~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from John 9:25: “One thing I do know; that though I was blind, now I see.”

Let us pray. Healing Lord, give us the vision to perceive Your presence in our lives, as we work to complete the objectives that have been set before us. Guide us and open our eyes to see the wonderful things that can be accomplished when we put our trust in You. Look in favor upon our Nation, State, and her leaders. Grant them wisdom, courage, and integrity in all things. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear our prayer, O Lord. Amen.

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

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

**MOTION ADOPTED**

Rep. NEILSON moved that when the House adjourns, it adjourn in memory of Albert P. Coggeshall, Sr., former mayor of Darlington, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 2011

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 431:

S. 431 -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O'Dell, Campsen, Ford, Rose, Lourie, Cleary, Verdin, McGill, Williams, Nicholson, Knotts, Land and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-70 SO AS TO DEFINE A "COMMERCIAL GENERAL LIABILITY INSURANCE POLICY", "CONSTRUCTION PROFESSIONAL", AND "CONSTRUCTION RELATED WORK", TO PROVIDE THAT A COMMERCIAL GENERAL LIABILITY INSURANCE POLICY MUST DEFINE OR BE DEEMED TO DEFINE THE WORD "OCCURRENCE" IN A SPECIFIC MANNER, AND TO PROVIDE FOR THE SCOPE AND LIMITS OF APPLICABILITY OF THIS SECTION.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 17, 2011

Mr. Speaker and Members of the House:

 The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 12:30 p.m. today, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. PARKER the invitation was accepted.

**REPORTS OF STANDING COMMITTEES**

Rep. G. R. SMITH, from the Aiken Delegation, submitted a favorable report on:

S. 831 -- Senators Massey and Ryberg: A BILL TO AMEND SECTION 22-2-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAGISTRATES' JURY AREAS, SO AS TO PROVIDE FOR REVISED JURY AREAS AND THE LOCATION OF THE MAGISTRATES' OFFICES AND TO REPEAL ACT 79 OF 1977 AND ACT 758 OF 1988 RELATING TO MAGISTRATES IN AIKEN COUNTY.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3407 -- Reps. Herbkersman, Owens, Quinn, Simrill, Stringer, Bedingfield, Barfield, Bowen, Clemmons, Corbin, Delleney, Hamilton, Hardwick, Harrison, Henderson, Hixon, Limehouse, Loftis, Long, Lowe, McCoy, D. C. Moss, Murphy, Nanney, Patrick, Pitts, Ryan, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Taylor, Viers, Crawford, Spires, Tribble, Lucas and Brantley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EDUCATIONAL OPPORTUNITY ACT" BY ADDING ARTICLE 6 TO CHAPTER 63, TITLE 59 SO AS TO PROVIDE THAT A QUALIFYING STUDENT IS ELIGIBLE TO RECEIVE A SCHOLARSHIP TO ATTEND AN INDEPENDENT SCHOOL IF HE MEETS CERTAIN CONDITIONS, AND TO PROVIDE THE VALUE OF THOSE SCHOLARSHIPS; TO ALLOW A TAX CREDIT TO BE TAKEN BY A PERSON WHO FILES STATE INCOME TAX FOR TUITION PAID FOR A QUALIFYING STUDENT TO ATTEND AN INDEPENDENT SCHOOL UPON CERTAIN CONDITIONS, TO PROVIDE THE VALUE OF THE TAX CREDIT, TO PROVIDE THAT THE TAX CREDIT MAY BE TAKEN IN FUTURE YEARS UPON CERTAIN CONDITIONS, TO REQUIRE A RECEIPT TO CLAIM THE TAX CREDIT, AND TO PROVIDE THAT A TAX CREDIT MAY NOT BE TAKEN IF THE STUDENT'S ENROLLMENT IN THE INDEPENDENT SCHOOL IS TERMINATED; TO REQUIRE THE STATE BUDGET AND CONTROL BOARD TO CALCULATE THE SAVINGS TO THE STATE GENERAL FUND DERIVED FROM THE PROVISIONS OF THIS ARTICLE, TO PROVIDE THE MECHANISM FOR THAT CALCULATION, TO PROVIDE FOR TAX CREDITS TO BE TAKEN FOR TUITION PAID FOR OTHER STUDENTS TO ATTEND INDEPENDENT SCHOOLS, AND TO PROVIDE FOR THE TOTAL AND INDIVIDUAL AMOUNTS OF THOSE TAX CREDITS; TO PROVIDE FOR A TAX CREDIT FOR A PERSON WHO TEACHES A QUALIFYING STUDENT AT HOME, AND TO PROVIDE THAT THE TAX CREDIT MAY BE TAKEN IN FUTURE YEARS UPON CERTAIN CONDITIONS; TO ALLOW A CORPORATION OR PERSON TO CLAIM A CREDIT AGAINST STATE INCOME TAX OR FRANCHISE FEES FOR A CONTRIBUTION MADE TO A STUDENT SCHOLARSHIP ORGANIZATION; TO PROVIDE DUTIES FOR INDEPENDENT SCHOOLS AND STUDENT SCHOLARSHIP ORGANIZATIONS WITH REGARD TO THIS ARTICLE; TO PROVIDE TESTING REQUIREMENTS; TO ALLOW THE DEPARTMENT OF REVENUE TO PROMULGATE NECESSARY REGULATIONS AND TO CONDUCT NECESSARY EXAMINATIONS AND INVESTIGATIONS; TO PROVIDE REPORTING REQUIREMENTS BY THE STATE BUDGET AND CONTROL BOARD AND THE LEGISLATIVE AUDIT COUNCIL; TO PROVIDE DUTIES OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF EDUCATION WITH REGARD TO THIS ARTICLE; TO PROVIDE THAT AN INDEPENDENT SCHOOL IS NOT AN AGENT OR ARM OF THE STATE OR FEDERAL GOVERNMENT WITH RESPECT TO THIS ARTICLE; TO PROVIDE THAT OTHER STATE AGENCIES MAY NOT REGULATE THE EDUCATIONAL PROGRAM OF AN INDEPENDENT SCHOOL; AND BY ADDING SECTION 12-6-3383 SO AS TO ALLOW AN INDIVIDUAL TO CLAIM AN INCOME TAX CREDIT PURSUANT TO THE PROVISIONS OF ARTICLE 6, CHAPTER 63, TITLE 59.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4208 -- Rep. Hodges: A HOUSE RESOLUTION TO COMMEND THE ASSOCIATION FOR ENTERPRISE OPPORTUNITY (AEO), A NATIONAL MEMBERSHIP ORGANIZATION AND VOICE OF MICROENTERPRISE DEVELOPMENT IN THE UNITED STATES, TO RECOGNIZE ITS PRESIDENT AND CEO, CONNIE EVANS, FOR HER VISIONARY LEADERSHIP OF AEO, AND TO DECLARE THE MONTH OF JUNE 2011 AS "MICROENTERPRISE DEVELOPMENT MONTH" IN SOUTH CAROLINA.

