~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 2:00 p.m.

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

Our thought for today is from Proverbs 3:3: “Do not let loyalty forsake you; bind them around your neck, write them on the tablet of your heart.”

Let us pray. Almighty God, send Your spirit to these Representatives, to be their guide in everything they do. Help them realize that their knowledge, their strength, and their calling to this place is lead by Your hand. Show them the way You want them to go in providing the necessary actions to be taken for the good of this State and her people. May strength, courage, and integrity accompany these people and allow them to carry the task assigned to them, to a fruitful end. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom as they protect us. Heal the wounds of our warriors, those seen and those hidden. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. STRINGER moved that when the House adjourns, it adjourn in memory of Representative William T. "Bill" Wylie of Simpsonville, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. AGNEW, from the Abbeville Delegation, submitted a favorable report on:

H. 3343 -- Reps. Agnew and Gambrell: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, AND 12, 2011 BY THE STUDENTS OF ABBEVILLE COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Ordered for consideration tomorrow.

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

H. 3003 -- Reps. Clemmons, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, D. C. Moss, V. S. Moss, Norman, Parker, G. M. Smith, G. R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J. R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas and Pinson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-3-70 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS WHO ARE QUALIFIED TO VOTE, BUT DO NOT HAVE A SOUTH CAROLINA DRIVER'S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AS OF JANUARY 1, 2013, AND TO REQUIRE THE DEPARTMENT TO FURNISH A LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER'S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT AT NO CHARGE TO THE COMMISSION; BY ADDING SECTION 7-5-675 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO IMPLEMENT A SYSTEM IN ORDER TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR; TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT; TO AMEND SECTION 7-1-25, RELATING TO THE DEFINITION OF "DOMICILE", SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON'S INTENTION REGARDING HIS DOMICILE; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO MAINTAIN IN A MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTING IN A GENERAL ELECTION; TO AMEND SECTION 7-5-125, RELATING TO THE ISSUANCE OF A WRITTEN NOTIFICATION OF REGISTRATION TO VOTE, SO AS TO PROVIDE FOR THE ISSUANCE OF A DUPLICATE NOTIFICATION IF THE ELECTOR TO WHOM IT WAS ORIGINALLY ISSUED LOSES OR DEFACES IT; TO AMEND SECTION 7-5-230, AS AMENDED, RELATING TO THE BOARDS OF REGISTRATION BEING THE JUDGES OF THE LEGAL QUALIFICATIONS OF ALL APPLICANTS FOR REGISTRATION, SO AS TO ADD A REFERENCE TO SECTION 7-1-25 AND DELETE CERTAIN CRITERIA USED WHEN CONSIDERING A CHALLENGE REGARDING THE RESIDENCE OF AN ELECTOR; TO AMEND SECTION 7-13-710, AS AMENDED, RELATING TO THE PRESENTATION OF A PERSON'S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PROVIDING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE FOR CERTAIN EXCEPTIONS, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE REFERENCES TO AN AUTHORIZED REPRESENTATIVE REQUESTING AN APPLICATION FOR A QUALIFIED ELECTOR; TO AMEND SECTION 7-15-385, AS AMENDED, RELATING TO THE MARKING AND RETURNING OF THE ABSENTEE BALLOT, SO AS TO REQUIRE THE BOARD OF REGISTRATION TO RECORD, INSTEAD OF NOTE, CERTAIN PROCEDURES REGARDING THE RETURN OF THE ABSENTEE BALLOT; TO AMEND SECTION 56-1-3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTION 7-15-470 RELATING TO THE PROHIBITION OF VOTING ON A VOTING MACHINE FOR IN-PERSON ABSENTEE VOTING.

Ordered for consideration tomorrow.

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

H. 3285 -- Reps. Ballentine and Young: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE LEGISLATIVE DEPARTMENT, BY ADDING SECTION 22A SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Pickens Delegation, submitted a favorable report on:

H. 3340 -- Reps. Hiott, Gambrell, Skelton, Owens and Bikas: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, AND 12, 2011, BY THE STUDENTS OF THE SCHOOL DISTRICT OF PICKENS COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Ordered for consideration tomorrow.

**INTRODUCTION OF BILLS**

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

H. 3347 -- Rep. Lowe: A BILL TO AMEND SECTION 59-53-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADMISSION INTO TECHNICAL INSTITUTIONS, SO AS TO REQUIRE TECHNICAL INSTITUTIONS TO DEVELOP COMPETITIVE ADMISSIONS CRITERIA FOR ADMISSION INTO EACH PROGRAM OF STUDY THAT RECEIVES MORE APPLICANTS THAN IT HAS SPACE AVAILABLE IN AT LEAST TWO OF THE PRIOR THREE ACADEMIC YEARS, AND TO PROVIDE THAT RESIDENCY IN THE REGION IN WHICH THE INSTITUTION IS LOCATED MAY NOT EXCEED FIVE PERCENT OF THE TOTAL COMPETITIVE ADMISSION PROCESS CRITERIA.

Referred to Committee on Education and Public Works

H. 3348 -- Reps. Lucas, J. M. Neal, Long and Delleney: A JOINT RESOLUTION TO PROHIBIT THE RECEIPT, STORAGE, CONSOLIDATION, TREATMENT, PROCESSING, AND DISPOSAL OF LOW-LEVEL RADIOACTIVE WASTE, HAZARDOUS WASTE, INFECTIOUS WASTE, AND SOLID WASTE BY THE STATE OR ANY SUBDIVISION OF THE STATE BEGINNING JULY 1, 2011, AND TO PROVIDE EXCEPTIONS IF THE STATE OR ONE OF ITS POLITICAL SUBDIVISIONS HAS A RECIPROCAL AGREEMENT WITH ANOTHER STATE OR AN OUT-OF-STATE REGION OR ENTITY OR IF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE IS A MEMBER OF A COMPACT THAT AUTHORIZES THE RECEIPT, STORAGE, CONSOLIDATION, TREATMENT, PROCESSING, OR DISPOSAL OF ANY SUCH WASTE.

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

H. 3349 -- Reps. Clemmons and Sellers: A BILL TO AMEND SECTION 7-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS FOR REGISTRATION TO VOTE, SO AS TO AUTHORIZE A UNITED STATES CITIZEN OUTSIDE THE UNITED STATES UNDER CERTAIN CONDITIONS TO BE ELIGIBLE TO REGISTER AND VOTE WHERE HIS PARENT IS A QUALIFIED ELECTOR; AND TO AMEND SECTION 7-15-110, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AUTHORIZE A PERSON TO VOTE BY ABSENTEE BALLOT IF HE OR A PARENT LAST RESIDED IN THIS STATE IMMEDIATELY BEFORE HIS OR HIS PARENT'S DEPARTURE FROM THE UNITED STATES.

Referred to Committee on Judiciary

H. 3350 -- Reps. Crosby, Chumley and Daning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-115-35 SO AS TO REQUIRE A PHYSICIAN, UPON REQUEST OF A PATIENT, TO TRANSMIT THE PATIENT'S MEDICAL RECORD TO THE HOSPITAL AT WHICH THE PATIENT HAS BEEN OR IS SCHEDULED TO BE HOSPITALIZED WHEN THE PHYSICIAN IS NOT THE PATIENT'S ATTENDING PHYSICIAN AT THE HOSPITAL; TO REQUIRE THE PHYSICIAN TO ALSO TRANSMIT A SUMMARY OF THE MEDICAL RECORD ON A FORM DEVELOPED AND PUBLISHED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND TO REQUIRE TRANSMISSION OF THE RECORD TO BE CONDUCTED SO AS TO MAINTAIN CONFIDENTIALITY.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 3351 -- Rep. Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-75 SO AS TO DECLARE JANUARY SEVENTEENTH OF EACH YEAR AS "EARTHA KITT DAY" IN SOUTH CAROLINA IN HONOR OF THE LATE EARTHA MAE KITT, NATIONALLY AND INTERNATIONALLY KNOWN ACTRESS, SINGER, AND NATIVE SOUTH CAROLINIAN.

