~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 138:6: “Though the Lord is on high, he looks upon the lowly...”.

Let us pray. O God, how often we ask for a sign, a sign of Your presence, a sign of Your love, and how often we forget that You have already given us Yourself, and have promised to dwell with us always. As we travel through the many problems and details facing us today, while doing the work of the people, remind us You are always here to strengthen and encourage us. Continue to bless our Nation in our need, our President, State, Governor, Speaker, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. SKELTON moved that when the House adjourns, it adjourn in memory of Mac McKeown of Clemson, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for all the people in Haiti who are experiencing the devastation caused by the earthquake and aftershocks.

**REPORTS OF STANDING COMMITTEES**

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

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

Ordered for consideration tomorrow.

Rep. A. D. YOUNG, from the Dorchester Delegation, submitted a favorable report on:

H. 3624 -- Reps. A. D. Young, Horne, Knight and Harrell: A BILL TO PROVIDE THAT EACH MEMBER OF THE DORCHESTER COUNTY TRANSPORTATION COMMITTEE IS ALLOWED AND MUST BE PAID FROM DORCHESTER COUNTY "C" FUND REVENUES SEVENTY-FIVE DOLLARS FOR EACH MEETING AT WHICH THE MEMBER IS IN ATTENDANCE.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4368 -- Rep. Gunn: A HOUSE RESOLUTION TO CONGRATULATE CLIFTON EDDIE BOOKERT UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS THIRTY YEARS OF FAITHFUL SERVICE TO THE CITY OF COLUMBIA, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4369 -- Rep. Battle: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY "MARVIN L. STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MARVIN L. STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY".

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

**CONCURRENT RESOLUTION**

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

H. 4370 -- Rep. Harrison: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JEAN HOEFER TOAL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON

THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 24, 2010.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 471 -- Senators O'Dell and Bryant: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178/76 IN ANDERSON COUNTY FROM ITS INTERSECTION WITH EAST SHOCKLEY FERRY ROAD IN THE CITY OF ANDERSON TO ITS INTERSECTION WITH MAIN STREET IN THE TOWN OF BELTON "VETERANS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "VETERANS MEMORIAL HIGHWAY".

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1060 -- Senator Scott: A CONCURRENT RESOLUTION TO COMMEND WOMEN HONORING VALOR FOR THEIR WORK TO RECOGNIZE AND CELEBRATE AMERICA'S LIVING RECIPIENTS OF THE MEDAL OF HONOR.

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. 1062 -- Senators Campsen, Cleary and Grooms: A CONCURRENT RESOLUTION TO CONGRATULATE LUCY BECKHAM, PRINCIPAL OF WANDO HIGH SCHOOL IN CHARLESTON, UPON RECEIVING THE 2010 METLIFE SECONDARY SCHOOL PRINCIPAL OF THE YEAR AWARD BY THE NATIONAL ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS.

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. 1064 -- Senators Williams and Elliott: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY "MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY".

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

**INTRODUCTION OF BILLS**

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

H. 4371 -- Rep. Bingham: A BILL TO AMEND SECTION 28-11-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REIMBURSEMENT OF PROPERTY OWNERS FOR CERTAIN EXPENSES RELATED TO THE TAKING OF LAND FOR PUBLIC USE, SO AS TO PROVIDE REIMBURSEMENT FOR REESTABLISHMENT EXPENSES PAYABLE PURSUANT TO FEDERAL GUIDELINES AND REGULATIONS TO MOVE A SMALL BUSINESS, FARM, OR NONPROFIT ORGANIZATION MAY BE PAID IN AN AMOUNT UP TO FIFTY THOUSAND DOLLARS NOTWITHSTANDING A LOWER LIMITATION IMPOSED BY FEDERAL REGULATIONS.

Referred to Committee on Ways and Means

H. 4372 -- Reps. Loftis, Erickson, Sottile, Clemmons, Duncan, Edge and Herbkersman: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS, EXCEPTIONS, AND SPECIAL PERMITS CONCERNING CONSTRUCTION AND RECONSTRUCTION SEAWARD OF THE BASELINE OR BETWEEN THE BASELINE AND THE SET BACK LINE, SO AS TO REVISE THE DESCRIPTION OF A PRIVATE ISLAND WITH AN ATLANTIC SHORELINE THAT IS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND THE FORTY-YEAR RETREAT POLICY.

Referred to Committee on Labor, Commerce and Industry

H. 4373 -- Reps. Loftis, Erickson, Lowe, Hamilton, V. S. Moss, Knight, Stringer and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "STATE DEPARTMENT OF ENERGY RESTRUCTURING ACT" BY ADDING ARTICLE 8 TO CHAPTER 3, TITLE 1, SO AS TO ESTABLISH THE STATE DEPARTMENT OF ENERGY TO BE HEADED BY THE STATE ENERGY DIRECTOR WHO IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT; AND TO REPEAL ARTICLE 4, CHAPTER 52, TITLE 48 RELATING TO THE STATE ENERGY OFFICE.

Referred to Committee on Judiciary

H. 4374 -- Reps. Loftis, Hardwick, Mitchell, Simrill, Bowen, Hamilton, Rice, Spires and Umphlett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3586 SO AS TO ALLOW A STATE TAX CREDIT FOR THE INSTALLATION OF SOLAR ENERGY EQUIPMENT IN AN AMOUNT EQUAL TO THIRTY-FIVE PERCENT OF THE AMOUNTS FOR SPECIFIC INSTALLATIONS AND FOR SPECIFIC PURPOSES, TO DEFINE SOLAR ENERGY EQUIPMENT, TO PROVIDE FOR THE TIMING OF CREDITS AND THE CARRY FORWARD OF UNUSED CREDITS, TO PROVIDE THOSE TAXES AGAINST WHICH THIS CREDIT IS ALLOWED, AND TO PROHIBIT DOUBLE CREDITS.

