman | G. R. Smith |  |

**Total--8**

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

**LEAVE OF ABSENCE**

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

**H. 4181--DEBATE ADJOURNED**

Rep. HOWARD moved to adjourn debate upon the following Joint Resolution until Tuesday, May 4, which was adopted:

H. 4181 -- Reps. Scott, Long, Haley, Duncan and Bedingfield: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS, SO AS TO ADD A NEW SECTION PRESERVING THE FREEDOM OF SOUTH CAROLINIANS WITH RESPECT TO THE PROVIDING OF HEALTH CARE SERVICES, BY PROHIBITING ANY LAW, REGULATION, OR RULE TO COMPEL AN INDIVIDUAL, EMPLOYER, OR HEALTH CARE PROVIDER TO PARTICIPATE IN A HEALTH CARE SYSTEM, BY ALLOWING INDIVIDUALS AND EMPLOYERS TO PAY DIRECTLY FOR LAWFUL HEALTH CARE SERVICES WITHOUT PENALTIES OR FINES FOR THESE DIRECT PAYMENTS, BY PROVIDING THAT THE PURCHASE OR SALE OF HEALTH INSURANCE IN PRIVATE HEALTH CARE SYSTEMS MUST NOT BE PROHIBITED BY LAW, REGULATION, OR RULE, BY PROVIDING THOSE INCENTIVES IN WHICH THE RIGHTS PROVIDED BY THIS SECTION DO NOT APPLY, AND TO PROVIDE APPROPRIATE DEFINITIONS.

**H. 3645--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3645 -- Reps. T. R. Young, Merrill, Hardwick, J. R. Smith, D. C. Smith, Erickson, Stringer, Stewart, G. R. Smith, Harrison, Gullick, Nanney, Cato, Huggins, Crawford, Spires, Allison, Ballentine, Bannister, Bedingfield, Bingham, Clyburn, Cole, Forrester, Hamilton, Harrell, Hearn, Herbkersman, Horne, Hosey, Limehouse, Long, Millwood, Parker, E. H. Pitts, Sandifer, Scott, Sellers, Simrill, Sottile, Toole, White, Wylie, A. D. Young, Bowers and Clemmons: A BILL TO AMEND SECTION 56-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS TO WHOM THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE A DRIVER'S LICENSE OR PERMIT, SO AS TO PROVIDE THAT A DRIVER'S LICENSE MAY NOT BE ISSUED TO A PERSON WHO IS UNDER EIGHTEEN YEARS OLD OR A PERSON WHO HOLDS A CONDITIONAL DRIVER'S LICENSE; TO AMEND SECTION 56-1-176, RELATING TO SCHOOL ATTENDANCE CONDITIONS ASSOCIATED WITH THE ISSUANCE OF CONDITIONAL AND SPECIAL RESTRICTED DRIVER'S LICENSES, TO PROVIDE THAT THESE AND ADDITIONAL CONDITIONS SHALL APPLY TO THE ISSUANCE OR REINSTATEMENT OF A BEGINNER'S PERMIT, CONDITIONAL DRIVER'S LICENSE, SPECIAL RESTRICTED DRIVER'S LICENSE, AND A REGULAR DRIVER'S LICENSE ISSUED TO A PERSON LESS THAN EIGHTEEN YEARS OF AGE, TO PROVIDE FOR THE SUSPENSION OF A PERSON'S PERMIT OR LICENSE IF HE FAILS TO COMPLY WITH THESE CONDITIONS, AND TO REQUIRE THAT THE SUSPENSION REMAIN IN EFFECT UNTIL THE PERSON HAS DEMONSTRATED COMPLIANCE WITH THESE CONDITIONS FOR ONE FULL SEMESTER SUBSEQUENT TO THE SEMESTER DURING WHICH HIS PERMIT OR LICENSE WAS SUSPENDED; BY ADDING SECTION 56-1-177 SO AS TO PROVIDE THAT A MINOR'S PRIVILEGE TO DRIVE MUST BE SUSPENDED UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE FOR THE REINSTATEMENT OF A DRIVER'S LICENSE THAT HAS BEEN SUSPENDED; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO INCREASE THE MAXIMUM AGE OF A PERSON WHO MAY BE ISSUED THIS DRIVER'S LICENSE; TO AMEND SECTION 59-65-10, RELATING TO COMPULSORY SCHOOL ATTENDANCE, SO AS TO PROVIDE THAT A CHILD MUST ATTEND SCHOOL UNTIL HE ATTAINS THE AGE OF EIGHTEEN; TO AMEND SECTION 63-19-20, RELATING TO DEFINITIONS OF THE CHILDREN'S CODE, SO AS TO DEFINE "CHILD" FOR THE PURPOSE OF TRUANCY AS A PERSON WHO IS LESS THAN EIGHTEEN YEARS OF AGE; TO AMEND SECTION 63-19-1030, RELATING TO PREHEARING INQUIRY AND INVESTIGATION IN PROCEEDINGS AGAINST A CHILD, SO AS TO SPECIFY HOW COURT DOCUMENTS FOR TRUANCY PETITIONS MUST BE TITLED; TO AMEND SECTION 63-19-1420, RELATING TO SUSPENSION OR RESTRICTION OF A CHILD'S DRIVER'S LICENSE, SO AS TO PROVIDE THAT A COURT MAY RESTRICT THE DRIVER'S LICENSE OF A CHILD WHO IS ADJUDICATED DELINQUENT FOR TRUANCY; AND TO AMEND SECTION 63-19-1440, RELATING TO COMMITMENT OF A CHILD, SO AS TO PROVIDE THAT A CHILD MAY BE COMMITTED FOR A VIOLATION OF A COURT ORDER TO ATTEND SCHOOL PRIOR TO THE CHILD'S EIGHTEENTH BIRTHDAY.