Referred to Committee on Invitations and Memorial Resolutions

H. 3354 -- Rep. Toole: A BILL TO AMEND SECTION 38-75-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE AMOUNT OF FIRE INSURANCE THAT MAY BE WRITTEN, SO AS TO PROVIDE THE INSURED MAY SET THIS AMOUNT PROVIDED THE AMOUNT HE SETS EXCEEDS THE TOTAL VALUE OF ALL RECORDED LIENS ON THE PROPERTY.

Referred to Committee on Labor, Commerce and Industry

H. 3355 -- Rep. Toole: A BILL TO AMEND SECTION 57-3-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NAMING OF A HIGHWAY FACILITY IN HONOR OF AN INDIVIDUAL, SO AS TO PROVIDE THAT UNLESS THE HIGHWAY FACILITY IS DEDICATED AND NAMED IN HONOR OF EITHER A SERVICEMAN, LAW ENFORCEMENT OFFICER OR FIREMAN KILLED IN THE LINE OF DUTY, PUBLIC FUNDS MAY NOT BE USED TO REIMBURSE THE DEPARTMENT OF TRANSPORTATION FOR THE EXPENSES IT INCURS TO NAME AND DEDICATE THE HIGHWAY FACILITY; AND BY ADDING SECTION 57-3-612 SO AS TO REVISE THE PROVISION FOR THE USE OF "C" FUNDS AND GENERAL FUND REVENUES TO DEFRAY THE COSTS OF PURCHASING OR ERECTING SIGNAGE FOR TRAFFIC GENERATORS.

Referred to Committee on Education and Public Works

H. 3356 -- Rep. Toole: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE LEGISLATIVE DEPARTMENT, BY ADDING SECTION 15A SO AS TO PROVIDE THAT A BILL OR JOINT RESOLUTION OF THE GENERAL ASSEMBLY IMPOSING OR INCREASING A TAX, THE REVENUE OF WHICH IS CREDITED TO THE GENERAL FUND OF THE STATE, MAY NOT BECOME LAW UNLESS IT RECEIVES THE APPROVAL OF THREE-FIFTHS OF THE MEMBERSHIP OF THE HOUSE OF REPRESENTATIVES AND THREE-FIFTHS OF THE MEMBERSHIP OF THE SENATE.

Referred to Committee on Judiciary

H. 3357 -- Rep. Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-43-40 SO AS TO PROVIDE THAT A STUDENT ENROLLED IN A STATE SPONSORED ADULT EDUCATION PROGRAM IN THE SCHOOL DISTRICT IN WHICH HE RESIDES MAY TAKE THE GENERAL EDUCATIONAL DEVELOPMENT EXAM FREE OF CHARGE UPON MEETING CERTAIN REQUIREMENTS, AND TO PROVIDE FOR THE REIMBURSEMENT OF FUNDS TO THE STATE.

Referred to Committee on Education and Public Works

H. 3358 -- Rep. Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-15-60 SO AS TO ABOLISH ALL COUNTY BOARDS OF EDUCATION IN THIS STATE, TO DEVOLVE THEIR POWERS AND DUTIES UPON THE BOARDS OF TRUSTEES OF THE LOCAL SCHOOL DISTRICTS WITHIN THE COUNTY, TO PROVIDE FOR THE DISTRIBUTION OF THE MILLAGE CONSTITUTING THE MINIMUM FOUNDATION FUNDING FOR THE SCHOOLS, TO REQUIRE THE SALE OF THE ASSETS OF THE COUNTY BOARD OF EDUCATION, AND TO PROVIDE FOR THE DISTRIBUTION OF THE SALE PROCEEDS.

Referred to Committee on Education and Public Works

H. 3359 -- Rep. Toole: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE LEGISLATIVE DEPARTMENT, BY ADDING SECTION 15B SO AS TO PROVIDE THAT A BILL OR JOINT RESOLUTION OF THE GENERAL ASSEMBLY IMPOSING OR INCREASING A FEE MAY NOT BECOME LAW UNLESS IT RECEIVES THE APPROVAL OF THREE-FIFTHS OF THE MEMBERSHIP ELECTED TO THE HOUSE OF REPRESENTATIVES AND THREE-FIFTHS OF THE MEMBERSHIP ELECTED TO THE SENATE.

Referred to Committee on Judiciary

H. 3360 -- Rep. Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 6, TITLE 44 SO AS TO REQUIRE MEDICAID RECIPIENTS GIVING BIRTH TO A CHILD UNDER MEDICAID TO PAY THE HOSPITAL AND ATTENDING PHYSICIAN AMOUNTS EQUAL TO THE AVERAGE OUT-OF-POCKET HOSPITAL AND ATTENDING PHYSICIAN EXPENSES PAID BY PARENTS UNDER THE STATE HEALTH PLAN FOR THE BIRTH OF A CHILD, TO REQUIRE THE DIVISION OF INSURANCE SERVICES TO PUBLISH THE AVERAGE OF THESE OUT-OF-POCKET EXPENSES ANNUALLY AND TO PROVIDE FOR GARNISHMENT OF THE PARENTS' WAGES IF THESE EXPENSES ARE UNPAID BY THE PARENTS.

Referred to Committee on Ways and Means

H. 3361 -- Rep. Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-130 SO AS TO PROHIBIT A STATE AGENCY FROM EXPENDING ANY FUNDS APPROPRIATED OR AUTHORIZED BY LAW FOR ITS USE TO EXPEND SUCH FUNDS FOR ADVERTISING OF ANY TYPE, OR FOR SPONSORSHIP OR PROMOTION OF ANY PROGRAM, PLAN, PROJECT, OR EVENT THAT DOES NOT DIRECTLY RELATE TO THE AGENCY'S CORE MISSION.

Referred to Committee on Ways and Means

H. 3362 -- Rep. Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-1-140 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE ANNUALLY TO CALCULATE THE AVERAGE DIRECT COSTS ASSOCIATED WITH PREPARING, PRINTING, MAILING, AND PROCESSING OF A BILL OR OTHER DEMAND FOR PAYMENT, TO APPLY THIS AVERAGE COST CALCULATION FOR ALL STATE AGENCIES FOR A FISCAL YEAR AND TO PROVIDE THAT A BILL OR DOCUMENT FOR PAYMENT OTHERWISE REQUIRED TO BE ISSUED FOR AN AMOUNT LESS THAN THE ANNUAL AVERAGE COST IS DEEMED PAID IN FULL AND NO BILL OR DEMAND ISSUED.

Referred to Committee on Ways and Means

H. 3363 -- Rep. Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 70 TO TITLE 59 SO AS TO ENACT THE "EDUCATION PROFESSIONAL PERFORMANCE AND PAY ACCOUNTABILITY ACT OF 2011"; TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO CREATE AND IMPLEMENT A SYSTEM FOR ASSESSING THE PERFORMANCE OF TEACHERS AND OTHER SCHOOL-BASED STAFF; TO PROVIDE A FRAMEWORK FOR RATING TEACHERS AND OTHER SCHOOL-BASED STAFF BASED ON JOB FUNCTION; AND TO REQUIRE THE DEPARTMENT TO DEVELOP GUIDELINES WHEREBY LOCAL SCHOOL DISTRICTS SHALL ESTABLISH PAY PLANS THAT OFFER BONUSES TO CERTAIN HIGHLY EFFECTIVE PERSONNEL; AND TO AMEND SECTION 59-28-160, RELATING TO LOCAL SCHOOL DISTRICT PARENTAL INVOLVEMENT PLANS, SO AS TO REQUIRE LOCAL SCHOOL DISTRICTS TO DEVELOP PLANS TO ENCOURAGE PARENTAL INVOLVEMENT IN ALL ASPECTS OF STUDENT EDUCATION AND DEVELOPMENT.