Referred to Committee on Ways and Means

H. 4375 -- Reps. Loftis, Erickson, Lowe, Hamilton, Edge, Herbkersman, Stringer, Willis and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA CHIEF INFORMATION OFFICER RESTRUCTURING ACT" BY ADDING ARTICLE 6 TO CHAPTER 3, TITLE 1, TO ESTABLISH THE DEPARTMENT OF THE STATE CHIEF INFORMATION OFFICER TO BE HEADED BY THE STATE CHIEF INFORMATION OFFICER WHO IS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE DEPARTMENT; AND TO REPEAL SECTION 1-11-430 RELATING TO THE POWERS OF THE STATE BUDGET AND CONTROL BOARD TO GOVERN THE USE OF TELECOMMUNICATION SYSTEMS.

Referred to Committee on Judiciary

H. 4376 -- Rep. Funderburk: A JOINT RESOLUTION TO ESTABLISH A STUDY COMMITTEE TO REVIEW, STUDY, AND MAKE RECOMMENDATIONS CONCERNING THE POTENTIAL CREATION OF A PERFORMANCE PAY INCENTIVE PROGRAM FOR HIGHLY QUALIFIED, EXCEPTIONAL TEACHERS IN THE PUBLIC SCHOOLS OF THIS STATE, TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP, AND TO REQUIRE THE COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY NO LATER THAN SEPTEMBER 30, 2010, AT WHICH TIME THE COMMITTEE IS ABOLISHED.

Referred to Committee on Ways and Means

**ACTING SPEAKER COOPER IN CHAIR**

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| Duncan | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | Weeks |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, January 20.

|  |  |
| --- | --- |
| Herb Kirsh | Kris Crawford |
| Joseph Neal | Jackson "Seth" Whipper |
| Michael A. Pitts | G. Murrell Smith |
| Ted Vick | Carl Anderson |
| Kenny Bingham | Denny Neilson |
| Lanny Littlejohn | Bakari Sellers |
| Todd Rutherford | Walton McLeod |

**Total Present--120**

**STATEMENTS OF ATTENDANCE**

Reps. MACK and JENNINGS signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Tuesday, January 19.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NANNEY a leave of absence for the day due to a family member’s medical procedure.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. H. B. BROWN a leave of absence for the day for business purposes.

**SPEAKER IN CHAIR**

**DOCTOR OF THE DAY**

Announcement was made that Dr. Thomas Rowland of Columbia was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. D. C. MOSS presented to the House the Crestview Elementary Odyssey of the Mind Team, winners of the World Championship, their teachers and other school officials.

**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. 4202 |
| Date: | ADD: |
| 01/20/10 | COBB-HUNTER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3066 |
| Date: | ADD: |
| 01/20/10 | STAVRINAKIS, MILLER, BATTLE, HUTTO and ERICKSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3585 |
| Date: | ADD: |
| 01/20/10 | ERICKSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3588 |
| Date: | ADD: |
| 01/20/10 | HORNE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4254 |
| Date: | ADD: |
| 01/20/10 | KING, BRANTLEY, HERBKERSMAN, LONG, CATO, PINSON, COBB-HUNTER, AGNEW, KNIGHT, FUNDERBURK, WILLIS, HAMILTON and D. C. SMITH |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3693 |
| Date: | ADD: |
| 01/20/10 | MERRILL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3779 |
| Date: | ADD: |
| 01/20/10 | ERICKSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4182 |
| Date: | ADD: |
| 01/20/10 | T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4183 |
| Date: | ADD: |
| 01/20/10 | T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4189 |
| Date: | ADD: |
| 01/20/10 | GILLIARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4259 |
| Date: | ADD: |
| 01/20/10 | GILLIARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4269 |
| Date: | ADD: |
| 01/20/10 | STEWART |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4282 |
| Date: | ADD: |
| 01/20/10 | GILLIARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4310 |
| Date: | ADD: |
| 01/20/10 | BARFIELD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4280 |
| Date: | ADD: |
| 01/20/10 | HUGGINS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4348 |
| Date: | ADD: |
| 01/20/10 | T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4361 |
| Date: | ADD: |
| 01/20/10 | ERICKSON, GOVAN, G. A. BROWN, MITCHELL, ALLISON, PARKER, FORRESTER, KELLY, LIMEHOUSE, SOTTILE, GILLIARD, HUTTO, STAVRINAKIS, A. D. YOUNG, HORNE, CLEMMONS, T. R. YOUNG, KING, NORMAN, KIRSH, WYLIE, STRINGER, CHALK, BRANTLEY, J. R. SMITH, STEWART, DILLARD and PARKS |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3964 |
| Date: | REMOVE: |
| 01/20/10 | FORRESTER |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4329 |
| Date: | REMOVE: |
| 01/20/10 | ERICKSON |