Rep. T. R. Young proposed the following Amendment No. 1 (COUNCIL\MS\7833AHB10), which was adopted:

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

/SECTION 1. Section 56‑1‑176 of the 1976 Code is amended to read:

“Section 56‑1‑176. (A) School attendance is a condition for the issuance or reinstatement of a beginner’s permit, a conditional driver’s license, ~~and~~ a special restricted driver’s license, and a regular driver’s license for a person who is less than eighteen years of age. The Department of Motor Vehicles may not issue or reinstate a beginner’s permit, conditional driver’s license, ~~or~~ a special restricted driver’s license, or a regular driver’s license to a person less than eighteen years of age pursuant to Section 56‑1‑40, Section 56‑1‑50, Section 56‑1‑175, or Section 56‑1‑180 unless the person:

(1) has a high school diploma or a certificate of attendance, or a ~~General Education Development Diploma~~ South Carolina High School Equivalency Diploma (GED); or

(2) is enrolled in a public or private school or is home schooled under the provisions contained in ~~Section~~ Sections 59‑65‑40, 59‑65‑45, or 59‑65‑47, or is enrolled in an adult education program and is making progress toward completion of a program leading to a South Carolina High School Equivalency Diploma (GED) or regular high school diploma; and:

(a) the ~~person~~ student has conformed to the attendance laws, regulations, and policies of the school, school district, and the State Board of Education, as applicable; and

(b) the ~~person~~ student is not ~~suspended or~~ expelled from school.

(B) ~~Documentation~~ At the time of application for a license described in subsection (A), documentation of enrollment status must be presented to the Department of Motor Vehicles by the applicant on a form approved by the Department. The documentation must indicate whether the student is in compliance with the requirements as provided in ~~item (2)~~ subsection (A).

(C) The board of trustees of the school district or its designee, the governing body of a private school, and an official of a home school association shall notify the Department of Motor Vehicles when an enrolled student who is at least fifteen but less than eighteen years of age has accumulated seven or more total unlawful absences, been expelled, or dropped out of school as provided for in section 56‑1‑177. This notification must be by an electronic method as determined by the Department of Motor Vehicles.

(D) Upon receipt of notice of a student whose attendance to school falls in either subsection (1) or subsection (2) of Section 56‑1‑177, the department of motor vehicles must within ten days notify the minor of the suspension of the minor’s license and driving privileges. The notice must be in the manner used by the department for similar driving suspensions.

(E) Upon receipt of notice of suspension of the minor’s license and driving privileges, the minor student’s parent or guardian or in a case where the parent or guardian is unavailable an advocate for the student may appeal the decision. The notice must provide that a person aggrieved by the department’s determination may file a request for a contested case hearing with the Office of Motor Vehicle Hearings in accordance with its rules of procedure. The Office of Motor Vehicle Hearings has exclusive jurisdiction to conduct these hearings. In such appeal, the student’s parent or guardian has the burden of demonstrating with clear and convincing evidence the need for a waiver as provided in this section. a waiver of the requirements of this section may be granted by the Office of Motor Vehicle Hearings if the student has a personal or family hardship that requires that the student have a driver’s license. For purposes of this section, a personal or family hardship means a medical condition of the student or a member of his immediate family that requires that he maintain a driver’s license to receive or transport an immediate family member for treatments, or employment requiring the student to maintain a driver’s license to support himself or his immediate family. The filing of an appeal does not stay the suspension until a final decision is issued on appeal. The Office of Motor Vehicle Hearings shall notify the appropriate school district, governing body of a private school, or official of a home school association when an appeal decision results in the granting of a waiver of the provisions of Section 56‑1‑177. Any appeal from the determination of the Office of motor Vehicle Hearings shall be to the Administrative Law Court.

(F) a person who has appealed a suspension of his privilege to operate a motor vehicle under this section may obtain a special route‑restricted driver’s license that is valid until the final disposition of his appeal. The special route‑restricted driver’s license allows the person to only operate a motor vehicle as transportation between his home and work, or as a part of his work duties, or relating to a medical emergency.

If the Department of Motor Vehicles issues a special route‑restricted driver’s license, it shall designate reasonable restrictions on the times during which and routes on which the person may operate a motor vehicle. A change in the employment hours, place of employment, status as a student, or residence must be reported immediately to the Department of Motor Vehicles by the person.

The fee for a special route‑restricted driver’s license is one hundred dollars. No additional fee is due because of changes in the place and hours of employment or residence. Twenty dollars of this fee must be deposited in the state general fund and eighty dollars must be placed by the Comptroller General into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles.