Referred to Committee on Ways and Means

H. 3364 -- Reps. Cooper, Agnew, Bowen, Gambrell, Thayer and White: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED DURING THE PERIOD OF JANUARY 10, 2011 THROUGH JANUARY 14, 2011, BY THE STUDENTS OF THE SCHOOL DISTRICTS IN ANDERSON COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW OR INCLEMENT WEATHER ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3366 -- Rep. Whitmire: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 12, 13, AND 14, 2011, BY THE STUDENTS OF THE SCHOOL DISTRICT OF OCONEE COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3367 -- Rep. D. C. Moss: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF THE CHEROKEE COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3368 -- Reps. G. R. Smith, Harrell, Bingham, Harrison, Cooper, Huggins, Bowen, Brady, Atwater, Parker, Clemmons, Crawford, D. C. Moss, Pinson, Loftis, Lowe, Allison, Bedingfield, Owens, Frye, Hardwick, Lucas, Quinn, Hamilton, Toole, Bannister, Whitmire, Stringer, Ballentine, Henderson, Nanney, Hearn, Bikas, V. S. Moss, Sottile, Gambrell, J. R. Smith, Corbin, Brannon, McCoy, Crosby, Barfield, Cole, Daning, Delleney, Hixon, Horne, Long, Murphy, Sandifer, G. M. Smith and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY 15, 2010 FOR FISCAL YEAR 2010-2011, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND TO DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED, TO PROVIDE FOR THE PRIORITY USES OF THE REVENUES OF THIS FUND, TO PROVIDE FOR THE APPROPRIATION OF FUND REVENUES AFTER THESE PRIORITIES ARE MET, TO REQUIRE THAT APPROPRIATION OF REVENUES OF THIS FUND MUST BE BY A JOINT RESOLUTION ORIGINATING IN THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT THIS LIMIT FIRST APPLIES FOR FISCAL YEAR 2011-2012.

Referred to Committee on Ways and Means

H. 3372 -- Reps. Hixon, D. C. Moss, Ott, Frye, J. R. Smith, Brannon, Thayer, Murphy, McCoy, Corbin, Pinson, Crosby, Atwater, G. R. Smith, Chumley, Butler Garrick, Clemmons, Clyburn, Govan, Hardwick, Hearn, V. S. Moss, Munnerlyn, Pope, Pitts, Ryan, Tallon and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 14 TO CHAPTER 3, TITLE 47 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO REMOVE OR DESTROY AN ELECTRONIC COLLAR OR OTHER ELECTRONIC DEVICE PLACED ON A DOG BY ITS OWNER TO MAINTAIN CONTROL OF THE DOG.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3373 -- Rep. Sandifer: A BILL TO AMEND SECTION 38-77-112, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF AN AUTOMOBILE INSURER FROM THE REQUIREMENT TO WRITE AUTOMOBILE INSURANCE COVERAGE FOR AN APPLICANT OR EXISTING POLICYHOLDER, SO AS TO REMOVE CERTAIN EXEMPTIONS FROM THE APPLICABILITY OF THIS SECTION.

Referred to Committee on Labor, Commerce and Industry

H. 3374 -- Reps. Hixon, D. C. Moss, Frye, Ott, J. R. Smith, Atwater, Tallon, Brannon, Thayer, McCoy, Corbin, Crosby, Murphy, V. S. Moss, Pinson, G. R. Smith, Chumley, Butler Garrick, Clemmons, Clyburn, Govan, Hardwick, Munnerlyn, Pitts, Pope, Ryan, Taylor and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 50 SO AS TO ENACT THE "INTERSTATE WILDLIFE VIOLATOR COMPACT", TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE COMPACT WITH OTHER COMPACT STATES, AND TO PROVIDE THAT THE CHAIRMAN OF THE BOARD OF THE DEPARTMENT OF NATURAL RESOURCES SHALL APPOINT THE COMPACT ADMINISTRATOR FOR THIS STATE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3375 -- Reps. Harrell, Lucas, Cooper, Hardwick, Harrison, Owens, Sandifer, White, Bingham, Atwater, Parker, Crawford, Loftis, Bowen, G. R. Smith, Bedingfield, Toole, Sottile, V. S. Moss, Forrester, Bikas, Huggins, Brady, Allison, Pinson, Frye, Whitmire, Skelton, Nanney, Henderson, Limehouse, Corbin, Barfield, Battle, Clemmons, Cole, Crosby, Daning, Gambrell, Hamilton, Hiott, Hixon, Horne, Lowe, D. C. Moss, Murphy, Norman, Patrick, Simrill, G. M. Smith, J. R. Smith, Spires, Taylor, Willis and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT OF 2011" BY AMENDING ARTICLE 5, CHAPTER 32, TITLE 15, RELATING TO PUNITIVE DAMAGES, SO AS TO PROVIDE LIMITS ON THE AWARD OF PUNITIVE DAMAGES AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; BY ADDING SECTIONS 1-7-750 AND 1-7-760 SO AS TO ENACT THE "PRIVATE ATTORNEY RETENTION SUNSHINE ACT" TO GOVERN THE RETENTION OF PRIVATE ATTORNEYS BY THE ATTORNEY GENERAL OR A SOLICITOR AND TO PROVIDE TERMS AND CONDITIONS GOVERNING THE RETAINER AGREEMENT INCLUDING LIMITS ON THE COMPENSATION OF OUTSIDE COUNSEL IN CONTINGENCY FEE CASES, AND TO PROVIDE FOR THE SUSPENSION OF THE LIMITATIONS UNDER CERTAIN EXCEPTIONAL CIRCUMSTANCES; TO AMEND SECTION 15-3-670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, SO AS TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS BUT MAY BE ADMISSIBLE AS EVIDENCE; TO AMEND SECTION 18-9-130, AS AMENDED, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, SO AS TO PROVIDE LIMITS FOR APPEAL BONDS; AND TO AMEND SECTION 56-5-6540, AS AMENDED, RELATING TO THE PENALTIES FOR THE MANDATORY USE OF SEATBELTS, SO AS TO DELETE THE PROVISION THAT PROVIDED THAT A VIOLATION FOR FAILURE TO WEAR A SEATBELT IS NOT NEGLIGENCE PER SE OR COMPARATIVE NEGLIGENCE AND IS NOT ADMISSIBLE IN A CIVIL ACTION.

Referred to Committee on Judiciary

H. 3376 -- Reps. Limehouse, Dillard and Sottile: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-116-130 SO AS TO PROVIDE THAT A COLLEGE OR UNIVERSITY CAMPUS POLICE DEPARTMENT MUST RELEASE ALL FILES AND INFORMATION IN ITS POSSESSION REGARDING A STUDENT'S SUSPENSION, EXPULSION, OR WITHDRAWAL FROM THE INSTITUTION FOR DISRUPTIVE OR ANTISOCIAL BEHAVIOR TO THE LOCAL LAW ENFORCEMENT AGENCY THAT HAS JURISDICTION OVER THE INSTITUTION'S CAMPUS.

