~~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 Proverbs 1:5: “Let the wise listen and add to their learning, and let the discerning get guidance.”

Let us pray. Lord God, watch over us as Your children. Give us listening ears to be receptive to Your guidance. Be present with these Members and staff, as they deliberate the affairs of our State. With Your generous caring, bless our Nation, President, State, Governor, Speaker, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. JENNINGS moved that when the House adjourns, it adjourn in memory of Sarah David Rogers of Bennettsville, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

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

H. 4973 -- Reps. H. B. Brown, Brady, Harrison, G. M. Smith, J. E. Smith, Agnew, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Branham, Brantley, G. A. 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, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 213 IN FAIRFIELD FROM ITS INTERSECTION WITH THE FAIRFIELD/NEWBERRY COUNTY LINE TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 215 THE "SILAS C. 'SLICK' MCMEEKIN NUCLEAR HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "SILAS C. 'SLICK' MCMEEKIN NUCLEAR HIGHWAY".

Ordered for consideration tomorrow.

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

H. 4983 -- Rep. Harrison: A HOUSE RESOLUTION TO AUTHORIZE THE SOUTH CAROLINA CHAPTER OF THE AMERICAN BOARD OF TRIAL ADVOCATES TO USE THE HOUSE CHAMBER ON FRIDAY, SEPTEMBER 17, 2010, FOR THE ORGANIZATION'S JAMES OTIS LECTURE, IN ACCORDANCE WITH THE BUILDING POLICY AS ADMINISTERED BY THE CLERK OF THE HOUSE.

Ordered for consideration tomorrow.

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

S. 107 -- Senators Ryberg, Bryant, Massey, Peeler and L. Martin: A BILL TO AMEND SECTION 16-3-654 OF THE 1976 CODE, RELATING TO CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE, TO INCLUDE SEXUAL BATTERY WHEN THE VICTIM IS A STUDENT SIXTEEN YEARS OF AGE OR OLDER AND THE ACTOR IS A PERSON EMPLOYED AT A PUBLIC OR PRIVATE SECONDARY SCHOOL, UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

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

S. 348 -- Senators Fair, Sheheen, S. Martin, Lourie, Shoopman, Knotts and Rose: A BILL TO AMEND SECTION 16-3-95, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INFLICTION OF GREAT BODILY INJURY UPON A CHILD, SO AS TO PROVIDE A MINIMUM TERM OF IMPRISONMENT OF TWO YEARS FOR A PERSON WHO IS CONVICTED OF THIS OFFENSE AND WHO IS REGISTERED WITH OR LICENSED BY THE DEPARTMENT OF SOCIAL SERVICES PURSUANT TO CHILDCARE FACILITIES LICENSURE REQUIREMENTS; TO PROVIDE THAT NO PORTION OF THE SENTENCE MAY BE SUSPENDED; AND BY ADDING SECTION 63-13-825 SO AS TO REQUIRE FAMILY CHILDCARE OPERATORS AND CAREGIVERS ANNUALLY TO COMPLETE A MINIMUM OF TWO HOURS OF TRAINING APPROVED BY THE DEPARTMENT OF SOCIAL SERVICES.

Ordered for consideration tomorrow.

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

S. 1028 -- Senator Leventis: A BILL TO AMEND SECTION 32-8-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY SERVE AS A DECEDENT'S AGENT TO AUTHORIZE CREMATION, SO AS TO ALSO PERMIT A PERSON NAMED IN THE DECEDENT'S DD FORM 93 TO AUTHORIZE CREMATION IF THE DECEDENT SERVED IN THE MILITARY SERVICES IF THERE IS NO SUCH DESIGNATION IN THE WILL OR OTHER VERIFIED AND ATTESTED DOCUMENT OF THE DECEDENT.

Ordered for consideration tomorrow.

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

S. 1167 -- Senators L. Martin, Bryant, Bright, Cromer, Rose, S. Martin, Campsen and Alexander: A BILL TO REPEAL CHAPTER 29, TITLE 23 OF THE 1976 CODE, RELATING TO THE SUBVERSIVE ACTIVITIES REGISTRATION ACT.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5004 -- Reps. Haley, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE GILBERT HIGH SCHOOL BEL CANTO AND CHORALE FOR THEIR OUTSTANDING MUSICAL PERFORMANCES, AND TO CONGRATULATE THEM FOR TAKING TOP HONORS AT THE STATE CHORAL FESTIVAL.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5005 -- Reps. Haley, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CHRISTIAN ALEXANDER "ALEX" BLACK OF LEXINGTON COUNTY FOR ACHIEVING THE ELITE RANK OF EAGLE SCOUT, AND TO COMMEND HIM FOR HIS HARD WORK AND DETERMINATION IN REACHING THIS SIGNIFICANT GOAL.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 5006 -- Rep. Anderson: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE HEMINGWAY HIGH SCHOOL BOYS BASKETBALL TEAM, 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 OUTSTANDING SEASON AND FOR CAPTURING THE 2010 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5007 -- Reps. Anderson, Kennedy, Agnew, Alexander, Allen, Allison, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HEMINGWAY HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2010 CLASS A STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5008 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE HOUSE OF REPRESENTATIVES UPON THE DEATH OF EULA LYNN REMBERT OF SUMTER COUNTY, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND TO HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5009 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS SINCERE SORROW UPON THE DEATH OF MRS. LOUISE "LADY" DINKINS SANDERS OF SUMTER COUNTY, AND TO EXTEND DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND TO HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5010 -- Rep. Hart: A HOUSE RESOLUTION TO COMMEND ONE OF SOUTH CAROLINA'S MOST RESPECTED AND ADMIRED PASTORS, THE REVEREND DOCTOR RICHARD F. DOZIER, SR., PASTOR OF NORTHMINSTER PRESBYTERIAN CHURCH OF COLUMBIA, UPON THE OCCASION OF HIS RETIREMENT FROM THE ACTIVE MINISTRY ON MAY 23, 2010, AFTER FORTY-THREE YEARS OF CONTINUOUS PASTORAL MINISTRY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1454 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PINEVIEW ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 48 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76/378 "JULIUS MURRAY HIGHWAY" AND ERECT

APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "JULIUS MURRAY HIGHWAY".

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1459 -- Senator Fair: A CONCURRENT RESOLUTION CONGRATULATING MR. FRANCIS MARION ASHE ON THE CELEBRATION OF HIS NINETIETH BIRTHDAY AND WISHING HIM WELL IN THE FUTURE.

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. 1461 -- Senators Hutto and Matthews: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SPECIAL AGENT AL JARVIS OF BAMBERG COUNTY WITH THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION (SLED) FOR HIS OUTSTANDING SERVICE DURING A DECEMBER 2009 HOSTAGE STANDOFF IN WYTHEVILLE, VIRGINIA.

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. 1464 -- Senator Lourie: A CONCURRENT RESOLUTION TO EXPRESS THE GRATITUDE OF THE CITIZENS OF SOUTH CAROLINA FOR THE "QUIET HEROES" FROM POLAND WHO COURAGEOUSLY HAVE FOUGHT FOR THIS COUNTRY'S FREEDOMS FROM 1775 THROUGH WORLD WAR II AND PARTICULARLY FOR THE COURAGE OF RICHARD COSBY (RYSZARD KOSSOBUDZKI), WHO FOUGHT WITH INCREDIBLE BRAVERY AND FORTITUDE FOR POLAND, AND WITH AMERICA FOR THE FREE WORLD, FOR THE LIBERATION OF EUROPE.

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. 1467 -- Senator Elliott: A CONCURRENT RESOLUTION TO HONOR AND COMMEND COMMANDER BOBBY VICK STRICKLAND, SR., OF HORRY COUNTY, UPON THE OCCASION OF HIS RETIREMENT AS A LAW ENFORCEMENT OFFICER FOR THE CITY OF NORTH MYRTLE BEACH, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Barfield | Bedingfield | Bingham |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Duncan |
| Forrester | Gambrell | Hamilton |
| Harrison | Harvin | Hayes |
| Herbkersman | Hiott | Horne |
| Hosey | Huggins | Hutto |
| Jennings | Kelly | Kennedy |
| King | Kirsh | Knight |
| Littlejohn | Loftis | Lowe |
| McEachern | McLeod | Merrill |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | J. M. Neal |
| Ott | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Vick | White | Williams |
| 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 20.

|  |  |
| --- | --- |
| Paul Agnew | K. F. Hodges |
| Jackson "Seth" Whipper | James Lucas |
| Alan D. Clemmons | Joe Jefferson |
| Donald C. Smith | Nelson Hardwick |
| Ralph Norman | Richard Chalk |
| Chandra Dillard | Tracy Edge |
| Shannon Erickson | David Mack |
| Leon Stavrinakis | Deborah A. Long |
| Don Bowen | Terry Alexander |
| Wendell Gilliard | Gary Simrill |
| James E. Stewart | H. B. "Chip" Limehouse |
| Marion Frye | William Wylie |
| David Weeks | Denny Neilson |
| William R. "Bill" Whitmire | Chris Hart |
| Todd Rutherford | Jerry Govan |
| B. W. Bannister | Joseph Neal |
| Michael Thompson | Bakari Sellers |
| Laurie Funderburk | Leon Howard |
| Boyd Brown |  |

**Total Present--114**

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. VIERS a leave of absence for the day due to a speaking engagement.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. WILLIS a leave of absence for the day due to a meeting with constituents.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. HEARN a leave of absence for the day.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. HARRELL a leave of absence for the day.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Thomas Whitaker of Myrtle Beach was the Doctor of the Day for the General Assembly.

**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. 5003 |
| Date: | ADD: |
| 05/20/10 | RICE |

**S. 1338--DEBATE ADJOURNED**

Rep. BEDINGFIELD moved to adjourn debate upon the following Bill until Tuesday, May 25, which was adopted:

S. 1338 -- Senator Fair: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HOSPITAL SYSTEM, ITS CREATION, BOARD, POWERS, AND DUTIES, SO AS TO PROVIDE THAT THE GREENVILLE HOSPITAL SYSTEM BOARD OF TRUSTEES MAY ESTABLISH A POLICE DEPARTMENT, EMPLOY POLICE AND SECURITY OFFICERS, AND TO PROVIDE FOR THE POLICE DEPARTMENT'S DUTIES, RESPONSIBILITIES, POWERS, FUNCTIONS, AND JURISDICTION.