Whereas, the Association for Enterprise Opportunity (AEO), a national membership organization and voice of microenterprise development in the United States, for nearly two decades has helped more than two million entrepreneurs support themselves and their families and contribute to their communities through business ownership; and

Whereas, AEO supports the development of strong and effective American microenterprise initiatives to assist underserved entrepreneurs in starting, stabilizing, and expanding businesses. AEO strives to strengthen and restructure the microenterprise field to serve as a robust source of sustainable products and services to an increasing number of disadvantaged and underserved entrepreneurs; and

Whereas, in addition, AEO seeks to link the needs of a growing microenterprise sector to an ecosystem of market partners for greater economic impact and to catalyze new solutions and the rapid adoption of transformational standards and innovation; and

Whereas, AEO members have helped more than two million entrepreneurs create jobs for themselves and their communities, and AEO has secured more than three hundred million federal dollars for microfinance industry participants since 2001 through its policy advocacy efforts. Through AEO‑managed programs, member organizations have received around twenty million dollars in private funding to improve and expand vital programs and services to disadvantaged entrepreneurs and communities, while entrepreneurs have received one million four hundred thousand dollars in technology and equity awards; and

Whereas, AEO President and CEO Connie Evans is to be commended for her vision and professionalism in leading AEO to its present level of achievement. As leader of this national nonprofit organization and business trade association, which represents nearly four hundred member organizations providing training, technical assistance, and resources to entrepreneurs across the United States, Connie Evans has been recognized and utilized by such groups as the World Bank, the Clinton Administration, and a host of other groups from local governments to private and independent sector organizations; and

Whereas, the recipient of numerous awards, Ms. Evans has served for many years on the boards of philanthropic organizations and lectured in universities throughout the United States. She is a frequent panelist and keynote speaker at conferences around the globe. Her broad experiences across the worlds of business and finance compliment her skills in development finance; and

Whereas, cognizant of the worthy goals of the AEO, the South Carolina House of Representatives wishes to commend the organization and its president, Connie Evans, for their fine work in the field of microenterprise development. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend the Association for Enterprise Opportunity (AEO), a national membership organization and voice of microenterprise development in the United States, recognize its President and CEO, Connie Evans, for her visionary leadership of AEO, and declare the month of June 2011 as “Microenterprise Development Month” in South Carolina.

Be it further resolved that a copy of this resolution be presented to Connie Evans, President and CEO of the Association for Enterprise Opportunity.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4215 -- Reps. Spires, Atwater, Ballentine, Bingham, Frye, Huggins, McLeod, Ott, Quinn and Toole: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE PELION HIGH SCHOOL GOLF TEAM FOR ITS OUTSTANDING SEASON AND FOR WINNING THE 2011 CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4216 -- Reps. Spires, Atwater, Ballentine, Bingham, Frye, Huggins, McLeod, Ott, Quinn and Toole: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE PELION HIGH SCHOOL GOLF TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR WINNING THE 2011 CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Pelion High School golf team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for winning the 2011 Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4217 -- Reps. Huggins, Ballentine, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, 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, Jefferson, Johnson, 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, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE DUTCH FORK HIGH SCHOOL GIRLS TRACK TEAM FOR CAPTURING THE 2011 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE IN THE 4X800 RELAY AND 100-METER DASH.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4218 -- Reps. Norman and D. C. Moss: A HOUSE RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY PATROLMAN MARION CHARLES STEELE OF THE SOUTH CAROLINA HIGHWAY PATROL IN THE LINE OF DUTY, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE FOR HIS LIFE, SACRIFICE, AND SERVICE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4219 -- Reps. Norman and D. C. Moss: A HOUSE RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY TROOPER JOHN R. CLINTON OF THE SOUTH CAROLINA HIGHWAY PATROL IN THE LINE OF DUTY, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE FOR HIS LIFE, SACRIFICE, AND SERVICE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4209 -- Reps. Clemmons, 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, 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, Johnson, 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, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE COUNTRY MUSIC LEGEND DOLLY PARTON FOR HER CONTRIBUTIONS TO THE MUSIC INDUSTRY, TO THE ECONOMIC HEALTH OF THE PALMETTO STATE, AND TO CHARITABLE CAUSES WORLDWIDE, AND WELCOME HER BACK TO SOUTH CAROLINA FOR THE GRAND OPENING OF PIRATES VOYAGE IN MYRTLE BEACH ON JUNE 3, 2011, AND TO DECLARE THIS DAY "DOLLY PARTON DAY" IN SOUTH CAROLINA.

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

**INTRODUCTION OF BILLS**

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

H. 4210 -- Rep. Cooper: A BILL TO AMEND SECTION 59-25-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HIRING OF TEACHERS WITH AMERICAN BOARD FOR THE CERTIFICATION OF TEACHER EXCELLENCE CERTIFICATION, SO AS TO PROVIDE THAT A DISTRICT MAY HIRE A TEACHER WITH ABCTE CERTIFICATION TO TEACH AT THE MIDDLE SCHOOL LEVEL.

Referred to Committee on Education and Public Works

H. 4211 -- Reps. Tallon, Parker, Allison, Pinson, Patrick, Anthony, Atwater, Hixon, Horne, D. C. Moss, Pitts, Taylor and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-17-170 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO BE OPEN ON A STATE HOLIDAY IF ANY SCHOOL DISTRICT OF THIS STATE IS OPEN ON A STATE HOLIDAY.

Referred to Committee on Education and Public Works

H. 4212 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 10 TO TITLE 39 SO AS TO PROVIDE ENFORCEMENT PROVISIONS, PLEADING REQUIREMENTS, AND PRESUMPTIONS TO BE MADE BY A COURT OF LAW WHEN CONSIDERING RESTRICTIVE COVENANTS; TO AMEND SECTION 39-8-20, RELATING TO DEFINITIONS OF THE TRADE SECRET CHAPTER, SO AS TO INCLUDE A DEFINITION FOR CONFIDENTIAL INFORMATION; AND TO AMEND SECTION 39-8-30, RELATING TO TRADE SECRETS, SO AS TO INCLUDE CONFIDENTIAL INFORMATION, DISTINGUISH A DUTY NOT TO DIVULGE A TRADE SECRET OR CONFIDENTIAL INFORMATION FROM A COVENANT NOT TO COMPETE, AND PROVIDE PRESUMPTIONS TO BE MADE BY A COURT OF LAW WHEN CONSIDERING A DUTY NOT TO DIVULGE A TRADE SECRET OR CONFIDENTIAL INFORMATION.

Referred to Committee on Judiciary

H. 4213 -- Reps. Loftis, Erickson, Patrick, J. E. Smith, Corbin, Mitchell and White: A BILL TO AMEND SECTION 1-30-25, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO TRANSFER, EFFECTIVE JULY 1, 2011, THE STATE ENERGY OFFICE FROM THE STATE BUDGET AND CONTROL BOARD TO THE SOUTH CAROLINA DEPARTMENT OF COMMERCE; TO AMEND ARTICLE 4, CHAPTER 52, TITLE 48, RELATING TO THE ESTABLISHMENT AND FUNCTIONS OF THE STATE ENERGY OFFICE, SO AS TO CONFORM THAT ARTICLE TO THE TRANSFER OF THE STATE ENERGY OFFICE TO THE SOUTH CAROLINA DEPARTMENT OF COMMERCE AND TO PROVIDE TRANSITION PROVISIONS.