Referred to Committee on Judiciary

H. 3377 -- Reps. Crawford and Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “VOCATIONAL REHABILITATION ACT OF 2011” BY ADDING CHAPTER 30 TO TITLE 43 SO AS TO CREATE THE DIVISION OF VOCATIONAL REHABILITATION WITHIN THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, TO TRANSFER THE APPROPRIATIONS, FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES, AND AUTHORITY STATUTORILY EXERCISED BY THE DEPARTMENT OF SOCIAL SERVICES CONCERNING THE VOCATIONAL REHABILITATION SERVICES TO THE DEPARTMENT, TO PROVIDE THE POLICY OF THIS STATE WITH RESPECT TO VOCATION REHABILITATION, TO PROVIDE CERTAIN DEFINITIONS, TO PROVIDE DUTIES OF THE DIVISION, TO PROVIDE THE DEPARTMENT SHALL APPOINT A DIRECTOR OF THE DIVISION, TO PROVIDE DUTIES AND POWERS OF THE DIVISION DIRECTOR, TO MANDATE VOCATIONAL REHABILITATION SERVICES STATEWIDE, TO CREATE A VOCATIONAL REHABILITATION FUND AND PROVIDE FOR ITS FUNDING AND ADMINISTRATION, TO PROVIDE FOR THE ACCEPTANCE AND USE OF GIFTS TO THE FUND, TO PROVIDE APPROPRIATIONS FROM THE GENERAL ASSEMBLY TO THE DIVISION, TO PROVIDE THE USE OF OTHER FUNDING MUST BE SOUGHT AND USED BEFORE STATE FUNDING CAN BE USED FOR VOCATIONAL REHABILITATION SERVICES UNDER THIS CHAPTER, TO REGULATE THE USE OF CERTAIN INFORMATION GATHERED IN THE COURSE OF CONDUCTING THE PURPOSES OF THIS CHAPTER, TO PROVIDE FOR THE AVAILABILITY OF VOCATIONAL REHABILITATION SERVICES TO INCARCERATED PERSONS, AND TO PROVIDE CRITERIA FOR A VOCATION REHABILITATION COUNSELOR; AND TO REPEAL CHAPTER 31, TITLE 41 RELATING TO VOCATIONAL REHABILITATION.

Referred to Committee on Ways and Means

H. 3378 -- Rep. Crawford: A BILL TO AMEND ARTICLE 3, CHAPTER 31, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMITMENT OF TUBERCULOSIS PATIENTS, SO AS TO PROVIDE FOR AN EMERGENCY ORDER ISSUED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR AN ORDER ISSUED BY THE PROBATE COURT FOR THE DETENTION, EXAMINATION, ISOLATION, AND TREATMENT OF A PERSON WITH TUBERCULOSIS WHO POSES A RISK TO THE PUBLIC; TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH AN EMERGENCY ORDER MAY BE ISSUED AND THE SCOPE OF AN EMERGENCY ORDER; TO PROVIDE REVIEW AND APPEAL PROCEDURES FOR AN EMERGENCY ORDER; TO AUTHORIZE THE COURT TO WAIVE NOTICE REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES; TO PROHIBIT STAYING A COMMITMENT ORDER PENDING APPEAL; TO PROVIDE THAT INVOLUNTARY EXAMINATION OF A PERSON WITH SUSPECTED TUBERCULOSIS IS NOT COMPULSORY TREATMENT; AND TO DELETE PROVISIONS PERTAINING TO THE ESTABLISHMENT OF TUBERCULOSIS FACILITIES AT THE STATE PARK HEALTH CENTER AND THAT THE ENFORCEMENT OF THIS ARTICLE IS CONTINGENT UPON THE AVAILABILITY OF FACILITIES FOR HOSPITALIZATION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3379 -- Reps. Crawford and Lowe: A BILL TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO PROVIDE THAT THE STATE BUDGET AND CONTROL BOARD IS WITHIN THE EXECUTIVE BRANCH; AND TO AMEND SECTION 1-11-10, RELATING TO THE COMPOSITION OF THE BUDGET AND CONTROL BOARD, SO AS TO ELIMINATE THE FIVE MEMBER BOARD, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT AN EXECUTIVE DIRECTOR OF THE STATE BUDGET AND CONTROL BOARD, AND TO TRANSFER THE AUTHORITY OF THE FIVE MEMBER BOARD TO THE EXECUTIVE DIRECTOR.

Referred to Committee on Judiciary

**HOUSE RESOLUTION**

The following was introduced:

H. 3352 -- Rep. Toole: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LEXINGTON DIXIE YOUTH INDEPENDENT ALL-STAR BASEBALL TEAM, COACHES, AND LEAGUE 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 AAA DIXIE YOUTH WORLD SERIES CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3353 -- Rep. Toole: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE WHITE KNOLL HIGH SCHOOL MARCHING BAND, BAND DIRECTOR, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM FOR CAPTURING THE 2010 SOUTH CAROLINA AAAA STATE MARCHING BAND CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3365 -- Reps. Simrill, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF WORLD WAR II VETERAN AND PRISONER OF WAR GENE NEWTON OF ROCK HILL, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND TO HIS MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3369 -- Reps. G. M. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO CONGRATULATE DR. PHILIP FIDLER OF SUMTER UPON THE OCCASION OF HIS BEING NAMED 2010 SOUTH CAROLINA ASSOCIATION VETERINARIAN OF THE YEAR, AND TO COMMEND HIM FOR MORE THAN FOUR DECADES OF COMMITTED SERVICE AS A VETERINARIAN.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3370 -- Rep. Barfield: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE JIMMIE FOSTER, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, MARCH 1, 2011.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3371 -- Reps. Barfield, Hardwick, Hearn, Clemmons, Viers, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Harrell, Harrison, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CHAMPION GOLFER DUSTIN JOHNSON OF HORRY COUNTY FOR HIS OUTSTANDING ACHIEVEMENTS IN THE WORLD OF PROFESSIONAL GOLF, AND TO

CONGRATULATE HIM ON BEING NAMED THE STATE NEWSPAPER'S 2010 PROFESSIONAL ATHLETE OF THE YEAR.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 382 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE COLUMBIA URBAN LEAGUE FOR RECEIVING THE WHITNEY M. YOUNG, JR., LEADERSHIP AWARD FOR ADVANCING RACIAL EQUALITY AND JAMES T. MCLAWHORN, ITS PRESIDENT AND CHIEF EXECUTIVE OFFICER, FOR BEING NAMED THE CENTENNIAL PUBLIC POLICY CHAMPION BY THE NATIONAL URBAN LEAGUE.

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. 383 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND AUDREY L. WILLIAMSON OF

RICHLAND COUNTY FOR HER PROFESSIONAL ACCOMPLISHMENTS AND COMMUNITY SERVICE.

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 | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bikas |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Edge |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Huggins | Jefferson |
| King | Limehouse | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Quinn | Ryan | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Umphlett | Vick | Weeks |
| White | Whitmire | Williams |
| Willis | Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, January 19.

|  |  |
| --- | --- |
| Dwight Loftis | Lonnie Hosey |
| Thad Viers | Leon Stavrinakis |
| Bakari Sellers | Walton McLeod |
| Jackson "Seth" Whipper | Terry Alexander |
| Todd Rutherford | Leon Howard |

**Total Present--120**

**LEAVE OF ABSENCE**

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

**STATEMENT OF ATTENDANCE**

Rep. VIERS signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, January 18.

