~~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 Psalm 8:4-5: “What are human beings that you are mindful of them, mortals that you care for them? Yet you have made them a little lower than the heavenly beings and crowned them with glory and honor.”

Let us pray. O Lord, our God, when we in awesome wonder consider all the works Your hands have made, we see Your power throughout the universe displayed, and then realize how great You are. Continue to give these Representatives and staff the vision to dream and bring to reality the goodness granted to us all. Bless our Nation, State, and our leaders and all who labor here. 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. KING moved that when the House adjourns, it adjourn in memory of Samuel L. Reid, Jr., of Rock Hill, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 5, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3584:

H. 3584 -- Reps. Harrell, Bingham, Cooper, Harrison, Owens, Sandifer, White, Crawford, Bannister, Huggins, Sottile, Spires, Herbkersman, Loftis, Bowen, Erickson, Daning, Hardwick, J. R. Smith, Pinson, Toole, Brady, Clemmons, Edge, Forrester, Frye, Gullick, Hearn, Hiott, Horne, Kelly, Littlejohn, Long, E. H. Pitts, Rice, Skelton, D. C. Smith, G. M. Smith, Whitmire, Wylie, Gunn, Limehouse, Willis, J. E. Smith and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT OF TWO AND ONE-HALF CENTS, TO PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA HOLLINGS CANCER CENTER FOR TOBACCO-RELATED CANCER RESEARCH, THE SMOKING PREVENTION AND CESSATION TRUST FUND, AND THE MEDICAID RESERVE FUND, TO PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND TO DEFINE "CIGARETTE"; TO AMEND SECTION 12-21-620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO INCLUDE THE DEFINITION OF "CIGARETTE"; BY ADDING SECTION 11-11-230 SO AS TO CREATE AND ESTABLISH THE SMOKING PREVENTION AND CESSATION TRUST FUND AND THE MEDICAID RESERVE FUND, BOTH SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; AND BY ADDING SECTION 11-49-55 SO AS TO PROVIDE THAT IF FUNDS FROM THE SMOKING PREVENTION AND CESSATION TRUST FUND ARE AVAILABLE, AND NOT OTHERWISE COMMITTED, THE DEPARTMENT OF AGRICULTURE SHALL RECEIVE ONE MILLION DOLLARS ANNUALLY FOR FIVE YEARS FOR MARKETING AND BRANDING STATE-GROWN CROPS AND TO ASSIST IN RELIEF FROM NATURAL DISASTERS AFFECTING STATE-GROWN CROPS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 4, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 178, H. 4755 by a vote of 1 to 1:

(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.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 5, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to H. 3161:

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; 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; TO AMEND SECTION 8-21-320, AS AMENDED, RELATING TO COMMON PLEAS AND FAMILY COURT MOTION FEES, SO AS TO INCREASE THE MOTION FEE FROM TWENTY-FIVE TO SEVENTY-FIVE DOLLARS FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 14-1-204, AS AMENDED, RELATING TO COURT FILING FEES COLLECTED BY CLERKS OF COURT, REGISTERS OF DEEDS, OR COUNTY TREASURERS, SO AS TO IMPOSE FEES FOR A CERTAIN PERIOD OF TIME IN FAMILY COURT AND OTHER FEES IN OTHER COURTS OF RECORD, PROVIDE EXCEPTIONS, AND PROVIDE FOR THE DISTRIBUTION OF THE FEES COLLECTED; AND TO AMEND SECTION 22-3-340, AS AMENDED, RELATING TO ASSESSMENTS ON FILINGS IN MAGISTRATES COURT, SO AS TO INCREASE THE ASSESSMENT FROM TWENTY-FIVE TO FIFTY DOLLARS ON SUMMONS AND COMPLAINT FILINGS AND FROM TEN TO TWENTY DOLLARS ON CIVIL FILINGS IN MAGISTRATES COURT.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 5, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on 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.

Very respectfully,

President

Received as information.

**REPORTS OF STANDING COMMITTEES**

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

H. 4802 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 25-1-1150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VACANCIES IN THE POSITION OF CHIEF OF STAFF, HEADQUARTERS, SOUTH CAROLINA AIR NATIONAL GUARD, SO AS TO FURTHER PROVIDE FOR THE QUALIFICATIONS OF THE OFFICER PROMOTED TO FILL THE VACANCY.

Ordered for consideration tomorrow.

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

S. 1078 -- Senators Jackson, Knotts, Courson, Ryberg, Nicholson, Sheheen, Thomas, Rose, Campbell, Malloy, Ford, L. Martin, Hayes, Verdin, Davis, Leventis and Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-264 SO AS TO REQUIRE THE OWNER OF A COMMUNITY RESIDENTIAL CARE FACILITY TO UNDERGO A CRIMINAL RECORD CHECK AS A REQUIREMENT OF LICENSURE AND TO ENUMERATE THOSE CRIMES THAT PRECLUDE LICENSURE.

Ordered for consideration tomorrow.

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

H. 3298 -- Reps. Sellers, Bedingfield, Nanney, Cato, Delleney, Kelly, Pinson, E. H. Pitts, M. A. Pitts, Parker and Millwood: A BILL TO AMEND SECTION 16-23-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE THAT A PERSON MAY LAWFULLY STOW A HANDGUN UNDER THE SEAT OF A VEHICLE.

Ordered for consideration tomorrow.

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

H. 4153 -- Reps. T. R. Young, D. C. Moss and McLeod: A BILL TO AMEND SECTION 2-17-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND REREGISTRATION OF LOBBYISTS, SO AS TO REQUIRE THE PAYMENT OF ALL OUTSTANDING PENALTIES BEFORE A LOBBYIST MAY RESUME LOBBYING ACTIVITIES; TO AMEND SECTION 2-17-25, RELATING TO THE REGISTRATION AND REREGISTRATION OF LOBBYIST'S PRINCIPALS, SO AS TO REQUIRE THE PAYMENT OF ALL OUTSTANDING PENALTIES BEFORE A LOBBYIST PRINCIPAL MAY RESUME LOBBYING ACTIVITIES; TO AMEND SECTION 2-17-50, RELATING TO THE AUTHORITY OF THE STATE ETHICS COMMISSION TO ENFORCE FILING REQUIREMENTS AND ASSESS PENALTIES FOR FAILURE TO FILE, SO AS TO CAP CERTAIN FINES AT FIVE THOUSAND DOLLARS, AND TO PROVIDE THAT FIRST AND SECOND OFFENSES MAY BE TRIED IN MAGISTRATES COURT; TO AMEND SECTION 8-13-100, RELATING TO THE DEFINITION OF "FAMILY MEMBER" FOR THE PURPOSES OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991, SO AS TO INCLUDE BROTHERS-IN-LAW AND SISTERS-IN-LAW; TO AMEND SECTION 8-13-700, RELATING TO USE OF ONE'S OFFICIAL POSITION FOR OFFICIAL GAIN, SO AS TO REPLACE CERTAIN REFERENCES TO "IMMEDIATE FAMILY" WITH THE BROADER TERM "FAMILY MEMBER"; AND TO AMEND SECTION 8-13-1510, AS AMENDED, RELATING TO PENALTIES FOR EITHER LATE FILING OF OR FAILURE TO FILE A REPORT OR STATEMENT REQUIRED BY CHAPTER 13, TITLE 8, SO AS TO CAP CERTAIN FINES AT FIVE THOUSAND DOLLARS, AND TO PROVIDE THAT FIRST AND SECOND OFFENSES MAY BE TRIED IN MAGISTRATES COURT.

Ordered for consideration tomorrow.

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

H. 4806 -- Reps. Clemmons and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-1-120 SO AS TO AUTHORIZE THE GOVERNING BODY OF A MUNICIPALITY, COUNTY, SCHOOL DISTRICT, OR BOARD TO ADOPT A TERM LIMIT FOR THEIR RESPECTIVE BODIES OR BOARDS UPON THE APPROVAL OF A TWO-THIRDS VOTE OF THE MEMBERS OF THE BODY OR BOARD.

Ordered for consideration tomorrow.

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

S. 288 -- Senator L. Martin: A BILL TO AMEND CHAPTER 1, TITLE 56 OF THE 1976 CODE, BY ADDING SECTION 56-1-146 TO PROVIDE THAT A PERSON WHO IS CONVICTED OF A VIOLENT CRIME MUST SURRENDER HIS DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD TO THE COURT WHICH MUST TRANSMIT IT TO THE DEPARTMENT OF MOTOR VEHICLES TOGETHER WITH NOTICE OF THE CRIME AND TO PROVIDE THAT THE DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD IS CONSIDERED REVOKED AND MUST NOT BE RETURNED TO THE PERSON UNDER CERTAIN CIRCUMSTANCES; BY ADDING 56-1-148 TO PROVIDE THAT A PERSON CONVICTED OF A VIOLENT CRIME MUST HAVE A SPECIAL CODE AFFIXED TO THE REVERSE SIDE OF HIS DRIVER'S LICENSE OR SPECIAL IDENTIFICATION CARD THAT IDENTIFIES THE PERSON AS HAVING BEEN CONVICTED OF A VIOLENT CRIME, TO PROVIDE A FEE TO BE CHARGED FOR AFFIXING THE CODE AND FOR ITS DISTRIBUTION, AND TO PROVIDE A PROCESS FOR REMOVING THE CODE; TO AMEND SECTION 56-1-80, RELATING TO THE CONTENTS OF A DRIVER'S LICENSE APPLICATION, TO PROVIDE THAT THE APPLICATION MUST CONTAIN A STATEMENT TO DETERMINE WHETHER THE APPLICANT HAS BEEN CONVICTED OF A VIOLENT CRIME; AND TO AMEND SECTION 56-1-3350, RELATING TO THE ISSUANCE OF A SPECIAL IDENTIFICATION CARD BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT THE APPLICATION FOR A SPECIAL IDENTIFICATION CARD MUST CONTAIN A STATEMENT TO DETERMINE WHETHER THE APPLICANT HAS BEEN CONVICTED OF A VIOLENT CRIME.

Ordered for consideration tomorrow.

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

S. 1154 -- Senators Malloy, Knotts, Campsen, McConnell, Fair, Cromer, Ford, Elliott, Scott, Nicholson, Coleman, Massey, Cleary, Hutto, Peeler, Williams, Land, Rose, Campbell, L. Martin, Leventis, Leatherman, Setzler, O'Dell, Hayes and Pinckney: A BILL TO ENACT THE OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT OF 2010, RELATING TO CRIMINAL OFFENSES, CORRECTIONS, PROBATION, AND PAROLE PROVISIONS, SO AS TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT RECOMMENDATIONS PROPOSED BY THE SENTENCING REFORM COMMISSION REPORT OF FEBRUARY 2010.

Ordered for consideration tomorrow.

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

S. 1137 -- Senators Fair and L. Martin: A BILL TO AMEND SECTION 44-53-398, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MONITORING THE SALE OF PRODUCTS CONTAINING EPHEDRINE OR PSEUDOEPHEDRINE, SO AS TO ALSO MONITOR PHENYLPROPANOLAMINE AND THE SALE AND PURCHASE OF THESE PRODUCTS, TO MAKE IT ILLEGAL TO PURCHASE THESE PRODUCTS, TO PROVIDE THAT INFORMATION GATHERED FROM THE PURCHASER AT THE TIME OF THE SALE OF THESE PRODUCTS MUST BE ENTERED IN AN ELECTRONIC LOG, RATHER THAN A WRITTEN LOG, TO PROVIDE THAT THE INFORMATION MUST BE TRANSMITTED TO A CENTRAL DATA COLLECTION SYSTEM THAT WILL SUBMIT THIS INFORMATION TO SLED WHICH WILL MAINTAIN THIS INFORMATION TO ASSIST LAW ENFORCEMENT IN MONITORING THESE SALES AND PURCHASES, AND TO PROVIDE THAT A RETAILER OF THESE PRODUCTS MAY APPLY TO THE BOARD OF PHARMACY FOR AN EXEMPTION FROM THE ELECTRONIC LOG REQUIREMENT; AND BY ADDING CHAPTER 14 TO TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL SERVE AS THE REPOSITORY FOR INFORMATION THE CENTRAL DATA COLLECTION GATHERS AND TRANSFERS TO SLED PERTAINING TO THE SALE AND PURCHASE OF PRODUCTS CONTAINING EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE.