**ORDERED ENROLLED FOR RATIFICATION**

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

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

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. 1187 -- Senator Leatherman: A BILL TO AMEND SECTION 28-11-30 OF THE 1976 CODE, RELATING TO REIMBURSEMENT OF PROPERTY OWNERS FOR CERTAIN EXPENSES RELATED TO THE TAKING OF LAND FOR PUBLIC USE, TO PROVIDE THAT REESTABLISHMENT EXPENSES, PAYABLE PURSUANT TO FEDERAL GUIDELINES AND REGULATIONS TO MOVE A SMALL BUSINESS, FARM, OR NONPROFIT ORGANIZATION, MAY BE PAID IN AN AMOUNT UP TO FIFTY THOUSAND DOLLARS, NOTWITHSTANDING A LOWER LIMITATION IMPOSED BY FEDERAL REGULATIONS.

S. 134 -- Senators Sheheen, Verdin, Fair, Campsen and S. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-435 SO AS TO ENACT THE "RELIGIOUS VIEWPOINTS ANTIDISCRIMINATION ACT", WHICH PROHIBITS A SCHOOL DISTRICT FROM DISCRIMINATING AGAINST A STUDENT BASED ON RELIGIOUS VIEWPOINT, ALLOWS A STUDENT TO EXPRESS HIS RELIGIOUS VIEWPOINT, ALLOWS A STUDENT TO EXPRESS HIS RELIGIOUS BELIEFS IN HOMEWORK AND CLASSROOM ASSIGNMENTS, AND ALLOWS STUDENTS TO ORGANIZE AND PARTICIPATE IN RELIGIOUS STUDENT GATHERINGS TO THE SAME EXTENT AS SECULAR NONCURRICULAR GROUPS.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

S. 915 -- Senators Land, Anderson, Nicholson, Leventis, Elliott, Williams, Sheheen and Setzler: A BILL TO AMEND ACT 314 OF 2000, TO TERMINATE THE PROVISIONS OF THE SOUTH CAROLINA COMMUNITY ECONOMIC DEVELOPMENT ACT ON JUNE 30, 2015.

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.

S. 1296 -- Senator S. Martin: A BILL TO AMEND SECTION 50-11-710 OF THE 1976 CODE, RELATING TO NIGHT HUNTING, TO PROVIDE THAT COYOTES MAY BE HUNTED AT NIGHT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES.

S. 1348 -- Senator Campsen: A BILL TO AMEND CHAPTER 16, TITLE 12 OF THE 1976 CODE, RELATING TO THE ESTATE TAX, BY ADDING SECTION 12-16-1960 TO PROVIDE THAT THE WILL OR TRUST OF A DECEDENT WHO DIES IN 2010 THAT CONTAINS CERTAIN FORMULAE SHALL BE DEEMED TO REFER TO THE FEDERAL ESTATE TAX LAW AS IT APPLIED ON DECEMBER 31, 2009.

**S. 1224--DEBATE ADJOURNED**

Rep. COBB-HUNTER moved to adjourn debate upon the following Bill until Tuesday, May 25, which was adopted:

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 TO THIRD READING**

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

S. 1190 -- Senator Leatherman: A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

**S. 1190--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HARRISON, with unanimous consent, it was ordered that S. 1190 be read the third time tomorrow.

**S. 901--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 901 -- Senators McConnell, Elliott and Courson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-500, SO AS TO PROVIDE THAT WHEN THE GOVERNOR LEAVES THE STATE, HE MUST NOTIFY THE LIEUTENANT GOVERNOR, WHETHER OR NOT THE POWER OF THE GOVERNOR’S OFFICE IS TRANSFERRED TO THE LIEUTENANT GOVERNOR; AND BY ADDING SECTION 1-3-630, SO AS TO DEFINE "EMERGENCY", "FULL AUTHORITY", AND "TEMPORARY ABSENCE" IN ORDER TO CLARIFY WHEN A LIEUTENANT GOVERNOR HAS THE FULL AUTHORITY TO ACT IN AN EMERGENCY IN THE EVENT OF THE TEMPORARY ABSENCE OF THE GOVERNOR FROM THE STATE.

Reps. T. R. YOUNG, HARRISON and BALES proposed the following Amendment No. 1 (COUNCIL\NBD\20852SD10), which was adopted:

Amend the bill, as and if amended, by striking Section 1-3-630 of 1976 Code as contained in SECTION 2 and inserting:

/ “Section 1‑3‑630. (A) For purposes of this section:

 (1) ‘Emergency’ means:

 (a) an unlawful assemblage, violence or threats of violence, or a public health emergency, as defined in Section 44‑4‑130, that warrants a gubernatorial proclamation of emergency as provided in Section 1‑3‑420; or

 (b) an attack, as defined in Section 1‑9‑20(d); or

 (c) a potentially destructive and life-threatening major flood, storm, nuclear accident, or other natural or man-made calamity affecting the health, welfare, and safety of the lives and property of the people of the State;

 (2) ‘Full authority’ means the ability to exercise the Governor’s powers, responsibilities, obligations, and authorities in regard to the emergency, except veto power, as provided by general law and in the State Constitution without assuming the office of the Governor.

 (3) ‘Temporary absence’ means that:

 (a) the Governor is outside the boundaries of the State; and

 (b) within a twelve-hour period, either by communicating in person or by telecommunications device, the Governor is not available or is unable to respond to:

 (i) his staff, or

 (ii) the Director of the South Carolina Law Enforcement Division or his designee.

 (B) As provided in Article IV, Section 11 of the South Carolina Constitution, in the event of the temporary absence of the Governor from the State, the Lieutenant Governor has full authority to act in an emergency. For this purpose, the Lieutenant Governor is vested with the necessary authority to conduct the affairs of the Office of the Governor that are necessary in regard to the emergency that may be lost or abandoned during the temporary absence of the Governor.

 (C) Prior to assuming full authority to act in an emergency, the Lieutenant Governor must verify with the Governor’s staff and the Director of the South Carolina Law Enforcement Division or his designee that the Governor has not been in communication for a period of twelve or more hours and that attempts to contact the Governor have not received a response or indication of the Governor’s whereabouts or availability.

 (D) After receiving this verification, the Lieutenant Governor must immediately file with the Office of the Secretary of State a proclamation declaring his full authority to act in the emergency. The proclamation is effective upon issuance and remains in full force and effect as provided by general law and the State Constitution.

 (E) The powers that the Lieutenant Governor may exercise pursuant to Article IV, Section 11 of the South Carolina Constitution and this section in regard to the emergency in the temporary absence of the Governor cannot be restricted prior to the departure of the Governor from this State. The discretion of the Lieutenant Governor includes all of the gubernatorial powers relating to the emergency which the Governor himself would possess were he present, limited by the terms of the constitutional provision itself, which require only that those powers may be exercised by the Lieutenant Governor during the temporary absence of the Governor and that those powers also must be of an emergency nature.”/

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

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

**OBJECTION TO MOTION**

Rep. HARRISON asked unanimous consent that S. 901 be read a third time tomorrow.

Rep. PARKER objected.

**S. 1300--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1300 -- Senators Shoopman, Cromer, Davis, Grooms, Bryant, Campbell, Rose, Alexander, Verdin, Campsen, Bright, McConnell, Fair, Cleary and L. Martin: A BILL TO AMEND SECTION 14-7-845 OF THE 1976 CODE, RELATING TO POSTPONEMENT OF JURY SERVICE, TO PROVIDE THAT PUBLIC OR PRIVATE SCHOOL EMPLOYEES OR ANYONE RESPONSIBLE FOR THE EDUCATION OF A CHILD MAY REQUEST A POSTPONEMENT OF JURY SERVICE; AND TO AMEND SECTION 14-7-860, RELATING TO EXCUSE OF JURORS FOR GOOD CAUSE, TO MAKE TECHNICAL CHANGES.

Rep. KENNEDY proposed the following Amendment No. 1 (COUNCIL\AGM\18083AB10), which was ruled out of order:

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

/ SECTION \_\_\_. Chapter 17, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑17‑160. (A) On July 1, 2011, the area of each county of this State also must be constituted as a school district and a county may not have multiple school districts within its boundaries, provided that nothing in this section prevents a portion of a county from being a part of a school district in another county.

 (B) The General Assembly by local law before July 1, 2011, shall provide for the governance, fiscal authority, and administrative and operational responsibilities for a countywide school district where no provisions of law now apply.”

SECTION \_\_\_. All acts or parts of acts relating to a school district that is not a countywide school district required by Section 59‑17‑160 of the 1976 Code are repealed on July 1, 2011. /

Renumber sections to conform.

Amend title to conform.

**POINT OF ORDER**

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

SPEAKER *PRO TEMPORE* CATO stated that the Bill dealt with the postponement of jury duty for public and private school employees, as well as for anyone responsible for the education of a child. He stated further that the amendment dealt with the consolidation of school districts. Therefore, he sustained the Point of Order and ruled the amendment out of order.

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

**S. 1300--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. DELLENEY, with unanimous consent, it was ordered that S. 1300 be read the third time tomorrow.

**S. 329--AMENDED AND DEBATE ADJOURNED**

The following Bill was taken up:

S. 329 -- Senators Fair and Campsen: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 24 OF THE 1976 CODE BY ADDING SECTION 24-3-580, TO PROHIBIT THE DISCLOSURE OF THE IDENTITY OF MEMBERS OF AN EXECUTION TEAM AND TO ALLOW FOR CIVIL PENALTIES FOR A VIOLATION OF THE SECTION, AND BY ADDING SECTION 24-3-590, TO PROHIBIT LICENSING AGENCIES FROM TAKING ANY ACTION TO REVOKE, SUSPEND, OR DENY A LICENSE TO ANY PERSON WHO PARTICIPATES ON AN EXECUTION TEAM.