**DOCTORS OF THE DAY**

Announcement was made that Drs. Marshall Meadors of Anderson, Patricia Witherspoon of Columbia, and Justin Mullner of Columbia were the Doctors of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3002 |
| Date: | ADD: |
| 01/19/11 | HARRELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3005 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3006 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3007 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3010 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3011 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3023 |
| Date: | ADD: |
| 01/19/11 | PATRICK, TOOLE and VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3026 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3032 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3041 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3044 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| Bill Number: | H. 3050 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3056 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3060 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3067 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3069 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3070 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3071 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3072 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3073 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3074 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3091 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3103 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3113 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3129 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3133 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3148 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3152 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3162 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3163 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3164 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3166 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3175 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3184 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3185 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3193 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3194 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3226 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3215 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3222 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3224 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3225 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3250 |
| Date: | ADD: |
| 01/19/11 | PATRICK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3269 |
| Date: | ADD: |
| 01/19/11 | PATRICK and VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3241 |
| Date: | ADD: |
| 01/19/11 | COOPER and HORNE |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3270 |
| Date: | ADD: |
| 01/19/11 | YOUNG |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3285 |
| Date: | ADD: |
| 01/19/11 | YOUNG |

**CO-SPONSOR ADDED**

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| --- | --- |
| Bill Number: | H. 3308 |
| Date: | ADD: |
| 01/19/11 | BRADY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3346 |
| Date: | ADD: |
| 01/19/11 | BRADY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3248 |
| Date: | ADD: |
| 01/19/11 | VIERS |

**SENT TO THE SENATE**

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

H. 3290 -- Rep. Branham: A BILL TO AMEND ACT 806 OF 1952, AS AMENDED, RELATING TO ANNUAL MEETINGS OF THE SCHOOL DISTRICTS OF FLORENCE COUNTY, SO AS TO REQUIRE FLORENCE COUNTY SCHOOL DISTRICT TWO TO CALL A CITIZENS' MEETING ON THE PROPOSED DISTRICT BUDGET BEFORE JUNE THIRTIETH OF EACH YEAR AND ADDITIONAL MEETINGS AS MAY BE REQUIRED.

H. 3321 -- Rep. J. R. Smith: A BILL TO AMEND ACT 1006 OF 1958, RELATING TO THE BATH WATER AND SEWER DISTRICT, THE CLEARWATER WATER AND SEWER DISTRICT, AND THE LANGLEY WATER AND SEWER DISTRICT IN AIKEN COUNTY AND THE ELECTION OF COMMISSIONERS FOR THESE DISTRICTS, SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER OF THESE DISTRICTS AND ALSO SERVE AS AN OFFICER OR EMPLOYEE OF THE SAME DISTRICT, AND TO REQUIRE PRESENT COMMISSIONERS IN VIOLATION OF THIS PROVISION TO MAKE A WRITTEN ELECTION AS TO WHICH POSITION WILL BE RETAINED AND WHICH POSITION BY THAT ELECTION IS BEING RESIGNED.

**ORDERED TO THIRD READING**

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

H. 3329 -- Rep. Hayes: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, AND 12, 2011, BY THE STUDENTS OF DILLON SCHOOL DISTRICTS 1, 2, AND 3 OF DILLON COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

**SENT TO THE SENATE**

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

H. 3303 -- Reps. J. E. Smith, Harrison, Pinson, Vick, Agnew, Williams, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Viers, Weeks, Whipper, White, Whitmire, Willis and Young: A JOINT RESOLUTION TO PROMOTE MAJOR GENERAL STANHOPE S. SPEARS TO THE RANK OF LIEUTENANT GENERAL OF THE SOUTH CAROLINA ARMY NATIONAL GUARD EFFECTIVE JANUARY 11, 2011.

H. 3254 -- Rep. Daning: A BILL TO AMEND SECTION 57-23-815, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ROADSIDE VEGETATION MANAGEMENT AT EXIT 199 ALONG INTERSTATE HIGHWAY 26 IN BERKELEY COUNTY, SO AS TO PROVIDE THAT BOTH THE DEPARTMENT OF TRANSPORTATION AND THE TOWN OF SUMMERVILLE MAY MOW BEYOND THIRTY FEET FROM THE PAVEMENT ROADSIDE VEGETATION ADJACENT TO INTERSTATE 26 AT THIS LOCATION.

H. 3286 -- Rep. Bingham: A BILL TO AMEND SECTION 41-35-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT BENEFITS WHEN FEDERALLY FUNDED, SO AS TO CHANGE THE METHOD FOR CALCULATING CERTAIN FUNDING INDICATORS BY BASING THE CALCULATION ON ONE OR MORE THREE-MONTH PERIODS ENDING THE PRECEDING THREE CALENDAR YEARS.

**H. 3190--RECALLED AND REFERRED TO COMMITTEE ON WAYS AND MEANS**

On motion of Rep. HERBKERSMAN, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs and was referred to the Committee on Ways and Means:

H. 3190 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 6, TITLE 44 SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, FIRST ON A PILOT-TESTING AND THEN ON A PERMANENT BASIS, SHALL IMPLEMENT A PROGRAM THAT PROVIDES SELECTED MEDICAID RECIPIENTS WITH AN IN-HOME HEALTH CARE SYSTEM THAT PROVIDES AROUND THE CLOCK ACCESS TO MEDICAL ASSESSMENT CARE AND ADDITIONALLY PROVIDES AN EMERGENCY RESPONSE FUNCTION THAT GIVES THEM THE ABILITY TO CONTACT A NATIONAL EMERGENCY RESPONSE CENTER, ALL FOR THE PURPOSE OF PROVIDING BETTER HEALTH CARE, REDUCING THE AMOUNT OF EMERGENCY ROOM VISITS IN NONEMERGENCY CASES, AND FOR OTHER RELATED PURPOSES.

**H. 3192--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

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

H. 3192 -- Reps. Merrill and Horne: A BILL TO AMEND SECTION 6-1-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM IMPACT FEES AUTHORIZED TO BE LEVIED UNDER THE SOUTH CAROLINA DEVELOPMENT IMPACT FEE ACT, SO AS TO EXEMPT FROM THE IMPACT FEE CONSTRUCTION OF AN ELEMENTARY, MIDDLE, OR SECONDARY SCHOOL FACILITY, OR REPLACING, RENOVATING, OR REPAIRING AN ELEMENTARY, MIDDLE, OR SECONDARY SCHOOL FACILITY, DESIGNED AND USED PRIMARILY FOR THE INSTRUCTION OF STUDENTS, AND TO MAKE THESE PROVISIONS RETROACTIVE TO JULY 1, 2008.

Rep. CHUMLEY moved that the House recede until 6:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 6:30 p.m. the House resumed, the SPEAKER in the Chair.

**HOUSE STANDS AT EASE**

The House stood at ease, subject to the call of the Chair.

**THE HOUSE RESUMES**

At 6:55 p.m. the House resumed, the SPEAKER in the Chair.

**JOINT ASSEMBLY**

At 7:00 p.m. the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

H. 3279 -- Reps. Harrell, Lucas, Cooper, Hardwick, Harrison, Owens, Sandifer, White, Howard and Bingham: A CONCURRENT RESOLUTION INVITING HER EXCELLENCY, NIKKI HALEY, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 19, 2011, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

Governor Nikki Haley and distinguished party were escorted to the rostrum by Senators Setzler, Leatherman, McConnell, Peeler, Williams, and Davis and Representatives ATWATER, DANING, ALLEN, ANTHONY, and BRADY. The President of the Senate introduced Governor Haley who then addressed the Joint Assembly as follows:

2011 State of the State Address

Governor Nikki Haley

January 19, 2011

Mr. Speaker, Mr. President, Ladies and Gentlemen of the General Assembly, Constitutional Officers and my fellow South Carolinians:

Let me start tonight with a tradition established by my predecessor, who recognized the certain truth that nothing said in this Chamber tonight or done in this Chamber tomorrow would be possible without the sacrifices and commitment of the men and women in uniform who bravely serve our Nation.