**SENT TO THE SENATE**

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

H. 4169 -- Rep. Battle: A BILL TO AMEND ACT 607 OF 1986, AS AMENDED, RELATING TO THE ELECTIONS OF MEMBERS OF THE MARION COUNTY BOARD OF EDUCATION, SO AS TO PROVIDE THAT A PERSON DESIRING TO QUALIFY AS A CANDIDATE SHALL FILE WRITTEN NOTICE OF CANDIDACY AT LEAST SIXTY DAYS BEFORE THE DATE SET FOR THE ELECTION BUT NOT EARLIER THAN NINETY DAYS BEFORE THE ELECTION, TO PROVIDE THAT THE COUNTY COMMISSIONERS OF ELECTION SHALL PUBLISH NOTICES OF THE ELECTION AS PROVIDED IN SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND TO PROVIDE THE NONPARTISAN PLURALITY METHOD AS CODIFIED IN SECTION 5-15-61, CODE OF LAWS OF SOUTH CAROLINA, 1976, BE REQUIRED TO DETERMINE THE OUTCOME OF THE ELECTION INSTEAD OF PURSUANT TO ACT 81 OF 1977.

H. 4302 -- Rep. Funderburk: A BILL TO AMEND SECTION 22-2-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COUNTY JURY AREA DESIGNATIONS FOR USE IN MAGISTRATES COURTS, SO AS TO REVISE THE JURY AREAS FOR KERSHAW COUNTY TO PROVIDE FOR ONE JURY AREA COUNTYWIDE.

H. 4239 -- Reps. Miller, Wylie, J. E. Smith and Anderson: A BILL TO AMEND SECTION 8-21-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SCHEDULE OF FEES AND COSTS COLLECTED BY COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS, SO AS TO WAIVE THE RECORDING FEE OTHERWISE REQUIRED FOR A POWER OF ATTORNEY FILED BY A MEMBER OF ARMED FORCES OF THE UNITED STATES PREPARATORY TO DEPLOYMENT TO A COMBAT ZONE UPON PRESENTATION OF COPIES OF THE DEPLOYMENT ORDER, AND TO DEFINE "COMBAT ZONE".

**ORDERED TO THIRD READING**

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

S. 1022 -- Senators Hayes, Mulvaney and Peeler: A BILL TO AMEND ACT 959 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE YORK COUNTY NATURAL GAS AUTHORITY, SO AS TO ALLOW IT TO CONNECT TO ANY SOURCE OF NATURAL GAS AND TO INCREASE ITS POWERS TO ALLOW, AMONG OTHER THINGS, THE PURCHASE AND SALE OF THE TOWN OF BLACKSBURG'S NATURAL GAS SYSTEM.

S. 963 -- Senators Knotts, Cromer, Courson and Setzler: A BILL TO AMEND SECTION 7-7-380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF LEXINGTON COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 654 -- Senators Mulvaney and Sheheen: A BILL TO AMEND SECTION 30-5-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERFORMANCE OF THE REGISTER OF DEEDS' DUTIES BY THE CLERK OF COURT IN CERTAIN COUNTIES, SO AS TO PROVIDE LANCASTER COUNTY HAS A SEPARATE CLERK OF COURT AND REGISTER OF DEEDS; TO AMEND SECTION 30-5-12, AS AMENDED, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS IN CERTAIN COUNTIES, SO AS TO PROVIDE THE GOVERNING BODY OF LANCASTER COUNTY SHALL APPOINT THE REGISTER OF DEEDS FOR LANCASTER COUNTY; AND TO REPEAL ACT 454 OF 2000 RELATING TO THE TRANSFER OF THE DUTIES OF THE REGISTER OF DEEDS IN LANCASTER COUNTY TO THE RECORDS MANAGEMENT DIRECTOR OF LANCASTER COUNTY.

**H. 4344--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4344 -- Reps. Herbkersman and Chalk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4 ENACTING THE "ALTERNATE LOCAL OPTION TOURISM DEVELOPMENT FEE ACT" SO AS TO ALLOW A MUNICIPALITY LOCATED WITHIN A COUNTY IN WHICH AT LEAST FIVE MILLION DOLLARS OF STATE ACCOMMODATIONS TAX REVENUES HAVE BEEN COLLECTED IN A FISCAL YEAR AND COUNTY ANNUAL PER CAPITA PERSONAL INCOME IS AT LEAST FORTY THOUSAND DOLLARS TO IMPOSE A FEE NOT TO EXCEED ONE PERCENT OF AMOUNTS SUBJECT TO TAX PURSUANT TO CHAPTER 36, TITLE 12, THE SOUTH CAROLINA SALES AND USE TAX ACT, FOR NOT MORE THAN TEN YEARS, TO PROVIDE THAT A MUNICIPALITY MAY IMPOSE THE FEE BY ORDINANCE, TO PROVIDE FOR THE ADMINISTRATION OF THE FEE, AND TO PROVIDE USES FOR WHICH THE FEE REVENUE MUST BE APPLIED, INCLUDING TOURISM PROMOTION, PROPERTY TAX CREDITS, AND CAPITAL PROJECTS PROMOTING TOURISM CAUSES.

Rep. HERBKERSMAN proposed the following Amendment No. 1 (COUNCIL\MS\7505AHB10), which was adopted:

Amend the bill, as and if amended, by deleting Section 4-10-1060(C), as contained in SECTION 1, page 4, line 16 through 18, and inserting:

/ (C) the receiving organization must present an annual marketing plan and budget to the municipal council or its designee for review and approval before implementation. /

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

The amendment was then adopted.

Rep. RICE moved to commit the Bill to the Committee on Ways and Means.

Rep. HERBKERSMAN moved to table the motion.