The operation of a motor vehicle outside the time limits and route imposed by a special route‑restricted driver’s license by the person issued that license is a violation of Section 56‑1‑460.

(G) The suspension of driving privileges as provided in this section shall end upon the date of such minor’s eighteenth birthday unless such minor can show that the minor complies with the requirements of subitems (A)(1) and (A)(2) of this section.”

SECTION 2. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

“Section 56‑1‑177. A person’s, who is less than eighteen years of age, privilege to operate a motor vehicle must be suspended if the person has:

(1) been expelled from or dropped out of school for seven consecutive school days; or

(2) accumulated seven or more unexcused absences in the current academic year or seven or more unexcused absences in the previous academic semester.”

SECTION 3. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

“Section 56‑1‑46. Any person who drives a motor vehicle on a public highway of this state when his license to drive has been suspended, cancelled, revoked, or denied pursuant to Section 56-1-176 or 56-1-177 may be penalized pursuant to the provisions contained in Section 56‑1‑440, but may not be penalized pursuant to the provisions contained in Section 56‑1‑460.”

SECTION 4. 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 5. The Department of Education and the Department of Motor Vehicles may promulgate regulations to implement the provisions of this act.

SECTION 6. This act takes effect on August 1, 2011. /

Renumber sections to conform.

Amend title to conform.

Rep. T. R. YOUNG explained the amendment.

The amendment was then adopted.

Rep. STAVRINAKIS proposed the following Amendment No. 2 (COUNCIL\SWB\8067CM10), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

“Section 56‑1‑46. Notwithstanding another provision of law, a person who drives a motor vehicle on a public highway of this state when his license to drive has been suspended, cancelled, revoked, or denied may be penalized pursuant to the provisions contained in Section 56‑1‑440, but may not be penalized pursuant to the provisions contained in Section 56‑1‑460.” /

Renumber sections to conform.

Amend title to conform.

Rep. T. R. YOUNG moved to table the amendment, which was agreed to.

Rep. T. R. YOUNG proposed the following Amendment No. 3(COUNCIL\7836AHB10KRL), which was adopted:

Amend the bill, as and if amended, by deleting Section 56-1-176(C), as contained in SECTION 1, and inserting:

/ (C) The board of trustees of the school district or its designee, the governing body of a private school, and an official of a home school association shall notify the Department of Motor Vehicles when an enrolled student who is at least fifteen but less than eighteen years of age has accumulated seven or more total unexcused absences, been expelled, or dropped out of school as provided for in section 56‑1‑177. This notification must be by an electronic method as determined by the Department of Motor Vehicles within fourteen days of occurrence. /

Renumber sections to conform.

Amend title to conform.

Rep. T. R. YOUNG explained the amendment.

Rep. KING moved to adjourn debate on the Bill until Tuesday, May 4.

Rep. T. R. YOUNG moved to table the motion.

Rep. T. R. YOUNG demanded the yeas and nays which were taken, resulting as follows:

Yeas 63; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Ballentine | Bannister | Battle |
| Bingham | Bowen | Brady |
| Branham | H. B. Brown | Clemmons |
| Clyburn | Cole | Daning |
| Delleney | Edge | Forrester |
| Gambrell | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Herbkersman | Horne | Hosey |
| Huggins | Hutto | Kelly |
| Limehouse | Littlejohn | Long |
| Lowe | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| J. M. Neal | Neilson | Norman |
| Owens | Parker | Pinson |
| Rice | Scott | Simrill |
| Skelton | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Vick | White | Whitmire |
| Wylie | A. D. Young | T. R. Young |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Bedingfield | R. L. Brown | Chalk |
| Dillard | Gilliard | Govan |
| Gunn | Hart | Hiott |
| Hodges | Howard | Jefferson |
| Kennedy | King | Kirsh |
| Lucas | Mack | McEachern |
| McLeod | Nanney | J. H. Neal |
| Parks | Whipper | Williams |

**Total--27**

So, the motion to adjourn debate was tabled.

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

Rep. SKELTON spoke against the Bill.

Rep. GOVAN spoke against the Bill.

Rep. GOVAN moved to adjourn debate on the Bill.

**POINT OF ORDER**

Rep. T. R. YOUNG raised the Point of Order that time had not expired since the last motion to adjourn debate had been made.

SPEAKER HARRELL sustained the Point of Order and stated that the motion to adjourn debate at this time was out of order.

The question then recurred to the passage of the Bill.

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

Yeas 67; Nays 29

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Ballentine |
| Bannister | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | H. B. Brown |
| Clemmons | Clyburn | Cole |
| Cooper | Daning | Delleney |
| Duncan | Edge | Forrester |
| Frye | Gambrell | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Herbkersman | Hiott |
| Horne | Huggins | Hutto |
| Kelly | Limehouse | Littlejohn |
| Long | Lowe | Merrill |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | J. M. Neal | Norman |
| Owens | Parker | Pinson |
| Rice | Scott | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | White |
| Whitmire | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | R. L. Brown | Chalk |
| Cobb-Hunter | Dillard | Gilliard |
| Govan | Gunn | Hart |
| Hodges | Hosey | Howard |
| Jefferson | Kennedy | King |
| Kirsh | Lucas | Mack |
| McEachern | McLeod | Nanney |
| J. H. Neal | Neilson | Parks |
| Skelton | Williams |  |

**Total--29**

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

**OBJECTION TO MOTION**

Rep. RICE asked unanimous consent that H. 3645 be read a third time tomorrow.