Rep. G. M. SMITH proposed the following Amendment No. 1 (COUNCIL\MS\7857CM10), which was adopted:

Amend the bill, as and if amended, Section 24-3-580, as contained in SECTION 1, by inserting after the / . / on line 30, page 1, / However, this information shall be disclosed for proper adjudication of pending litigation. /

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The amendment was then adopted.

Rep. KELLY moved to adjourn debate on the Bill until Tuesday, May 25, which was agreed to.

**S. 973--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 973 -- Senators Campsen, Rose, Elliott and Knotts: A BILL TO AMEND TITLE 23, CHAPTER 3, ARTICLE 7 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ELECTRONIC SECURING AND TARGETING OF ONLINE PREDATORS ACT (E-STOP)", BY ADDING SECTION 23-3-555, SO AS TO PROVIDE THAT A SEX OFFENDER WHO IS REQUIRED TO REGISTER WITH THE SEX OFFENDER REGISTRY MUST PROVIDE INFORMATION REGARDING THE OFFENDER'S INTERNET ACCOUNTS WITH INTERNET ACCESS PROVIDERS AND THE OFFENDER'S INTERNET IDENTIFIERS, AND TO PROVIDE THAT AN AUTHORIZED INTERNET ENTITY MAY REQUEST CERTAIN SEX OFFENDER REGISTRY INFORMATION FROM SLED, AND TO PROVIDE THAT SLED MUST PROVIDE CERTAIN SEX OFFENDER REGISTRY INFORMATION TO AN AUTHORIZED INTERNET ENTITY, AND TO PROVIDE THAT CERTAIN SEX OFFENDERS MUST, AS A CONDITION OF PROBATION OR PAROLE, BE PROHIBITED FROM USING THE INTERNET TO ACCESS SOCIAL NETWORKING WEBSITES, COMMUNICATE WITH OTHER PERSONS OR GROUPS FOR THE PURPOSE OF PROMOTING SEXUAL RELATIONS WITH PERSONS UNDER THE AGE OF EIGHTEEN, AND COMMUNICATE WITH PERSONS UNDER THE AGE OF EIGHTEEN.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\DKA\4037CM10), which was adopted:

Amend the bill, as and if amended, by Section 23‑3‑460(D), SECTION 5, page 8, by adding after the / . / on line 29:

/ For purposes of this subsection, ‘temporary address’ or ‘residence’ means the location of the individual’s home or other place where the person habitually lives or resides, or where the person lives or resides for a period of ten or more consecutive days. For purposes of this subsection, ‘habitually lives or resides’ means locations at which the person lives with some regularity. /

When amended the subsection (D) shall read:

/ ~~(C)~~(D) If a person required to register pursuant to this article changes his permanent or temporary address into another county in South Carolina, the person must register with the county sheriff in the new county within ~~ten~~ three business days of establishing the new residence. The person must also provide written notice within ~~ten~~ three business days of the change of address in the previous county to the sheriff with whom the person last registered. For purposes of this subsection, ‘temporary address’ or ‘residence’ means the location of the individual’s home or other place where the person habitually lives or resides, or where the person lives or resides for a period of ten or more consecutive days. For purposes of this subsection, ‘habitually lives or resides’ means locations at which the person lives with some regularity. /

Amend further, Section 23‑3‑530(2)(a), SECTION 8, page 11, after / vehicles / by inserting: / that are used the majority of the employee’s work time /.

When amended subitem (a) shall read:

/ (a) the name, social security number, age, race, sex, date of birth, height, weight, hair and eye color~~,~~; address of permanent residence, address of current temporary residence, within the State or out of state, including rural route address and post office box, which may not be provided instead of a physical residential address~~,~~; date and place of employment~~,~~; vehicle make, model, color, and license tag number, including work vehicles that are used the majority of the employee’s work time, and the permanent or frequent location where all vehicles are kept;~~,~~ fingerprints and palm prints;~~,~~ Internet identifiers; passport and immigration documents; and a photograph; /

Renumber sections to conform.

Amend title to conform.

Rep. KELLY explained the amendment.

The amendment was then adopted.

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

**S. 973--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. KELLY, with unanimous consent, it was ordered that S. 973 be read the third time tomorrow.

**S. 692--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

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

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7848AHB10), which was adopted:

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

/ SECTION 1. The deadline requiring all circuit solicitors to have a traffic education program in effect, as provided in SECTION 5 of Act 176 of 2008, is extended from July 1, 2009, to July 1, 2011. No person has the right to apply to the program until the program is established.

SECTION 2. Section 17-22-320(A), as added by Act 176 of 2008, is amended to read:

 “(A) A person may be considered for a traffic education program if he has no ~~points on his driving record~~ significant history of traffic violations. A person may not participate in a traffic education program more than once.”

SECTION 3. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. KELLY explained the amendment.

The amendment was then adopted.

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

**S. 692--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. KELLY, with unanimous consent, it was ordered that S. 692 be read the third time tomorrow.

**S. 912--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 912 -- Senator Land: A BILL TO AMEND SECTION 17-22-950 OF THE 1976 CODE, AS ADDED BY ACT 36 OF 2009, RELATING TO PROCEDURES FOR EXPUNGEMENT OF CRIMINAL CHARGES WHICH HAVE BEEN BROUGHT IN SUMMARY COURT, TO REMOVE THE REQUIREMENT THAT THE COMPLETED EXPUNGEMENT ORDER BE FILED WITH THE CLERK OF COURT.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\MS\7849AHB10), which was tabled:

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

/ SECTION 1. Section 17‑1‑40 of the 1976 Code is amended to read:

 “Section 17‑1‑40. (A) A person who has a report or complaint filed against him with law enforcement but no charges are brought within three years of the report being filed, except in the case of a crime of violence as defined in Section 16‑23‑10(3), and with the consent of the appropriate solicitor’s office or who, after being charged with a criminal offense and the charge is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency. Provided, however, that local and state detention and correctional facilities may retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years from the date of the expungement order to manage their statistical and professional information needs and, where necessary, to defend such facilities during litigation proceedings except when an action, complaint, or inquiry has been initiated. Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued is not a public document and is exempt from disclosure. Such information only may be disclosed by judicial order, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings. A person who otherwise intentionally retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed pursuant to this section is guilty of contempt of court.

 (B) A municipal, county, or state agency may not collect a fee for the destruction of records pursuant to the provisions of this section.

 (C) This section does not apply to a person who is charged with a violation of Title 50, Title 56, an enactment pursuant to the authority of counties and municipalities as provided by Titles 4 and 5, or any other state criminal offense, if the person is not fingerprinted for the violation.

 (D) the State Law Enforcement Division is authorized to promulgate regulations that allow for the electronic transmission of information pursuant to this section. ”

SECTION 2. Section 17‑22‑940(B), as added by Act 36 of 2009, is amended to read:

 “(B) Any person who applies to the solicitor’s office for an expungement of general sessions charges pursuant to Section 17‑1‑40 is exempt from paying the administrative fee, unless the charge that is the subject of the expungement request was dismissed, discharged, or nolle prossed as part of a plea arrangement under which the defendant pled guilty and was sentenced on other charges. Additionally, any person who has successfully completed a juvenile drug court program who applies to the solicitor’s office for an expungement of a family court adjudication is exempt from paying the administrative fee.”

SECTION 3. Article 11, Chapter 21, Title 24 of the 1976 Code is amended by adding:

 “Section 24‑21‑1010. A person who has received a pardon for any crime, except criminal sexual conduct, lewd act upon a minor, criminal domestic violence of a high and aggravated nature, a second or subsequent offense of criminal domestic violence, or a crime of violence as defined in Section 16‑23‑10(3), may apply, or cause someone acting on his behalf to apply, to the appropriate solicitor’s office with jurisdiction over the original offense for an order expunging the records of his arrest and conviction. Along with his application, the person must file a certified copy of his certificate of pardon with the appropriate solicitor’s office. In exchange for an expungement service that is provided by the solicitor’s office, the applicant is responsible for payment to the solicitor’s office of an administrative fee in the amount of three hundred dollars per individual order, which must be retained by that office and used to defray costs associated with the expungemnet process. The three hundred dollar fee is nonrefundable regardless of whether the offense is later determined to be statutorily ineligible for expungement or the solicitor or his designee does not consent to the expungement. The applicant must also pay any other applicable fees as provided in Article 9, Chapter 22, Title 17.”

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

Renumber sections to conform.

Amend title to conform.

Rep. KELLY moved to table the amendment, which was agreed to.

Rep. KELLY proposed the following Amendment No. 2 (COUNCIL\MS\7855AHB10), which was adopted:

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

/ SECTION 1. Section 17‑1‑40 of the 1976 Code is amended to read:

 “Section 17‑1‑40. (A) A person who has a report or complaint filed against him with law enforcement but no charges are brought within three years of the report being filed, except in the case of a crime of violence as defined in Section 16‑23‑10(3), and with the consent of the appropriate solicitor’s office or who, after being charged with a criminal offense and the charge is discharged, proceedings against the person are dismissed, or the person is found not guilty of the charge, the arrest and booking record, files, mug shots, and fingerprints of the person must be destroyed and no evidence of the record pertaining to the charge may be retained by any municipal, county, or state law enforcement agency. Provided, however, that local and state detention and correctional facilities may retain booking records, identifying documentation and materials, and other institutional reports and files under seal, on all persons who have been processed, detained, or incarcerated, for a period not to exceed three years from the date of the expungement order to manage their statistical and professional information needs and, where necessary, to defend such facilities during litigation proceedings except when an action, complaint, or inquiry has been initiated. Information retained by a local or state detention or correctional facility as permitted under this section after an expungement order has been issued is not a public document and is exempt from disclosure. Such information only may be disclosed by judicial order, pursuant to a subpoena filed in a civil action, or as needed during litigation proceedings. A person who otherwise intentionally retains the arrest and booking record, files, mug shots, fingerprints, or any evidence of the record pertaining to a charge discharged or dismissed pursuant to this section is guilty of contempt of court.