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

Yeas 66; Nays 35

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Bannister | Barfield | Battle |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | Chalk | Clemmons |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Gilliard |
| Hamilton | Hardwick | Harrell |
| Harvin | Hayes | Herbkersman |
| Hodges | Horne | Huggins |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Long |
| Lowe | Lucas | McEachern |
| Merrill | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. M. Neal |
| Parker | Parks | Pinson |
| M. A. Pitts | Rutherford | Scott |
| Simrill | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Thompson |
| Umphlett | Viers | Weeks |
| White | Williams | A. D. Young |

**Total--66**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bedingfield |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Cole | Duncan | Forrester |
| Frye | Funderburk | Govan |
| Gunn | Haley | Hart |
| Hiott | Kelly | Loftis |
| Mack | Millwood | Norman |
| Ott | Owens | Rice |
| Skelton | D. C. Smith | Spires |
| Stewart | Stringer | Toole |
| Whipper | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--35**

So, the House tabled the motion to commit the Bill to the Ways and Means Committee.

Rep. HALEY spoke against the amendment.

Reps. RICE, HIOTT, SKELTON, WHIPPER, R. L. BROWN, HALEY, LOFTIS, FORRESTER, WYLIE, CHALK, MILLWOOD, NORMAN, LUCAS, BEDINGFIELD, ERICKSON, HUTTO, J. R. SMITH, HERBKERSMAN, LONG, OTT, HART, GUNN, CRAWFORD, LOWE, UMPHLETT and HARVIN requested debate on the Bill.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3952 from the Committee on Judiciary.

Rep. HARRISON objected.

**OBJECTION TO RECALL**

Rep. KENNEDY asked unanimous consent to recall H. 3842 from the Committee on Education and Public Works.

Rep. CRAWFORD objected.

**SENT TO THE SENATE**

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

H. 3543 -- Reps. Brady, Mitchell, Erickson and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS IN DEVELOPING THEIR OWN POLICIES FOR REPORTING AND RESPONDING TO DATING VIOLENCE, TO PROVIDE WHAT MUST BE INCLUDED IN THE POLICIES, TO PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST.

**H. 4361--ADOPTED, SENT TO THE SENATE**

The following Concurrent Resolution was taken up:

H. 4361 -- Reps. Sellers, Scott, Erickson, Govan, G. A. Brown, Mitchell, Allison, Parker, Forrester, Kelly, Limehouse, Sottile, Gilliard, Hutto, Stavrinakis, A. D. Young, Horne, Clemmons, T. R. Young, King, Norman, Kirsh, Wylie, Stringer, Chalk, Brantley, J. R. Smith, D. C. Smith, Stewart, Parks and Dillard: A CONCURRENT RESOLUTION TO EXPRESS SINCERE SYMPATHY FOR THE PEOPLE OF HAITI IN THE DEVASTATION AND LOSS OF LIFE FROM THE RECENT CATASTROPHIC EARTHQUAKE THERE, AND TO SEEK ENCOURAGEMENT FROM ALL SOUTH CAROLINIANS TO ASSIST IN THE RESCUE AND REBUILDING OF THAT NATION.

Rep. SELLERS explained the Concurrent Resolution.

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

Yeas 106; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Brantley | G. A. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gilliard |
| Govan | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | J. M. Neal |
| Norman | Ott | Owens |
| Parker | Parks | Pinson |
| Rice | Rutherford | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--106**

 Those who voted in the negative are:

**Total--0**

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 3280--DEBATE ADJOURNED**

Rep. T. R. YOUNG moved to adjourn debate upon the following Joint Resolution until Tuesday, January 26, which was adopted:

H. 3280 -- Reps. T.R. Young, Allison, Parker, D.C. Smith, G.R. Smith, J.R. Smith, Stewart, Millwood, Horne, Funderburk, Wylie, Bedingfield, Hart, Harrell, A.D. Young, Viers, Gunn and Erickson: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

**S. 186--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 186 -- Senators McConnell and Campsen: A BILL TO AMEND SECTION 15-77-300, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOWANCE OF ATTORNEY'S FEES IN STATE-INITIATED ACTIONS, SO AS TO LIMIT THE FEE TO A REASONABLE TIME EXPENDED AT A REASONABLE RATE.

Rep. HARRISON proposed the following Amendment No. 1 (COUNCIL\MS\7462AHB10), which was adopted:

Amend the bill, as and if amended, pages 1 and 2, by deleting SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 15‑77‑300 of the 1976 Code is amended to read:

 “Section 15‑77‑300. (A) In any civil action brought by the State, any political subdivision of the State or any party who is contesting state action, unless the prevailing party is the State or any political subdivision of the State, the court may allow the prevailing party to recover reasonable attorney’s fees to be taxed as court costs against the appropriate agency if:

 (1) ~~The~~ the court finds that the agency acted without substantial justification in pressing its claim against the party; and

 (2) ~~The~~ the court finds that there are no special circumstances that would make the award of attorney’s fees unjust.

The agency is presumed to be substantially justified in pressing its claim against the party if the agency follows a statutory or constitutional mandate that has not been invalidated by a court of competent jurisdiction.

 (B) Attorney’s fees allowed pursuant to subsection (A) must be limited to a reasonable time expended at a reasonable rate. Factors to be applied in determining a reasonable rate include:

 (1) the nature, extent, and difficulty of the case;

 (2) the time devoted;

 (3) the professional standing of counsel;

 (4) the beneficial results obtained; and

 (5) the customary legal fees for similar services.