Rep. GOVAN objected.

**H. 3839--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3839 -- Reps. Edge, Harrison, Viers, McLeod and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 21, TITLE 5 SO AS TO ENACT THE "MUNICIPAL FINANCE OVERSIGHT ACT OF 2009" TO CREATE THE MUNICIPAL FINANCE OVERSIGHT COMMISSION AND AN EXECUTIVE COMMITTEE OF THE COMMISSION, PROVIDE FOR THEIR COMPOSITION, POWERS, DUTIES, AND RESPONSIBILITIES, REQUIRE MUNICIPALITIES TO SUBMIT ANNUAL FINANCIAL REPORTS AND ANNUAL AUDITS, PROVIDE FOR SANCTIONS AGAINST MUNICIPALITIES THAT FAIL TO COMPLY WITH THE COMMISSION'S PLAN FOR REFINANCING, ADJUSTING, OR COMPROMISING A DEBT, PROVIDE PENALTIES FOR AN OFFICER OR EMPLOYEE OF A MUNICIPALITY WHO FAILS TO COMPLY WITH THE PROVISIONS OF ARTICLE 9, CHAPTER 21; AND TO AMEND SECTION 6-1-50, AS AMENDED, RELATING TO THE REQUIREMENT OF A FINANCIAL REPORT SUBMITTED BY COUNTIES AND MUNICIPALITIES TO THE STATE BUDGET AND CONTROL BOARD, OFFICE OF RESEARCH AND STATISTICS, ECONOMIC RESEARCH SECTION, SO AS TO DELETE THE REQUIREMENT THAT THE REPORT BE SUBMITTED BY A MUNICIPALITY.

Rep. EDGE proposed the following Amendment No. 1 (COUNCIL\DKA\3989DW10), which was adopted:

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

/ SECTION 1. Chapter 21, Title 5 of the 1976 Code is amended by adding:

“Article 9

Municipal Finance Accountability Act of 2010

Section 5‑21‑910. For purposes of this article:

(1) ‘Employee’ means an employee of a municipality.

(2) ‘Official’ means the mayor or council member of a municipality.

Section 5‑21‑920. This article may be cited as the ‘Municipal Finance Accountability Act of 2010’.

Section 5‑21‑930. (A) There is created the Municipal Finance Accountability Commission composed of the following members:

(1) the State Treasurer;

(2) the Chairman of the Senate Finance Committee or member of Senate Finance Committee designated by the Chairman;

(3) the Chairman of the House Ways and Means Committee or member of the House Ways and Means Committee designated by the Chairman;

(4) four members appointed by the Governor upon the recommendation of the Municipal Association of South Carolina of which at least one must be a current or former elected municipal official and at least one must be a current or former city manager, administrator, or municipal finance officer currently or formerly serving in this State. The remaining two members appointed by the Governor must be elected municipal officials, city managers or administrators, municipal finance officers currently or formerly serving in this State, or independent accountants licensed by the South Carolina Board of Accountancy who practice in the field of municipal accounting.

(B) Appointed members shall serve for terms of four years and until their successors are appointed and qualify, except that of those first appointed, two shall serve for a term of two years and the term must be noted on the appointment. Regardless of the date of appointment, all terms expire July first of the applicable year. A vacancy must be filled in the manner of original appointment for the unexpired portion of the term.

(C) The State Treasurer shall serve as chairman.

(D) The commission shall meet at least quarterly. Action of the commission must be taken by resolution adopted by majority vote of those present and voting. A majority of the commission constitutes a quorum.

(E) Members of the commission shall serve without compensation but may receive mileage, subsistence, and per diem, authorized by law for members of state boards, committees, and commissions.

(F) The Attorney General shall provide legal services as the commission considers necessary to carry out its duties and responsibilities.

(G) For administrative purposes, the commission shall operate as a division of the Office of the State Treasurer.

Section 5‑21‑940. The chairman shall appoint a secretary of the commission, and may appoint other deputies and assistants as necessary, who are responsible to the chairman through the secretary. The commission may delegate powers to the secretary and his deputies to act in the name of the commission. Actions taken by the secretary or his deputies, including signing documents and papers provided for in this article, are effective as though the chairman has taken the action or signed the documents or papers. Actions taken by the secretary or his deputies and assistants may be appealed to the full commission.

Section 5‑21‑950. The commission may establish, charge, and collect fees for expenses incurred by the commission in connection with carrying out its duties and responsibilities under the provisions of this article. Fees may be charged to the municipality being assisted by the commission and may be withheld from that municipality’s state‑shared revenues and the monies distributed to a municipality pursuant to Chapter 27, Title 6, the State Aid to Subdivisions Act, and other funds distributed to a municipality by the State Treasurer for credit to the municipality’s general fund including, but not limited to, distributions from the County/Municipal Revenue Fund pursuant to Section 4‑10‑50, and distributions of state accommodations tax revenue pursuant to Section 6‑4‑10(1).