 (B) A municipal, county, or state agency may not collect a fee for the destruction of records pursuant to the provisions of this section.

 (C) This section does not apply to a person who is charged with a violation of Title 50, Title 56, an enactment pursuant to the authority of counties and municipalities as provided by Titles 4 and 5, or any other state criminal offense, if the person is not fingerprinted for the violation.

 (D) the State Law Enforcement Division is authorized to promulgate regulations that allow for the electronic transmission of information pursuant to this section. ”

SECTION 2. Article 11, Chapter 21, Title 24 of the 1976 Code is amended by adding:

 “Section 24‑21‑1010. A person who has received a pardon for any crime, except criminal sexual conduct, lewd act upon a minor, criminal domestic violence of a high and aggravated nature, a second or subsequent offense of criminal domestic violence, or a crime of violence as defined in Section 16‑23‑10(3), may apply, or cause someone acting on his behalf to apply, to the appropriate solicitor’s office with jurisdiction over the original offense for an order expunging the records of his arrest and conviction. Along with his application, the person must file a certified copy of his certificate of pardon with the appropriate solicitor’s office. In exchange for an expungement service that is provided by the solicitor’s office, the applicant is responsible for payment to the solicitor’s office of an administrative fee in the amount of three hundred dollars per individual order, which must be retained by that office and used to defray costs associated with the expungemnet process. The three hundred dollar fee is nonrefundable regardless of whether the offense is later determined to be statutorily ineligible for expungement or the solicitor or his designee does not consent to the expungement. The applicant must also pay any other applicable fees as provided in Article 9, Chapter 22, Title 17.”

SECTION 3. This act takes effect upon approval by the Governor and applies retroactively.

Renumber sections to conform.

Amend title to conform.

Rep. KELLY explained the amendment.

The amendment was then adopted.

Rep. KELLY explained the Bill.

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

**S. 912--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. KELLY, with unanimous consent, it was ordered that S. 912 be read the third time tomorrow.

**S. 418--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 418 -- Senator L. Martin: A BILL TO AMEND SECTION 7-17-220 OF THE 1976 CODE, RELATING TO MEETINGS OF THE BOARD OF STATE CANVASSERS, TO PROVIDE THAT A MEETING MAY BE CONVENED BY TELEPHONE OR ELECTRONIC COMMUNICATION INSTEAD OF IN PERSON AT THE OFFICE OF THE STATE ELECTION COMMISSION; AND TO AMEND SECTION 7-17-510, RELATING TO THE CONVENING OF THE COUNTY COMMISSIONERS OF ELECTION AS COUNTY BOARDS OF CANVASSERS, TO PROVIDE THAT ANY REQUIRED MEETINGS MAY BE CONVENED BY TELEPHONE OR ELECTRONIC COMMUNICATION.

Rep. CLEMMONS proposed the following Amendment No. 1 (COUNCIL\DKA\4109DW10), which was adopted:

Amend the bill, as and if amended, page 2, beginning on line 36, by striking SECTION 3 in its entirety and inserting:

/ SECTION 3. This act takes effect June 8, 2010. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

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

**S. 418--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that S. 418 be read the third time tomorrow.

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

**H. 4347--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. PARKER moved to adjourn debate on the motion to reconsider the vote whereby the Veto on H. 4347 was sustained until Tuesday, May 25, which was agreed to.

**OBJECTION TO RECALL**

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

Rep. HORNE objected.

**OBJECTION TO RECALL**

Rep. HERBKERSMAN asked unanimous consent to recall S. 1054 from the Committee on Ways and Means.

Rep. NANNEY objected.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 4533 from the Committee on Labor, Commerce and Industry.

Rep. THOMPSON objected.

**OBJECTION TO RECALL**

Rep. G. R. SMITH asked unanimous consent to recall H. 4919 from the Committee on Judiciary.

Rep. COBB-HUNTER objected.

**S. 717--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

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

S. 717 -- Senators Coleman, Setzler, Land, Campbell and Hayes: A BILL TO AMEND SECTIONS 12-36-2120 AND 12-37-220, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS AND PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT MACHINERY, EQUIPMENT, BUILDING AND OTHER RAW MATERIALS, AND ELECTRICITY USED BY A FACILITY OWNED BY A TAX EXEMPT ORGANIZATION INVESTING AT LEAST TWENTY MILLION DOLLARS OVER THREE YEARS IN THE FACILITY WHEN THAT FACILITY IS USED PRINCIPALLY FOR RESEARCHING AND TESTING THE IMPACT OF NATURAL HAZARDS SUCH AS WIND, FIRE, EARTHQUAKE, AND HAIL ON BUILDING MATERIALS USED IN RESIDENTIAL, COMMERCIAL, AND AGRICULTURAL BUILDINGS.

**OBJECTION TO RECALL**

Rep. KENNEDY asked unanimous consent to recall H. 3348 from the Committee on Education and Public Works.

Rep. OWENS objected.

**S. 1303--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. 1303 -- Senator Fair: A BILL TO AMEND SECTION 42-7-65, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AVERAGE WEEKLY WAGE DESIGNATED FOR CERTAIN CATEGORIES OF EMPLOYEES, SO AS TO ESTABLISH THE AVERAGE WEEKLY WAGE FOR AN INMATE WHO WORKS IN A FEDERALLY APPROVED PRISON INDUSTRIES ENHANCEMENT CERTIFICATION PROGRAM.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 4935 from the Committee on Ways and Means.

Rep. WHITE objected.

**H. 3630--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

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

Rep. CLEMMONS 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 |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Duncan | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--100**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

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

**H. 3706--DEBATE ADJOURNED**

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

H. 3706 -- Reps. Weeks and Harrison: A BILL TO AMEND SECTION 8-13-1348, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO AUTHORIZE A DEBIT CARD DRAWN UPON THE CAMPAIGN ACCOUNT MAY BE USED ON EXPENDITURES MORE THAN TWENTY-FIVE DOLLARS IN ADDITION TO A WRITTEN INSTRUMENT.

Rep. T. R. YOUNG moved to adjourn debate upon the Senate Amendments until Tuesday, May 25, which was agreed to.

**H. 3803--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3803 -- Reps. Bannister, Harrison and Weeks: A BILL TO AMEND SECTIONS 62-1-201, 62-1-304, 62-1-401, 62-1-403, 62-2-205, 62-2-402, 62-3-203, 62-3-401, 62-3-403, 62-3-409, 62-3-414, 62-3-502, 62-3-503, 62-3-604, 62-3-607, 62-3-611, 62-3-806, 62-3-911, 62-3-1001, 62-3-1008, 62-3-1101, 62-3-1102, 62-3-1309, 62-5-101, 62-5-303, 62-5-305, 62-5-307, 62-5-309, 62-5-310, 62-5-401, 62-5-402, 62-5-405, 62-5-407, 62-5-411, 62-5-412, 62-5-416, 62-5-419, 62-5-428, 62-5-430, 62-5-501, 62-5-504, AS AMENDED, 62-5-604, AND 62-5-608, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE VARIOUS ACTIONS AND PROCEEDINGS CONCERNING THE AFFAIRS OF DECEDENTS, PROTECTED PERSONS, MINORS, AND INCAPACITATED PERSONS FALLING UNDER THE SUBJECT MATTER JURISDICTION OF THE PROBATE COURT, SO AS TO DIFFERENTIATE BETWEEN A FORMAL PROCEEDING AND AN APPLICATION TO THE COURT AND THE PROCEDURAL RULES GOVERNING EACH, TO REQUIRE THE FILING AND SERVICE OF A SUMMONS AND PETITION TO COMMENCE A FORMAL PROCEEDING, AND TO DISTINGUISH THAT REQUIREMENT OF SUMMONS AND PETITION FROM THE NOTICE REQUIREMENTS FOR A HEARING ON A PETITION; AND TO AMEND SECTIONS 62-1-403, 62-3-703, 62-7-105, 62-7-201, 62-7-303, 62-7-305, 62-7-414, 62-7-505, 62-7-604, 62-7-709, 62-7-814, 62-7-902, 62-7-903, 62-7-904, 62-7-933, AND 62-7-1013, ALL RELATING TO THE SOUTH CAROLINA TRUST CODE, SO AS TO SUBSTITUTE "PERSON" FOR "PARENT" AND "ISSUE" FOR "CHILD", DELETE THE REQUIREMENT OF A TAXPAYER IDENTIFICATION NUMBER ON A CERTIFICATE OF TRUST, ALLOW CERTAIN REIMBURSEMENTS TO A PROSPECTIVE TRUSTEE, AND MAKE TECHNICAL CHANGES.

Rep. BANNISTER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 90; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrison |
| Harvin | Hayes | Herbkersman |
| Hodges | Horne | Hosey |
| Hutto | Jennings | King |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Miller | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Neilson |
| Norman | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--90**

 Those who voted in the negative are:

**Total--0**

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

**H. 3913--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3913 -- Rep. Vick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-1556 SO AS TO ESTABLISH SEASONAL CREEL AND SIZE LIMITS FOR STRIPED BASS IN THE INSHORE WATERS AND THE TERRITORIAL SEA; AND TO AMEND SECTION 50-13-221, RELATING TO STRIPED BASS IN THE LOWER SANTEE AND COOPER RIVERS, SO AS TO ESTABLISH SEASONAL CREEL AND SIZE LIMITS FOR STRIPED BASS IN CERTAIN FRESHWATER BODIES.