The judge must make specific written findings regarding each factor listed above in making the award of attorney’s fees. However, in no event shall a prevailing party be allowed to shift attorney’s fees pursuant to this section that exceed the fees the party has contracted to pay counsel personally for work on the litigation.

 (C) The provisions of this section do not apply to civil actions relating to the establishment of public utility rates, disciplinary actions by state licensing boards, habeas corpus or post conviction relief actions, child support actions, except as otherwise provided for herein, and child abuse and neglect actions.” /

Renumber sections to conform.

Amend title to conform.

Rep. HARRISON explained the amendment.

The amendment was then adopted.

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

Yeas 95; Nays 3

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Crawford | Daning | Delleney |
| Dillard | Duncan | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | J. M. Neal | Norman |
| Owens | Parker | Parks |
| Rice | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--95**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Hart | Kirsh | Rutherford |

**Total--3**

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

**H. 4310--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4310 -- Reps. Clemmons, Edge and Barfield: A BILL TO AMEND SECTION 4-10-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USES ALLOWED FOR REVENUES OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE, SO AS TO ALLOW AMOUNTS UP TO TWENTY PERCENT OF THE REVENUE TO BE USED FOR PROPERTY TAX RELIEF FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND FOR TOURISM-RELATED CAPITAL PROJECTS BEGINNING IN THE SECOND RATHER THAN THE THIRD YEAR OF IMPOSITION OF THE FEE, TO REQUIRE THE AMOUNTS USED FOR THESE PURPOSES TO BE RETAINED BY THE MUNICIPALITY WITH AT LEAST TWENTY PERCENT OF THE AMOUNT RETURNED USED AS A CREDIT AGAINST THE PROPERTY TAX LIABILITY OF OWNER-OCCUPIED RESIDENTIAL PROPERTY AND PROVIDE FOR THE CALCULATION OF THE CREDIT, AND TO PROVIDE FOR THE USE OF CREDITS IN EXCESS OF THE MUNICIPAL PROPERTY TAX LIABILITY.

Rep. CLEMMONS explained the Bill.

Rep. HALEY spoke against the Bill.

Rep. CLEMMONS spoke in favor of the Bill.

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

Yeas 91; Nays 2

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Duncan | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hodges |
| Horne | Hosey | Huggins |
| Hutto | Jennings | Kelly |
| King | Knight | Limehouse |
| Long | Lowe | Lucas |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. M. Neal | Norman | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Thompson | Toole | Umphlett |
| Vick | Viers | Weeks |
| White | Williams | Willis |
| Wylie |  |  |

**Total--91**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Stewart | T. R. Young |  |

**Total--2**

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

STATEMENT FOR THE JOURNAL

 I voted against H. 4310 because it would provide tax credits only to certain parts of the State, rather than all parts of the State.

 Rep. Tom Young

**H. 4344--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4344 -- Reps. Herbkersman and Chalk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4 ENACTING THE "ALTERNATE LOCAL OPTION TOURISM DEVELOPMENT FEE ACT" SO AS TO ALLOW A MUNICIPALITY LOCATED WITHIN A COUNTY IN WHICH AT LEAST FIVE MILLION DOLLARS OF STATE ACCOMMODATIONS TAX REVENUES HAVE BEEN COLLECTED IN A FISCAL YEAR AND COUNTY ANNUAL PER CAPITA PERSONAL INCOME IS AT LEAST FORTY THOUSAND DOLLARS TO IMPOSE A FEE NOT TO EXCEED ONE PERCENT OF AMOUNTS SUBJECT TO TAX PURSUANT TO CHAPTER 36, TITLE 12, THE SOUTH CAROLINA SALES AND USE TAX ACT, FOR NOT MORE THAN TEN YEARS, TO PROVIDE THAT A MUNICIPALITY MAY IMPOSE THE FEE BY ORDINANCE, TO PROVIDE FOR THE ADMINISTRATION OF THE FEE, AND TO PROVIDE USES FOR WHICH THE FEE REVENUE MUST BE APPLIED, INCLUDING TOURISM PROMOTION, PROPERTY TAX CREDITS, AND CAPITAL PROJECTS PROMOTING TOURISM CAUSES.

Rep. HERBKERSMAN spoke in favor of the Bill.

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

Yeas 53; Nays 38

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Bannister | Barfield | Battle |
| Bowers | Brady | Brantley |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Crawford | Daning |
| Dillard | Edge | Erickson |
| Funderburk | Gilliard | Hamilton |
| Hardwick | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Hodges | Hosey | Hutto |
| Jefferson | Jennings | Limehouse |
| Long | Lowe | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. M. Neal |
| Neilson | D. C. Smith | G. R. Smith |
| J. E. Smith | Sottile | Stavrinakis |
| Umphlett | Vick | Viers |
| White | Wylie |  |

**Total--53**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| G. A. Brown | Cole | Delleney |
| Duncan | Forrester | Govan |
| Gunn | Haley | Harrell |
| Hart | Hiott | Huggins |
| Kelly | King | Kirsh |
| Knight | Loftis | Lucas |
| Millwood | Norman | Ott |
| Parker | Pinson | Rice |
| Simrill | Skelton | G. M. Smith |
| Stewart | Stringer | Thompson |
| Toole | Weeks | Whipper |
| Whitmire | T. R. Young |  |

**Total--38**

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

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEES**

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

H. 4318 -- Reps. T. R. Young, Stewart, J. R. Smith, Clyburn, D. C. Smith, Spires, Hosey and Sellers: A CONCURRENT RESOLUTION TO REGISTER THE STRONG OBJECTION OF THE SOUTH CAROLINA GENERAL ASSEMBLY TO THE FEDERAL GOVERNMENT'S DECISION TO ABANDON YUCCA MOUNTAIN AS THE PREFERRED PERMANENT REPOSITORY FOR DEFENSE NUCLEAR WASTE AND COMMERCIAL SPENT FUEL.