Section 5‑21‑960. This State designates the commission and its staff as agents and attorneys‑in‑fact authorized to request and receive information from the Internal Revenue Service and other federal and state agencies related to a municipality of this State that is subject to an order issued or investigation being conducted pursuant to the terms of this article. A certificate signed by the secretary of the commission is conclusive evidence of the commission’s right to proceed under this article.

Section 5‑21‑970. (A) The mayor of the municipality shall file a copy of the audit report required by Section 5‑7‑240, to include documents referenced in or accompanying the audit report, or the annual financial report allowed by subsection (B), with the commission no later than nine months after the close of the municipality’s fiscal year. After this date, the State Treasurer shall hold in escrow all state‑shared revenues distributed by the Office of the State Treasurer monies distributed to a municipality pursuant to Chapter 27, Title 6, the State Aid to Subdivisions Act, and other funds distributed to a municipality by the State Treasurer for credit to the municipality’s general fund including, but not limited to, distributions from the County/Municipal Revenue Fund pursuant to Section 4‑10‑50, and distributions of state accommodations tax revenue pursuant to Section 6‑4‑10(1) due the municipality until the required financial report is received or the commission directs payments be made to the municipality.

(B) Instead of the annual audit report required by Section 5‑7‑240, the council of a municipality that has annual revenues of less than three hundred thousand dollars may provide for an annual financial report with agreed upon procedures as established by the commission. A municipality that files an annual financial report as allowed by this section shall comply with the requirements of Section 5‑7‑240 for use and selection of an independent licensed accountant and for public presentation of the statement by the accountant. A municipality that files an annual financial report as allowed by this section and that operates a municipal court also shall comply with the review, supplementary schedule, and other requirements of Section 14‑1‑208(E). The minimum amount of designated annual revenue for substitution of an annual financial report may be adjusted by the commission as warranted by current economic conditions.

Section 5‑21‑980. (A) The commission may take action as it considers advisable to evaluate the municipality’s fiscal affairs, consult with the municipal council, and take other action as authorized by this chapter if a municipality:

(1) fails to pay any installment of principal or interest on its outstanding general obligation debt or revenue debt by the due date and remains in default for thirty days;

(2) fails to transfer to the appropriate agency:

(a) taxes withheld on the income of employees;

(b) employer or employee contributions for social security or pension or retirement plans;

(c) other employee benefits; or

(3) fails to file an annual audit or an annual financial report as required by Section 5‑21‑970; or

(4) files with the commission an annual audit report or annual financial report that, in the determination of the commission, shows substantial evidence of fiscal mismanagement or impending fiscal instability.

(B) In cases where the conditions of subsection (A) exist:

(1) the commission first shall make written inquiry of the municipal council to request clarification and the municipality’s plan for resolution;

(2) if the response is not sufficient to resolve the commission’s concerns, or if no response is received by the commission within thirty days, the commission shall evaluate the necessity for action and if necessary shall formulate a plan for restoring the municipality to fiscal stability or otherwise resolving the situation;

(3) the plan adopted by the commission may require appropriate action necessary to establish the fiscal stability of the municipality and the commission may negotiate with the municipality’s creditors in order to assist the municipality in formulating a resolution; and

(4) during its implementation, the plan may be amended by the commission after consultation with the municipality.

(C) When a plan is developed that the commission finds to be fair and equitable and reasonably within the ability of the municipality to meet, the commission shall enter an order to the municipality to take the necessary steps to implement the plan. When an order is entered, the members of the municipal council and all officials and employees of the municipality shall do all things necessary to implement the plan. The commission may apply to the court of competent jurisdiction for an order to enforce the commission’s order.

(D) Pursuant to the provisions of this section, the commission may require periodic reports on the municipality’s fiscal affairs. If, when acting under the authority of this section, the commission recommends modifications to the municipality’s current or proposed budget, the municipal council shall amend the budget ordinance or make the modification before adopting the proposed budget ordinance.

Section 5‑21‑990. (A) The commission has the authority to take possession and control books and records of a municipality it considers necessary and assume full control of its financial affairs if the governing body of the municipality persists in failing or refusing to comply with the provisions of this article after notice and warning from the commission.

(B) If the commission takes action pursuant to the provisions of this section, the commission is vested with the powers of the municipal council as to the levy of taxes, expenditure of monies, adoption of budgets, and other financial powers conferred upon the municipal council by law. The commission shall provide appropriate public notice of its exercise of these powers.

(C) Nothing done pursuant to the authority of this article or under color of authority granted under this article shall make the commission or this State liable for the debt, liability, or obligation of a municipality.

Section 5‑21‑1000. The power and authority granted to the commission in this article shall continue with respect to a municipality until the commission issues an order finding that the municipality has performed and continues to perform the duties required of it in the plan for restoring the municipality to financial stability.

Section 5‑21‑1010. If an official or employee of a municipality persists, after notice and warning from the commission, in failing or refusing to comply with a provision of this article, he is subject to forfeiture of his office or employment. The commission may enter an order suspending the official or employee from further performance of his office or employment after first giving him notice and an opportunity to be heard in his own defense, pending the outcome of quo warranto proceedings. Upon suspending an official or employee under this section, the commission shall report the circumstances to the Attorney General, who shall initiate and prosecute quo warranto proceedings against the official or employee in circuit court. If an official or employee persists in performing an official act in violation of an order of the commission, the commission also may apply to circuit court for a restraining order and injunction.