Ordered for consideration tomorrow.

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

S. 1343 -- Senators Malloy, Knotts, Campsen and McConnell: A CONCURRENT RESOLUTION TO PROVIDE THAT THE STATE OF SOUTH CAROLINA OPPOSES THE FEDERAL MANDATE THAT A STATE ENACT A LAW TO REQUIRE THE REVOCATION, SUSPENSION, ISSUANCE, OR REINSTATEMENT DELAY FOR ALL PERSONS WHO ARE CONVICTED OF CONTROLLED SUBSTANCE OFFENSES; AND TO PROVIDE THAT THE STATE OF SOUTH CAROLINA SHALL OPT OUT OF THE FEDERAL MANDATE WITHOUT THE LOSS OF FEDERAL TRANSPORTATION FUNDS.

Ordered for consideration tomorrow.

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

H. 4925 -- Reps. Bales and J. H. Neal: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF ATLAS ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH BLUFF ROAD TO ITS INTERSECTION WITH GARNERS FERRY ROAD "BISHOP A.C. JACKSON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD THAT CONTAIN THE WORDS "BISHOP A.C. JACKSON MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

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

H. 4929 -- Reps. Norman, King, Simrill, Delleney and D. C. Moss: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 49 IN YORK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAYS 274 AND 557 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 55 "CORPORAL KEVIN CUSACK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "CORPORAL KEVIN CUSACK MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

S. 1393 -- Senators Knotts, Cromer, Setzler and Courson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE WALKWAY ADJACENT TO THE PORTION OF SOUTH CAROLINA HIGHWAY 6 IN LEXINGTON COUNTY THAT CROSSES THE LAKE MURRAY DAM THE "JOHNNY W. JEFFCOAT WALKWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS WALKWAY THAT CONTAIN THE WORDS "JOHNNY W. JEFFCOAT WALKWAY".

Ordered for consideration tomorrow.

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

S. 1403 -- Senators Rose, Grooms and Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF ORANGEBURG ROAD AND CENTRAL AVENUE IN DORCHESTER COUNTY AS "KNIGHT CROSSROADS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "KNIGHT CROSSROADS".

Ordered for consideration tomorrow.

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

S. 836 -- Senator Cromer: A BILL TO AMEND SECTION 51-13-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND REGULATIONS OF THE RIVERBANKS PARKS COMMISSION, SO AS TO PROHIBIT CERTAIN ACTIVITIES WHILE ON PARK PROPERTY.

Ordered for consideration tomorrow.

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

S. 974 -- Senator Campsen: A BILL TO AMEND SECTION 50-9-20 OF THE 1976 CODE, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, TO PROVIDE THAT ANNUAL HUNTING AND FISHING LICENSES SHALL BE VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE AND TO PROVIDE THAT THREE-YEAR HUNTING AND FISHING LICENSES SHALL BE VALID FOR THREE YEARS FROM THE DATE OF ISSUANCE; BY ADDING SECTION 50-9-560, TO PROVIDE THAT THE DEPARTMENT MAY ISSUE THREE-YEAR COMBINATION LICENSES, SPORTSMAN LICENSES, JUNIOR SPORTSMAN LICENSES, BIG GAME PERMITS, AND WILDLIFE MANAGEMENT AREA PERMITS; TO AMEND SECTION 50-9-920, RELATING TO REVENUE FROM THE SALE OF LIFETIME LICENSES, TO ESTABLISH THE THREE-YEAR HUNTING AND FISHING LICENSE FUND, TO PROVIDE THAT THREE-YEAR LICENSE FEES ARE DEPOSITED IN THE FUND, TO PROVIDE THAT ONE THIRD OF THE FUND MUST BE DISTRIBUTED TO THE GAME PROTECTION FUND, TO ESTABLISH THE THREE-YEAR WILDLIFE MANAGEMENT AREA PERMIT FUND, TO PROVIDE THAT THREE-YEAR WILDLIFE MANAGEMENT AREA PERMIT FEES ARE DEPOSITED IN THE FUND, TO PROVIDE THAT ONE-THIRD OF THE FUND MUST BE DISTRIBUTED TO THE WILDLIFE ENDOWMENT FUND; AND TO MAKE CONFORMING AMENDMENTS.

Ordered for consideration tomorrow.

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

S. 1130 -- Senator Grooms: A BILL TO AMEND SECTION 50-15-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ALLIGATOR MANAGEMENT PROGRAM AND CONDITIONS UNDER WHICH ALLIGATORS MAY BE HUNTED OR TAKEN, SO AS TO PROHIBIT A DEPREDATION PERMIT HOLDER TO SELL, BARTER, OR TRADE THE PRIVILEGE TO TAKE AN ALLIGATOR; TO AMEND SECTION 50-9-20, AS AMENDED, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, PERMITS, STAMPS, AND TAGS, SO AS TO FURTHER SPECIFY THESE DURATIONAL REQUIREMENTS; TO AMEND SECTION 50-9-30, RELATING TO THE REQUIREMENTS FOR OBTAINING A RESIDENT HUNTING OR FISHING LICENSE, SO AS TO FURTHER SPECIFY RESIDENCY REQUIREMENTS; TO AMEND SECTION 50-9-920, RELATING TO THE DEPOSITING OF REVENUE GENERATED BY THE SALE OF LICENSES INTO CERTAIN FUNDS, SO AS TO CHANGE THE NAME OF THE GAME PROTECTION FUND TO THE FISH AND WILDLIFE PROTECTION FUND AND TO PROVIDE THAT REVENUE GENERATED FROM APPLICATION FEES, PERMITS, AND TAGS FOR THE PRIVILEGE OF TAKING ALLIGATORS MUST BE USED TO SUPPORT THE ALLIGATOR MANAGEMENT PROGRAM; AND BY ADDING ARTICLE 6 TO CHAPTER 9, TITLE 50 SO AS TO PROVIDE APPLICATION REQUIREMENTS AND FEES FOR THE PRIVILEGE OF TAKING ALLIGATORS.

Ordered for consideration tomorrow.

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

S. 1224 -- Senator Thomas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT MICHELLE'S LAW BY ADDING SECTIONS 38-71-355 AND 38-71-785 SO AS TO REQUIRE HEALTH INSURANCE ISSUERS TO PERMIT A DEPENDENT CHILD ON A MEDICALLY NECESSARY LEAVE OF ABSENCE FROM A POSTSECONDARY EDUCATIONAL INSTITUTION TO CONTINUE DEPENDENT COVERAGE AND TO PROVIDE FOR THE REQUIREMENTS RELATED TO THAT COVERAGE; TO AMEND SECTION 38-71-850, RELATING TO THE DEFINITION OF "CREDITABLE COVERAGE" FOR GROUP HEALTH INSURANCE COVERAGE AND SPECIAL ENROLLMENT IN GROUP HEALTH INSURANCE COVERAGE, BOTH UNDER THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996, SO AS TO ADD COVERAGE OF AN INDIVIDUAL UNDER THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM AND TO ENACT FEDERAL REQUIREMENTS SET FORTH IN THE CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009 TO PROVIDE FOR SPECIAL ENROLLMENT OF AN EMPLOYEE OR AN EMPLOYEE'S DEPENDENT IN THE CASE OF TERMINATION OF MEDICAID COVERAGE OR COVERAGE UNDER A STATE CHILDREN'S HEALTH INSURANCE PROGRAM OR THE INDIVIDUAL BECOMING ELIGIBLE FOR ASSISTANCE IN THE PURCHASE OF EMPLOYMENT-BASED COVERAGE; TO AMEND SECTION 38-74-10, AS AMENDED, RELATING TO THE DEFINITION OF "CREDITABLE COVERAGE" FOR THE SOUTH CAROLINA HEALTH INSURANCE POOL, SO AS TO ADD COVERAGE OF AN INDIVIDUAL UNDER THE STATE CHILDREN'S HEALTH INSURANCE PROGRAM; TO AMEND SECTIONS 38-90-40, AS AMENDED, 38-90-45, AND 38-90-50, AS AMENDED, RELATING TO CAPITALIZATION REQUIREMENTS FOR CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THAT THE DIRECTOR OF INSURANCE MAY CONSIDER THE NET AMOUNT OF RISK RETAINED FOR AN INDIVIDUAL RISK WHEN ARRIVING AT A FINDING RELATING TO ADDITIONAL CAPITAL OR NET ASSETS REQUIREMENTS; TO AMEND SECTION 38-90-70, AS AMENDED, RELATING TO REPORTS REQUIRED TO BE SUBMITTED BY A CAPTIVE INSURANCE COMPANY TO THE DIRECTOR, SO AS TO REQUIRE AN ASSOCIATION CAPTIVE INSURANCE COMPANY AND INDUSTRIAL INSURED GROUP TO SUBMIT ITS REPORT IN THE MANNER REQUIRED BY SECTION 38-13-80; TO AMEND SECTION 38-90-80, AS AMENDED, RELATING TO INSPECTIONS AND EXAMINATIONS OF A CAPTIVE INSURANCE COMPANY, SO AS TO PERMIT THE DIRECTOR TO GRANT ACCESS TO, USE, AND MAKE PUBLIC CERTAIN INFORMATION DISCOVERED OR DEVELOPED DURING THE COURSE OF AN EXAMINATION; TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICATION OF THE PROVISIONS OF TITLE 38 TO CAPTIVE INSURANCE COMPANIES, SO AS TO SPECIFY THAT REGULATIONS PROMULGATED PURSUANT TO APPLICABLE STATUTES ALSO APPLY TO CAPTIVE INSURANCE COMPANIES AND TO PROVIDE A LISTING OF THOSE PROVISIONS OF TITLE 38 THAT APPLY TO CERTAIN CAPTIVE INSURANCE COMPANIES; TO AMEND SECTION 38-90-430, AS AMENDED, RELATING TO THE APPLICATION OF THE PROVISIONS OF TITLE 38 TO SPECIAL PURPOSE FINANCIAL CAPTIVES, SO AS TO SPECIFY THAT REGULATIONS PROMULGATED PURSUANT TO APPLICABLE STATUTES ALSO APPLY TO SPECIAL PURPOSE FINANCIAL CAPTIVES; AND TO AMEND CHAPTER 93, TITLE 38, RELATING TO THE PRIVACY OF GENETIC INFORMATION, SO AS TO ENACT FEDERAL REQUIREMENTS SET FORTH IN THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 TO PROHIBIT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION, PROVIDE FOR THE REQUIREMENTS RELATING TO THE COLLECTION OF GENETIC INFORMATION, AND TO PROVIDE FOR THE SCOPE OF THE CHAPTER.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4943 -- Reps. Knight, Harrell, Horne and A. D. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WORK OF FAMILY, CAREER AND COMMUNITY LEADERS OF AMERICA, AND TO CONGRATULATE THE STUDENTS OF WOODLAND HIGH SCHOOL IN DORCHESTER COUNTY WHO COMPETED SO SUCCESSFULLY IN THE 2010 STATE CONFERENCE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4944 -- Reps. Stavrinakis, Merrill, Hutto, Miller, Gilliard, Daning, Horne and Scott: A HOUSE RESOLUTION TO EXPRESS OPPOSITION TO THE RATE INCREASE REQUEST OF NINE AND ONE-HALF PERCENT IN RETAIL ELECTRIC RATES THAT THE SOUTH CAROLINA ELECTRIC AND GAS COMPANY PLANS TO REQUEST IN MAY OR JUNE OF THIS YEAR.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1419 -- Senators Hutto and Matthews: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF DR. FRANCIS LANIER SHULER OF DORCHESTER COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1420 -- Senators Hutto and Matthews: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE MEMORY OF REVEREND JAMES HICKS GLOVER, JR., FOR DECADES OF DEDICATED SERVICE TO HIS CONGREGATIONS AND FOR THE SACRIFICES HE MADE AS A MONTFORD POINT MARINE SO THAT OTHER AFRICAN AMERICANS COULD SERVE IN THE UNITED STATES MARINE CORPS.

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

**INTRODUCTION OF BILLS**

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

H. 4945 -- Reps. M. A. Pitts, Duncan and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REVISE AND REDEFINE THE SINGLE-MEMBER DISTRICTS FROM WHICH TRUSTEES ARE ELECTED; AND TO REDESIGNATE MAP NUMBERS ON WHICH THESE DISTRICTS ARE DELINEATED.