Referred to Committee on Judiciary

H. 4214 -- Reps. Limehouse, Rutherford and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-1-300 SO AS TO PROVIDE THAT A PRIVATE DETENTION HEALTH CARE FACILITY MUST NOT ADMIT AN OUT-OF-STATE INMATE FOR TREATMENT, UNLESS HIS ADMISSION TO THE FACILITY IS PURSUANT TO AN AGREEMENT ENTERED INTO BY THE DEPARTMENT OF CORRECTIONS AND AN OUT-OF-STATE CORRECTIONAL FACILITY, AND TO PROVIDE PENALTIES; AND BY ADDING SECTION 44-7-263 SO AS TO PROVIDE THAT A HEALTH CARE FACILITY THAT PROVIDES PSYCHIATRIC SERVICES AND RECEIVES MEDICAID, OR ANY OTHER FORM OF STATE FUNDS, MUST NOT ADMIT AN OUT-OF-STATE INMATE OR JUVENILE WHO HAS BEEN ADJUDICATED DELINQUENT FOR TREATMENT, AND TO PROVIDE SANCTIONS.

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

H. 4220 -- Rep. Huggins: A BILL TO AMEND SECTION 57-23-800, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S MANAGEMENT OF VEGETATION ALONG THE STATE'S INTERSTATE HIGHWAYS, SO AS TO INCREASE THE WIDTH OF A MEDIAN THAT SHALL HAVE ITS MOWABLE AREA MOWED IN ITS ENTIRETY, TO PROVIDE THAT THESE WIDTHS MAY BE INCREASED AS OUTLINED IN AGREEMENTS ENTERED INTO BY THE DEPARTMENT TO PERFORM MOWING AND MAINTENANCE RESPONSIBILITIES EITHER BY THE DEPARTMENT OR ANOTHER GOVERNMENTAL ENTITY; AND TO REPEAL SECTIONS 57-23-810, 57-23-815, 57-23-820, 57-23-825, 57-23-830, 57-23-835, 57-23-840, AND 57-23-850 ALL RELATING TO ROADSIDE VEGETATION MANAGEMENT ALONG VARIOUS PORTIONS OF THE STATE'S INTERSTATE HIGHWAY SYSTEM.

Referred to Committee on Education and Public Works

H. 4221 -- Rep. Viers: A BILL TO CLOSE THE TEACHER AND EMPLOYEE RETENTION INCENTIVE (TERI) PROGRAM TO NEW PARTICIPANTS EFFECTIVE JULY 1, 2011; AND TO REPEAL, EFFECTIVE JULY 1, 2015, ARTICLE 17, CHAPTER 1, TITLE 9 OF THE 1976 CODE RELATING TO THE ESTABLISHMENT OF THE TERI PROGRAM; AND TO PROVIDE THAT THE PROVISIONS OF THIS ACT MAY NOT BE AMENDED OR REPEALED EXCEPT IN SEPARATE LEGISLATION RECEIVING AN AFFIRMATIVE TWO-THIRDS RECORDED VOTE IN EACH HOUSE OF THE GENERAL ASSEMBLY.

Referred to Committee on Ways and Means

H. 4222 -- Rep. Sandifer: A BILL TO AMEND SECTION 6-9-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT THE BUILDING CODE COUNCIL PROMULGATE REGULATIONS PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT CONCERNING ANY BUILDING CODE AFFECTING CONSTRUCTION REQUIREMENTS FOR ONE-FAMILY AND TWO-FAMILY DWELLINGS, SO AS TO CLARIFY THAT SUCH PROMULGATION IS OF CODE PROVISIONS THAT HAVE BEEN ADOPTED PURSUANT TO BUILDING CODE ADOPTION REQUIREMENTS; TO CLARIFY THAT IF A MODIFICATION IS REQUESTED TO BE MADE TO A REGULATION PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT, THE COUNCIL IS NOT REQUIRED TO ALSO COMPLY WITH THE CODE ADOPTION REQUIREMENTS; AND TO PROVIDE THAT IN THE CASE OF AN EMERGENCY REQUIRING A MODIFICATION OF A REGULATION, THE COUNCIL MAY PROCEED UNDER THE ADMINISTRATIVE PROCEDURES ACT OR BUILDING CODE EMERGENCY REQUIREMENTS, OR BOTH, AND TO PROVIDE THAT THE COUNCIL MUST COMPLY WITH THE REQUIREMENTS OF BOTH TO PERMANENTLY MODIFY THE REGULATION.

Referred to Committee on Labor, Commerce and Industry

H. 4223 -- Reps. Merrill, Bikas, Daning, Crosby, Spires, Frye, Quinn, Brannon, Parker, Patrick, Allison, Knight, McCoy, H. B. Brown, Gambrell, J. R. Smith, Agnew, Bedingfield, Battle, Chumley, Funderburk, Henderson, Hixon, Loftis, Long, McLeod and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-31-230 SO AS TO PROVIDE THAT THE FIFTEEN HIGHEST PAID EMPLOYEES OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY MAY NOT RECEIVE ANY INCREASE IN COMPENSATION IN A STATE FISCAL YEAR IN WHICH STATE

EMPLOYEES DO NOT RECEIVE A COST-OF-LIVING PAY INCREASE.

Referred to Committee on Ways and Means

H. 4224 -- Reps. Murphy and Crosby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-23-215 SO AS TO CREATE THE OFFENSES OF USE OF A WATERCRAFT OR AN OUTBOARD MOTOR WITHOUT PERMISSION AND DAMAGING OR TAMPERING WITH A WATERCRAFT OR AN OUTBOARD MOTOR AND TO PROVIDE PENALTIES FOR THE OFFENSES.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anthony | Atwater | Bales |
| Ballentine | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brannon |
| Brantley | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Daning |
| Delleney | Dillard | Forrester |
| Frye | Gambrell | Gilliard |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pope | Quinn | Rutherford |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, May 17.

|  |  |
| --- | --- |
| Carl Anderson | Eric Bikas |
| William Bowers | Grady Brown |
| Shannon Erickson | Laurie Funderburk |
| Peter McCoy, Jr. | Kevin Ryan |
| Thad Viers | Jerry Govan |
| Bakari Sellers | David Tribble, Jr. |
| Tracy EdgeHarry “Chip” LimehouseMichael “Mike” PittsPatsy Knight | Paul AgnewKris CrawfordHarold Mitchell |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. UMPHLETT a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. VICK a leave of absence for the day due to attending Military Command and General Staff College in Fort Dix, New Jersey.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BANNISTER a leave of absence for the day due an official economic development trip.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Alexander Ramsay of Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3658 |
| Date: | ADD: |
| 05/17/11 | VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4042 |
| Date: | ADD: |
| 05/17/11 | HARDWICK |

**CO-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4186 |
| Date: | REMOVE: |
| 05/17/11 | STRINGER and BEDINGFIELD |

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANDERSON a leave of absence for the remainder of the day due to attending a funeral.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HIXON a leave of absence for the remainder of the day due to medical reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**S. 785--DEBATE ADJOURNED**

Rep. BRANHAM moved to adjourn debate upon the following Bill until Wednesday, May 18, which was adopted:

S. 785 -- Senator Land: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT FOUR TO ISSUE GENERAL OBLIGATION BONDS OF THE SCHOOL DISTRICT WITHIN ITS CONSTITUTIONAL DEBT LIMIT, IN ONE OR MORE SERIES, IN A TOTAL AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS, TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE SCHOOL DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