Section 5‑21‑1020. In addition to other duties, the commission shall approve orientation programs that satisfy the educational requirements in Section 5‑21‑1030 and distribute a list of approved programs to municipal officials.

Section 5‑21‑1030. (A) An official of a municipality, who was not serving as an official on the effective date of this article, shall enroll in, attend, and complete an orientation program approved by the commission, of no fewer than seven hours, on matters pertaining to the administration and operations of municipal governments. This orientation program must be completed within one year of taking office or within one year of an orientation program being approved by the commission. An approved course includes, but is not be limited to, orientation in municipal finance and budgeting; methods of taxation; planning, zoning, and land use; municipal services and governance; the Freedom of Information Act; the ethics, duties, and responsibilities of members of a municipal council; and other matters as considered necessary and appropriate by the commission.

(B) The reasonable cost of tuition, fees, housing, travel, and meals incurred by a public official to satisfy the requirements of subsection (A) must be paid from funds appropriated by the municipal council for these purposes. Reasonable costs are determined by the municipal council in its reimbursement policies.

Section 5‑21‑1040. An elected municipal official who satisfied the educational requirements in Section 5‑21‑1030 for a prior term as an elected municipal official is not required to comply with the training requirement for a subsequent term except after a break in service.

Section 5‑21‑1050. (A) An elected municipal official shall certify that he has satisfied the educational requirements in Section 5‑21‑1030 by filing a certification form and documentation with the municipal clerk no later than the date he shall complete satisfactorily the educational requirements of Section 5‑21‑1030.

(B) Each certification form substantially must conform to the following form and all applicable portions of the form must be completed:

‘To report compliance with educational requirements required in Section 5‑21‑1030, a person elected to the office of mayor or municipal council and who is not serving as a mayor or council member on the effective date of Article 9, Chapter 21, Title 5 of the 1976 Code, shall complete and file this form with the municipal clerk within one year of taking office or within one year of an orientation program being approved by the Municipal Finance Accountability Commission.

Name of elected municipal official: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Position:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

First day in office:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Filing date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I have attended an approved course that meets the educational requirements in Section 5‑21‑1030.

Also attached with this form is documentation that I attended the program.

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_’

Section 5‑21‑1060. The clerk shall keep in the official public records originals of all filed forms and documentation that certify compliance with educational requirements.

Section 5‑21‑1070. An elected municipal official is subject to forfeiture of office pursuant to the provisions of Section 5‑7‑210 or 5‑21‑1010 if he:

(1) fails to satisfactorily complete the requisite number of hours of education and training within the time frame required pursuant to Section 5‑21‑1030; or

(2) fails to file the certification form and documentation required by the commission pursuant to Section 5‑21‑1050.”

SECTION 2. Section 5‑7‑200 of the 1976 Code is amended to read:

“Section 5‑7‑200. (A) A mayor or ~~councilman~~ council member shall forfeit his office if he:

(1) lacks at any time during his term of office any qualification for the office prescribed by the ~~general~~ law and the Constitution of this State;

(2) violates any express prohibition or affirmative duty or requirement of Chapters 1 to ~~17~~ 21; or

(3) is convicted of a crime involving moral turpitude.

(B) A vacancy in the office of mayor or council ~~shall~~ must be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs one hundred eighty days or more ~~prior to~~ before the next general election.”

SECTION 3. Section 5‑7‑240 of the 1976 Code is amended to read:

“Section 5‑7‑240. (A) Except as allowed by Section 5‑21‑970, the council shall provide for an independent annual audit of all financial statements, records, and transactions of the municipality and any agency funded in whole by municipal funds. The audit must be performed at the close of each fiscal year and council may provide for more frequent audits as it ~~deems~~ considers necessary. Special audits may be provided for ~~any~~ an agency receiving municipal funds as the municipality ~~deems~~ considers necessary. The audited financial statements must be accomplished in accordance with the auditing standards generally accepted in this country and the standards applicable to financial audits contained in Governmental Auditing Standards, issued by the Comptroller General of the United States. ~~Such~~ These audits ~~shall~~ must be made by ~~a certified public~~ an independent accountant ~~or public accountant or firm of such accountants~~ licensed by the South Carolina Board of Accountancy who ~~have~~ has no personal interest, direct or indirect, in the fiscal affairs of the municipal government or ~~any of~~ its officers. The council ~~may~~, without requiring competitive bids, may designate ~~such~~ an accountant ~~or firm~~ annually or for a period not exceeding four years, provided, that the designation for any particular fiscal year ~~shall~~ must be made no later than thirty days after the beginning of ~~such~~ that fiscal year. The auditor must be selected by and reports directly to the governing body of the municipality. An engagement letter must be provided following auditing standards generally accepted in the United States. The report of the audit ~~shall~~ must be presented by the auditor at a public meeting of the governing body and must be made available for public inspection. The council, ~~may~~ in its discretion, may accept independent audits of municipal agencies and departments and include ~~such~~ these audits in its general report of the audit of the municipality.