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

S. 1149 -- Senator Cleary: A BILL TO AMEND CHAPTER 28, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSURE AND REGULATION OF LANDSCAPE ARCHITECTS, SO AS TO CONFORM THE CHAPTER TO THE STATUTORY ORGANIZATIONAL FRAMEWORK OF CHAPTER 1, TITLE 40 FOR BOARDS UNDER THE ADMINISTRATION OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF LANDSCAPE ARCHITECTS.

Referred to Committee on Labor, Commerce and Industry

S. 1243 -- Senator Knotts: A BILL TO AMEND SECTION 8-13-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO DELETE THE PROHIBITION OF THE RELEASE OF INFORMATION UNTIL FINAL DISPOSITION OF AN ETHICS INVESTIGATION AND REQUIRE THAT THE INFORMATION MAY NOT BE RELEASED UNTIL A FINDING OF PROBABLE CAUSE HAS BEEN MADE.

Referred to Committee on Judiciary

**HOUSE RESOLUTION**

The following was introduced:

H. 4946 -- Reps. Jennings, Hiott, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR UNITED STATES MARINE CORPS LANCE CORPORAL BRYAN SLOAN, AND TO HONOR HIM FOR HIS HEROIC AND MERITORIOUS SERVICE IN DEFENSE OF OUR NATION.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Branham |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Duncan | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Kelly | Kennedy |
| King | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, May 6.

|  |  |
| --- | --- |
| Tracy Edge | Michael Sottile |
| Douglas Jennings | Walton McLeod |
| Merita Allison | Leon Howard |
| Shannon Erickson | Curtis Brantley |
| Chris Hart | Bakari Sellers |
| Denny Neilson | Timothy E. Scott |
| William Bowers | Jerry Govan |
| Joseph Neal | Boyd Brown |
| Anton J. Gunn |  |

**Total Present--118**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. M. NEAL a leave of absence for the day due to illness.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Anthony E. Harris of Aiken was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. HALEY presented to the House the Lexington High School "Wildcats" Varsity Boys Cross Country Team, the 2009 Class AAAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. HORNE, A. D. YOUNG, KNIGHT and HARRELL presented to the House the Pinewood Preparatory School Varsity Basketball Team, the 2010 South Carolina Independent School Association Class AAA Champions, their coaches and other school officials.

**CO-SPONSOR ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4280 |
| Date: | ADD: |
| 05/06/10 | HART |

**ORDERED TO THIRD READING**

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

H. 4828 -- Rep. Huggins: A BILL TO AMEND ACT 387 OF 1963, AS AMENDED, RELATING TO THE IRMO FIRE DISTRICT, SO AS TO AUTHORIZE THE BOARD OF FIRE CONTROL TO ADOPT RULES AND REGULATIONS TO ENSURE THAT A BUILDING WITHIN THE DISTRICT IS MAINTAINED PROPERLY AND DOES NOT PRESENT A FIRE OR SAFETY HAZARD; AND TO CONVEY TO A FIRE CHIEF OR HIS DESIGNEE THE SAME AUTHORITY THAT A PEACE OFFICER HAS TO ENFORCE REGULATIONS AND OTHER LAWS PROMULGATED OR ADOPTED BY THE DISTRICT.

Rep. HUGGINS explained the Bill.

S. 728 -- Senators Hayes, Fair and Ford: A BILL TO AMEND SECTION 12-65-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENTITLEMENT TO TAX CREDITS UNDER THE TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF SPECIFIC REQUIREMENTS FOR TEXTILE MILL SITES ACQUIRED BEFORE AND AFTER 2007, TO REVISE THE ALLOWABLE AMOUNT OF THE CREDITS IN CERTAIN INSTANCES, TO PROVIDE THAT THE TAX CREDITS ALLOWED INCLUDE CREDITS AGAINST INSURANCE PREMIUM TAXES, TO MAKE A TECHNICAL CORRECTION, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CREDITS ARE VESTED IN A TAXPAYER AND MAY BE ALLOCATED TO PARTNERS OR MEMBERS; BY ADDING SECTION 12-65-50 SO AS TO PROVIDE TRANSITION RULES APPLICABLE TO SPECIFIC MILL SITES; AND BY ADDING SECTION 12-65-60 SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY CERTIFICATION PROCESS.

Rep. COOPER explained the Bill.

**H. 4828--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HUGGINS, with unanimous consent, it was ordered that H. 4828 be read the third time tomorrow.

**S. 728--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. COOPER, with unanimous consent, it was ordered that S. 728 be read the third time tomorrow.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

S. 382 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-2-805 SO AS TO PROVIDE FOR A PRESUMPTION THAT A DECEDENT AND THE DECEDENT'S SPOUSE HELD TANGIBLE PERSONAL PROPERTY IN A JOINT TENANCY WITH RIGHT OF SURVIVORSHIP, FOR EXCEPTIONS TO THE PRESUMPTION, AND FOR THE STANDARD OF PROOF TO OVERCOME THE PRESUMPTION.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time, passed and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification:

S. 1024 -- Senators O'Dell, Knotts and Setzler: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW THE SURVIVING SPOUSE OF A DECEDENT WHO WAS ELIGIBLE FOR THE EXEMPTION OF THE DWELLING OWNED BY A PERSON WITH CERTAIN SPECIFIC ILLNESSES CAUSING THE SAME AMBULATORY DIFFICULTIES AS PERSONS WITH PARAPARESIS OR HEMIPARESIS.

**S. 372--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 372 -- Senators Hayes and Ford: A BILL TO AMEND SECTION 62-2-207, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DETERMINATION OF AN ELECTIVE SHARE OF A SPOUSE, SO AS TO CLARIFY THAT AN INTEREST AS A BENEFICIARY IN A TESTAMENTARY TRUST OR IN PROPERTY PASSING TO AN INTER VIVOS TRUST THROUGH THE DECEDENT'S WILL IS A BENEFICIAL INTEREST CHARGEABLE TO THE ELECTIVE SHARE; AND TO AMEND SECTION 62-7-401, AS AMENDED, RELATING TO CREATION OF A TRUST, SO AS TO PROVIDE FOR THE INCLUSION OF A SURVIVING SPOUSE'S BENEFICIAL INTERESTS IN TRUST PROPERTY IN CALCULATING THE ELECTIVE SHARE.

Rep. BANNISTER proposed the following Amendment No. 2 (COUNCIL\AGM\18053AB10), which was adopted:

Amend the bill, as and if amended, by deleting Section 62‑2‑207(a), as contained in SECTION 1, pages 1 and 2, and inserting:

/ (a) In the proceeding for an elective share, all property, ~~(~~including beneficial ~~interests)~~ interest, which passes or has passed to the surviving spouse under the decedent’s will or by intestacy, by ~~any~~ a homestead allowance, and by Section 62‑2‑401, or which would have passed to the spouse but was renounced, or which is contained in a trust created by the decedent’s will or a trust as described in Section 62‑7‑401(c) in which the spouse has a beneficial interest, is applied first to satisfy the elective share and to reduce ~~any~~ contributions due from other recipients of transfers included in the probate estate. A beneficial interest that passes or has passed to a surviving spouse under the decedent’s will includes an interest as a beneficiary in a trust created by the decedent’s will or an interest as a beneficiary in property passing under the decedent’s will to an inter vivos trust created by the decedent. For purposes of this subsection, the value of the electing spouse’s beneficial interest in ~~any~~ property which ~~would qualify~~ qualifies or would have qualified for the federal estate tax marital deduction pursuant to Section 2056 of the Internal Revenue Code, as amended and in effect on December 31, 2009, ~~shall~~ must be computed at the full value of ~~any such~~ the qualifying property. ~~(~~Qualifying for these purposes ~~to~~ must be determined without regard to whether an election has been made to treat the property as qualified terminable interest property~~)~~. /

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

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

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

**S. 372--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that S. 372 be read the third time tomorrow.

**S. 1066--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, May 11, which was adopted:

S. 1066 -- Senators O'Dell and Sheheen: A BILL TO AMEND CHAPTER 6, TITLE 12 OF THE 1976 CODE, BY ADDING SECTION 12-6-3595 TO PROVIDE A TAX CREDIT EQUAL TO ONE HUNDRED PERCENT OF AN AMOUNT CONTRIBUTED TO THE SOUTH CAROLINA EXISTING MANUFACTURERS' RETENTION AND GROWTH FUND, TO PROVIDE THAT THE CREDIT MAY NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS FOR A SINGLE TAXPAYER AND NOT TO EXCEED AN AGGREGATE OF FOUR MILLION DOLLARS FOR EACH TAX YEAR, AND TO PROVIDE THE PROCESS AND REQUIREMENTS FOR CLAIMING THE CREDIT.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. M. SMITH a leave of absence for the remainder of the day.

**H. 3492--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3492 -- Reps. Kennedy, Brantley, McEachern, Clyburn, Hodges, Hosey, Jefferson, King and Williams: A BILL TO AMEND SECTION 40-59-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN CONNECTION WITH THE LICENSURE AND REGULATION OF RESIDENTIAL HOME BUILDERS SO AS TO INCREASE FROM FIVE THOUSAND DOLLARS TO FIFTEEN THOUSAND DOLLARS THE AMOUNT THAT A PERSON MAY UNDERTAKE IN THE CONSTRUCTION, REPAIR, OR IMPROVEMENT OF A RESIDENTIAL BUILDING WITHOUT BEING CONSIDERED A RESIDENTIAL HOME BUILDER SUBJECT TO LICENSURE AND REGULATIONS BY THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION.

Rep. COOPER explained the Bill.

Rep. BEDINGFIELD moved to adjourn debate on the Bill until Tuesday, May 11.

Rep. KENNEDY moved to table the motion.

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

Yeas 45; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Battle | Branham | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Dillard | Duncan |
| Frye | Funderburk | Gilliard |
| Harvin | Hayes | Hiott |
| Hodges | Hosey | Howard |
| Jefferson | Jennings | Kennedy |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| Ott | M. A. Pitts | Rutherford |
| Skelton | Spires | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Williams |

**Total--45**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Cole |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Gambrell |
| Haley | Hamilton | Harrell |
| Harrison | Horne | Huggins |
| Hutto | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Parks | Pinson |
| Rice | Sandifer | Simrill |
| G. R. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stewart | Stringer |
| Viers | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--54**

So, the House refused to table the motion.

The question then recurred to the motion to adjourn debate until Tuesday, May 11, which was agreed to by a division vote of 46-43.

**S. 328--CONFERENCE REPORT ADOPTED**

**S. 328--Conference Report**

The General Assembly, Columbia, S.C., May 5, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

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.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments: Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 47‑5‑60 of the 1976 Code is amended to read:

“Section 47‑5‑60. A pet owner must have his pet inoculated against rabies at a frequency to provide continuous protection of the pet from rabies using a vaccine approved by the department and licensed by the United States Department of Agriculture. The rabies inoculation for pets must be administered by a licensed veterinarian or someone under a licensed veterinarian’s direct supervision, as defined in Section 40‑69‑20. Evidence of rabies inoculation is a certificate signed by a licensed veterinarian. The rabies vaccination certificate forms may be provided by the licensed veterinarian or by the department or its designee. The veterinarian may stamp or write his name and address on the certificate. The certificate must include information recommended by the National Association of State Public Health Veterinarians. The licensed veterinarian administering or supervising the administration of the vaccine shall provide one copy of the certificate to the owner of the pet and must retain one copy in his files for not less than three years. With the issuance of the certificate, the licensed veterinarian shall furnish a serially numbered metal license tag bearing the same number and year as the certificate with the name and telephone number of the veterinarian, veterinary hospital, or practice. The metal license tag at all times must be attached to a collar or harness worn by the pet for which the certificate and tag have been issued. Annually before February first, the veterinarian shall report to the department the number of animals inoculated against rabies during the preceding year. The department, in conjunction with licensed veterinarians, shall promote annual rabies clinics. The fee for rabies inoculation at these clinics may not exceed ~~three~~ ten dollars, including the cost of the vaccine, and this charge must be paid by the pet owner. Fees collected by veterinarians at these clinics are their compensation.”

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

Amend title to conform.