**S. 705--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, May 19, which was adopted:

S. 705 -- Senators Rankin, Campbell, Rose, Verdin, Hutto, Ford and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 36 TO TITLE 58, SO AS TO CREATE THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT"; TO ADD SECTION 58-36-20, RELATING TO DEFINITIONS; TO ADD SECTION 58-36-30, RELATING TO THE STATE AUTHORITY TO REGULATE; TO ADD SECTION 58-36-40, RELATING TO THE COSTS ASSOCIATED WITH COMPLIANCE OF THIS CHAPTER; TO ADD SECTION 58-36-50, RELATING TO THE NOTIFICATION CENTER RESPONSIBILITIES; TO ADD SECTION 58-36-60, RELATING TO EXCAVATOR RESPONSIBILITIES; TO ADD SECTION 58-36-70, RELATING TO OPERATOR RESPONSIBILITIES; TO ADD SECTION 58-36-80, RELATING TO NOTICE FOR AN EMERGENCY EXCAVATION OR DEMOLITION; TO ADD SECTION 58-36-90, RELATING TO NOTIFICATION WHEN DAMAGE OCCURS; TO ADD SECTION 58-36-100 RELATING TO DESIGN REQUESTS; TO ADD SECTION 58-36-110, RELATING TO EXEMPTIONS FROM THE REQUIREMENT TO CONTACT THE NOTIFICATION CENTER; TO ADD SECTION 58-36-120 RELATING TO PENALTIES FOR VIOLATION OF THIS CHAPTER; AND TO REPEAL CHAPTER 35 OF TITLE 58.

**H. 3921--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3921 -- Rep. Hardwick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 25 SO AS TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THE UNCLAIMED CREMATED REMAINS OF A VETERAN MAY BE INTERRED WITHOUT LIABILITY TO THE FUNERAL DIRECTOR, UNDERTAKER, FUNERAL HOME, OR OTHERS INVOLVED IN THE INTERMENT.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3656SD11), which was adopted:

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

/ SECTION 1. Title 25 of the 1976 Code is amended by adding:

“CHAPTER 12

Veteran’s Unclaimed Cremated Remains

 Section 25‑12‑10. The unclaimed cremated remains of a veteran as defined in this chapter may be disposed of pursuant to the provisions of this chapter.

 Section 25‑12‑20. As used in this chapter:

 (1) ‘Veteran’ means a person who has:

 (a) served on active duty in the uniformed military services of the United States;

 (b) served on active duty in the National Guard or any organized state militia; or

 (c) served in the reserve components of the uniformed military services of the United States on active duty; and

 (d) was released from this service other than by dishonorable discharge.

 (2) ‘Veterans’ service organization’ means an association, corporation, or other entity that qualifies under Internal Revenue Code section 501(c)(3) or section 501(c)(19) as a tax exempt organization, a federally chartered veterans’ service corporation, or a veterans’ affairs office or agency established by state law. This term also includes a member or employee of any such entity.

 (3) ‘National cemetery’ means a cemetery under the control of the United States Department of Veterans Affairs National Cemetery Administration.

 (4) ‘Disposition’ means disposal of cremated remains by placement in a tomb, mausoleum, crypt, columbarium, or by burial in a cemetery. For purposes of this chapter, ‘disposition” does not include the scattering of cremated remains.

 (5) ‘Funeral home’, ‘funeral establishment’, and ‘mortuary’ means as defined in Section 40‑19‑20.

 Section 25‑12‑30. A manager of a funeral home, funeral establishment, or mortuary, which has held in its possession cremated remains for more than one hundred twenty days from the date of cremation, may determine, in accordance with the provisions of this chapter, if the cremated remains are those of a veteran, and if so, may dispose of those remains as provided in this chapter.

 Section 25‑12‑40. (A) Notwithstanding any law or regulation to the contrary, nothing in this chapter shall prevent a manager of a funeral home, funeral establishment, or mortuary from sharing information with the Veterans Administration, a veterans’ service agency or veterans’ affairs office, a veterans’ service corporation, a national cemetery, or state or local veterans’ cemetery for the purpose of determining whether the cremated remains are those of a veteran.

 (B) A funeral home, funeral establishment, mortuary, and any manager of them is discharged from any legal obligations or liability with regard to releasing or sharing information with the Veterans Administration, a veterans’ service agency or veterans’ affairs office, a veterans’ service organization, a national cemetery, or state or local veterans’ cemetery pursuant to this chapter in regard to determining if a person’s cremated remains are those of a veteran.

 Section 25‑12‑50. (A) If a manager of a funeral home, funeral establishment, or mortuary ascertains the cremated remains in its possession are those of a veteran, and they have not been instructed by the person in control of the disposition of the decedent’s remains to arrange for the final disposal or delivery of the cremated remains, the manager of a funeral home, funeral establishment, or mortuary may dispose of the cremated remains in the manner provided in this chapter or relinquish possession of the cremated remains to a veterans’ service organization.

 (B) The disposition of the cremated remains must be made in a national cemetery, a state or local veterans’ cemetery, a section of a cemetery corporation where veterans are memorialized by a veteran’s marker, a veterans’ section of a cemetery corporation, or a veterans’ cemetery if the deceased veteran is eligible for interment in such a manner.

 Section 25‑12‑60. The veterans’ service organization, funeral home, funeral establishment, mortuary, and any manager of them, upon disposing of cremated remains in accordance with the provisions of this chapter, must be held harmless for any costs or damages, except if there is gross negligence or wilful misconduct, and is discharged from any legal obligation or liability concerning the cremated remains.

 Section 25‑12‑70. The estate of the decedent is responsible for reimbursing a veterans’ service organization, funeral home, funeral establishment, mortuary, and any manager of them for all reasonable expenses incurred in relation to the disposition of the cremated remains.

 Section 25‑12‑80. A manager of a funeral home, funeral establishment, or mortuary shall establish and maintain a record identifying the veterans’ service organization receiving the cremated remains.

 Section 25‑12‑90. Nothing in this chapter requires a manager of a funeral home, funeral establishment, or mortuary to determine or seek others to determine that an individual’s cremated remains are those of a veteran if the manager of a funeral home, funeral establishment, or mortuary was informed by the person in control of the remains that the individual was not a veteran, or to relinquish possession of the cremated remains to a veterans’ service organization if the manager of a funeral home, funeral establishment, or mortuary was instructed by a person in control of the remains, or had a reasonable belief, that the decedent did not desire any funeral or burial related services or ceremonies recognizing the decedent’s service as a veteran.”

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

Renumber sections to conform.

Amend title to conform.