And so now let us pay tribute to those South Carolinians, those true heroes, who in the past year made the ultimate sacrifice in the service of our State and of our Country:

Private First Class Geoffrey A. Whitsitt

Sergeant Jeremiah T. Wittman

Sergeant Aaron M. Arthur

Staff Sergeant Steven M. Theobald

Captain Michael P. Cassidy

Specialist David W. Thomas

Sergeant First Class Kristopher D. Chapleau

Private First Class David A. Jefferson

Staff Sergeant Sheldon L. Tate

Sergeant First Class John H. Jarrell

Staff Sergeant Willie J. Harley, Jr.

Sergeant Luther W. Rabon, Jr.

Corporal J. Chad Young

Staff Sergeant Andrew S. Bubacz

Staff Sergeant Vincent W. Ashlock

Lance Corporal William H. Crouse IV

Sergeant Michael J. Beckerman

Thank you. Before we move on, there is one individual with us tonight who played an important role in the mobilization and support of some of the soldiers I just mentioned and many others who protect our State and Country.

And as of this past month, she has been promoted to the rank of Brigadier General, the first female general in the history of the South Carolina National Guard.

I ask you to join me in acknowledging the service of a great South Carolinian, and a great friend, Brigadier General Marie Goff.

And speaking of the military, I’d like to introduce the best first man of South Carolina, my husband, Michael. And my children, Nalin and Rena, please stand and be recognized.

I’d also like to thank our former Speaker, and our nation’s Ambassador, David Wilkins, for agreeing to chair my transition team. Ambassador, what a pleasure to work with you again, and what service you have provided to South Carolina. You truly are a statesman.

Ladies and gentlemen, the state of our State is challenged but optimistic.

My question tonight, to every South Carolinian, is that you embrace our challenges for the opportunities they must be and that you join me in my optimism for the future of our State. If you do, we will transform South Carolina in ways that have long been imagined but never realized--ways that will make our State the envy of the nation and ways that will ensure our pride in the South Carolina we pass along to my children and yours.

One week ago today, I stood not too far from where I stand tonight and pledged, in front of God and each of you, to “exercise the duties of the office to which I have been elected, and that I will, to the best of my ability, discharge the duties thereof …”

The words of that promise will drive me each and every day. But words are only as good as the definitions we ascribe to them, and so let me take this moment to lay out my answer to what may be the most important question facing us going forward: what is the role of our government?

For eighteen months I traveled our State and I told our citizens what I tell you now: government was intended to secure the rights and freedoms of the people; it was *never* intended to be all things to all people.

We have drifted far from that principle, that idea so critical to the future of our State and of our people. So as we move forward tonight in discussion of the challenges and opportunities that lie in front of us, let’s not forget the words of our 40th President, Ronald Reagan, who said: *“*There’s a clear cause and effect here that is as neat and predictable as a law of physics: As government expands, liberty contracts.”

It is time that we restore to the people of South Carolina a government that both knows and performs its intended role.

Our current budgetary situation demands it. Our commitment to best serving this State requires it. And most importantly, our citizens deserve it.

An editorial published this past Sunday was reflecting on the week we’ve had and closed with the observation that South Carolina is “faced with mountains that may seem unconquerable”. I disagree. My life, my experiences, and my faith have taught me that no challenge is unconquerable.

We are blessed to live in the best state in the best country on earth. I believe in the will of the people. I believe that it is our duty to follow that will and to engage the people of South Carolina in the governance of our State.

And I believe that if we do that, if we move forward together with one vision, we can climb any mountain and prosper through every challenge, no matter how high, no matter how hard. The responsibility to get there is a shared one, one that is in large part mine but is not mine alone. The legislature, the people, the governor – we must be committed, together, to moving South Carolina forward.

Abraham Lincoln once said, “The people will save their government, if the government itself will let them.” To the legislature seated before me, who have been given such honor and responsibility by the constituency we serve, I ask that you let the people save us. Let them in. They have spoken loud and clear. They want us to remember that we work for them. They don’t want to watch in-fighting with no real results. They want to feel our successes in their wallets and regain confidence in the role government plays in our State.

Let’s give that to the public this year. They deserve to know what it’s like to feel good about their government. And to the people of South Carolina, from whom I have drawn great comfort and strength, I ask you to remember the words of India’s Prime Minister, Indira Gandhi, who said, “People tend to forget their duties but remember their rights.”

The energy and enthusiasm you displayed throughout the last campaign inspires me. It inspires us all. What I would charge you with tonight is to not let it go away. Don’t get complacent. Don’t complain about those things that bother you, continue to do something about them.

Stay involved in your government. Let your will be known so that those of us you have sent to Columbia might follow it.

I pledge that I will remember your rights. I ask that you remember your duties.

For me, I will do my part to encourage constant communication between the elected officials and the people of South Carolina. I will be strong in passing along what goes on in this State Capitol. You may think you hear from me too much. I think that’s a good thing.

This administration will hold town halls, in which we will visit every region in our State and talk about our agenda. We will keep a report card of legislative votes that we will distribute when session is over. This will empower every citizen in this State to see exactly how their legislator votes on the issues important to them.

My promise is that these votes will not be partisan, just as the good-government, pro-business issues we must embrace are not partisan.

But we have an opportunity to do things no other state has done: to open our doors, bring down boundaries, and refuse to accept that we have no options. With commitment from the public, creativity from our cabinet heads, courage from our legislature, and a chief executive willing to lead the charge and make the tough decisions, there is no limit to where we can take South Carolina.

Our State has a tremendous opportunity and I have a wonderful partner in Bobby Hitt as our new Secretary of Commerce. As I said when announcing him as my choice to run this crucial agency, with Bobby Hitt, there is no learning curve.

And with this administration, you will find no greater priority than economic development and job creation. I am spending time daily on the phone with companies interested in coming to South Carolina.

Our focus will not be on the quantity of companies we recruit but on the quality of companies that call our State home. We want partners, those who are willing to invest in South Carolina, create jobs in our State, and utilize the small businesses already here.

As I have said many times, Boeing was not just a win for our State for the jobs it directly created but for the auxiliary jobs and the economic activity it will bring to South Carolina. When I met with Boeing executives a few months back, they told me that 91 percent of their contracts were going to South Carolina businesses.

That is economic development.

My pledge to you is that we will not wait another twenty years for the next Boeing or BMW. I am impatient by nature, and I’ve learned, happily, that Bobby Hitt is too. We will continue to work, day in and day out, to bring the type of companies to our State that make all of our citizens proud.

We will strengthen services for our small businesses so that we can take care of the businesses we already have. Commerce needs to be a resource for small business owners whenever they need help navigating the red tape of government. And when government requires something of businesses, we should make those requests as easy on them as possible.

As we focus on lowering our unemployment rate in South Carolina, we will hone in on ways to improve the business environment in our State. Every one of my cabinet directors understands that his or her job is to reduce the amount of red-tape placed on our businesses. In the business-world, time is money – if government is costing our small businesses time, it is costing them money.

That’s unacceptable.

The heart of our economy is and always will be our small businesses. If we give them cash flow, if we give them profit margins, they aren’t going on vacation – they will use those dollars to hire people, to invest back in our State. And it will be our people, and South Carolina’s economy, that benefit.