/s/Sen. Daniel B. Verdin III /s/Rep. Dennis C. Moss

/s/Sen. Kevin L. Bryant /s/Rep. Ted M. Vick

/s/Sen. John C. Land III Rep. Marion B. Frye

On Part of the Senate. On Part of the House.

Rep. VICK explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 62; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bannister | Bingham | Brady |
| Branham | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Clyburn |
| Cole | Daning | Dillard |
| Duncan | Forrester | Funderburk |
| Gilliard | Gunn | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Jennings |
| Littlejohn | Long | Mack |
| McEachern | McLeod | Merrill |
| Miller | D. C. Moss | V. S. Moss |
| Ott | Owens | Parker |
| Rice | Rutherford | Sandifer |
| Skelton | G. R. Smith | Sottile |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Weeks |
| Whipper | Williams | Willis |
| Wylie | A. D. Young |  |

**Total--62**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Barfield |
| Bedingfield | Bowen | Chalk |
| Clemmons | Cooper | Delleney |
| Erickson | Frye | Gambrell |
| Haley | Kirsh | Loftis |
| Lowe | Lucas | Millwood |
| Nanney | Norman | Parks |
| Pinson | M. A. Pitts | Simrill |
| D. C. Smith | J. R. Smith | Spires |
| Stewart | Viers | White |
| T. R. Young |  |  |

**Total--31**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**S. 328--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**S. 1030--INTERRUPTED DEBATE**

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.

Rep. KENNEDY proposed the following Amendment No. 1 (COUNCIL\SWB\076BH10):

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

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

“Section 1-1-712. The mule is hereby designated as the ‘historic work animal’ of South Carolina.” /

Renumber sections to conform.

Amend title to conform.

Rep. DANING moved to table the amendment.

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

Yeas 30; Nays 68

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Bedingfield | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Daning |
| Forrester | Funderburk | Gambrell |
| Harrison | Hearn | Horne |
| Jefferson | Kirsh | Limehouse |
| Littlejohn | Loftis | Merrill |
| Norman | Owens | Sandifer |
| Simrill | D. C. Smith | Sottile |
| Stringer | Wylie | A. D. Young |

**Total--30**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Barfield | Battle |
| Bingham | Branham | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cooper | Delleney | Dillard |
| Duncan | Frye | Gilliard |
| Gunn | Haley | Hamilton |
| Harvin | Hayes | Hiott |
| Hodges | Hosey | Howard |
| Huggins | Hutto | Jennings |
| Kennedy | King | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| Ott | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Skelton | G. R. Smith |
| J. R. Smith | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | T. R. Young |  |

**Total--68**

So, the House refused to table the amendment.

Rep. KENNEDY explained the amendment.

Rep. KENNEDY spoke in favor of the amendment.

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

**OBJECTION TO RECALL**

Rep. WEEKS asked unanimous consent to recall S. 332 from the Committee on Ways and Means.

Rep. HORNE objected.

**S. 1171--RECALLED AND REFERRED TO COMMITTEE ON EDUCATION AND PUBLIC WORKS**

On motion of Rep. HIOTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Agriculture, Natural Resources and Environmental Affairs and was referred to the Committee on Education and Public Works:

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.

**S. 1148--RECALLED AND REFERRED TO COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

On motion of Rep. HIOTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Agriculture, Natural Resources and Environmental Affairs and was referred to the Committee on Labor, Commerce and Industry:

S. 1148 -- Senator Cleary: A BILL TO AMEND CHAPTER 65, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LICENSURE AND REGULATION OF PROFESSIONAL SOIL CLASSIFIERS, SO AS TO CONFORM THIS CHAPTER TO THE ORGANIZATIONAL STATUTORY FRAMEWORK ESTABLISHED FOR PROFESSIONS AND OCCUPATIONS UNDER THE ADMINISTRATION OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE THAT PERSONS ENGAGING IN PROFESSIONAL SOIL CLASSIFICATION MUST BE LICENSED, RATHER THAN REGISTERED; TO REVISE QUALIFICATIONS FOR LICENSURE; TO PROVIDE GRANDFATHERING PROVISIONS FOR REGISTERED PROFESSIONAL SOIL CLASSIFIERS TO BECOME LICENSED PROFESSIONAL SOIL CLASSIFIERS UPON THE NEXT RENEWAL OF THE PERSON'S REGISTRATION; AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF PROFESSIONAL SOIL CLASSIFIERS.

**OBJECTION TO RECALL**

Rep. COOPER asked unanimous consent to recall S. 850 from the Committee on Ways and Means.

Rep. WEEKS objected.

**OBJECTION TO RECALL**

Rep. COOPER asked unanimous consent to recall S. 406 from the Committee on Ways and Means.

Rep. WEEKS objected.

**OBJECTION TO RECALL**

Rep. COOPER asked unanimous consent to recall S. 594 from the Committee on Ways and Means.

Rep. WEEKS objected.

**S. 910--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. 910 -- Senator Land: A BILL TO AMEND SECTION 6-21-185 OF THE 1976 CODE, RELATING TO A SPECIAL PURPOSE DISTRICT MORTGAGE TO SECURE CERTAIN BONDS OR LOANS, TO REMOVE LIMITATIONS FROM THE AUTHORITY OF SUCH DISTRICT TO MORTGAGE ITS PROPERTY UNDER THE REVENUE BOND ACT FOR UTILITIES; TO ADD SECTION 6-17-95 TO AUTHORIZE A SPECIAL PURPOSE DISTRICT PROVIDING HOSPITAL, NURSING HOME, OR CARE FACILITIES TO BORROW MONEY IN A MANNER THAT IS CONSISTENT WITH SECTION 44-7-60; TO ADD SECTION 6-11-101 TO CLARIFY THE POWERS OF HOSPITAL DISTRICTS.

**S. 749--RECALLED AND REFERRED TO COMMITTEE ON EDUCATION AND PUBLIC WORKS**

On motion of Rep. OWENS, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means and was referred to the Committee on Education and Public Works:

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.

**OBJECTION TO RECALL**

Rep. G. A. BROWN asked unanimous consent to recall H. 4829 from the Committee on Labor, Commerce and Industry.

Rep. VIERS objected.

**OBJECTION TO RECALL**

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

Rep. WYLIE objected.

**OBJECTION TO RECALL**

Rep. SKELTON asked unanimous consent to recall S. 594 from the Committee on Ways and Means.

Rep. VIERS objected.

**H. 3270--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3270 -- Reps. Duncan, Hodges, Allison, Parker, Weeks, Wylie and Whipper: A BILL TO AMEND SECTION 44-2-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF UNDERGROUND STORAGE TANKS, SO AS TO ESTABLISH NEW ANNUAL RENEWAL FEES AND TO REQUIRE THAT THE ADDITIONAL REVENUE GENERATED FROM THE TANK FEE INCREASES BE DEPOSITED INTO THE SUPERB ACCOUNT.

Rep. DUNCAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 7

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Duncan | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Gunn | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Jennings | King |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Merrill | Miller | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Norman | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Umphlett | Viers | Weeks |
| Whipper | White | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--94**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Haley | Hamilton |
| Harvin | Hutto | Nanney |
| Stavrinakis |  |  |

**Total--7**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**LEAVE OF ABSENCE**

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

**H. 4445--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4445 -- Reps. Loftis, Norman, Merrill, Hardwick, Erickson, Wylie, Chalk, Stewart, Pinson, Bedingfield, Huggins, Frye, Clemmons, Rice, Parker, G. R. Smith, Lowe, Hiott, Allison, Allen, Anthony, Bales, Ballentine, Bannister, Barfield, Bingham, Bowen, Cato, Cole, Cooper, Crawford, Daning, Delleney, Duncan, Edge, Gambrell, Hamilton, Harrell, Hearn, Horne, Kelly, Limehouse, Littlejohn, Long, Lucas, D. C. Moss, V. S. Moss, Nanney, Owens, M. A. Pitts, Sandifer, Scott, Simrill, D. C. Smith, G. M. Smith, Spires, Stringer, Thompson, Toole, Umphlett, Viers, White, Whitmire, Willis, A. D. Young, T. R. Young and Weeks: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | 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 | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Hart | Harvin | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Jefferson |
| Jennings | Kennedy | King |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | Norman | Ott |
| Owens | Parker | Parks |
| Pinson | Rice | Rutherford |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Kirsh |  |  |

**Total--1**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**H. 4093--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4093 -- Reps. Loftis, Mitchell, H. B. Brown, Bedingfield, Anthony, G. A. Brown, Crawford, Dillard, Harvin, Hiott, Knight, Lowe, J. R. Smith, Toole, D. C. Moss, Sellers, Brady, Funderburk, Hodges, Horne, Gunn, Bowers, Hutto and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 48 TO ENACT THE "SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT"; TO PROVIDE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY RELATED TO THE ACT; TO PROVIDE CERTAIN DEFINITIONS RELATED TO THE ACT; TO REQUIRE A MANUFACTURER OF CERTAIN COMPUTING, DISPLAY, OR PRINTING EQUIPMENT TO OFFER A RECOVERY PROGRAM FOR THE COLLECTION OF EQUIPMENT FROM A CONSUMER IN A MANNER CONVENIENT TO THE CONSUMER; TO REQUIRE A MANUFACTURER TO DOCUMENT ITS COMPLIANCE WITH THIS CHAPTER IN AN ANNUAL REPORT TO THE DEPARTMENT; TO LIMIT THE LIABILITY OF A MANUFACTURER FOR DAMAGE SUSTAINED BY A CONSUMER FROM INFORMATION CONTAINED ON EQUIPMENT RETURNED BY THE CONSUMER TO A MANUFACTURER THROUGH THE MANUFACTURER'S RECOVERY PROGRAM; TO REQUIRE A RETAILER TO SELL ONLY EQUIPMENT MANUFACTURED IN COMPLIANCE WITH THIS CHAPTER; TO LIMIT THE LIABILITY OF A RETAILER FOR DAMAGE SUSTAINED BY A CONSUMER FROM INFORMATION CONTAINED ON EQUIPMENT SOLD BY THE RETAILER TO A CONSUMER AND RETURNED TO THE MANUFACTURER OF THE EQUIPMENT THROUGH THE MANUFACTURER'S RECOVERY PROGRAM; TO REQUIRE A MANUFACTURER TO EDUCATE CONSUMERS ABOUT THE MANUFACTURER'S RECOVERY PROGRAM; TO REQUIRE THE DEPARTMENT TO EDUCATE CONSUMERS ABOUT ALL RECOVERY PROGRAMS AVAILABLE IN THIS STATE; TO ENABLE THE DEPARTMENT TO AUDIT A MANUFACTURER TO DETERMINE THE MANUFACTURER'S COMPLIANCE WITH THIS CHAPTER; TO PROVIDE THAT FINANCIAL AND PROPRIETARY INFORMATION SUBMITTED TO THE DEPARTMENT BY A MANUFACTURER OR RETAILER PURSUANT TO THIS CHAPTER IS EXEMPT FROM PUBLIC DISCLOSURE; TO REQUIRE THE DEPARTMENT TO REPORT ANNUALLY INFORMATION PROVIDED BY A MANUFACTURER OR A RETAILER TO THE GENERAL ASSEMBLY; TO REQUIRE THE DEPARTMENT TO DEVELOP STANDARDS FOR RECOVERY PROGRAMS, REPORTING REQUIREMENTS, AND RECOVERER CERTIFICATION THAT COMPLY WITH THE ELECTRONICS RECYCLING OPERATING PRACTICES OF THE INSTITUTE OF SCRAP RECYCLING INDUSTRIES; AND TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE RULES AND REGULATIONS NEEDED TO IMPLEMENT THIS CHAPTER'S PROVISIONS.

Rep. DUNCAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Duncan | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Jefferson |
| Jennings | Kennedy | King |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | Millwood |
| D. C. Moss | V. S. Moss | Norman |
| Ott | Parker | Pinson |
| Rice | Rutherford | Sandifer |
| Scott | Sellers | Simrill |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Toole |
| Umphlett | Vick | Weeks |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--97**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**H. 4054--DEBATE ADJOURNED**

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

H. 4054 -- Rep. Edge: A CONCURRENT RESOLUTION TO URGE THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES TO EDUCATE PARENTS ON THE IMPORTANCE OF ADOLESCENT WELL PHYSICALS TO PREVENT CHRONIC DISEASES, APPROPRIATELY INTERVENE TO BETTER TREAT CHRONIC DISEASE, AND UPDATE IMMUNIZATIONS FOR ADOLESCENTS OF THIS STATE AND NATION.