(B) Each official and employee of the municipality having custody of public money or responsibility for keeping records of public financial or fiscal affairs shall produce books and records requested by the auditor and shall divulge this information relating to fiscal affairs as requested. A member of a governing body or employee who conceals, falsifies, or refuses to deliver or divulge books, records, or information, with an attempt to mislead the auditor or impede or interfere with the audit, is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than thirty days, or both.”

SECTION 4. Section 5‑21‑50 of the 1976 Code is amended to read:

“Section 5‑21‑50. ~~All towns in this State of more than two hundred population shall keep an itemized account of all receipts and disbursements and shall publish quarterly statements of such accounts in some newspaper in the county in which such town is situated or shall post such quarterly statements at some conspicuous place or places in the town.~~ A municipality shall prepare on at least a quarterly basis a summary statement of finances to include a cash balance report and a statement of accounts with a comparison of actual to budgeted revenues and expenditures. This statement must be provided to the municipal council and, upon request, to members of the public or interested organizations.”

SECTION 5. Section 6‑1‑50 of the 1976 Code, as last amended by Act 57 of 2007, is further amended to read:

“Section 6‑1‑50. Counties and municipalities receiving revenues from state aid, currently known as Aid to Subdivisions, shall submit annually to the State Budget and Control Board, Office of Research and Statistics, Economic Research Section a financial report detailing their sources of revenue, expenditures by category, indebtedness, and other information as the State Budget and Control Board, Office of Research and Statistics, Economic Research Section requires. The State Budget and Control Board, Office of Research and Statistics, Economic Research Section shall determine the content and format of the annual financial report. The financial report for the most recently completed fiscal year must be submitted to the State Budget and Control Board, Office of Research and Statistics, Economic Research Section by January fifteenth of each year. If an entity fails to file the financial report by January fifteenth, then the chief administrative officer of the entity ~~shall~~ must be notified in writing that the entity has thirty days to comply with the requirements of this section. The Director of the Office of Research and Statistics ~~may~~, for good cause, may grant a local entity an extension of time to file the annual financial report. Notification by the Director of the Office of Research and Statistics to the ~~Comptroller General~~ State Treasurer that an entity has failed to file the annual financial report thirty days after written notification to the chief administrative officer of the entity must result in the withholding of ten percent of subsequent payments of state aid to the entity until the report is filed. The State Budget and Control Board, Office of Research and Statistics, Economic Research Section is responsible for collecting, maintaining, and compiling the financial data provided by counties and municipalities in the annual financial report required by this section.”

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HARRISON explained the amendment.

The amendment was then adopted.

Rep. WHITE proposed the following Amendment No. 2 (COUNCIL\GGS\22614SD10), which was adopted:

Amend the bill, as and if amended, by striking Section 5-21-990 of the 1976 Code as contained in SECTION 1 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

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

Yeas 59; Nays 29

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Battle | Bowers |
| Brady | Branham | H. B. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Dillard | Edge |
| Forrester | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Kennedy | King |
| Littlejohn | Long | Mack |
| McEachern | McLeod | Merrill |
| Miller | D. C. Moss | V. S. Moss |
| J. H. Neal | Neilson | Owens |
| Rice | G. R. Smith | J. R. Smith |
| Sottile | Spires | Thompson |
| Toole | Umphlett | Vick |
| Whitmire | Williams |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Daning |
| Delleney | Duncan | Frye |
| Huggins | Kelly | Kirsh |
| Lowe | Lucas | Millwood |
| Nanney | Norman | Parker |
| Parks | Pinson | Scott |
| Simrill | Skelton | G. M. Smith |
| Stewart | Stringer | White |
| Wylie | T. R. Young |  |

**Total--29**

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

**OBJECTION TO MOTION**

Rep. KING asked unanimous consent that H. 3839 be read a third time tomorrow.

Rep. KENNEDY objected.

**H. 4682--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4682 -- Reps. Erickson, Herbkersman, Chalk, Bowen, Brady, Harrison and Sandifer: A BILL TO AMEND SECTION 59-10-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESIGNATION OF PHYSICAL ACTIVITY DIRECTORS, SO AS TO PROVIDE THAT DANCE INSTRUCTION THAT MEETS CERTAIN STANDARDS MAY BE USED TO SATISFY ONE HALF OF THE REQUIRED PHYSICAL EDUCATION MINUTES.

Rep. WHITMIRE proposed the following Amendment No. 1 (COUNCIL\MS\7829BH10), which was rejected:

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

/ SECTION 1. Section 59‑10‑30(B) of the 1976 Code, as added by Act 102 of 2005, is amended to read:

“(B) In schools ~~having~~ that have dance education specialists, instruction based on the South Carolina dance curriculum standards and the dance components of the South Carolina physical education standards may be used to satisfy one‑fourth of the required physical education minutes. School districts that want to implement an innovative program in physical education may request a waiver of the limitations specified in this requirement. Upon review of the curriculum, the State Department of Education may grant a waiver of the time allocation requirements.”

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

Renumber sections to conform.

Amend title to conform.

Rep. WHITMIRE explained the amendment.

The amendment was then rejected by a division vote of 13 to 43.

Rep. WHITMIRE moved to adjourn debate on the Bill until Tuesday, May 4.