Rep. MACK explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 95; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Atwater |
| Bales | Ballentine | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Branham |
| Brannon | Brantley | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Hamilton |
| Hardwick | Harrell | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pope | Quinn |
| Ryan | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--95**

 Those who voted in the negative are:

**Total--0**

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

**H. 4042--POINT OF ORDER**

The following Bill was taken up:

H. 4042 -- Reps. Harrison, Brady, Pinson, H. B. Brown, Munnerlyn, Viers, Horne and Hardwick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-31 SO AS TO MAKE IT AN UNFAIR TRADE PRACTICE FOR A MOTOR VEHICLE GLASS REPAIR BUSINESS THAT ADMINISTERS INSURANCE CLAIMS FOR MOTOR VEHICLE GLASS REPAIRS TO HAVE AN INSURED'S GLASS REPAIR BUSINESS REFERRED TO ITSELF OR TO USE INFORMATION TO SOLICIT BUSINESS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 693--POINT OF ORDER**

The following Bill was taken up:

S. 693 -- Senators Bryant and Bright: A BILL TO AMEND SECTION 23-9-70 OF THE 1976 CODE, RELATING TO ORDER AND APPEALS FROM A STATE FIRE MARSHAL, TO INCREASE THE AMOUNT OF TIME THAT AN OCCUPANT OR OWNER MAY APPEAL THE DECISION OF A DEPUTY OR RESIDENT FIRE MARSHAL FROM TWENTY-FOUR HOURS TO FOURTEEN DAYS, AND TO PROVIDE THAT THE STATE FIRE MARSHAL'S DECISION MUST BE FILED WITHIN TEN DAYS OF RECEIVING THE NOTICE OF APPEAL.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 766--POINT OF ORDER**

The following Bill was taken up:

S. 766 -- Senators McConnell, Leatherman, Alexander, Anderson, Scott, Coleman, O'Dell, Verdin, L. Martin, Ford, Massey, Knotts, Grooms, Nicholson, Shoopman, Elliott and Setzler: A BILL TO AMEND SECTION 33-49-460, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISTRIBUTION OF EXCESS REVENUE TO SOUTH CAROLINA’S ELECTRIC COOPERATIVES’ MEMBERS, SO AS TO ALLOW SOUTH CAROLINA ELECTRIC COOPERATIVES TO ADVOCATE ENERGY EFFICIENCY AND RENEWABLE ENERGY INITIATIVES IN THIS STATE AND TO PROVIDE CLARITY TO PATRONAGE CAPITAL PROCEDURES; TO AMEND SECTION 27-18-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF TERMS USED IN THE UNIFORM UNCLAIMED PROPERTY ACT, SO AS TO EXEMPT ELECTRIC COOPERATIVE PATRONAGE CAPITAL FROM THE UNIFORM UNCLAIMED PROPERTY ACT; AND TO AMEND SECTION 27-18-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY THAT IS PRESUMED ABANDONED PURSUANT TO THE UNIFORM UNCLAIMED PROPERTY ACT, SO AS TO REMOVE ELECTRIC COOPERATIVE PATRONAGE CAPITAL FROM THE STATUTE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 36--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 36 -- Senators McConnell, McGill, Setzler and Ford: A BILL TO AMEND ACT 99 OF 2007, RELATING TO THE SALES TAX EXEMPTION FOR DURABLE MEDICAL EQUIPMENT AND SUPPLIES, BY REPEALING SECTIONS 1B AND 1C, WHICH STATE THAT THE SALES TAX RATE ON DURABLE MEDICAL EQUIPMENT IS FIVE AND ONE-HALF PERCENT SUBJECT TO FURTHER REDUCTION BASED ON GENERAL FUND REVENUE GROWTH.

Reps. BINGHAM, QUINN, HUGGINS, BALLENTINE, SPIRES, SKELTON, BRANNON, FORRESTER, TALLON, ALLISON, GAMBRELL, MACK, V. S. MOSS and BRANTLEY requested debate on the Bill.

**H. 3055--POINT OF ORDER**

The following Bill was taken up:

H. 3055 -- Rep. Huggins: A BILL TO AMEND SECTION 12-60-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FAILURE OF A TAXPAYER TO MAKE A REPORT OR FILE A RETURN REQUIRED BY LAW OR A TAXPAYER WHO FILES A FRIVOLOUS RETURN, SO AS TO FURTHER PROVIDE FOR THE INFORMATION THE DEPARTMENT MUST CONSIDER WHEN MAKING AN ESTIMATE OF THE TAX LIABILITY OF THE TAXPAYER UNDER THESE CIRCUMSTANCES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3630--POINT OF ORDER**

The following Bill was taken up:

H. 3630 -- Reps. Bedingfield, Loftis, Hardwick and McLeod: A BILL TO AMEND SECTION 61-4-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SALE OF WINE BY A LICENSED WINERY LOCATED IN SOUTH CAROLINA, SO AS TO ELIMINATE THE REQUIREMENT THAT A MAJORITY OF THE JUICE USED IN THE WINE BE DERIVED FROM FRUIT OR BERRIES GROWN IN THIS STATE; AND TO AMEND SECTION 61-4-730, RELATING TO THE SALE OF WINE BY PERMITTED WINERIES, SO AS TO ELIMINATE THE REQUIREMENT THAT A MAJORITY OF THE JUICE USED IN THE WINE BE DERIVED FROM FRUIT OR BERRIES GROWN IN THIS STATE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 109--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. WHITE moved to adjourn debate on the motion to reconsider until Wednesday, May 17, which was agreed to.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3655 from the Committee on Ways and Means.

Rep. GAMBRELL objected.

**H. 4198--RECALLED FROM COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

On motion of Rep. OTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Labor, Commerce and Industry:

H. 4198 -- Reps. Bingham, Cooper, White, Cobb-Hunter and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-31-35 SO AS TO PROVIDE THAT FOR PURPOSES OF UNEMPLOYMENT COMPENSATION BENEFIT CONTRIBUTIONS REQUIRED OF EMPLOYERS, IF AN EMPLOYER HAS A POSITIVE FUND BALANCE FOR A PERIOD OF AT LEAST ONE YEAR IN ITS ACCOUNT, IT MAY NOT BE CLASSIFIED IN RATE CLASS 13 OR HIGHER AND TO PROVIDE THAT ALL NEW EMPLOYERS FOR PURPOSES OF UNEMPLOYMENT COMPENSATION BENEFIT CONTRIBUTIONS REQUIRED OF EMPLOYERS MUST BE CLASSIFIED IN RATE CLASS 12; BY ADDING SECTION 41-31-36 SO AS TO PROVIDE THAT NO NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE 5613 EMPLOYER BASE RATE MAY BE LESS THAN THE RATE APPLICABLE FOR RATE CLASS THIRTEEN UNTIL THERE HAVE BEEN TWELVE CONSECUTIVE MONTHS OF COVERAGE AFTER FIRST BECOMING LIABLE FOR CONTRIBUTIONS; BY ADDING SECTION 41-31-41 SO AS TO PROVIDE THAT FOR CALENDAR YEARS 2011 AND 2012, RETROACTIVE TO JANUARY 2011, THE STATE SHALL REDUCE STATE UNEMPLOYMENT TAX BASE RATES FOR EMPLOYERS IN TIERS 13 THROUGH 20 BY A SPECIFIED PERCENT, TO PROVIDE THE METHOD TO BE USED TO FUND SUCH REDUCTIONS, AND TO ALSO PROVIDE FOR THE PREMIUMS TO BE PAID BY EMPLOYERS IN TIERS 1 THROUGH 12 FOR CALENDAR YEARS 2011 AND 2012; TO AMEND SECTION 41-31-45, RELATING TO ESTIMATES OF THE INCOME NECESSARY TO PAY UNEMPLOYMENT COMPENSATION BENEFITS DURING A CALENDAR YEAR WHEN THE STATE UNEMPLOYMENT INSURANCE TRUST FUND IS IN DEBT STATUS, SO AS TO PROVIDE THE MANNER IN WHICH SUCH ESTIMATES ARE DETERMINED FOR CALENDAR YEARS 2011 AND 2012, AND TO REVISE THE MANNER IN WHICH SUCH ESTIMATES ARE DETERMINED BEGINNING IN JANUARY 2013 AND THEREAFTER WHILE THE TRUST FUND IS IN DEBT STATUS; TO AMEND SECTION 41-31-50, RELATING TO THE MANNER IN WHICH EMPLOYER RATE COMPUTATIONS ARE DETERMINED, SO AS TO PROVIDE FOR THE DETERMINATION OF THE RATES NEEDED TO PAY BENEFITS FOR CALENDAR YEARS 2011 AND 2012, RETROACTIVE TO JANUARY 2011, NOT INCLUDING THE ACHIEVEMENT OF SOLVENCY TARGETS, TO FURTHER PROVIDE FOR THE DETERMINATION OF THE RATES NEEDED TO PAY BENEFITS AND ACHIEVE SOLVENCY TARGETS BEGINNING IN JANUARY 2013, AND TO PROVIDE FOR THE MANNER IN WHICH THE RATE FOR CLASS TWENTY MUST BE SET; BY ADDING SECTION 41-31-52 SO AS TO PROVIDE FOR THE MANNER IN WHICH BENEFITS FOR SEASONAL WORKERS SHALL BE DETERMINED, CALCULATED, AND PAID; TO AMEND SECTION 41-31-55, RELATING TO ADDITIONAL SURCHARGES WHEN THE STATE UNEMPLOYMENT INSURANCE TRUST FUND IS INSOLVENT, SO AS TO PROVIDE FOR WHAT PROVISIONS OF LAW THE STATE SHALL FOLLOW TO SET RATES FOR CLASS TWENTY BEGINNING IN JANUARY 2013 AND TO PROVIDE FOR CERTAIN CREDITS FOR EMPLOYERS IN TIERS 1 THROUGH 12; AND BY ADDING SECTION 41-31-65 SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ALLOCATE ALL CREDITS DUE TO ANY EMPLOYER THAT HAS PAID IN EXCESS OF THEIR BALANCE DUE BY JULY 31, 2011.