Rep. EDGE moved to adjourn debate upon the Senate Amendments until Tuesday, May 11, which was agreed to.

**H. 3645--AMENDED AND DEBATE ADJOURNED**

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 requested unanimous consent to amend the Bill on third reading, which was agreed to.

Rep. T. R. YOUNG proposed the following Amendment No. 4 (COUNCIL\SWB\8096CM10), which was adopted:

Amend the bill, as and if amended, Section 56‑1‑176(a)(1), as contained in SECTION 1 by inserting / awarded by a public, private, or home school / after diploma / on line 1, page 3 and by inserting / issued by a public, private, or home school / after / attendance / on line 1, page 3.

Amend the bill further, as and if amended, Section 56‑1‑176(A)(2)(a), as contained in SECTION 1, by deleting lines 11 and 12 on page 3 and inserting: / laws, regulations, and policies of the ~~school, school district, and the State Board of Education,~~ student’s public school, private school, or home school as applicable; and /

Amend the bill further, as and if amended, Section 56‑1‑176(C), as contained in SECTION 1 by deleting lines 21 through 29 on page 3 and inserting:

/ (C) Within fourteen days of learning that 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, the board of trustees of the school district or its designee, the governing body of a private school, or an official of a home school association shall notify the Department of Motor Vehicles. This notification must be by an electronic method as determined by the Department of Motor Vehicles. Nothing in this subsection should be construed to change the way or the frequency with which home school students or parents of home school students report a home school student’s attendance in an academic year. /

Renumber sections to conform.

Amend title to conform.

Rep. T. R. YOUNG explained the amendment.

Rep. LOFTIS moved to adjourn debate on the Bill until Thursday, May 20.

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

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

Yeas 67; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | H. B. Brown |
| Clemmons | Clyburn | Cole |
| Cooper | Crawford | Daning |
| Duncan | Erickson | Forrester |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kennedy |
| Limehouse | Littlejohn | Long |
| Lowe | Merrill | Miller |
| D. C. Moss | V. S. Moss | Norman |
| Owens | Sandifer | Scott |
| Sellers | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Bedingfield | Bowers | R. L. Brown |
| Cato | Chalk | Delleney |
| Dillard | Frye | Funderburk |
| Gilliard | Gunn | Haley |
| Hiott | Hodges | King |
| Kirsh | Loftis | Lucas |
| Mack | McEachern | McLeod |
| Millwood | Nanney | Ott |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Simrill | Williams |  |

**Total--35**

So, the motion to adjourn debate was tabled.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote to table the motion to adjourn debate on H. 3645. If I had been present, I would have voted in favor of tabling the motion.

Rep. Jim Stewart

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

Rep. FUNDERBURK spoke against the Bill.

Rep. BINGHAM spoke in favor of the Bill.

Rep. T. R. YOUNG spoke in favor of the Bill.

Rep. T. R. YOUNG moved to adjourn debate on the Bill until Tuesday, May 11, which was agreed to.

**H. 4899--ADOPTED**

The following House Resolution was taken up:

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.

The Resolution was adopted.

**H. 4900--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

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".

The Concurrent Resolution was adopted and sent to the Senate.

RECORD FOR VOTING

I recused myself from voting on H. 4900.

Rep. Douglas Jennings, Jr.

**RECURRENCE TO THE MORNING HOUR**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 6, 2010

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 1:00 p.m. today, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. GAMBRELL the invitation was accepted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4947 -- Reps. Horne, Harrell, Knight, A. D. Young, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, 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 and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE ASHLEY RIDGE HIGH SCHOOL WINTER PERCUSSION ENSEMBLE AND WINTER COLOR GUARD FOR UNDEFEATED SEASONS AND FOR CAPTURING THE 2010 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION SCHOLASTIC MARCHING NOVICE CLASS AND SCHOLASTIC REGIONAL A CLASS STATE CHAMPIONSHIP TITLES.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4948 -- Reps. Horne, Harrell, Knight, A. D. Young, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, 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 and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE ASHLEY RIDGE HIGH SCHOOL WINTER PERCUSSION ENSEMBLE AND WINTER COLOR GUARD, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR UNDEFEATED SEASONS AND FOR CAPTURING THE 2010 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION SCHOLASTIC MARCHING NOVICE CLASS AND SCHOLASTIC REGIONAL A CLASS STATE CHAMPIONSHIP TITLES.

The Resolution was adopted.

**INTRODUCTION OF BILL**

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

H. 4949 -- Reps. Allen, McEachern, Alexander, Mitchell, King, Dillard and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 5-31-2560, 6-11-2560, 33-49-1460, 58-5-1170, 58-27-2570, AND 58-31-560 SO AS TO REQUIRE A MUNICIPALITY, SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT, ELECTRIC COOPERATIVE, PUBLIC UTILITY, PUBLIC SERVICE AUTHORITY, OR ELECTRIC UTILITY FURNISHING ELECTRICITY OR NATURAL GAS TO ITS CITIZENS TO INCLUDE IN THE CUSTOMERS BILLS ONCE ANNUALLY A FORM THAT MAY BE RETURNED WITH PAYMENT THAT INFORMS THE MUNICIPALITY, SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT, ELECTRIC COOPERATIVE, PUBLIC UTILITY, PUBLIC SERVICE AUTHORITY, OR ELECTRIC UTILITY THAT THE CUSTOMER IS A "SPECIAL NEEDS ACCOUNT CUSTOMER"; AND TO AMEND SECTIONS 5-31-2510, 6-11-2510, 33-49-1410, 58-5-1110, 58-27-2510, AND 58-31-510, RELATING TO DEFINITIONS USED IN PROCEDURES GOVERNING THE TERMINATION OF ELECTRIC AND NATURAL GAS SERVICE UNDER CERTAIN CIRCUMSTANCES FURNISHED BY A MUNICIPALITY, SPECIAL PURPOSE DISTRICT OR PUBLIC SERVICE DISTRICT, ELECTRIC COOPERATIVE, PUBLIC UTILITY, PUBLIC SERVICE AUTHORITY, OR ELECTRIC UTILITY, SO AS TO CHANGE THE DEFINITION OF "SPECIAL NEEDS ACCOUNT CUSTOMER".

Referred to Committee on Labor, Commerce and Industry

**HOUSE RESOLUTION**

The following was introduced:

H. 4950 -- Rep. Hart: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF DOROTHY G. KENNEDY OF RICHLAND COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**S. 1030--DEBATE ADJOURNED**

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

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.

Rep. SIMRILL moved to adjourn debate on the Bill until Tuesday, May 11, which was agreed to.

**H. 4909--DEBATE ADJOURNED**

Rep. KING moved to adjourn debate upon the following Bill until Tuesday, May 11, which was adopted:

H. 4909 -- Reps. King, Gilliard, Parks, Dillard, Gunn, Howard, Mack and Hart: 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--DEBATE ADJOURNED**

Rep. COBB-HUNTER moved to adjourn debate upon the following Bill until Tuesday, May 11, which was adopted:

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.

**H. 4888--DEBATE ADJOURNED**

Rep. DUNCAN moved to adjourn debate upon the following Joint Resolution until Tuesday, May 11, which was adopted:

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.

**S. 452--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

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.

The Agriculture, Natural Resources and Environmental Affairs Subcommittee proposed the following Amendment No. 1 (COUNCIL\NBD\12268AC10), which was adopted:

Amend the bill, as and if amended, by deleting Section 49‑4‑35(B) on page 8 and inserting:

/ (B) An existing registered surface water withdrawer already reporting its withdrawals to the department as of January 1, 2011, may maintain its withdrawals at its highest reported level or at the design capacity of the intake structure which will be permanent as of January 1, 2011, and is deemed to be registered with the department. /

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

The amendment was then adopted.

Rep. HIOTT explained the Bill.

Rep. COOPER moved to adjourn debate on the Bill until Tuesday, May 11.

Rep. R. L. BROWN moved to table the motion.

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

Yeas 68; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anderson | Anthony |
| Bales | Ballentine | Battle |
| Bowen | Bowers | Brady |
| Branham | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Crawford | Daning | Delleney |
| Dillard | Duncan | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Gunn | Haley |
| Harrison | Hart | Harvin |
| Hiott | Hodges | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Limehouse | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Miller | D. C. Moss |
| V. S. Moss | Neilson | Norman |
| Ott | Parker | Parks |
| Rutherford | Scott | Sellers |
| Simrill | Stavrinakis | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | Whitmire |
| Williams | T. R. Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Bannister |
| Bedingfield | Bingham | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Edge | Erickson |
| Hamilton | Harrell | Hearn |
| Horne | Kirsh | Littlejohn |
| Loftis | Merrill | Nanney |
| Owens | Pinson | M. A. Pitts |
| Rice | Sandifer | D. C. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| White | Wylie | A. D. Young |

**Total--36**

So, the motion to adjourn debate was tabled.

Reps. G. R. SMITH, J. R. SMITH, PINSON, DUNCAN, STRINGER, WYLIE, HAMILTON, BEDINGFIELD, LOFTIS, NANNEY, A. D. YOUNG, PARKER, ALLISON, R. L. BROWN, CRAWFORD, LOWE, SELLERS, AGNEW and TOOLE requested debate on the Bill.

**HOUSE STANDS AT EASE**

Rep. TOOLE moved that the House stand at ease until the Ratification of Acts and thereafter stand adjourned, which was agreed to.

**RATIFICATION OF ACTS**

At 1:04 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R179, S. 168) -- Senators Cleary, Campsen, Rose, Bryant, Elliott and Hutto: AN ACT TO AMEND SECTION 38‑79‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL MALPRACTICE INSURANCE, SO AS TO PROVIDE THAT A LICENSED HEALTH CARE PROVIDER WHO RENDERS MEDICAL SERVICES VOLUNTARILY AND WITHOUT COMPENSATION, AND SEEKS NO REIMBURSEMENT FROM CHARITABLE AND GOVERNMENTAL SOURCES, AND PROVIDES NOTICE TO THE PATIENT OR PATIENT’S PROVIDER IN A NONEMERGENCY, IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ANY ACT OR OMISSION UNLESS THE ACT OR OMISSION WAS THE RESULT OF THE HEALTH CARE PROVIDER’S GROSS NEGLIGENCE OR WILFUL MISCONDUCT.

(R180, S. 170) -- Senators Cleary and Rose: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑17‑385 SO AS TO REQUIRE THE FAMILY COURT TO ISSUE A RULE TO SHOW CAUSE UPON THE FILING OF A PETITION AND AN AFFIDAVIT THAT A PARENT HAS FAILED TO PAY COURT‑ORDERED SUPPORT FOR A CHILD, OTHER THAN PERIODIC CHILD SUPPORT PAYMENTS; TO PROVIDE FOR THE CONTENTS OF THE AFFIDAVIT AND TO REQUIRE COURT ADMINISTRATION TO PREPARE AND MAKE THE AFFIDAVIT FORM AVAILABLE TO PETITIONERS; TO SPECIFY OTHER DOCUMENTS AND INFORMATION THAT MAY ACCOMPANY THE AFFIDAVIT; TO ESTABLISH THE BURDEN OF PROOF; TO REQUIRE THE PETITIONER TO BE PRESENT AT THE HEARING; AND TO PROVIDE CIRCUMSTANCES UNDER WHICH ATTORNEY’S FEES AND LITIGATION COSTS MAY BE AWARDED.