Ordered for consideration tomorrow.

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

H. 4319 -- Reps. Millwood, Mitchell, Allison, Cole, Forrester, Kelly, Littlejohn and Parker: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 11 IN SPARTANBURG COUNTY FROM ITS INTERSECTION WITH THE WESTERN LIMIT OF THE CITY OF CHESNEE TO PARRIS BRIDGE ROAD "BRIGADIER GENERAL STEPHEN M. TWITTY HIGHWAY", AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "BRIGADIER GENERAL STEPHEN M. TWITTY HIGHWAY".

Ordered for consideration tomorrow.

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

H. 3468 -- Reps. Crawford, Stringer, Allison, Wylie and Millwood: A BILL TO AMEND ARTICLE 3, CHAPTER 61, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMERGENCY MEDICAL SERVICES FOR CHILDREN, SO AS TO DEFINE "MANAGER" AND "EMERGENCY MEDICAL TECHNICIAN"; TO REQUIRE THE EMERGENCY MEDICAL SERVICES FOR CHILDREN PROGRAM TO INCLUDE GUIDELINES FOR DESIGNATION OF PEDIATRIC EMERGENCY DEPARTMENTS, GUIDELINES FOR DISASTER RESPONSES TO CHILDREN AND THEIR FAMILIES, PEDIATRIC DISASTER PREPAREDNESS TRAINING, AND PEDIATRIC SURGE DISASTER PLAN STRATEGIES; TO ESTABLISH THE EMERGENCY MEDICAL SERVICES FOR CHILDREN ADVISORY COMMITTEE AND TO PROVIDE FOR ITS MEMBERSHIP AND PURPOSE; AND TO MAKE TECHNICAL CORRECTIONS.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4377 -- Reps. Forrester, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE THE PAUL M. DORMAN HIGH SCHOOL GIRLS SWIM TEAM ON ITS SUCCESSFUL PERFORMANCES IN THE CLASS AAAA DIVISION OF THE 2009-2010 HIGH SCHOOL STATE SWIMMING CHAMPIONSHIPS, AND TO RECOGNIZE THE SWIMMERS AND THEIR COACHES ON A SENSATIONAL SEASON.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4378 -- Reps. Forrester, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE PAUL M. DORMAN HIGH SCHOOL GIRLS SWIM TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON THEIR SUCCESSFUL PERFORMANCES IN THE CLASS AAAA DIVISION OF THE 2009-2010 HIGH SCHOOL STATE SWIMMING CHAMPIONSHIPS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4379 -- Reps. Forrester, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE JAY WARNER OF THE PAUL M. DORMAN HIGH SCHOOL BOYS SWIM TEAM ON HIS SUCCESSFUL PERFORMANCE IN THE CLASS AAAA DIVISION OF THE 2009-2010 HIGH SCHOOL STATE SWIMMING CHAMPIONSHIPS.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4380 -- Reps. Forrester, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO JAY WARNER OF THE PAUL M. DORMAN HIGH SCHOOL BOYS SWIM TEAM AND THE TEAM'S COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON HIS SUCCESSFUL PERFORMANCES IN THE CLASS AAAA DIVISION OF THE 2009-2010 HIGH SCHOOL STATE SWIMMING CHAMPIONSHIPS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4381 -- Reps. Forrester, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO CONGRATULATE THE 2009 PAUL M. DORMAN HIGH SCHOOL VARSITY GIRLS VOLLEYBALL TEAM OF SPARTANBURG COUNTY ON WINNING THE CLASS AAAA VOLLEYBALL STATE CHAMPIONSHIP, COMMEND THE PLAYERS, COACHES, AND STAFF FOR A SEASON OF SPIRITED COMPETITION, INSPIRING PERSEVERANCE, AND TREMENDOUS ACHIEVEMENT, AND TO WISH THEM EVERY SUCCESS IN THEIR FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4382 -- Reps. Forrester, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE PAUL M. DORMAN HIGH SCHOOL VARSITY GIRLS VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON WINNING THE CLASS AAAA VOLLEYBALL STATE CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4383 -- Reps. Hutto, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR STILES POINT ELEMENTARY SCHOOL TEACHER MARY BETH MEGGETT OF CHARLESTON COUNTY, AND TO CONGRATULATE HER UPON BEING NAMED THE 2009 RECIPIENT OF THE PRESTIGIOUS PRESIDENTIAL AWARD FOR EXCELLENCE IN MATHEMATICS AND SCIENCE TEACHING.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

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

H. 4384 -- Rep. Whitmire: A BILL TO AMEND SECTION 59-25-480, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEACHER DISMISSAL APPEALS, SO AS TO REQUIRE AN APPEAL TO BE MADE TO AN ADMINISTRATIVE LAW COURT; AND TO AMEND SECTION 59-25-520, RELATING TO POWERS AND DUTIES OF THE COURT IN TEACHER DISMISSAL APPEALS, SO AS TO ESTABLISH THE COURT AS THE ADMINISTRATIVE LAW COURT.