**OBJECTION TO RECALL**

Rep. COBB-HUNTER asked unanimous consent to recall H. 3038 from the Committee on Ways and Means.

Rep. BRANNON objected.

**OBJECTION TO RECALL**

Rep. SKELTON asked unanimous consent to recall H. 3109 from the Committee on Judiciary.

Rep. SANDIFER objected.

**H. 3713--DEBATE ADJOURNED**

Rep. CLEMMONS moved to adjourn debate upon the following Bill until Wednesday, May 18, which was adopted:

H. 3713 -- Reps. Merrill, J. R. Smith, Ryan, Hamilton, G. R. Smith, Bedingfield, Barfield, Sandifer, McCoy, Horne, Stavrinakis, Clemmons, Loftis, Lucas, Herbkersman, Patrick, Erickson, G. M. Smith, Hixon, Pinson, Viers and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-3135 SO AS TO PROVIDE THAT WHEN A PARCEL OF REAL PROPERTY AND IMPROVEMENTS THEREON PREVIOUSLY SUBJECT TO PROPERTY TAX UNDERGOES AN ASSESSABLE TRANSFER OF INTEREST AND THE VALUE OF THE PARCEL AS DETERMINED AT THE TIME OF THE ASSESSABLE TRANSFER OF INTEREST IS GREATER THAN THE VALUE OF THE PARCEL USED IN THE PROPERTY TAX ASSESSMENT ON THE PARCEL FOR THE MOST RECENTLY COMPLETED PROPERTY TAX YEAR, THERE IS ALLOWED AN EXEMPTION OF AN AMOUNT OF THE FAIR MARKET VALUE OF THE PARCEL SUFFICIENT TO ELIMINATE ANY INCREASE IN THE VALUE OF THE PARCEL; TO AMEND SECTION 12-37-3140, AS AMENDED, RELATING TO DETERMINING FAIR MARKET VALUE, SO AS TO MAKE A CONFORMING CHANGE; AND TO AMEND SECTION 12-60-30, AS AMENDED, RELATING TO DEFINITIONS IN THE REVENUE PROCEDURES ACT, SO AS TO CLARIFY THE DEFINITION OF PROPERTY TAX ASSESSMENT.

**H. 4197--ADOPTED**

The following House Resolution was taken up:

H. 4197 -- Rep. Cobb-Hunter: A HOUSE RESOLUTION TO AUTHORIZE THE ANNUAL YOUTH LEGISLATIVE CONFERENCE TO USE THE HOUSE CHAMBER ON MONDAY, SEPTEMBER 26, 2011, FROM 9:00 A.M. TO 12:00 NOON FOR ITS ANNUAL MOCK SESSION.

The Resolution was adopted.

**H. 3604--AMENDED, ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3604 -- Reps. J. E. Smith, Brady, Agnew, R. L. Brown and Whipper: A CONCURRENT RESOLUTION TO ENCOURAGE THE SOUTH CAROLINA COUNCIL OF GOVERNMENTS TO ADOPT ORDINANCES INTENDED TO ENABLE THE RETROFITTING OF SHOPPING MALLS AND SHOPPING CENTERS INTO DENSE, WALKABLE, MIXED-USE TOWN CENTERS, AND TO ENCOURAGE OTHER MEASURES TO PROMOTE A HUMAN HABITAT THAT IS HOSPITABLE AND ACCESSIBLE TO MORE SOUTH CAROLINIANS WHILE LESSENING ENVIRONMENTAL IMPACTS ON THE STATE.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\MS\7382AB11), which was adopted:

Amend the bill, as and if amended, page 3, line 18, by deleting / adopt / and inserting /draft model /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The Concurrent Resolution, as amended, was adopted and ordered sent to the Senate.

**S. 858--ADOPTED**

The following Concurrent Resolution was taken up:

S. 858 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RESPECTFULLY REQUEST AND URGE CONGRESS TO ENACT SUCH LEGISLATION AS NECESSARY TO CREATE THE CAMDEN BATTLEFIELD AND HISTORIC CAMDEN REVOLUTIONARY WAR SITE AS A UNIT OR UNITS OF THE NATIONAL PARK SYSTEM FOR THE ENJOYMENT, EDUCATION, AND INSPIRATION OF THIS AND FUTURE GENERATIONS.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 837--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 837 -- Senator Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF STATION 22 1/2 AND JASPER BOULEVARD ON SULLIVAN'S ISLAND IN CHARLESTON COUNTY "DR. GEORGE G. DURST, SR. INTERSECTION" AND PLACE APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "DR. GEORGE G. DURST, SR. INTERSECTION".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 806--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 806 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BLUFF ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH DRY BRANCH ROAD TO ITS INTERSECTION WITH SIMS ROAD "DEACON THOMAS MYERS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "DEACON THOMAS MYERS MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 610--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 610 -- Senators Knotts and Setzler: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT BOTH THE EASTERN AND WESTERN APPROACHES TO WHITE KNOLLS HIGH SCHOOL ON PLATT SPRINGS ROAD IN LEXINGTON COUNTY THAT CONTAIN THE WORDS "WHITE KNOLL HIGH SCHOOL TIMBERWOLVES AAAA BASEBALL STATE CHAMPIONS" AND "WHITE KNOLL HIGH SCHOOL TIMBERWOLVES AAAA STATE MARCHING BAND CHAMPIONS".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 4190--AMENDED, ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4190 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG SOUTH CAROLINA HIGHWAY 46 AT ITS INTERSECTIONS WITH THE TOWN LIMITS OF THE TOWN OF BLUFFTON THAT CONTAIN THE WORDS "BLUFFTON HIGH SCHOOL - HOME OF THE BOBCATS STATE CHAMPIONS 2005, 2006 BOYS CROSS COUNTRY, 2007 GIRLS VOLLEYBALL, 2009 GIRLS GOLF".