(R181, S. 196) -- Senator McConnell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15‑3‑690 SO AS TO PROVIDE A LIQUEFIED PETROLEUM GAS DEALER IS IMMUNE FROM CIVIL LIABILITY FOR AN INJURY OR DAMAGE PROXIMATELY CAUSED BY A LIQUEFIED PETROLEUM GAS SYSTEM OR GAS BURNING APPLIANCE IN CERTAIN CIRCUMSTANCES, TO PROVIDE CERTAIN DEFINITIONS, AND TO LIMIT APPLICABILITY OF THE SECTION; AND TO AMEND SECTION 40‑82‑270, RELATING TO THE REQUIREMENT TO NOTIFY A PROPANE SUPPLIER BEFORE BEGINNING WORK ON A SYSTEM SUPPLIED BY A LIQUEFIED PETROLEUM GAS SUPPLIER, SO AS TO PROVIDE A CONSUMER, OWNER, END USER, OR PERSON WHO ALTERS OR MODIFIES HIS LIQUEFIED PETROLEUM GAS EQUIPMENT, GAS BURNING APPLIANCE, OR SYSTEM INSTALLED BY A LICENSED DEALER MUST NOTIFY THE LICENSED DEALER WHO NEXT FILLS OR OTHERWISE SERVICES HIS LIQUEFIED PETROLEUM GAS SYSTEM THAT THIS WORK HAS BEEN PERFORMED, TO PROVIDE THE LICENSED DEALER MUST NOTIFY THEIR CUSTOMERS IN WRITING AT LEAST ONCE ANNUALLY OF THE CUSTOMER’S STATUTORY OBLIGATION OF NOTIFICATION IN REGARD TO MODIFICATIONS TO THEIR PROPANE APPLIANCES OR SYSTEMS, AND TO PROVIDE THIS NOTICE TO CUSTOMERS SHOULD BE PROVIDED IN A SEPARATE AND DISTINCT DISCLOSURE AND NOT A PART OF OTHER SAFETY LITERATURE GIVEN TO CUSTOMERS.

(R182, S. 481) -- Senators Lourie, Reese and Massey: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA CERTIFIED ATHLETIC TRAINERS FOUNDATION TO ENCOURAGE AND ASSIST THE LOCAL SCHOOL DISTRICTS AND SCHOOLS IN ENSURING THAT A CERTIFIED ATHLETIC TRAINER IS ON STAFF AT EACH HIGH SCHOOL AND MIDDLE SCHOOL OF THIS STATE; TO PROVIDE FOR ITS COMPOSITION, FOR THE FILLING OF VACANCIES, FOR THE ELECTION OF A CHAIRMAN, AND FOR MEMBER COMPENSATION; TO ALLOW THE FOUNDATION TO ACCEPT CERTAIN FUNDS; AND TO PROVIDE FOR THE DISTRIBUTION OF FUNDS.

(R183, S. 652) -- Senators Knotts, Elliott, Ford and Campbell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 33‑56‑75 SO AS TO PROVIDE THAT A LIST OF CONTRIBUTORS TO A SOLICITATION CAMPAIGN CONDUCTED BY A PROFESSIONAL FUNDRAISING COUNSEL OR SOLICITOR IS THE PROPERTY OF THE CHARITABLE ORGANIZATION FOR WHOM THE CAMPAIGN IS CONDUCTED; TO REQUIRE A PROFESSIONAL FUNDRAISING COUNSEL OR SOLICITOR RECEIVING CONTRIBUTIONS ON BEHALF OF THE CHARITABLE ORGANIZATION TO DELIVER THE LIST OF CONTRIBUTORS FOLLOWING THE CAMPAIGN TO THE CHARITABLE ORGANIZATION; TO PROHIBIT THE PROFESSIONAL FUNDRAISING COUNSEL OR SOLICITOR FROM WITHHOLDING THE LIST, RESTRICTING THE CHARITABLE ORGANIZATION’S USE OF THE LIST, OR PROVIDING THE LIST OR USE OF THE LIST TO ANYONE OTHER THAN THE CHARITABLE ORGANIZATION; TO PROVIDE ADMINISTRATIVE FINES AND SANCTIONS TO BE IMPOSED BY THE SECRETARY OF STATE AGAINST A PROFESSIONAL FUNDRAISING COUNSEL OR SOLICITOR IN VIOLATION OF THIS ACT; AND TO PROVIDE AN EXEMPTION FOR CERTAIN POLITICAL CAMPAIGNS; AND TO AMEND SECTION 33‑56‑160, RELATING TO ADMINISTRATIVE FINES AND FEES COLLECTED UNDER THE SOUTH CAROLINA SOLICITATION OF CHARITABLE FUNDS ACT, SO AS TO PROVIDE THAT FINES COLLECTED PURSUANT TO SECTION 33‑56‑75 MAY NOT BE RETAINED BY THE SECRETARY OF STATE BUT MUST BE DEPOSITED WITH THE STATE TREASURER IN A SEPARATE FUND TO BE USED TO ADMINISTER SECTION 33‑56‑75.

(R184, S. 907) -- Senator Peeler: AN ACT TO AMEND ARTICLE 1, CHAPTER 61, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY MEDICAL SERVICES (EMS), SO AS TO REVISE DEFINITIONS AND ADD NEW DEFINITIONS INCLUDING, BUT NOT LIMITED TO, THE “STATE MEDICAL CONTROL PHYSICIAN”, WITH WHOM THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CONTRACTS TO OVERSEE THE MEDICAL ASPECTS OF THE EMS PROGRAM, AND THE “INVESTIGATIVE REVIEW COMMITTEE” WHICH WILL CONDUCT INVESTIGATIONS OF LICENSEES; TO PROVIDE THAT THE STATE MEDICAL CONTROL PHYSICIAN SHALL ADVISE THE DEPARTMENT ON THE DEVELOPMENT OF STANDARDS AND PROMULGATION OF REGULATIONS FOR THE EMS PROGRAM; TO PROVIDE THAT THE EMS PROGRAM MUST INCLUDE THE ESTABLISHMENT OF AN ELECTRONIC PATIENT CARE REPORTING SYSTEM TO PROVIDE DATA TO THE NATIONAL EMS INFORMATION SYSTEM DATABASE; TO PROVIDE THAT MEMBERS OF THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL SERVE WITHOUT COMPENSATION, MILEAGE, PER DIEM, OR SUBSISTENCE; TO SPECIFY THAT A BUSINESS PROVIDING EMS OR AMBULANCE SERVICES OR AN AMBULANCE ATTENDANT PROVIDING PATIENT CARE WITHOUT THE APPLICABLE LICENSE OR PERMIT SUBJECTS THE BUSINESS OR PERSON TO CIVIL PENALTIES; TO REQUIRE AN EMS AND AN AMBULANCE SERVICE TO RETAIN A MEDICAL CONTROL PHYSICIAN TO MAINTAIN QUALITY CONTROL OF PATIENT CARE AND TO PROVIDE IMMUNITY FROM CIVIL LIABILITY FOR SUCH PHYSICIANS ACTING IN GOOD FAITH IN CARRYING OUT THESE RESPONSIBILITIES; TO PROVIDE THAT AN EMERGENCY MEDICAL TECHNICIAN (EMT) CERTIFICATE IS VALID FOR FOUR YEARS, RATHER THAN THREE YEARS; TO DELETE THE REQUIREMENT THAT UPON CERTIFICATE RENEWAL AN EMT MUST COMPLETE A REFRESHER COURSE AND AN EXAMINATION AND INSTEAD TO REQUIRE THE EMT TO PROVIDE DOCUMENTATION OF CURRENT NATIONAL REGISTRATION AND RENEWAL FOR THE APPROPRIATE LEVEL OF CERTIFICATION AND TO PROVIDE AN EXEMPTION FOR EMT’S CERTIFIED BEFORE OCTOBER 2006; TO SPECIFY THAT THE IDENTITY OF AN EMT CONTAINED IN INFORMATION COLLECTED BY EMS IS CONFIDENTIAL UNLESS REQUESTED BY A PATIENT; TO PROVIDE THAT UPON REQUEST A PATIENT MAY OBTAIN INFORMATION COLLECTED BY EMS; TO DELETE PROVISIONS PERTAINING TO THE CONFIDENTIALITY OF THE IDENTITY OF PHYSICIANS AND HOSPITALS AND THE CONFIDENTIALITY OF OFFICIAL INVESTIGATIONS CONDUCTED BY THE EMS SECTION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND TO PROVIDE THAT INVESTIGATIONS MUST BE CONDUCTED BY THE INVESTIGATIVE REVIEW COMMITTEE AND THAT ACTION TAKEN BY THE COMMITTEE ON A LICENSE IS PUBLIC INFORMATION AFTER ISSUANCE OF AN ADMINISTRATIVE ORDER; TO FURTHER SPECIFY TO WHOM PATIENT INFORMATION MAY BE RELEASED; AND TO REQUIRE THE DEPARTMENT AND A PERSON OR ENTITY LICENSED OR CERTIFIED PURSUANT TO THIS ARTICLE TO DISCLOSE TO THE SOLICITOR INFORMATION THAT COULD AID IN THE INVESTIGATION OR PROSECUTION OF CRIMINAL ACTIVITY; TO REPEAL SECTION 44-61-105 AUTHORIZING THE GOVERNING BODY OF A COUNTY TO EXEMPT AMBULANCES USED PRIMARILY AS CONVALESCENT TRANSPORT UNITS FROM SIZE REQUIREMENTS AND TO ALSO DELETE OTHER REQUIREMENTS FOR CERTAIN VEHICLES USED AS CONVALESCENT TRANSPORT UNITS, AND SECTION 44-61-150 REQUIRING REGULATIONS PROMULGATED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO BE FILED WITH THE SECRETARY OF STATE; AND TO AMEND ARTICLE 3, CHAPTER 61, TITLE 44, RELATING TO EMERGENCY MEDICAL SERVICES FOR CHILDREN (EMSC), SO AS TO REVISE CERTAIN DEFINITIONS AND TO ADD, AMONG OTHERS, THE DEFINITION OF “EMERGENCY MEDICAL TECHNICIAN” (EMT); TO CHANGE THE EMSC PROGRAM NAME TO THE “EMERGENCY MEDICAL SERVICES AND TRAUMA FOR CHILDREN PROGRAM” AND TO PROVIDE THAT THIS PROGRAM MUST INCLUDE GUIDELINES FOR VOLUNTARY DESIGNATION OF PEDIATRIC EMERGENCY DEPARTMENTS, DISASTER RESPONSE GUIDELINES, PEDIATRIC DISASTER PREPAREDNESS TRAINING, AND ASSISTANCE WITH THE DEVELOPMENT OF DISASTER PLAN STRATEGIES RELATING TO CHILDREN; TO SPECIFY THAT THE IDENTITY OF AN EMT CONTAINED IN INFORMATION COLLECTED BY EMS IS CONFIDENTIAL UNLESS REQUESTED BY A PATIENT; TO PROVIDE THAT UPON REQUEST A PATIENT MAY OBTAIN INFORMATION COLLECTED BY EMS TO DELETE PROVISIONS PERTAINING TO THE CONFIDENTIALITY OF THE IDENTITY OF PHYSICIANS AND HOSPITALS; TO FURTHER SPECIFY TO WHOM PATIENT INFORMATION MAY BE RELEASED; TO REQUIRE THE DEPARTMENT AND A PERSON OR ENTITY LICENSED OR CERTIFIED PURSUANT TO THIS ARTICLE TO DISCLOSE TO THE SOLICITOR INFORMATION THAT COULD AID IN THE INVESTIGATION OR PROSECUTION OF CRIMINAL ACTIVITY; AND TO ESTABLISH THE EMERGENCY MEDICAL SERVICES FOR CHILDREN ADVISORY COMMITTEE, TO PROVIDE FOR ITS MEMBERS AND DUTIES, AND TO PROVIDE THAT MEMBERS ON THE COMMITTEE SERVE WITHOUT COMPENSATION, MILEAGE, PER DIEM, OR SUBSISTENCE.