Rep. DUNCAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 80; Nays 2

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | G. A. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Delleney | Dillard |
| Duncan | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Harvin |
| Herbkersman | Hodges | Horne |
| Hosey | Hutto | Jefferson |
| Jennings | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Long | Lucas | McEachern |
| McLeod | Miller | D. C. Moss |
| V. S. Moss | Nanney | J. M. Neal |
| Neilson | Norman | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Weeks | Whipper | White |
| Whitmire | Williams | Wylie |
| A. D. Young | T. R. Young |  |

**Total--80**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Crawford | Lowe |  |

**Total--2**

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

**H. 4838--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4838 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY PAY TEACHERS BASED ON THE EDUCATION LEVEL AND YEARS OF EXPERIENCE THE TEACHERS POSSESSED IN FISCAL YEAR 2009-2010 WITHOUT NEGATIVE IMPACT TO THEIR EXPERIENCE CREDIT; TO PROVIDE VOTING AND NOTICE REQUIREMENTS FOR THIS DECISION; TO REQUIRE THAT PAYMENT ACCORDING TO THE 2009-2010 DATA BE APPLIED UNIFORMLY; TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY NOT PAY DISTRICT OR SCHOOL ADMINISTRATORS MORE THAN THEY RECEIVED IN FISCAL YEAR 2009-2010; AND TO DEFINE CERTAIN TERMS.

Rep. COOPER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 86; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | Cato |
| Chalk | Clemmons | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hardwick | Hart |
| Harvin | Hayes | Herbkersman |
| Hodges | Horne | Hosey |
| Jennings | Kelly | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Millwood | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Owens | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stewart | Stringer | Toole |
| Umphlett | Weeks | White |
| Whitmire | Williams | Wylie |
| A. D. Young | T. R. Young |  |

**Total--86**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Gilliard |  |  |

**Total--1**

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

**H. 3996--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3996 -- Reps. M. A. Pitts and Umphlett: A BILL TO AMEND SECTION 50-9-1130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEDUCTION OF ACCUMULATED POINTS, SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO DEDUCT THREE ACCUMULATED POINTS FROM A PERSON'S RECORD UPON A SHOWING THAT THE PERSON SUCCESSFULLY COMPLETED A DEPARTMENT PROGRAM OF INSTRUCTION ESTABLISHED PURSUANT TO SECTION 50-9-310.

Rep. DUNCAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 82; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | Cato |
| Chalk | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hamilton | Hardwick |
| Harvin | Hayes | Herbkersman |
| Horne | Hosey | Hutto |
| Jennings | Kelly | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | McEachern | McLeod |
| Miller | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Neilson |
| Norman | Owens | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Weeks | Whipper | White |
| Whitmire | Williams | Wylie |
| T. R. Young |  |  |

**Total--82**

 Those who voted in the negative are:

**Total--0**

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

**S. 382--NONCONCURRENCE IN SENATE AMENDMENTS**

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

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.

Rep. BANNISTER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 1; Nays 96

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Howard |  |  |

**Total--1**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Duncan | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Herbkersman | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Merrill | Miller | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--96**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**H. 3719--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3719 -- Reps. Clemmons, Weeks, Willis and Dillard: A BILL TO AMEND SECTION 23-3-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUBMISSION OF A MISSING PERSON REPORT TO THE MISSING PERSON INFORMATION CENTER, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON, MAY SUBMIT A MISSING PERSON REPORT; TO AMEND SECTION 23-3-250, RELATING TO THE DISSEMINATION OF MISSING PERSON REPORT DATA, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY; TO AMEND SECTION 23-3-270, RELATING TO THE DUTY OF A PERSON WHO SUBMITS A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY OR THE MISSING PERSON INFORMATION CENTERS TO NOTIFY BOTH ENTITIES OF THE LOCATION OF AN INDIVIDUAL CONTAINED IN THE REPORT WHOSE LOCATION HAS BEEN DETERMINED, SO AS TO PROVIDE THAT ANY PERSON RESPONSIBLE FOR A MISSING PERSON MAY SUBMIT A MISSING PERSON REPORT TO A LAW ENFORCEMENT AGENCY OR TO THE MISSING PERSON INFORMATION CENTER; AND BY ADDING SECTION 23-3-330 SO AS TO ESTABLISH A STATEWIDE SYSTEM FOR THE RAPID DISSEMINATION OF INFORMATION REGARDING A MISSING PERSON WHO IS BELIEVED TO BE SUFFERING FROM DEMENTIA OR OTHER COGNITIVE IMPAIRMENT.

Rep. CLEMMONS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 92; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hamilton | Hardwick |
| Harrison | Harvin | Hayes |
| Herbkersman | Hiott | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lucas |
| McEachern | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Toole |
| Umphlett | Weeks | White |
| Whitmire | Williams | Wylie |
| A. D. Young | T. R. Young |  |

**Total--92**

 Those who voted in the negative are:

**Total--0**

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

**H. 3964--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3964 -- Reps. Duncan, Ott, Vick, Loftis and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 21, TITLE 46 SO AS TO UPDATE AND CLARIFY SEED ARBITRATION PROCEDURES; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 46, RELATING TO GENERAL PROVISIONS OF SEED AND PLANT CERTIFICATION, SO AS TO REPLACE OBSOLETE DEFINITIONS, TO REVISE ENFORCEMENT MECHANISMS, TO CLARIFY LICENSING PROCEDURES, AND TO PROVIDE EXEMPTIONS; TO AMEND ARTICLE 3, CHAPTER 21, TITLE 46, RELATING TO LABELS AND TAGS REGARDING SEEDS AND PLANTS, SO AS TO REVISE THE LABELING REQUIREMENTS FOR SEED PRODUCTS, AND TO IMPOSE ADDITIONAL PROHIBITIONS; TO AMEND ARTICLE 5, CHAPTER 21, TITLE 46, RELATING TO ANALYSES AND TESTS REGARDING SEEDS AND PLANTS, SO AS TO DELETE REDUNDANT PROVISIONS, TO PROVIDE THAT DEPARTMENT OF AGRICULTURE OFFICIALS SHALL HAVE ACCESS TO SEED RECORDS AND SAMPLES, TO PROVIDE THAT SEED RECORDS SHALL BE MAINTAINED FOR TWO YEARS, AND TO CLARIFY WHO IS ENTITLED TO FREE SEED TESTING AT THE STATE SEED LABORATORY; TO AMEND ARTICLE 7, CHAPTER 21, TITLE 46, RELATING TO WITHDRAWAL, CONFISCATION, AND SALE OF SEEDS REGARDING SEEDS AND PLANTS, SO AS TO INCREASE PENALTIES FOR VIOLATIONS FROM A MAXIMUM OF ONE HUNDRED DOLLARS FOR EACH VIOLATION TO ONE THOUSAND DOLLARS FOR EACH VIOLATION, TO CLARIFY THE ROLE OF THE ATTORNEY GENERAL IN PROSECUTING VIOLATIONS, AND TO PROVIDE FOR INJUNCTIVE RELIEF TO PREVENT VIOLATIONS; TO AMEND ARTICLE 9, CHAPTER 21, TITLE 46, RELATING TO SEED AND PLANT CERTIFICATION, SO AS TO CLARIFY CLEMSON UNIVERSITY'S SEED AND PLANT CERTIFICATION AUTHORITY; AND TO REPEAL ARTICLE 11, CHAPTER 21, TITLE 46 RELATING TO SEED IRISH POTATOES IN CHARLESTON COUNTY.

Rep. DUNCAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 93; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrison | Harvin |
| Herbkersman | Hiott | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| McEachern | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Neilson | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stewart |
| Stringer | Umphlett | Weeks |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--93**

 Those who voted in the negative are:

**Total--0**

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

Rep. KENNEDY moved that the House do now adjourn.

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

Yeas 6; Nays 90

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Gilliard | Hart | Kennedy |
| King | Sellers | Williams |

**Total--6**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Hamilton | Hardwick | Harrison |
| Herbkersman | Hiott | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Weeks | White |
| Whitmire | Wylie | T. R. Young |

**Total--90**

So, the House refused to adjourn.

**H. 3800--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3800 -- Reps. Toole, Erickson, Brady, Bowen, Brantley, Parker, Allison, Cato, Crawford, Dillard, Duncan, Gullick, Gunn, Horne, Hosey, Jefferson, Littlejohn, Millwood, Mitchell, Pinson, Stringer, Willis, Wylie, A. D. Young, J. E. Smith, Clemmons, Hutto and Viers: A BILL TO AMEND SECTION 63-7-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT ABUSE OR NEGLECT OF A CHILD, SO AS TO INCLUDE A SCHOOL ATTENDANCE OFFICER, SCHOOL ADMINISTRATOR, FOSTER PARENT, JUVENILE JUSTICE WORKER, AND GUARDIAN AD LITEM FOR A CHILD AMONG THE PEOPLE WHO MUST REPORT CERTAIN ALLEGATIONS OF CHILD ABUSE OR NEGLECT, AND TO ENCOURAGE OTHER PEOPLE TO REPORT THIS ABUSE.

Rep. BANNISTER proposed the following Amendment No. 1A (COUNCIL\AGM\18073AB10), which was adopted:

Amend the bill, as and if amended, Section 63‑1‑310(A), as contained in SECTION 1, page 1, line 39, by deleting / or a / and inserting / or a volunteer non‑attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem program or on behalf of Richland County CASA / after / judge, /.