Rep. HERBKERSMAN proposed the following Amendment No. 1 (COUNCIL\GGS\22116ZW11), which was adopted:

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

/ That the members of the General Assembly request that the Department of Transportation erect appropriate markers or signs along the north and south sides of Buckwalter Parkway in the town limits of the Town of Bluffton that contain the words “Bluffton High School ‑ Home of the Bobcats State Champions 2005, 2006 Boys Cross Country, 2007 Girls Volleyball, 2009 Girls Golf”.

Be it further resolved that a copy of this resolution be forwarded to the Department of Transportation. /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

The amendment was then adopted.

The Concurrent Resolution, as amended, was adopted and ordered sent to the Senate.

**RATIFICATION OF ACTS**

At 12:30 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

 (R47, S. 232) -- Senators Cleary and Ford: AN ACT TO AMEND SECTION 44‑7‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE STATE CERTIFICATION OF NEED AND HEALTH CARE FACILITY ACT, SO AS TO REVISE THE DEFINITION OF HEALTH CARE FACILITY.

 (R48, S. 312) -- Senators Davis, McConnell, Peeler, Bright, Massey, Shoopman, S. Martin, Ryberg, Verdin, Rose, Knotts and Campsen: AN ACT TO AMEND SECTION 2‑65‑15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO REVISE THE DEFINITION OF “MATCHING FUNDS” TO INCLUDE BOTH GENERAL FUND MONIES AND OTHER FUND MONIES TO BE USED TO MEET FEDERAL MATCH REQUIREMENTS; TO AMEND SECTION 2‑65‑20, RELATING TO THE APPROPRIATION OF ANTICIPATED FEDERAL FUNDS AND OTHER FUNDS BY THE GENERAL ASSEMBLY IN APPROPRIATIONS ACTS, SO AS TO REQUIRE STATE AGENCIES RECEIVING FEDERAL FUNDS TO PROVIDE IN BUDGET SUBMISSIONS FOR THE PROPOSED BUDGET DETAILS OF CONDITIONS IMPOSED ON THE STATE APPLICABLE TO FEDERAL FUNDS INCLUDED IN THE AGENCY’S BUDGET SUBMISSION AND INFORMATION ON ALL FEDERAL FUNDS AVAILABLE TO THE AGENCY WHICH THE AGENCY IS ELIGIBLE TO REQUEST OR DRAW ON THAT HAVE NOT BEEN REQUESTED OR DRAWN UPON AND THE CONDITIONS ON THOSE FUNDS, REQUIRE THE RECOMMENDED BUDGET SPECIFICALLY TO ACCEPT IN DETAIL THOSE CONDITIONS WHEN FEDERAL FUNDS ARE INCLUDED IN THE PROPOSED BUDGET, AND TO CONFORM THE SECTION TO REFLECT THE PROVISION OF LAW ASSIGNING TO THE GOVERNOR THE DUTY OF PRODUCING A PROPOSED BUDGET TO THE GENERAL ASSEMBLY; TO AMEND SECTION 2‑65‑30, RELATING TO EXPENDITURE BY A STATE AGENCY OF UNANTICIPATED FEDERAL FUNDS AND PRIVATE GRANT FUNDS NOT APPROPRIATED IN APPROPRIATIONS ACTS, SO AS TO REQUIRE THE AGENCY’S SUBMISSION OF AN EXPENDITURE PROPOSAL FOR THE ANTICIPATED FUNDS TO THE STATE BUDGET AND CONTROL BOARD TO INCLUDE THE CONDITIONS IMPOSED ON THE STATE’S RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND, IN AUTHORIZING THE RECEIPT AND EXPENDITURE, THE BOARD’S ACCEPTANCE OF THE CONDITIONS; AND TO AMEND SECTION 2‑65‑100, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO PROVIDE THAT THE EXEMPTION FOR RESEARCH AND STUDENT AID GRANTS APPLIES TO NONSTATE FUNDED GRANTS AND CONTRACTS AND FEDERAL FINANCIAL AID, INCLUDING WORK STUDY.

 (R49, S. 431) -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O’Dell, Campsen, Ford, Rose, Lourie, Cleary, Verdin, McGill, Williams, Nicholson, Knotts, Land and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑61‑70 SO AS TO DEFINE A “COMMERCIAL GENERAL LIABILITY INSURANCE POLICY”, “CONSTRUCTION PROFESSIONAL”, AND “CONSTRUCTION RELATED WORK”, TO PROVIDE THAT A COMMERCIAL GENERAL LIABILITY INSURANCE POLICY MUST DEFINE OR BE DEEMED TO DEFINE THE WORD “OCCURRENCE” IN A SPECIFIC MANNER, AND TO PROVIDE FOR THE SCOPE AND LIMITS OF APPLICABILITY OF THIS SECTION.

 (R50, S. 586) -- Senators Hayes, O’Dell, Verdin, Shoopman, Nicholson, Elliott, L. Martin, Coleman, Ford, Cromer, Alexander and Knotts: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑715 SO AS TO PROVIDE THAT THE EMPLOYEE INSURANCE PROGRAM OF THE BUDGET AND CONTROL BOARD IS DIRECTED TO DEVELOP AND IMPLEMENT, FOR EMPLOYEES AND THEIR SPOUSES WHO PARTICIPATE IN THE HEALTH PLANS OFFERED BY THE EMPLOYEE INSURANCE PROGRAM, AN INCENTIVE PLAN TO ENCOURAGE PARTICIPATION IN PROGRAMS OFFERED BY THE EMPLOYEE INSURANCE PROGRAM THAT PROMOTE HEALTH AND THE PREVENTION OF DISEASE, AND TO PROVIDE THAT THE EMPLOYEE INSURANCE PROGRAM IS FURTHER DIRECTED TO IMPLEMENT A PREMIUM REDUCTION OR OTHER FINANCIAL INCENTIVE, BEGINNING ON JANUARY 1, 2012, FOR THOSE EMPLOYEES AND THEIR SPOUSES WHO PARTICIPATE IN THESE PROGRAMS; AND TO AMEND SECTION 1‑11‑720, AS AMENDED, RELATING TO ENTITIES WHOSE EMPLOYEES, RETIREES, AND THEIR DEPENDENTS ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO REVISE THE ELIGIBILITY PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS BY INCLUDING DISTRICTS WHICH PROVIDE SANITATION SERVICES AND TO EXTEND THIS ELIGIBILITY TO JOINT AGENCIES ESTABLISHED PURSUANT TO CHAPTER 23, TITLE 6.

 (R51, S. 590) -- Senators McGill and Ford: A JOINT RESOLUTION TO ESTABLISH A PILOT PROJECT AT TWO CRITICAL ACCESS HOSPITALS TO ASSESS THE PROVISION OF CARE FOR A DEFINED POPULATION OF PATIENTS AT LEAST SIXTY‑FIVE YEARS OLD AND IN NEED OF PSYCHIATRIC CRISIS STABILIZATION SERVICES, TO PROVIDE THE PURPOSE OF THE STUDY, AND TO PROVIDE CERTAIN REQUIREMENTS.