We have spoken some, both tonight and on Inauguration day, about moving forward with one vision. To the great credit of those in this room, in the seven short days I have been governor, we have made great progress.

As a new governing coalition we have had many accomplishments in our first week, and I take great pride and comfort in the fact that we made these strides together for the people of our State.

The Senate swiftly approved two of our cabinet appointments, Bobby Hitt at Commerce and Catherine Templeton at LLR. I want to thank the Senate and especially Senator Greg Ryberg for moving so quickly on these agencies, setting a great tone right off the bat, and letting these two talented individuals get to work.

We have eleven appointments outstanding, and all of these candidates need to be confirmed quickly as we deal with a budget situation that requires all hands on deck. I would ask that the committee chairs follow Senator Ryberg’s lead and that the full Senate get all of my agency heads confirmed by the first week in February.

As we go into a budget knowing we’ll have to sacrifice, we must do so with consistency. We are trusted to spend the people’s money, and we’re all aware that nothing we do each year is as important as our budget. It is the most honest expression of our priorities as the leaders of South Carolina.

I believe that in order for the public to trust us, as we make decisions that may be seen by some as unfair or even callous, we must be honest with them: this budget year is going to hurt.

My pledge to you is that if you will work with me to make the right decisions – right, not for the next year or the next election, but right for the long-term future of South Carolina – you will find a partner willing to stand with you in front of the people of our State and defend our choices.

While we will continue to offer solutions to get us out of this hole, tonight and in the weeks to follow, I claim no monopoly on good ideas. In this budget year, I’d be foolish to. If any of you in this room has a thought on how we can close this gap, rein in our spending, and get our government back on track, I’m all ears. Pick up the phone. Or better yet, come downstairs and knock on my door. It’s always open.

Because if we do right by our people this year, we can create a South Carolina that never finds itself in this position again. We will never again have such an opportunity to reform and correct the spending habits and processes that have brought us to this dire situation. This year has to be the year we make the tough but right decisions so that, going forward, this process doesn’t hurt as much as it does today.

We must analyze every agency – cabinet or otherwise – to see what its core mission is and whether or not the dollars we spend are contributing to that mission.

We must start our budgetary process at zero and ask, “What do we have to have?,” as we work our way up. We must statutorily cap spending so that South Carolina’s government, like its businesses and its citizens, will live within its means. And we must do so based on the spending levels of the previous year.

Spending caps don’t mean anything if we are using, as their basis, the years we have spent the most. If this is worth doing, which it is, it’s worth doing right.

We must implement, in permanent law, a three-day wait from when the final budget is produced to when it is voted on, and by final budget, I mean after conference committee. I’d like to thank Representative Dan Hamilton and Senator Tom Davis for leading this charge.

Legislators and citizens alike have the right to see how we plan to fund their government, and to do so before it becomes law. We saw on the federal level, with both the stimulus and healthcare bills, the pitfalls that come with rushing massive spending bills through a legislature.

Let the last two years in Washington not be the example on which we choose to model our legislative process.

Time and time again you’ve heard me say that I plan to involve myself in the budget, not just at the beginning with an executive budget or at the end with a veto pen, but throughout the committee process.

I think we owe it to each other to communicate from start to finish, so there are no surprises on either side, and most importantly, so that the decisions we make are in the best interests of the citizens we’ve all sworn to serve.

To that end, let me offer to you a sample of the proposals that we hope to partner with you on to help ease our budgetary crisis without gutting core services.

Last week our administration physically moved the Department for Alcohol and Other Drug Abuse Services from a privately-leased space to offices sitting empty in a government-owned building. This simple act will save the people of South Carolina $700,000 over the next four years.

And it’s just the beginning of the common sense savings you’ll see as we analyze the property that the state owns and leases. As we downsize the spending of government we must also consolidate properties, equipment, and administrative services. You will continue to see measures like this one in the coming weeks.

We will not please everyone with the decisions we make but we must make decisions that do the least amount of harm and have the best long-term effect.

And the reality is the role of South Carolina’s government in the year 2011 can no longer be to fund an Arts Commission that costs us $2.5 million. It cannot be one that funds ETV, costing taxpayers $9.6 million. And it cannot be one that pays taxpayer dollars to lobbyists, costing us $1.2 million a year.

When you release government from the things it should not be responsible for, you allow the private sector to be more creative and cost efficient. And you allow government dollars to go to the places and people they should.

The majority of prescription drugs issued by Medicaid are generic, with three large exceptions: AIDS, cancer, and mental health. We propose, following the lead of Senator Kevin Bryant, a pharmacist himself, that we remove the proviso prohibiting the use of generic medications to treat those three afflictions.

I realize that this may sting pharmaceutical companies, and some lobbyists, but it is an option that will allow us to realize real savings without compromising the quality of care for our patients.

I searched far and wide and am proud to have found one of the brightest healthcare minds in the country to help us navigate our current Health and Human Services deficit and the looming disaster that is the federal health care plan.

I am thrilled Tony Keck is joining us in South Carolina – we need the best, and he is certainly that. I ask that we strike the proviso prohibiting the HHS Director from setting rates paid to providers through Medicaid. South Carolina is the only state in the nation that doesn’t give our Medicaid director that flexibility, and with all due respect, we can’t be the only state that has it right. We need to allow Tony to do his job.

Tonight I am also announcing that my cabinet will stop the practice of working the system to get increases in federal funding simply for the sake of expanding our budgets. South Carolina cannot continue to chase federal dollars without studying the larger impact of how accepting those dollars affects our spending and financial stability. We know all too well that with federal money comes strings, and with those strings come limitations, unaccounted for costs, and in many cases, unsustainable spending.

The days are over when Washington tells South Carolina, “If you want the money--jump.” And South Carolina responds, “How high?” We cannot jump without first considering where we are going to land. And South Carolina cannot afford to follow the federal government, which has thrown itself into a pit of growing deficits, irresponsible budgeting, and uncontrollable spending.

Starting tonight, South Carolina is a state that is focused on establishing our financial independence, controlling our own destiny, and empowering our people with the knowledge that their state government doesn’t jump for anyone.

We can’t talk about the federal government or our budget without acknowledging the financial challenges that face us with the new Health Care Bill. I had the pleasure of meeting with the President last month and asked him if he would consider repealing this law, as South Carolina citizens can’t afford it. He quickly told me “no”. Our founding fathers always intended that we empower families first, then communities, then states, and last federal. Constitutionally, our states do and should have the ability to decide what is best for our citizens. And so I will continue to support the Attorney General’s legal action against this intrusion.

But as I told the President, my job is to look for every avenue I can to deal with a situation that South Carolina can’t afford. I asked him, respectfully, if he would allow South Carolina an exemption from this Bill. I appreciate his willingness to have an open dialogue, and his statement to me that if South Carolina met certain criteria, he would be open to allowing us to opt out.

I am working with members of my cabinet to find a solution that is economically sensible, conservative, and beneficial for the people of our State. The reality is that the federal Health Care Bill will cost this State $2.7 billion more by the year 2020. We can’t afford or sustain those numbers. We must find an alternative.

It is also incumbent upon us to deliver each year measures that make South Carolina more efficient, more effective, and better conditioned to tackle the challenges of the 21st Century.

The good news is restructuring is past the debate stage in this Chamber. We all agree we need a more accountable government. We all agree that we must move forward with the changing times. And we all agree that we don’t have any more time to waste.

I appreciate the leadership of Representative Bakari Sellers and Senator Mike Fair on the issue of consolidating the Department of Probation, Parole and Pardon Services into the Department of Corrections.