Referred to Committee on Judiciary

H. 4385 -- Rep. Thompson: A BILL TO AMEND SECTION 59-117-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF SOUTH CAROLINA, SO AS TO REVISE THE MEMBERSHIP OF THE BOARD AND THE MANNER OF MEMBER SELECTION; AND TO AMEND SECTION 59-117-20, RELATING TO MEMBER TERMS, SO AS TO REVISE TERMS OF BOARD MEMBERS.

Referred to Committee on Judiciary

H. 4386 -- Reps. Thompson, H. B. Brown and Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-45 SO AS TO LIMIT MEMBERS OF BOARDS OF TRUSTEES OF SOUTH CAROLINA PUBLIC COLLEGES AND UNIVERSITIES TO THREE FOUR-YEAR TERMS.

Referred to Committee on Judiciary

Rep. NORMAN moved that the House do now recede until 6:45 p.m., which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4357 -- Rep. Millwood: A CONCURRENT RESOLUTION TO CONGRATULATE MR. DEAN JONES, CHESNEE HIGH SCHOOL HEAD BASEBALL COACH, ON BEING NAMED 2008-2009 NATIONAL BASEBALL COACH OF THE YEAR BY THE NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS.

H. 4361 -- Reps. Sellers, Scott, Erickson, Govan, G. A. Brown, Mitchell, Allison, Parker, Forrester, Kelly, Limehouse, Sottile, Gilliard, Hutto, Stavrinakis, A. D. Young, Horne, Clemmons, T. R. Young, King, Norman, Kirsh, Wylie, Stringer, Chalk, Brantley, J. R. Smith, D. C. Smith, Stewart, Parks and Dillard: A CONCURRENT RESOLUTION TO EXPRESS SINCERE SYMPATHY FOR THE PEOPLE OF HAITI IN THE DEVASTATION AND LOSS OF LIFE FROM THE RECENT CATASTROPHIC EARTHQUAKE THERE, AND TO SEEK ENCOURAGEMENT FROM ALL SOUTH CAROLINIANS TO ASSIST IN THE RESCUE AND REBUILDING OF THAT NATION.

**THE HOUSE RESUMES**

At 6:51 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 6:54 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. 4289 -- Rep. Harrell: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, MARSHALL CLEMENT (MARK) SANFORD, JR., GOVERNOR OF THIS STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 20, 2010, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

Governor Marshall C. Sanford, Jr., and distinguished party were escorted to the rostrum by Senators Jackson, Knotts, Peeler, Campbell, and McGill and Representatives G. BROWN, STRINGER, A.D. YOUNG,  T.R. YOUNG, and GILLIARD. The President of the Senate introduced Governor Sanford who then addressed the Joint Assembly as follows:

2010 STATE OF THE STATE ADDRESS

Governor Marshall C. Sanford, Jr.

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

It’s an honor to be with you tonight to deliver my view on the state of our state, but as I’ve done in the past, I’d first ask that we pay tribute to the South Carolinians who died fighting in the Middle East and Afghanistan over the last year. Their deaths are a reminder to every one of us how short and fragile life can be – and beg of us the larger question of what are we doing to both honor their sacrifice, and to live the gift of life each of us has been granted?

Their service is also a reminder to all of us, particularly in these trying economic times, of how important it is that we look for ways to serve others. There are little things that we can do here that can make a big difference.

For instance, as one of their initiatives this year Seacoast Church decided to make a difference with a community in Kenya where one of the biggest obstacles to life comes in what we take for granted – clean water. Each member of the congregation was given a bottle of what looked to be dirty water and the challenge to empty it and refill it with coins saved by simply forgoing soft drinks or coffee and instead drinking water over the couple of weeks leading up to Christmas. Fifty cents here and seventy-five cents there doesn’t seem a big service or sacrifice, but cumulatively enabled the church to provide five water purification machines through Water Missions International in Charleston that will give 15,000 people clean drinking water.

Or take more locally what Wayne Fields and his team at the Oliver Gospel Mission are doing in the lives of homeless men just a couple of blocks from where we are now. If every person in this State volunteered one day a month at institutions like this, it would dwarf anything that government might do in the way of social service.

So here in the New Year let’s all recognize that many families across our State and Nation are indeed hurting in these economic times – that there is a lot of need out there – in some cases unimaginable levels of need as we see the tragedy of Haiti unfolding – and it all begs one question. Can we follow these soldiers’ examples in looking for ways to serve?

In fact, under the category of service from men and women in this Chamber, Representative Ted Pitts is bound for Afghanistan. His wife, Christina – and father Ed – are here and I’d ask you not only offer a round of applause for his service to our country, but that you match it with a prayer for his safety.

Finally, the fact that each of the soldiers I alluded to earlier died in service to their country is again a reminder that freedom isn’t free. This year’s list of heroes is as follows:

Private First Class Jason Watson

Staff Sergeant Ralph Futrell

Corporal Ryan McGhee

Specialist Abraham Wheeler III

Lance Corporal Christopher Fowlkes

Specialist Demetrius Void

Specialist Gary Gooch, Jr.

Private First Class Geoffrey Whitsitt

While on the topic of thanking I have historically asked a state worker, someone in the private sector, and often times the First Lady – to stand while we thanked them for their different efforts. Tonight, for one last time, let me continue that tradition.

First, I’d like to recognize a state worker who is representative of so many who do their work without recognition. Barry Franco works at Trident Tech down in North Charleston and will train workers to take on roles at the new Boeing plant. Will you join me in thanking him for that important work – and for representing those who work in state government?