 (R52, S. 643) -- Senators Knotts, Reese, Thomas, Ford, Matthews, Williams, Campsen, Cromer, Campbell, O’Dell, Rose and Setzler: AN ACT TO AMEND SECTION 50‑5‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL EXHIBIT OF A MARINE MAMMAL IN THIS STATE AND PROVIDING PENALTIES FOR VIOLATION, SO AS TO PROHIBIT THE DISPLAY OF A WILD CAUGHT OR CAPTIVE‑BRED DOLPHIN OR WHALE.

 (R53, S. 824) -- Senators Land, Leatherman, Setzler, Nicholson, Hutto, Jackson and Ford: A JOINT RESOLUTION TO DESIGNATE THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY AS THE AUTHORIZED AGENCY TO IMPLEMENT THE STATE SMALL BUSINESS CREDIT INITIATIVE WITHIN AND ON BEHALF OF THE STATE OF SOUTH CAROLINA; TO AUTHORIZE THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY TO EXECUTE AND DELIVER THE REQUISITE APPLICATION AND THE STATE SMALL BUSINESS CREDIT INITIATIVE ALLOCATION AGREEMENT FOR PARTICIPATING STATES, AND ALL OTHER RELATED AGREEMENTS, DOCUMENTS, CERTIFICATES, AND UNDERTAKINGS, ON BEHALF OF THE STATE OF SOUTH CAROLINA; AND TO AUTHORIZE THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY TO CONTRACT WITH THE BUSINESS DEVELOPMENT CORPORATION OF SOUTH CAROLINA TO ADMINISTER THE PROGRAMS PERMITTED UNDER AND SUPPORTED BY THE STATE SMALL BUSINESS CREDIT INITIATIVE.

 (R54, H. 3003) -- Reps. Clemmons, Harrell, 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, 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, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: AN ACT TO AMEND SECTION 7-1-25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “DOMICILE”, SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON’S INTENTION REGARDING HIS DOMICILE FOR VOTING PURPOSES; TO AMEND SECTION 7-5-125, RELATING TO WRITTEN NOTIFICATION OF REGISTRATION, SO AS TO PROVIDE THAT IF AN ELECTOR LOSES OR DEFACES HIS REGISTRATION NOTIFICATION, HE MAY OBTAIN A DUPLICATE NOTIFICATION FROM HIS COUNTY BOARD OF REGISTRATION; TO AMEND SECTION 7-5-230, AS AMENDED, RELATING TO LEGAL QUALIFICATIONS OF APPLICANTS FOR REGISTRATION AND CHALLENGES OF QUALIFICATIONS, SO AS TO REVISE WHAT THE BOARD OF REGISTRATION MUST CONSIDER WHEN A CHALLENGE IS MADE REGARDING RESIDENCE OR DOMICILE OF AN ELECTOR; BY ADDING SECTION 7-5-675 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR, AND TO PROVIDE WHEN THE PROVISIONS OF THIS SECTION TAKE EFFECT INCLUDING A REQUIREMENT THAT IMPLEMENTATION IS CONTINGENT ON FUNDING TO IMPLEMENT THIS REQUIREMENT; TO AMEND SECTION 7-13-710, AS AMENDED, RELATING TO PROOF OF THE RIGHT TO VOTE, SO AS TO REQUIRE CERTAIN PHOTOGRAPH IDENTIFICATION IN ORDER TO VOTE, TO PROVIDE THAT ONE OF THE POLL MANAGERS SHALL COMPARE THE PHOTOGRAPH CONTAINED ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND SHALL VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE, TO PERMIT PROVISIONAL BALLOTS IF THE PHOTOGRAPH IDENTIFICATION CANNOT BE PRODUCED OR IF THE POLL MANAGER DISPUTES THE PHOTOGRAPH, TO PROVIDE EXCEPTIONS FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED OR IF THE ELECTOR SUFFERS FROM A REASONABLE IMPAIRMENT THAT PREVENTS HIM FROM OBTAINING PHOTOGRAPH IDENTIFICATION, TO PERMIT THE CASTING OF A PROVISIONAL BALLOT IN THESE CASES UPON SPECIFIC REQUIREMENTS INCLUDING AN AFFIDAVIT, TO PROVIDE FOR THE MANNER IN WHICH THE COUNTY BOARD OF REGISTRATION AND ELECTIONS SHALL PROCESS THESE PROVISIONAL BALLOTS, AND TO PROVIDE THAT THE IDENTIFICATION REQUIRED ABOVE IS FOR THE PURPOSE OF CONFIRMING THE IDENTITY OF THE ELECTOR AND TO PROVIDE FOR THE MANNER IN WHICH THE ELECTOR’S DOMICILE SHALL BE DETERMINED FOR PURPOSES OF VOTING; TO AMEND SECTION 56-1-3350, AS AMENDED, RELATING TO SPECIAL IDENTIFICATION CARDS ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES TO RESIDENTS OF THIS STATE TEN YEARS OF AGE OR OLDER, SO AS TO REDUCE THIS AGE TO FIVE YEARS OF AGE OR OLDER, TO PROVIDE THAT THESE CARDS MUST BE ISSUED FREE OF CHARGE TO PERSONS SEVENTEEN YEARS OF AGE AND OLDER AND FOR THE FEE TO BE CHARGED TO PERSONS BETWEEN THE AGES OF FIVE AND SIXTEEN, TO DELETE LANGUAGE OF THE SECTION RELATING TO RENEWAL FEES AND WAIVER OF FEES, AND TO REVISE PROVISIONS OF THE SECTION PERTAINING TO USE OF THE FEES COLLECTED; TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT TO EDUCATE THE PUBLIC IN CERTAIN PARTICULARS OF THIS ACT AND THE COMMISSION ALSO MAY IMPLEMENT ADDITIONAL EDUCATIONAL PROGRAMS IN ITS DISCRETION; TO PROVIDE THAT THE STATE ELECTION COMMISSION IS DIRECTED TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS OF SOUTH CAROLINA WHO ARE OTHERWISE 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 DECEMBER 1, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE THE LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AT NO COST TO THE COMMISSION.

 (R55, H. 3642) -- Reps. Cooper, Bingham, Allison, Harrell and Owens: A JOINT RESOLUTION TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY PAY TEACHERS BASED ON THE YEARS OF EXPERIENCE THE TEACHERS POSSESSED IN THE PRIOR FISCAL YEAR WITHOUT NEGATIVE IMPACT TO THEIR EXPERIENCE CREDIT; TO PROVIDE VOTING AND NOTICE REQUIREMENTS FOR THIS DECISION; TO REQUIRE THAT PAYMENT ACCORDING TO THE 2010‑2011 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 2010‑2011, AND TO PROVIDE AN EXCEPTION; TO REQUIRE A LOCAL SCHOOL DISTRICT TO PAY TEACHERS AND SCHOOL ADMINISTRATORS FOR CHANGES IN THEIR EDUCATION LEVELS; AND TO DEFINE CERTAIN TERMS.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4207 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF JAMES E. DAVIS, SR., AND HIS BELOVED WIFE, BESSIE MAE PETERSON DAVIS, BOTH OF SUMTER COUNTY, AND TO EXTEND THE DEEPEST SYMPATHY TO THEIR FAMILY AND MANY FRIENDS.

**ADJOURNMENT**

At 12:51 p.m. the House, in accordance with the motion of Rep. NEILSON, adjourned in memory of Albert P. Coggeshall, Sr., former mayor of Darlington, to meet at 10:00 a.m. tomorrow.

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