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The yeas and nays were taken resulting as follows:

 Yeas 91; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | G. A. 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 | Hamilton |
| Hardwick | Harrison | Herbkersman |
| Hiott | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Miller | Millwood | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Toole |
| Umphlett | Weeks | White |
| Whitmire | Williams | Wylie |
| T. R. Young |  |  |

**Total--91**

 Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

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

**H. 3358--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

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

Rep. BANNISTER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 96; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| G. A. 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 | Hardwick | Harrison |
| Harvin | Herbkersman | Hiott |
| Horne | Hosey | Hutto |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Parker |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Toole | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--96**

 Those who voted in the negative are:

**Total--0**

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

**S. 391--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

S. 391 -- Senators Ryberg, McConnell, Verdin, Bryant, Cleary, Campsen, Shoopman, Campbell, Rose, Davis, Bright, S. Martin and Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-29-300 SO AS CREATE THE WORKFORCE DEPARTMENT APPELLATE PANEL WITHIN THE DEPARTMENT OF WORKFORCE, TO PROVIDE FOR THE FILLING OF A VACANCY, TO REQUIRE THE PRESENT MEMBERS OF THE SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION MUST CONSTITUTE THE INITIAL MEMBERSHIP OF THE NEW PANEL, TO PROVIDE THE PANEL SHALL DISSOLVE WHEN THE MEMBERS' TERMS EXPIRE IN 2012, AND TO PROVIDE RELATED APPELLATE PROCEDURES; BY ADDING SECTION 41-29-310 SO AS TO TRANSFER THE WORKFORCE INVESTMENT ACT PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF WORKFORCE; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO CREATE THE SOUTH CAROLINA DEPARTMENT OF WORKFORCE WITHIN THE EXECUTIVE BRANCH; TO AMEND SECTION 41-29-10, RELATING TO THE EMPLOYMENT SECURITY COMMISSION, SO AS TO PROVIDE THAT CERTAIN CHAPTERS WITHIN TITLE 41 MUST BE ADMINISTERED BY THE DEPARTMENT OF WORKFORCE AND TO DELETE REFERENCES TO THE EMPLOYMENT SECURITY COMMISSION; TO AMEND SECTION 41-29-20, RELATING TO THE CHAIRMAN, QUORUM, AND FILLING OF A VACANCY ON THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE THE DEPARTMENT OF WORKFORCE MUST BE MANAGED AND OPERATED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE DIRECTOR IS SUBJECT TO REMOVAL BY THE GOVERNOR AT HIS DISCRETION BY EXECUTIVE ORDER; TO AMEND SECTION 41-29-30, RELATING TO THE APPOINTMENT OF A SECRETARY OF THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND PROVIDE THE DIRECTOR OF THE DEPARTMENT OF WORKFORCE OR HIS DESIGNEE MUST RECEIVE ANNUAL COMPENSATION AS PROVIDED BY THE GENERAL ASSEMBLY AND OFFICIAL EXPENSES AS PROVIDED BY LAW FOR EXECUTING THE DUTIES AND FUNCTIONS OF THE DEPARTMENT; TO AMEND SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCESS, SO AS TO INCLUDE EMPLOYEES OF THE DEPARTMENT OF WORKFORCE AMONG THOSE EXEMPTED; TO AMEND SECTIONS 41-27-10, 41-27-30, 41-27-150, 41-27-160, 41-27-190, 41-27-210, AS AMENDED, 41-27-230, 41-27-235, AS AMENDED, 41-27-260, AS AMENDED, 41-27-360, 41-27-370, AS AMENDED, 41-27-380, 41-27-390, 41-27-510, 41-27-550, 41-27-560, 41-27-570, 41-27-580, 41-27-600, 41-27-610, 41-27-620, 41-27-630, 41-27-670, 41-29-40, 41-29-50, 41-29-60, 41-29-70, 41-29-80, 41-29-90, 41-29-100, 41-29-110, 41-29-120, AS AMENDED, 41-29-130, 41-29-140, 41-29-150, 41-29-170, AS AMENDED, 41-29-180, 41-29-190, 41-29-200, 41-29-210, 41-29-220, 41-29-230, 41-29-240, 41-29-250, 41-29-270, 41-29-280, 41-29-290, 41-33-10, 41-33-20, 41-33-30, 41-33-40, 41-33-45, 41-33-80, AS AMENDED, 41-33-90, 41-33-100, 41-33-110, 41-33-120, 41-33-130, 41-33-170, 41-33-180, 41-33-190, 41-33-200, 41-33-210, 41-33-430, 41-33-460, 41-33-470, 41-33-610, 41-33-710, 41-35-10, 41-35-30, 41-35-100, 41-35-110, AS AMENDED, 41-35-115, AS AMENDED, 41-35-120, AS AMENDED, 41-35-125, 41-35-126, 41-35-130, AS AMENDED, 41-35-140, 41-35-330, 41-35-340, 41-35-410, 41-35-420, AS AMENDED, 41-35-450, 41-35-610, 41-35-630, 41-35-640, AS AMENDED, 41-35-670, 41-35-680, AS AMENDED, 41-35-690, 41-35-700, 41-35-710, AS AMENDED, 41-35-720, 41-35-730, 41-35-740, 41-35-750, AS AMENDED, 41-37-20, 41-37-30, 41-39-30, 41-39-40, 41-41-20, AS AMENDED, 41-41-40, AS AMENDED, 41-41-50, 41-42-10, 41-42-20, 41-42-30, AND 41-42-40, ALL RELATING TO VARIOUS DEPARTMENT PROVISIONS, SO AS TO CONFORM THEM TO THE REPLACEMENT OF THE EMPLOYMENT SECURITY COMMISSION WITH THE DEPARTMENT OF WORKFORCE; AND TO REPEAL SECTION 41-29-260 RELATING TO THE ABILITY OF COMMISSIONERS OF THE EMPLOYMENT SECURITY COMMISSION TO FILE OPINIONS OR OFFICIAL MINUTES.

Rep. BINGHAM explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 96; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrison |
| Hart | Harvin | Herbkersman |
| Hiott | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Owens | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stewart | Stringer |
| Toole | Umphlett | Weeks |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--96**

 Those who voted in the negative are:

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

**Total--1**

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

**H. 4508--DEBATE ADJOURNED**

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

H. 4508 -- Reps. Herbkersman, Lowe, Hutto, G. A. Brown and Horne: A BILL TO AMEND SECTION 40-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CHIROPRACTORS AND CHIROPRACTIC PRACTICE, SO AS TO ADD A DEFINITION OF A "PRECEPTORSHIP OR RESIDENCY TRAINING PROGRAM"; AND TO AMEND SECTION 40-9-20, RELATING TO LICENSES REQUIRED FOR PERSONS PRACTICING CHIROPRACTIC PROCEDURES, SO AS TO EXCLUDE STUDENTS PARTICIPATING IN A PRECEPTORSHIP OR RESIDENCY TRAINING PROGRAM UNDER SPECIFIED CONDITIONS, TO PERMIT CHARGES TO BE LEVIED FOR PROFESSIONAL SERVICE FOR WORK PERFORMED UNDER THESE PROGRAMS, AND DELETE THE EXCEPTION FOR SENIOR STUDENTS AT A CHIROPRACTIC COLLEGE CHARTERED BY THE STATE.

Rep. HARVIN explained the Senate Amendments.

Rep. CRAWFORD moved to adjourn debate upon the Senate Amendments until Tuesday, May 25, which was agreed to.

**H. 4405--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4405 -- Reps. Edge, Cobb-Hunter, Crawford, Harvin, Pinson, Alexander, Gunn, Hutto and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-70 SO AS TO DEFINE CERTAIN TERMS, AND TO PROVIDE FOR THE DISPENSING OF CERTAIN DRUGS OR DEVICES AT A FEDERALLY QUALIFIED HEALTH CENTER.

Rep. SPIRES explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 88; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | R. L. Brown | Cato |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Gilliard | Govan |
| Hardwick | Harrison | Hart |
| Harvin | Herbkersman | Hiott |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| Miller | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| 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 |
| Toole | Weeks | White |
| Whitmire | Williams | A. D. Young |
| T. R. Young |  |  |

**Total--88**

 Those who voted in the negative are:

**Total--0**

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

**H. 3066--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3066 -- Reps. Ballentine, Haley, J. R. Smith, Hamilton, Wylie, Simrill, Huggins, E. H. Pitts, Cobb-Hunter, Harrell, G. M. Smith, Gullick, J. E. Smith, Merrill, Phillips, Jennings, Owens, G. R. Smith, Daning, Rice, Knight, Funderburk, Harrison, Crawford, Kirsh, Bedingfield, Allison, Stringer, T. R. Young, Agnew, Gunn, Bingham, Toole, Millwood, Stavrinakis, Miller, Battle, Hutto, Erickson, Clemmons, Horne, Lucas, Bales, Whipper and R. L. Brown: A BILL TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO MAKE IT APPLICABLE TO COUNTY, SCHOOL BOARD, AND MUNICIPAL ELECTIONS IN ADDITION TO STATEWIDE ELECTIONS; AND TO AMEND SECTION 8-13-1308, AS AMENDED, RELATING TO THE REQUIREMENT TO FILE CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE THAT THEY MUST BE FILED FORTY-EIGHT HOURS AFTER THEIR RECEIPT STARTING AFTER THE FILING OF THE PRE-ELECTION REPORT.

Rep. BALLENTINE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 86; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Hamilton | Hardwick | Harrison |
| Harvin | Herbkersman | Hiott |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Lucas | McEachern | McLeod |
| Merrill | Miller | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Owens |
| Parker | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Weeks | Whipper |
| White | Whitmire | Wylie |
| A. D. Young | T. R. Young |  |

**Total--86**

 Those who voted in the negative are:

**Total--0**

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

**H. 3536--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3536 -- Reps. J. E. Smith and McLeod: A BILL TO AMEND SECTION 17-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS OF CORONERS, SO AS TO INCREASE THOSE QUALIFICATIONS BY REQUIRING THOSE PERSONS WITH HIGH SCHOOL DIPLOMAS TO ALSO HAVE AT LEAST SIX YEARS' EXPERIENCE IN THE FIELD, BY REQUIRING THOSE PERSONS WITH A TWO YEAR ASSOCIATE DEGREE TO ALSO HAVE FOUR YEARS OF EXPERIENCE IN THE FIELD, AND BY REQUIRING THOSE PERSONS WITH A FOUR YEAR BACCALAUREATE DEGREE TO ALSO HAVE AT LEAST TWO YEARS OF EXPERIENCE IN THE FIELD; AND TO REQUIRE THAT A CANDIDATE FOR CORONER FILE A SWORN AFFIDAVIT WITH THE COUNTY EXECUTIVE COMMITTEE OF THE PERSON'S POLITICAL PARTY UNDER SPECIFIED TIME FRAMES, TO PROVIDE FOR THE FILING OF THE AFFIDAVIT BY PETITION CANDIDATES, AND TO DELINEATE THE INFORMATION THAT THE AFFIDAVIT MUST CONTAIN.