(R185, S. 931) -- Senator L. Martin: AN ACT TO AMEND SECTION 44‑48‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EFFECTIVE DATE OF PAROLE OR CONDITIONAL RELEASE OF SEXUALLY VIOLENT PREDATORS, SO AS TO PROVIDE THAT WRITTEN NOTICE OF THE RELEASE OF A SEXUALLY VIOLENT PREDATOR FROM PRISON MUST BE GIVEN TO THE MULTIDISCIPLINARY TEAM AT LEAST TWO HUNDRED SEVENTY DAYS RATHER THAN ONE HUNDRED DAYS BEFORE HIS RELEASE FROM TOTAL CONFINEMENT WITH CERTAIN EXCEPTIONS, OR CERTAIN ANTICIPATED HEARINGS, AND TO PROVIDE THAT THE PAROLE OR CONDITIONAL RELEASE ORDER DOES NOT TAKE EFFECT FOR ONE HUNDRED EIGHTY DAYS, RATHER THAN NINETY DAYS, AFTER ISSUANCE OF THE ORDER; TO AMEND SECTION 44‑48‑80, AS AMENDED, RELATING TO THE FACILITY IN WHICH A PERSON MUST BE HELD AFTER PROBABLE CAUSE IS FOUND TO EXIST THAT THE PERSON IS A SEXUALLY VIOLENT PREDATOR, SO AS TO REQUIRE THAT THE PERSON ONLY BE HELD IN A LOCAL OR REGIONAL DETENTION FACILITY PENDING CONCLUSION OF THE PROCEEDINGS IN THIS CHAPTER AND THAT THE COURT MUST DIRECT THE PERSON TO BE TRANSPORTED TO AN APPROPRIATE FACILITY OF THE SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH, AND TO PROVIDE THAT THE EXPERT THAT CONDUCTS THE EVALUATION OF A PERSON TO DETERMINE WHETHER HE IS A SEXUALLY VIOLENT PREDATOR MUST COMPLETE THE EVALUATION WITHIN SIXTY DAYS AFTER THE PROBABLE CAUSE HEARING UNLESS EXTRAORDINARY CIRCUMSTANCES EXIST; TO AMEND SECTION 44‑48‑90, AS AMENDED, RELATING TO THE TIME WITHIN WHICH A JURY TRIAL MUST BE REQUESTED AND HELD TO DETERMINE IF A PERSON IS A SEXUALLY VIOLENT PREDATOR, SO AS TO DELETE THE PROVISION THAT REQUIRES THAT THE TRIAL MUST BE CONDUCTED WITHIN SIXTY DAYS OF THE HEARING HELD PURSUANT TO SECTION 44‑48‑80, TO PROVIDE THAT THE TRIAL MUST BE HELD WITHIN NINETY DAYS OF ISSUANCE OF THE COURT APPOINTED EVALUATOR’S OPINION, AND TO PROVIDE THAT UPON RECEIPT OF THE ISSUANCE OF THE OPINION, EITHER PARTY MAY RETAIN AN EXPERT TO CONDUCT A SUBSEQUENT EVALUATION; TO AMEND SECTION 44‑48‑100, AS AMENDED, RELATING TO THE FACILITY IN WHICH A PERSON MUST BE HELD UPON A MISTRIAL IN DETERMINING WHETHER THE PERSON IS A SEXUALLY VIOLENT PREDATOR, SO AS TO REQUIRE THAT THE PERSON ONLY BE HELD IN A LOCAL OR REGIONAL DETENTION FACILITY; AND TO AMEND SECTION 44‑48‑120, AS AMENDED, RELATING TO PROCEDURES REQUIRED WHEN THE DIRECTOR OF THE DEPARTMENT OF MENTAL HEALTH DETERMINES A PERSON COMMITTED TO THE DEPARTMENT AS A SEXUALLY VIOLENT PREDATOR IS NO LONGER LIKELY TO COMMIT ACTS OF SEXUAL VIOLENCE, SO AS TO REQUIRE THE DIRECTOR TO CERTIFY THIS DETERMINATION IN WRITING AND TO NOTIFY THE ATTORNEY GENERAL OF THIS CERTIFICATION AND OF THE PATIENT’S AUTHORIZATION TO PETITION THE COURT FOR RELEASE, TO PROVIDE THAT THE ATTORNEY GENERAL MAY REQUEST AN EXAMINATION BEFORE A HEARING ON THE RELEASE IS HELD, AND TO PROVIDE THAT EITHER PARTY MAY REQUEST THAT THE HEARING BE HELD BEFORE A JURY, AND TO PROVIDE THAT IF THE ATTORNEY GENERAL’S QUALIFIED EXPERT CONCLUDES THAT THE PETITIONER, IF RELEASED MAY COMMIT ACTS OF SEXUAL VIOLENCE, THE PETITIONER MAY RETAIN A QUALIFIED EXPERT TO PERFORM A SUBSEQUENT EVALUATION.

(R186, S. 1097) -- Senators Alexander, L. Martin, Sheheen, O’Dell, Land, Mulvaney and Malloy: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41‑21‑110 SO AS TO ENACT THE “FUTURE VOLUNTEER FIREFIGHTERS ACT OF SOUTH CAROLINA” AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATIONS IN COOPERATION WITH THE STATE FIREFIGHTERS ASSOCIATION MAY ESTABLISH A JUNIOR FIREFIGHTERS PROGRAM.

(R187, S. 1172) -- Senators Fair, Hutto, Jackson, Alexander, Ford, L. Martin, Campbell, Rose, Knotts and Cromer: AN ACT TO AMEND SECTION 63‑7‑1640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF SOCIAL SERVICES PROVIDING REASONABLE EFFORTS TO ACHIEVE FAMILY PRESERVATION AND REUNIFICATION, SO AS TO PROVIDE THAT THE NAMED PARTY MAY MOVE TO HAVE THE COURT DETERMINE IF THE DEPARTMENT SHALL CONTINUE WITH THESE EFFORTS, TO ADD ALCOHOL AND DRUG ADDITION, MENTAL ILLNESS, AND EXTREME PHYSICAL INCAPACITY TO THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT IS NOT REQUIRED TO CONTINUE TO MAKE REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY, TO REQUIRE THE COURT TO MAKE SPECIFIC FINDINGS WHEN RELEASING THE DEPARTMENT FROM MAKING THESE REASONABLE EFFORTS OR WHEN REQUIRING THE DEPARTMENT TO CONTINUE MAKING THESE REASONABLE EFFORTS, AND TO REQUIRE THE DEPARTMENT TO PETITION FOR TERMINATION OF PARENTAL RIGHTS WITHIN SIXTY DAYS WHEN MAKING REASONABLE EFFORTS TO PRESERVE OR REUNIFY A FAMILY IS NO LONGER REQUIRED; TO AMEND SECTION 63‑7‑1660, RELATING TO PROCEDURES FOR REMOVING A CHILD FROM THE CUSTODY OF HIS PARENTS BY FILING A PETITION IN FAMILY COURT AND GROUNDS FOR REMOVAL, SO AS TO REQUIRE THE DEPARTMENT TO ALSO SEEK TERMINATION OF PARENTAL RIGHTS IF CIRCUMSTANCES EXIST; TO AMEND SECTION 63‑7‑1680, RELATING TO THE CONTENTS OF A PLACEMENT PLAN WHEN A CHILD IS REMOVED FROM THE CUSTODY OF HIS PARENTS, SO AS TO REVISE AND FURTHER SPECIFY THE CONTENTS OF THE PLACEMENT PLAN; TO AMEND SECTION 63‑7‑1700, RELATING TO FAMILY COURT REVIEWING A CHILD’S PERMANENT PLACEMENT PLAN, SO AS TO FURTHER PROVIDE THE CONTENTS OF A SUPPLEMENTAL REPORT TO BE PROVIDED TO THE COURT WHEN CONDUCTING SUCH A REVIEW, TO FURTHER SPECIFY CONDITIONS FOR REVIEW, TO FURTHER SPECIFY CONDITIONS FOR RETURNING THE CHILD TO THE CUSTODY OF HIS PARENTS, TO FURTHER SPECIFY CONDITIONS UNDER WHICH THE PLACEMENT PLAN MAY BE EXTENDED, AND TO DELETE DUPLICATIVE TEXT; TO AMEND SECTION 63‑7‑2570, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO CLARIFY THAT IN SOME INSTANCES A PARENT’S CONDUCT INVOLVING ANOTHER CHILD OF THE PARENT LIVING IN THE PARENT’S HOME MAY CONSTITUTE GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, TO FURTHER SPECIFY GROUNDS FOR TERMINATION OF PARENTAL RIGHTS DUE TO A PARENT HAVING A DIAGNOSABLE CONDITION, AND TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 63‑9‑60, RELATING TO PERSONS WHO MAY ADOPT A CHILD IN THIS STATE, SO AS TO PROVIDE THAT AN ADOPTION BY PERSONS WHO ARE NONRESIDENTS MUST BE FINALIZED IN THIS STATE; BY ADDING SECTION 63‑9‑70 SO AS TO PROHIBIT CERTAIN PERSONS OR ENTITIES FROM ADVERTISING THAT THE PERSON OR ENTITY WILL PLACE OR ACCEPT A CHILD FOR ADOPTION, TO PROVIDE AN EXCEPTION, TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS, AND TO PROVIDE THAT THE FAMILY COURT SHALL ENJOIN VIOLATIONS OF THIS SECTION; AND TO AMEND SECTION 63‑9‑1110, RELATING TO STEPPARENT AND FAMILY ADOPTIONS, SO AS TO AUTHORIZE THE COURT TO WAIVE THE REQUIREMENT THAT THE ADOPTION MUST BE FINALIZED IN THIS STATE.

(R188, S. 1131) -- Senators Peeler and Coleman: AN ACT TO AMEND SECTION 4‑29‑67, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE; TO AMEND SECTION 12‑44‑30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; AND TO AMEND SECTION 12‑44‑40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY.

(R189, S. 1145) -- Senator Leatherman: AN ACT TO AMEND SECTIONS 9‑1‑1540, AS AMENDED, 9‑9‑65, AND 9‑11‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DATE UPON WHICH AN APPLICATION FOR DISABILITY RETIREMENT MUST BE FILED WITH THE SOUTH CAROLINA RETIREMENT SYSTEM, SO AS 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.

(R190, S. 1351) -- Senators Grooms, Campbell and Campsen: AN ACT TO AMEND SECTION 7‑7‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO CREATE NEW PRECINCTS, REDESIGNATE AND RENAME CERTAIN PRECINCTS, AND CHANGE THE MAP DESIGNATION ON WHICH THE LINES OF THOSE PRECINCTS ARE DELINEATED.

(R191, H. 3108) -- Rep. Hosey: AN ACT TO AMEND ACT 201 OF 1993, RELATING TO PAYMENT FOR SERVICES RENDERED BY MEMBERS OF THE WILLISTON SCHOOL DISTRICT 29 BOARD OF TRUSTEES IN BARNWELL COUNTY, SO AS TO DELETE THE PROVISION THAT NO MORE THAN TWELVE SPECIAL MEETINGS MAY BE HELD IN ONE CALENDAR YEAR.

(R192, H. 3161) -- Rep. Harrison: AN ACT 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; 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; TO AMEND SECTION 8‑21‑320, AS AMENDED, RELATING TO COMMON PLEAS AND FAMILY COURT MOTION FEES, SO AS TO INCREASE THE MOTION FEE FROM TWENTY‑FIVE TO SEVENTY‑FIVE DOLLARS FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 14‑1‑204, AS AMENDED, RELATING TO COURT FILING FEES COLLECTED BY CLERKS OF COURT, REGISTERS OF DEEDS, OR COUNTY TREASURERS, SO AS TO IMPOSE FEES FOR A CERTAIN PERIOD OF TIME IN FAMILY COURT AND OTHER FEES IN OTHER COURTS OF RECORD, PROVIDE EXCEPTIONS, AND PROVIDE FOR THE DISTRIBUTION OF THE FEES COLLECTED; AND TO AMEND SECTION 22‑3‑340, AS AMENDED, RELATING TO ASSESSMENTS ON FILINGS IN MAGISTRATES COURT, SO AS TO INCREASE THE ASSESSMENT FROM TWENTY‑FIVE TO FIFTY DOLLARS ON SUMMONS AND COMPLAINT FILINGS AND FROM TEN TO TWENTY DOLLARS ON CIVIL FILINGS IN MAGISTRATES COURT.