In Judge Bill Byars, we have one of the most talented and effective corrections administrators in the country. What he did for the Department of Juvenile Justice is nothing short of a miracle. And now, to my delight and his enduring credit, he has accepted a new challenge – reforming our adult corrections system and pulling us out of that deficit.

Over the last eight years, Jon Ozmint did a tremendous job running our prisons at the lowest cost per prisoner in the nation. My challenge to Judge Byars is to take Mr. Ozmint’s reforms and move them one step further. His goal will not be just to produce the cheapest meals, but to reduce the number of meals he serves each day. And we can’t do that unless we lower the number of inmates that come back into the system.

The cost savings to the taxpayers of this State would be substantial. The immediate savings would be approximately $6 million in administrative costs alone. But the real dollars will come on the back end, when Judge Byars fulfils his ultimate goal, the reduction of our recidivism rate.

The State of South Carolina pays more than $16,000 annually to incarcerate a single prisoner. We spend more each year on a prisoner than we do on a student. Think of the savings we’ll realize if we aren’t constantly welcoming back behind bars those prisoners who finish out their initial terms.

And think of the cultural impact. It’s immeasurable. As I mentioned earlier, this administration last week physically moved the Department of Alcohol and Other Drug Services to Mental Health. Let’s go a step further and follow the recommendation of the Legislative Audit Council by consolidating similar health and human service agencies into the cabinet, a move the council says will both save money and provide better service for our constituents.

We should also take this opportunity to allow our Governor and Lt. Governor to run on the same ticket. It simply does not make sense to have two people with two different agendas at the top of our executive branch. Lt. Governor Ken Ard and I will spend the next four years showing what we can accomplish when we work together as a team – but let’s start letting the people of this State choose what that team looks like.

We should also allow the voters to decide if future governors will appoint other cabinet heads like the Superintendent of Education. It is crucial that the superintendent and governor partner in priorities, spending, graduation rates, and the workforce we produce. Education is almost 40 percent of our budget – how can we justify having those dollars flow through a completely isolated part of government? We can’t.

Our teachers deserve better, our parents deserve better, and most of all, our children deserve better.

Finally, our end game in restructuring must be a Department of Administration. A state that holds its governor accountable is one that doesn’t just empower the governor but empowers the people.

What is now important is not only that we create a Department of Administration, but what that department looks like.

Thanks to a unanimous vote by my fellow members, this week the Budget and Control Board received the fresh eyes it desperately needs so that we can better define its mission, its assets, and its faults.

I have complete faith in Eleanor Kitzman and Marcia Adams as they embrace the daunting but necessary task of streamlining this 1,000 person agency, all-the-while making it more open and transparent for the people to see.

I want to express my gratitude to my fellow Budget and Control Board members – Chairman Hugh Leatherman, Chairman Dan Cooper, General Richard Eckstrom, and Treasurer Curtis Loftis – for recognizing the importance of moving the board in a new direction and for joining me in supporting change in the board’s leadership.

It is my hope and expectation that the 5-0 vote the people of South Carolina were treated to last week is the first of many. We have serious issues and tough decisions ahead of us, and the communication lines opened during the last two weeks give me great confidence that we will continue to make those decisions thoughtfully and together.

But here is where I draw the line - a restructuring plan that takes the important functions of the Budget and Control Board and assigns them to the legislature is not restructuring our government in a manner that better serves the people. We must make our government more open, more accountable, and more accessible to the citizens of South Carolina – not less.

More than two years ago, I first asked you to support putting all legislative votes on the record and both Chambers have passed rules putting that into effect. I appreciate that effort, and your recognition of the fact that the key to a strong democracy is when we have openness and true representation.

I want to thank Representative Nathan Ballentine for continuing the fight he and I started together as deskmates, as well of the rest of the House for following his lead and passing his on-the-record voting bill unanimously the first week.

And I want to thank Senator Larry Martin for his work on this issue this year and Senator Harvey Peeler for continuing his efforts to make sure that this absolute right of the people becomes a reality.

I have long believed that rules protect legislators, laws protect the people. The people of this State have the right to know how their legislators vote, and we must complete this task, and complete it soon. And so I ask that the Senate move swiftly forward on making on-the-record voting permanent law this year.

It is time that we, collectively, do right by the people of this State. I briefly mentioned education earlier, but a conversation about the role of state government would be incomplete without talking more about the state’s responsibility to educate our children.

It is perhaps the most important duty of our State to give South Carolina’s children the preparation they need to be successful contributors to our society. Not only for their sake, but for ours.

Our children are our future workforce, our future business owners, our future legislators, and even our future governors. The quality we give them now is the quality they will return back to South Carolina, the quality that will define our State long after we’re gone.

Last year, the people gave our children a tremendous champion when they elected Mick Zais as our State Superintendent of Education. And standing together, General Zais and I will reform the Department of Education.

We’ll start with the funding formula. As we said during the campaign, we need to educate our children not based on where they happen to be born and raised, but on the fact that they deserve a good, quality education, and they are our future workforce.

We must also privatize our school bus system. We are one of the last states in the nation to do so, and our government just doesn’t need to be in the school bus maintenance business. Making this change would deliver our State a check for our old buses. It would deliver our children a new fleet of buses. It would keep our school bus drivers employed while transferring our mechanics to the private sector. And it would put the focus of our Education Department where it needs to be: on teaching our kids.

I want each of you to know how very proud I am of South Carolina - it’s a great state, with great people and a brilliant future. I want every citizen in this State to share in my pride. It is our job to continue to give the people of South Carolina something to feel good about.

At the next State of the State, we will be talking about our first year. My goal tonight was to lay out a vision that ensures when we come together next year, we are talking about the next set of challenges, not the same ones we are talking about now.

At this time next year, we should not be talking about on the record votes. We should not be talking about spending caps. We should not be talking about deficits in our budget. We should not be talking about government restructuring. Those should be success stories delivered to the people this year.

Results matter. The wins we shared this first week should be the pace our administration continues to have. The wins this legislature feels should not be defined by half-year sessions but by weekly and monthly goals achieved. The chatter among the people of our State should be positive.

We have old challenges in a new year. It is up to the people in this room to decide whether we will continue our old ways or whether we, too, will turn the page. I believe you have seen in the months since my election that I have made every effort to demonstrate my eagerness in getting things done for the people of this State in our first year.

But I can't do it alone. You hold the key. We have a lot of challenges, but one of the greatest is our culture. We must change the way we think and proceed in this State House. I know this process and have lived it. It’s slow. It’s political. And it doesn't have to be.

I can redefine the habits of the Governor’s office. I am willing to do so. I have every faith that each of you can redefine the way this legislature has functioned.

And I know the people of this State will be better, every day, when you do so. As many of you will come to know in the weeks and months ahead, the door to my office has a sign for all to see every time they walk through my doorway.

The sign says, “Can’t Is Not An Option.” For too long, we have approached the problems facing South Carolina with the question, “Can we get this done?” It’s the wrong question, and predictably, almost always leads us to the wrong answer.

If we approach our challenges with the mindset that can’t is not an option, and begin to instead ask ourselves the question “How do we get to where we need to go?,” we will give the people of South Carolina a state that every other state in the country looks at and says, “That’s how you do it.”

That’s my South Carolina. I know that together, we can make it happen. Thank you, may God bless, and may He continue to smile on South Carolina.

**JOINT ASSEMBLY RECEDES**

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

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 7:45 p.m. the House resumed, the SPEAKER in the Chair.

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

**ADJOURNMENT**

At 7:46 p.m. the House, in accordance with the motion of Rep. STRINGER, adjourned in memory of Representative William T. "Bill" Wylie of Simpsonville, to meet at 10:00 a.m. tomorrow.

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