Rep. J. E. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 82; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Bedingfield | Bowen |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cole |
| Cooper | Crawford | Delleney |
| Duncan | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrison |
| Harvin | Herbkersman | Hiott |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lucas | McEachern |
| Merrill | Miller | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Owens | Parker |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stavrinakis | Stewart | Stringer |
| Umphlett | Weeks | Whipper |
| White | Williams | Wylie |
| T. R. Young |  |  |

**Total--82**

 Those who voted in the negative are:

**Total--0**

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

**H. 4174--INTERRUPTED DEBATE**

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

H. 4174 -- Reps. Harvin, Bales, Harrison, G. M. Smith and Wylie: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AS A RESULT OF AN ASSESSABLE TRANSFER OF INTEREST, SO AS TO PROVIDE THAT A CONVEYANCE TO A TRUST DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE SETTLOR OR SETTLOR'S SPOUSE CONVEYS THE PROPERTY TO A TRUST THE BENEFICIARIES OF WHICH ARE A CHILD OR CHILDREN OF THE SETTLOR OR THE SETTLOR'S SPOUSE AND TO PROVIDE THAT A CONVEYANCE BY DISTRIBUTION UNDER A WILL OR BY INTESTATE SUCCESSION DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE DISTRIBUTEE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT'S DATE OF DEATH.

Reps. CLEMMONS, STAVRINAKIS and R. L. BROWN proposed the following Amendment No. 1 (COUNCIL\AGM\18080AB10):

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

/ SECTION 1. Chapter 1, Title 27 of the 1976 Code is amended by adding:

 “Section 27‑1‑70. (A) As used in this section:

 (1) ‘Association’ means a nonprofit, mandatory membership organization comprised of owners of homes, condominiums, cooperatives, manufactured homes, or interest in real property, created pursuant to a declaration, covenant, or other applicable law.

 (2) ‘Transfer’ means the sale, gift, grant, conveyance, assignment, inheritance, or other transfer of an interest in real property located in this State.

 (3) ‘Transfer fee’ means a fee or charge imposed by a transfer fee covenant, but does not include a tax, assessment, fee, or charge imposed by a government authority pursuant to applicable laws, ordinances, or regulations.

 (4) ‘Transfer fee covenant’ means a provision in a document, whether recorded or not and however denominated, that purports to run with the land or bind current owners or successors in title to specified real property located in this State, and that obligates a transferee or transferor of all or part of the property to pay a fee or charge to a third person upon transfer of an interest in all or part of the property, or in consideration for permitting this transfer. A ‘transfer fee covenant’ does not include:

 (a) a provision of a purchase contract, option, mortgage, security agreement, real property listing agreement, or other agreement that obligates one party to the agreement to pay the other, as full or partial consideration for the agreement or for a waiver of rights under the agreement, an amount determined by the agreement, if that amount:

 (i) is payable on a one‑time basis only upon the next transfer of an interest in the specified real property and, once paid, does not bind successors in title to the property;

 (ii) constitutes a loan assumption or similar fee charged by a lender holding a lien on the property; or

 (iii) constitutes a fee or commission paid to a licensed real estate broker for brokerage services rendered in connection with the transfer of the property for which the fee or commission is paid;

 (b) provision in a deed, memorandum, or other document recorded for the purpose of providing record notice of an agreement described in subsection (A)(4)(a);

 (c) a provision of a document requiring payment of a fee or charge to an association to be used exclusively for purposes authorized in the document if no portion of the fee is required to be passed through to a third party designated or identifiable by description in the document or another document referenced in it, provided that this fee is established by a covenant or other document properly recorded in the Register of Deeds Office for the county in which the property is located; or

 (d) a fee received by a holder as defined in Section 27‑8‑20(2) in connection with the sale of real property subject to:

 (i) a conservation easement as defined in Section 27‑8‑29(1); or

 (ii) a conservation easement, façade, or historic preservation easement that is a qualified conservation contribution as defined under Section 170(H)(91) of the Internal Revenue Code.

 (B) The General Assembly finds:

 (1) the public policy of this State favors the transferability of interests in real property free from unreasonable restraints on alienation and covenants or servitudes that do not touch and concern the property; and

 (2) a transfer fee covenant violates this public policy by impairing the marketability of title to the affected real property and constitutes an unreasonable restraint on alienation, regardless of the duration of the covenant or the amount of the transfer fee set forth in the covenant.

 (C) A transfer fee covenant recorded after the effective date of this section, or a lien to the extent that it purports to secure the payment of a transfer fee, is not binding on or enforceable against the affected real property or any subsequent owner, purchaser, or mortgagee of an interest in the property.

 (D) Nothing in this section may imply that a transfer fee covenant recorded before the effective date of this section is valid or enforceable.”

SECTION 2. Chapter 1, Title 27 of the 1976 Code is amended by adding:

 “Section 27‑1‑80. (A) The South Carolina Real Estate Commission shall revise the disclosure statement required under the Residential Property Condition Disclosure Act as found in Article 1, Chapter 50, Title 27, to expressly provide that a private transfer fee obligation must be disclosed.

 (B) For a transfer of real property not subject to the disclosure requirements of the Residential Property Disclosure Act, as found in Article 1, Chapter 50, Title 27, a seller of real property shall furnish to a purchaser a written statement disclosing the existence of a private transfer fee obligation. This written statement must include a description of the private transfer fee obligation and include a statement that private transfer fee obligations are subject to certain prohibitions under Section 27‑1‑80.”

SECTION 3. This act takes effect upon approval by the Governor, except a transfer fee executed but not recorded on or before the effective date of this act is presumed to be void. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. LIMEHOUSE moved to adjourn debate upon the Senate Amendments until Tuesday, May 25, which was not agreed to, by a division vote of 23-62.

Further proceedings were interrupted by the House recurring to the Morning Hour, the pending question being consideration of Amendment No. 1.

**RECURRENCE TO THE MORNING HOUR**

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

**R. 218, H. 4923--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 19, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

 I am hereby vetoing and returning without my approval H. 4923, R. 218, which allows the Orangeburg County Consolidated School District No. 4 to issue general obligation bonds to cover operating expenses as a result of expected operating deficits in FY 2011 and FY 2012.

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

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

 For this reason, I am vetoing and returning without my approval H. 4923, R. 218.

Sincerely,

Mark Sanford

Governor

Received as information.

**REPORTS OF STANDING COMMITTEES**

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

H. 5003 -- Reps. Harrell, Cato, Sandifer, Cooper, Jennings, J. E. Smith, Mack, Chalk, Toole and Rice: A CONCURRENT RESOLUTION TO MEMORIALIZE THE PRESIDENT, THE CONGRESS, AND THE FEDERAL COMMUNICATIONS COMMISSION OF THE UNITED STATES TO REFRAIN FROM REGULATING INTERNET BROADBAND SERVICES AS COMMON CARRIER SERVICES UNDER TITLE II OF THE COMMUNICATIONS ACT OF 1934.

Ordered for consideration tomorrow.

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

S. 1450 -- Senators Campsen and Verdin: A CONCURRENT RESOLUTION TO CELEBRATE THE SESQUICENTENNIAL ANNIVERSARY OF THE SOUTH CAROLINA STATE FLAG, TO DECLARE JANUARY 28, 2011, AS "SOUTH CAROLINA FLAG DAY", TO REQUEST THE NATIONAL PARK SERVICE TO CONDUCT APPROPRIATE INTERPRETIVE AND EDUCATIONAL EVENTS AT THE FORT MOULTRIE NATIONAL MONUMENT, AND TO ENCOURAGE PUBLIC AND PRIVATE INSTITUTIONS TO PARTICIPATE.

Ordered for consideration tomorrow.

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

S. 319 -- Senators Leventis, Rose, Malloy, Davis, Lourie and Hayes: A BILL TO AMEND TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 46 SO AS TO ENACT THE "INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN", TO PROVIDE THAT THE GOVERNOR MAY EXECUTE THE COMPACT WITH OTHER COMPACT STATES, TO PROVIDE THAT THE STATE SUPERINTENDENT OF EDUCATION IS THE COMPACT COMMISSIONER OF THIS STATE, TO ESTABLISH A COUNCIL ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, TO PROVIDE FOR THE COUNCIL'S MEMBERSHIP, APPOINTMENTS, TERMS, QUORUM, LEADERSHIP, FILLING OF VACANCIES, AND POWERS AND DUTIES, AND TO PROVIDE THE TERMS OF THE COMPACT.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

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.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

S. 1392 -- Transportation Committee: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, TO PROVIDE FOR CERTAIN SPECIALTY LICENSE PLATES; TO AMEND SECTION 56-3-10810, RELATING TO 'BOY SCOUTS OF AMERICA' SPECIAL LICENSE PLATES, TO PROVIDE FOR 'EAGLE SCOUT' SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-2150, RELATING TO SPECIAL LICENSE PLATES FOR CERTAIN ELECTED OFFICIALS, TO PROVIDE THAT CORONERS MAY BE PROVIDED WITH TWO LICENSE PLATES; TO AMEND SECTION 56-3-1240, RELATING TO THE LOCATION ON VEHICLES WHERE LICENSE PLATES MUST BE ATTACHED, TO PROVIDE THAT A FRAME MAY BE PLACED AROUND A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 56-3-10410, RELATING TO A SPECIAL MOTOR VEHICLE LICENSE PLATE FOR VETERANS, TO PROVIDE FOR A DISABLED VETERAN SPECIAL LICENSE PLATE.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5011 -- Reps. Funderburk, 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, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO CONGRATULATE JACK BRANTLEY OF KERSHAW COUNTY UPON THE OCCASION OF HIS SEVENTY-FIFTH BIRTHDAY, TO COMMEND HIM FOR HIS MANY YEARS AS AN ENTHUSIASTIC SUPPORTER OF WORTHY COMMUNITY CAUSES, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5012 -- Reps. Anthony, J. E. Smith, Vick, Agnew, Alexander, Allen, Allison, Anderson, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COMMAND SERGEANT MAJOR JAMES E. "EDDIE" HARRIS OF UNION COUNTY, UPON THE OCCASION OF HIS RETIREMENT FROM THE SOUTH CAROLINA ARMY NATIONAL GUARD, TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**S. 1070--DEBATE ADJOURNED**

Rep. BANNISTER moved to adjourn debate upon the following Bill until Tuesday, May 25, which was adopted:

S. 1070 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING PART VII TO ARTICLE 5, TITLE 62 SO AS TO ENACT THE "UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT", TO DEFINE NECESSARY TERMS, PROVIDE A UNIFORM PROCEDURE FOR JURISDICTION OVER ADULT GUARDIANSHIPS, CONSERVATORSHIPS, AND OTHER PROTECTIVE PROCEEDINGS TO ENSURE ONLY ONE STATE HAS JURISDICTION AT A GIVEN TIME.