Rep. CHALK moved to table the motion, which was not agreed to, by a division vote of 45-19.

The question then recurred to the motion to adjourn debate until Tuesday, May 4, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3561--RECONSIDERED**

Rep. COOPER moved to reconsider the vote whereby debate was adjourned until Tuesday, May 4, on H.3561, which was agreed to.

**H. 3561--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

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.

Rep. COOPER explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 77; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bannister |
| Battle | Bedingfield | Bingham |
| Brady | Branham | H. B. Brown |
| R. L. Brown | Chalk | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Dillard | Forrester |
| Frye | Gambrell | Gilliard |
| Govan | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Herbkersman | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Kelly |
| Kennedy | King | Kirsh |
| Littlejohn | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Miller | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Owens |
| Parker | Parks | Pinson |
| Scott | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | Vick |
| White | Whitmire | Williams |
| Wylie | T. R. Young |  |

**Total--77**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Rice |  |  |

**Total--1**

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

**H. 3561--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. COOPER, with unanimous consent, it was ordered that H. 3561 be read the third time tomorrow.

**H. 4269--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. UMPHLETT, with unanimous consent, it was ordered that H. 4269 be read the third time tomorrow.

**H. 4765--RECALLED FROM COMMITTEE ON EDUCATION AND PUBLIC WORKS**

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

H. 4765 -- Rep. Herbkersman: A BILL TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT WHEN A GOLF CART OWNER'S RESIDENCE IS LOCATED WITHIN A GATED COMMUNITY THE TWO-MILE LIMIT WITHIN WHICH A GOLF CART OWNER MAY OPERATE HIS GOLF CART MUST BE MEASURED FROM THE COMMUNITY'S PRIMARY ENTRANCE AND NOT FROM THE OWNER'S RESIDENCE.

**OBJECTION TO MOTION**

Rep. T. R. YOUNG asked unanimous consent that H. 3645 be read a third time tomorrow.

Rep. GOVAN objected.

**OBJECTION TO MOTION**

Rep. HUGGINS asked unanimous consent that H. 3122 be read a third time tomorrow.

Rep. KENNEDY objected.

**H. 3839--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. EDGE, with unanimous consent, it was ordered that H. 3839 be read the third time tomorrow.

**H. 3122--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. LITTLEJOHN, with unanimous consent, it was ordered that H. 3122 be read the third time tomorrow.

**OBJECTION TO RECALL**

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

Rep. OWENS objected.

**OBJECTION TO RECALL**

Rep. SCOTT asked unanimous consent to recall H. 4842 from the Committee on Invitations and Memorial Resolutions.

Rep. COBB-HUNTER objected.

**OBJECTION TO RECALL**

Rep. BEDINGFIELD asked unanimous consent to recall H. 4919 from the Committee on Judiciary.

Rep. COBB-HUNTER objected.

Rep. COLE 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. 4771 -- Rep. Cato: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON SOUTH CAROLINA HIGHWAY 253 BETWEEN CAMP CREEK ROAD AND MUSH CREEK ROAD IN GREENVILLE COUNTY "JOHN T. WOOD BRIDGE", AND NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 253 FROM THIS BRIDGE TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 414 "JOHN T. WOOD ROAD", ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THE WORDS "JOHN T. WOOD BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "JOHN T. WOOD ROAD".

H. 4779 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF GARNERS FERRY ROAD BEGINNING AT INTERSTATE 77 INTERCHANGE CONTINUING TO THE INTERSECTION OF PINEVIEW ROAD THE "CAPTAIN L. D. 'DOUG' BARDEN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "CAPTAIN L. D. 'DOUG' BARDEN MEMORIAL HIGHWAY".

H. 4912 -- Rep. McLeod: A CONCURRENT RESOLUTION TO DESIGNATE THE MONTH OF MAY 2010 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE COMMUNITY AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

H. 4913 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE FIRST PROVIDENCE CHURCH OF NORTH AUGUSTA ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FIFTIETH ANNIVERSARY, AND TO COMMEND THE CHURCH FOR A CENTURY AND A HALF OF SERVICE TO GOD AND THE COMMUNITY.

H. 4914 -- Reps. Haley, 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, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE LEXINGTON HIGH SCHOOL GIRLS GOLF TEAM FOR CAPTURING THE 2009 CLASS AAAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S SUPERLATIVE PLAYERS, COACHES, AND STAFF.

H. 4924 -- Reps. Edge, Crawford, 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, Daning, Delleney, Dillard, Duncan, 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 CONCURRENT RESOLUTION TO DESIGNATE MAY 5, 2010, AS "SOUTH CAROLINA CLEAN HANDS DAY", AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO RECOGNIZE DAILY THE IMPORTANCE OF PROPER HAND HYGIENE TO REDUCE AND PREVENT THE SPREAD OF INFECTIONS AND TO DISCUSS PROPER HAND HYGIENE WITH FAMILIES, FRIENDS, AND HEALTH CARE PROVIDERS.

**ADJOURNMENT**

At 2:22 p.m. the House, in accordance with the motion of Rep. COBB-HUNTER, adjourned in memory of Dr. Dorothy Height of Washington, D.C., to meet at 10:00 a.m. tomorrow.

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