(R193, H. 3584) -- Reps. Harrell, Bingham, Cooper, Harrison, Owens, Sandifer, White, Crawford, Bannister, Huggins, Sottile, Spires, Herbkersman, Loftis, Bowen, Erickson, Daning, Hardwick, J.R. Smith, Pinson, Toole, Brady, Clemmons, Edge, Forrester, Frye, Gullick, Hearn, Hiott, Horne, Kelly, Littlejohn, Long, E.H. Pitts, Rice, Skelton, D.C. Smith, G.M. Smith, Whitmire, Wylie, Gunn, Limehouse, Willis, J.E. Smith and Bales: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12‑21‑625 SO AS TO IMPOSE A SURTAX ON EACH CIGARETTE IN AN AMOUNT OF TWO AND ONE‑HALF CENTS, TO PROVIDE FOR THE CREDITING OF THE REVENUE FROM THE SURTAX TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA HOLLINGS CANCER CENTER FOR TOBACCO‑RELATED CANCER RESEARCH, THE SMOKING PREVENTION AND CESSATION TRUST FUND, AND THE MEDICAID RESERVE FUND, TO PROVIDE FOR REPORTING, PAYMENT, COLLECTION, AND ENFORCEMENT OF THE SURTAX, AND TO DEFINE “CIGARETTE”; TO AMEND SECTION 12‑21‑620, RELATING TO THE ORIGINAL CIGARETTE TAX, SO AS TO INCLUDE THE DEFINITION OF “CIGARETTE”; BY ADDING SECTION 11‑11‑230 SO AS TO CREATE AND ESTABLISH THE SMOKING PREVENTION AND CESSATION TRUST FUND AND THE MEDICAID RESERVE FUND, BOTH SO AS TO RECEIVE DEPOSITS OF THE REVENUES FROM THE CIGARETTE SURTAX AS SPECIFIED; AND BY ADDING SECTION 11‑49‑55 SO AS TO PROVIDE THAT IF FUNDS FROM THE SMOKING PREVENTION AND CESSATION TRUST FUND ARE AVAILABLE, AND NOT OTHERWISE COMMITTED, THE DEPARTMENT OF AGRICULTURE SHALL RECEIVE ONE MILLION DOLLARS ANNUALLY FOR FIVE YEARS FOR MARKETING AND BRANDING STATE‑GROWN CROPS AND TO ASSIST IN RELIEF FROM NATURAL DISASTERS AFFECTING STATE‑GROWN CROPS.

(R194, H. 3720) -- Rep. Clemmons: AN ACT TO AMEND SECTION 15‑9‑720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SERVICE ON UNKNOWN PARTIES BY PUBLICATION IN CERTAIN ACTIONS CONCERNING REAL PROPERTY, SO AS TO PROVIDE FOR SERVICE OF ALL COURT‑REQUIRED DOCUMENTS BY PUBLICATION AND, FURTHER, IN AN ACTION INVOLVING MULTIPLE UNITS IN A SINGLE HORIZONTAL PROPERTY REGIME, FOR SERVICE BY PUBLICATION BY CONSOLIDATING THE SERVICES INTO A SINGLE SERVICE THAT IDENTIFIES EACH APARTMENT INCLUDED IN THE ACTION BASED ON THE APARTMENT’S DESCRIPTION IN THE MASTER DEED.

(R195, H. 3778) -- Rep. Harvin: AN ACT TO AMEND SECTION 44‑7‑2430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLECTION OF DATA PURSUANT TO THE “HOSPITAL INFECTIONS DISCLOSURE ACT”, SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COMBINE DATA FROM MULTIPLE REPORTING PERIODS IN COMPILING THE DEPARTMENT’S REPORTS ON HOSPITAL ACQUIRED INFECTIONS AND TO REQUIRE THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, RATHER THAN THE COMMISSIONER OF THE DEPARTMENT, TO APPOINT AN ADVISORY COMMITTEE ON HOSPITAL ACQUIRED INFECTIONS; TO AMEND SECTION 44‑7‑2440, AS AMENDED, RELATING TO REPORTS COMPILED BY THE DEPARTMENT ON HOSPITAL ACQUIRED INFECTIONS, SO AS TO REQUIRE REPORTS TO THE GENERAL ASSEMBLY TO BE SUBMITTED BEFORE APRIL SIXTEENTH OF EACH YEAR; AND TO AMEND SECTION 44‑7‑2460, RELATING TO THE REQUIREMENT THAT COMPLIANCE WITH THE HOSPITAL INFECTIONS DISCLOSURE ACT IS A CONDITION OF HOSPITAL LICENSURE AND PERMITTING, SO AS TO ALSO AUTHORIZE THE IMPOSITION OF CIVIL MONETARY PENALTIES FOR NONCOMPLIANCE.

(R196, H. 3871) -- Reps. Harvin, Hosey and Jefferson: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑29‑15 SO AS TO SPECIFY REPORTING REQUIREMENTS FOR LABORATORIES THAT TEST FOR INFECTIOUS OR OTHER DISEASES REQUIRED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO BE REPORTED AND TO PROVIDE A CIVIL MONETARY PENALTY FOR VIOLATIONS.

(R197, H. 4205) -- Reps. G.R. Smith, G.M. Smith, Wylie, Hutto and Viers: AN ACT TO AMEND SECTION 17‑1‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DESTRUCTION OF CRIMINAL RECORDS WHEN A CHARGE IS DISMISSED OR THE PERSON IS FOUND INNOCENT, SO AS TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO CERTAIN OFFENSES INVOLVING VIOLATIONS OF BOATING AND DRIVING LAWS, CERTAIN ENACTMENTS PURSUANT TO THE AUTHORITY OF COUNTIES AND MUNICIPALITIES, AND OTHER STATE CRIMINAL OFFENSES IF THE VIOLATOR IS NOT FINGERPRINTED; AND TO ALLOW FOR THE ELECTRONIC TRANSMISSION OF INFORMATION WITH REGARDS TO THIS SECTION.

(R198, H. 4248) -- Reps. Horne, Allison, Daning, Long, Littlejohn, Wylie, Gunn, Ballentine, Clemmons and Loftis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑19‑117 SO AS TO REQUIRE AN INDIVIDUAL HIRED TO SERVE IN ANY CAPACITY IN A PUBLIC SCHOOL DISTRICT TO UNDERGO A CRIMINAL RECORD SEARCH BY THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO REQUIRE THE DISTRICT BOARD TO ADOPT A WRITTEN POLICY ON THE CRIMINAL RECORD SEARCHES, AND TO PROVIDE FOR TRAINING FOR APPROPRIATE DISTRICT PERSONNEL ON THE CRIMINAL RECORD SEARCHES; TO REQUIRE EACH SCHOOL DISTRICT TO PERFORM A NATIONAL SEX OFFENDER REGISTRY CHECK ON ALL DISTRICT EMPLOYEES AND ON CERTAIN VOLUNTEERS, TO PROVIDE FOR TRAINING FOR APPROPRIATE DISTRICT PERSONNEL ON APPROPRIATE USES OF THE DATABASE, AND TO REQUIRE EACH DISTRICT BOARD TO ADOPT A WRITTEN POLICY ON THE SEX OFFENDER REGISTRY CHECK; AND TO AMEND SECTION 23-3-115, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO PROVIDE FOR WAIVER OF THE FEE IMPOSED FOR A CRIMINAL RECORD SEARCH WHEN IT IS CONDUCTED ON A SUBSTITUTE TEACHER ON BEHALF OF A SCHOOL DISTRICT.

(R199, H. 4299) -- Reps. Cooper and Owens: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2010‑2011 SCHOOL YEAR BY MAY 15, 2010; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

(R200, H. 4347) -- Reps. Cooper and White: AN ACT TO AMEND SECTION 2‑7‑71, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX BILLS AND REVENUE IMPACT STATEMENTS, SO AS TO PROVIDE THAT THE REVENUE IMPACT STATEMENT MUST BE SIGNED BY THE CHIEF ECONOMIST OF THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD; AND TO AMEND SECTION 2‑7‑78, RELATING TO THE CERTIFICATION OF A REVENUE IMPACT OF A PROVISION FOR PURPOSES OF ITS INCLUSION IN THE ANNUAL GENERAL APPROPRIATIONS BILL AND CHANGES IN THE OFFICIAL REVENUE ESTIMATE, SO AS TO PROVIDE THAT THE REVENUE IMPACTS MUST BE CERTIFIED BY THE CHIEF ECONOMIST OF THE OFFICE OF RESEARCH AND STATISTICS AND THAT THE BOARD OF ECONOMIC ADVISORS SHALL ADJUST ITS ESTIMATES TO REFLECT THESE CERTIFICATIONS AND MAKE OTHER ADJUSTMENTS IT CONSIDERS NECESSARY IN THE FINAL VERSION OF THE ANNUAL GENERAL APPROPRIATIONS BILL.

(R201, H. 4444) -- Rep. Umphlett: AN ACT TO AMEND SECTION 50‑5‑1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, INCLUDING WEAKFISH CYNOSCION, SO AS TO PROVIDE THAT A PERSON ONLY MAY TAKE OR POSSESS ONE, RATHER THAN TEN, SUCH WEAKFISH IN ANY ONE DAY.

(R202, H. 4511) -- Reps. Clyburn, Harrison, Wylie, Bales, Brantley, Cobb‑Hunter, Ott, Hosey, Hodges, Battle, Whipper, Alexander, Gilliard, Kennedy, Skelton, Jefferson, Merrill, Frye, King, Anderson, J.R. Smith, McEachern, Mitchell, Rice, A.D. Young, J.H. Neal, Allen, Hardwick, Williams, Harrell, Clemmons, G.M. Smith, Vick, Bingham, Branham, H.B. Brown, R.L. Brown, Cooper, Dillard, Duncan, Gunn, Hart, Hayes, Hearn, Littlejohn, V.S. Moss, J.M. Neal, Neilson, Rutherford, Thompson, Weeks, White, Willis, T.R. Young and Loftis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 50 TO TITLE 11 SO AS TO ENACT THE “SOUTH CAROLINA RURAL INFRASTRUCTURE ACT”, TO ESTABLISH THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY, AND TO PROVIDE FOR ITS GOVERNANCE, POWERS, AND DUTIES; TO AUTHORIZE THE AUTHORITY TO PROVIDE LOANS AND OTHER FINANCIAL ASSISTANCE TO A MUNICIPALITY, COUNTY, SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT, AND A PUBLIC WORKS COMMISSION TO FINANCE RURAL INFRASTRUCTURE FACILITIES; TO ALLOW STATE APPROPRIATIONS, GRANTS, LOAN REPAYMENTS, AND OTHER AVAILABLE AMOUNTS TO BE CREDITED TO THE FUND OF THE AUTHORITY; TO AUTHORIZE LENDING TO AND BORROWING BY ELIGIBLE ENTITIES THROUGH THE AUTHORITY.

(R203, H. 4607) -- Reps. Sandifer, Huggins, Ott, Hutto, Howard, Anderson, Gambrell, Rice, Hayes, Erickson, Bedingfield, Lowe, Brady, G.A. Brown, Pinson, Bowers, Toole, Crawford, Bales, Mack, Allison, Parker, Mitchell, Long, Viers, Sellers, Sottile, Forrester, Horne, Clemmons, Simrill and Cole: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37‑2‑308 SO AS TO DEFINE NECESSARY TERMS AND PROVIDE PROCEDURES THAT MUST BE FOLLOWED BY MOTOR VEHICLE DEALERS IN ADVERTISEMENTS MADE IN THE COURSE OF SOLICITING FOR THE SALE OR LEASE OF MOTOR VEHICLES; AND TO AMEND SECTION 37‑6‑108, AS AMENDED, RELATING TO ADMINISTRATIVE ENFORCEMENT ORDERS, SO AS TO PROVIDE PENALTIES FOR MOTOR VEHICLE DEALERS WHO VIOLATE THE PROVISIONS OF SECTION 37‑2‑308.

(R204, H. 4700) -- Rep. Hayes: A JOINT RESOLUTION TO PROVIDE FOR AN ADVISORY REFERENDUM TO BE HELD AT THE SAME TIME AS THE 2010 GENERAL ELECTION TO DETERMINE WHETHER OR NOT THE QUALIFIED ELECTORS OF DILLON COUNTY FAVOR HAVING THE DILLON COUNTY BOARD OF EDUCATION ELECTED.

(R205, H. 4823) -- Reps. Cooper, Owens, J.R. Smith and Loftis: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2010 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO REQUIRE THE DEPARTMENT TO SUSPEND WRITING ASSESSMENTS FOR CERTAIN GRADES, AND TO PROVIDE THAT WRITING ASSESSMENTS MAY NOT BE USED IN GROWTH CALCULATIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2010 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE‑FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS; TO PROVIDE FOR A ONE‑YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT TO CONVENE A TASK FORCE TO CONSIDER END‑OF‑COURSE ASSESSMENTS FOR FEDERAL ASSESSMENT PURPOSES.

**ADJOURNMENT**

At 1:15 p.m. the House, in accordance with the motion of Rep. KING, adjourned in memory of Samuel L. Reid, Jr., of Rock Hill, to meet at 10:00 a.m. tomorrow.

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