**S. 1328--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1328 -- Senators Peeler and Land: A BILL TO AMEND SECTION 56-3-2330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MANUFACTURER LICENSE PLATES FOR MOTOR VEHICLES, SO AS TO INCREASE FROM FOUR TO FIVE HUNDRED THE NUMBER OF THESE PLATES THAT MAY BE ISSUED TO A MANUFACTURER AND TO INCREASE FROM TEN TO TWENTY DAYS THE MAXIMUM NUMBER OF CONSECUTIVE DAYS THAT VEHICLES WITH THESE PLATES MAY BE USED IN CONNECTION WITH CIVIC AND SPORTING EVENTS.

Rep. HERBKERSMAN proposed the following Amendment No. 2 (COUNCIL\SWB\8130CM10), which was ruled out of order:

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

/ SECTION \_\_. Section 56‑3‑115 of the 1976 Code is amended to read:

 “Section 56‑3‑115. The owner of a vehicle commonly known as a golf cart, if he has a valid driver’s license, may obtain a permit from the Department of Motor Vehicles upon the payment of a fee of five dollars and proof of financial responsibility which permits his agent, employees, or him to:

 (1) operate the golf cart on a secondary highway or street within two miles of his residence or place of business during daylight hours only. When the owner’s residence is located within a gated community the two‑mile limit must be measured from the community’s primary entrance; ~~and~~

 (2) cross a primary highway or street while traveling along a secondary highway or street within two miles of his residence or place of business during daylight hours only; and

 (3) operate a golf cart along a secondary highway or street on a sea island whose total area is greater than seven square miles, but less than ten square miles. As contained in this section, ‘gated community’ means any homeowners’ community with at least one controlled access ingress and egress which includes the presence of a guard house, a mechanical barrier, or another method of controlled conveyance. A golf cart may cross a secondary highway whose maximum speed limit is at least forty‑five miles an hour only at the location of a traffic control device.” /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

**POINT OF ORDER**

Rep. ALLISON raised the Point of Order that Amendment No. 2 was out of order in that it was not germane to the Bill.

SPEAKER *PRO TEMPORE* CATO stated that the Bill dealt with the manufacture of license plates while the amendment dealt with the issuance of permits to operate a golf cart. Therefore, he sustained the Point of Order and ruled the amendment out of order.

Rep. ALLISON explained the Bill.

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

**S. 1328--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. ALLISON, with unanimous consent, it was ordered that S. 1328 be read the third time tomorrow.

**S. 1330--DEBATE ADJOURNED**

Rep. ALLISON moved to adjourn debate upon the following Joint Resolution until Tuesday, May 25, which was adopted:

S. 1330 -- Senators Peeler and Land: A JOINT RESOLUTION TO PROVIDE THAT IN 2011 AND 2012, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN SUCH MANUFACTURER'S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SIX HUNDRED NINETY-NINE DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

**S. 879--DEBATE ADJOURNED**

Rep. LIMEHOUSE moved to adjourn debate upon the following Bill until Tuesday, May 25, which was adopted:

S. 879 -- Senator Campsen: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ASSESSABLE TRANSFERS OF INTEREST FOR PURPOSES OF DETERMINING THE VALUE OF REAL PROPERTY FOR PROPERTY TAXATION, SO AS TO PROVIDE ADDITIONAL INSTANCES OF PROPERTY TRANSFERS NOT CONSIDERED ASSESSABLE TRANSFERS OF INTEREST, INCLUDING TRANSFERS OF FRACTIONAL INTERESTS CONSTITUTING NOT MORE THAN FIFTY PERCENT OF FEE SIMPLE TITLE, TRANSFERS INTO AND OUT OF A SINGLE MEMBER LIMITED LIABILITY COMPANY NOT TAXED AS A CORPORATION WHEN THE SINGLE MEMBER IS THE TRANSFEREE AND TRANSFEROR, TRANSFERS RELATING TO EASEMENTS, TRANSFERS TO QUIET TITLE OR ESTABLISH A BOUNDARY LINE, AND TRANSFERS CREATING OR TERMINATING A JOINT TENANCY WITH RIGHTS OF SURVIVORSHIP IF THE GRANTORS AND GRANTEES ARE THE SAME.

**S. 962--DEBATE ADJOURNED**

Rep. G. M. SMITH moved to adjourn debate upon the following Bill until Tuesday, May 25, which was adopted:

S. 962 -- Senators Knotts and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-5-115 SO AS TO PROVIDE THE CONDITIONS UPON WHICH A DEPUTY CORONER MAY ENFORCE THE LAWS AND ORDINANCES OF THIS STATE AND ITS POLITICAL SUBDIVISIONS.

**H. 3033--RECOMMITTED**

The following Bill was taken up:

H. 3033 -- Reps. Hart and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-15-175 SO AS TO PROVIDE THAT A JUDGE MAY NOT ISSUE A BENCH WARRANT FOR FAILURE TO APPEAR UNLESS THE SOLICITOR FILES AN AFFIDAVIT WITH THE COURT TO CONFIRM THAT WRITTEN NOTICE OF HIS INTENT TO SEEK A BENCH WARRANT FOR FAILURE TO APPEAR HAS BEEN GIVEN TO THE DEFENDANT, HIS ATTORNEY, AND THE BOND SURETY COMPANY AND TO REQUIRE THE COURT TO HOLD A RULE TO SHOW CAUSE HEARING BEFORE ISSUING THE BENCH WARRANT.

Rep. HART explained the Bill.

**POINT OF ORDER**

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

The SPEAKER *PRO TEMPORE* overruled the Point of Order.

Rep. WYLIE moved to recommit the Bill to the Committee on Judiciary.

Rep. HART moved to table the motion.

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

Yeas 39; Nays 53

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Bowers | G. A. Brown |
| H. B. Brown | Clyburn | Crawford |
| Dillard | Edge | Frye |
| Funderburk | Gilliard | Govan |
| Hart | Harvin | Hosey |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Littlejohn | Lowe | McEachern |
| McLeod | Miller | J. M. Neal |
| Neilson | Rutherford | Sellers |
| Skelton | Spires | Stavrinakis |
| Weeks | Whipper | Williams |

**Total--39**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Daning | Delleney |
| Duncan | Erickson | Forrester |
| Gambrell | Hamilton | Hardwick |
| Harrison | Hiott | Horne |
| Huggins | Kirsh | Limehouse |
| Loftis | Long | Lucas |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Scott | Simrill | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Toole | Umphlett |
| White | Whitmire | Wylie |
| A. D. Young | T. R. Young |  |

**Total--53**

So, the House refused to table the motion.

The question then recurred to the motion to recommit the Bill to the Judiciary Committee.

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

Yeas 54; Nays 38

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Daning | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Gambrell | Hamilton | Harrison |
| Hiott | Horne | Huggins |
| Kirsh | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Stewart | Stringer |
| Umphlett | White | Whitmire |
| Wylie | A. D. Young | T. R. Young |

**Total--54**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Bowers |
| G. A. Brown | H. B. Brown | Clyburn |
| Crawford | Dillard | Funderburk |
| Gilliard | Govan | Hart |
| Harvin | Hosey | Hutto |
| Jefferson | Jennings | King |
| Knight | Littlejohn | McEachern |
| McLeod | Miller | J. H. Neal |
| J. M. Neal | Neilson | Rutherford |
| Sellers | Skelton | D. C. Smith |
| Spires | Stavrinakis | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the motion to recommit the Bill was agreed to.

**ORDERED TO THIRD READING**

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

S. 1405 -- Senator Coleman: A BILL TO PROVIDE FOR THE TRANSFER OF QUALIFYING STUDENTS FROM FAIRFIELD COUNTY SCHOOL DISTRICT TO CHESTER COUNTY SCHOOL DISTRICT; TO REQUIRE THE TREASURER OF FAIRFIELD COUNTY TO REMIT CERTAIN FUNDS PER TRANSFERRING PUPIL TO CHESTER COUNTY SCHOOL DISTRICT ON BEHALF OF FAIRFIELD COUNTY SCHOOL DISTRICT; TO PROVIDE FOR THE TIMING OF THE PAYMENT, AND TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO PAY THE AMOUNT DUE TO CHESTER COUNTY SCHOOL DISTRICT OUT OF FUNDS OTHERWISE ALLOCATED TO THE FAIRFIELD COUNTY SCHOOL DISTRICT PURSUANT TO THE EDUCATION FINANCE ACT IF THE TREASURER OF FAIRFIELD COUNTY FAILS TO PAY CHESTER COUNTY SCHOOL DISTRICT; TO ALLOW THE CHESTER COUNTY SCHOOL DISTRICT TO CONSIDER THESE PAYMENTS ANTICIPATED AD VALOREM TAXATION; TO REQUIRE THE STATE SUPERINTENDENT OF EDUCATION TO SETTLE ANY DISPUTE THAT ARISES BETWEEN THE DISTRICTS UPON THE IMPLEMENTATION AND ADMINISTRATION OF THE PROVISIONS OF THIS ACT; AND TO PROVIDE FOR THE PAYMENT OF MONIES PREVIOUSLY OWED TO CHESTER COUNTY SCHOOL DISTRICT.

**S. 1405--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. H. B. BROWN, with unanimous consent, it was ordered that S. 1405 be read the third time tomorrow.

Rep. A. D. YOUNG moved that the House do now adjourn, which was agreed to.

**ADJOURNMENT**

At 12:35 p.m. the House, in accordance with the motion of Rep. JENNINGS, adjourned in memory of Sarah David Rogers of Bennettsville, to meet at 10:00 a.m. tomorrow.

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