We’ve also been joined tonight by Maxine White. She is an artist in the Upstate and a reminder of the creative talents and the innovative spirit found in the private sector. She reminds me of the ways in which every one of us can make a difference in South Carolina if we so choose. We don’t have to wait for a government program – we can just do it – as she does, and so will you please join me in welcoming her as well?

Never losing the taxpayers’ perspective, let me underscore that the savings Jenny created at the Lace House, the Waring House, and the Mansion, is a reminder of how every one of us tied to government can follow the lead of working South Carolinians in being creative in finding ways to do more with less. Doing more with less is what families across our state are doing everyday – and those of us who work in government should find ways to honor these daily decisions being made by the people who pay for government.

So with all that being said – the State of our State is that we have both enormous challenges and opportunities before us.

Our economic challenges for instance are in some ways historic in nature, but with every great challenge in life comes an opportunity. The opportunity in this moment is that many changes are possible in tough economic times that would not be possible in good times. Few people, few companies, few states and few nations change until they have to. We have an environment for change we have never had in the last seven years I have been with you.

Some things are going to change by virtue of the world economy whether we like them or not, and in much of this, the question will be whether or not we make the change – or change simply happens to us. For the sake of future generations I think it’s important we be as deliberate as possible in making changes I believe will accrue to the people of this State.

I ask for the people of South Carolina to make loud, but respectful, noise for change. And I need to be a better messenger because if the people push for these changes, and we’re not too tone deaf in hearing, they will happen – if the people don’t, they won’t.

As the people need to do their part, we need to do ours. Not only in my conversations with the public, but in my work with you, I need to be a humble messenger, and take joy in the fact that our Maker can use imperfect people in all walks of life. This very imperfection underscores the importance of both the grace of God and the grace of others.

Though at times we may try to cover it or forget it, the imperfections of any of us underscore the degree to which we really are of the people, and by the people – and my simple hope this year is that we be for the people in the results we produce.

So it is with that spirit that I hope we can come together.

It doesn’t mean we won’t have our differences. We always will as we come from differing political ideologies, parties, parts of this state and more, but we can bridge them by committing to work alongside each other to make meaningful changes in this legislative session.

Toward that end, this year we decided to narrow our focus to that which we believed was specific, measurable and achievable in this term. I still have strong opinions on the need to do something about unfunded liabilities at the state level, on the need for school choice, on capping higher education costs and more, but this final year we want to suggest just a few things in the hope this focus by you, me and the people more greatly insures their passage.

Accordingly, could we make this the year that we add just a couple of tools to the tool kit of economic development and jobs, that we put in place spending limits so that we avoid otherwise inevitable harm to both those who pay for government and those served by it – and finally could we make just three changes to the structure of our government that will pay tremendous dividends over time in both the efficiency and the effectiveness of South Carolina state government?

Boeing’s announcement this fall was indeed great news for the 3800 permanent jobs, 2000 construction jobs – and supplier and support jobs that will come with it.

It is the single largest economic development announcement in the history of the State – and it has been named the economic deal of the year in the country. It is again an example of the success that can come our way when we work together – as so many at all levels of government, and the private sector, worked collaboratively on this project.

But as great as those efforts were, if our soil conditions for the germination of the business that they would plant here in South Carolina were not better than other choices available to them, they wouldn’t have come here.

It’s a reminder of how every one of us need to work to improve the business soil conditions of this state each year, and the item most immediately before us on this front is long overdue reform to the Employment Security Commission. This change is the tool we could add this year to the tool kit of job growth in South Carolina.

The Employment Security Commission is yet another separate island of government in South Carolina, and it in some ways seemed accountable to no one as their trust fund was bled from a positive of $500 million to a negative of $800 million. If nothing is done here, taxes will go up on every small, mid-sized, and large business in our state – and I believe that tax increases would hurt job creation in South Carolina. I am joined in that belief by Kenny Bingham and Greg Ryberg – and I thank both of them for leading the charge this year on ESC Reform.

Separate islands of government are not only bad for the taxpayer and harmful to the business soil conditions of our state – they also in this case hurt those searching for a job. By linking the Employment Security Commission to the efforts of the Department of Commerce in the creation of a Department of Workforce, the ESC would move from in too many ways simply processing claims for those unemployed to more actively coordinating with the Department of Commerce and others to connect those seeking jobs with job opportunities.

We continue to believe that there are other things we could do to improve the economy like raising our lowest-in-the-nation cigarette tax and swapping this with an equal dollar cut to the corporate income tax. The net effect of the change we have proposed here is that South Carolina’s ranking on the state business tax climate index would move from 25th to the 6th most competitive state in the country – and changes like this would produce jobs.

But regardless of these merits, in picking just one legislative change that would maximize economic prospects this year – it is ESC reform, and I ask for its passage.

Concurrent with these legislative efforts, I am committed to working with each of you, those spearheading local economic development efforts – and the Department of Commerce – to maximize every possibility in recruiting jobs and investment to our state. The success that came in Boeing’s landing in Charleston is a reminder of how South Carolina can win in these economic development contests.

Secondly, can we make this the year we get off the spending and budget roller coaster? To do so, we ask that the General Assembly enact spending limits. In fairness, measures aimed in this direction have passed the House several times, and once looked to come close in the Senate. Senator McConnell has committed to constitutional change as the most lasting way to make this concrete, and I applaud those efforts.

I would ask for your passage of a Bill that limits government’s growth to population plus inflation, and then allocates everything beyond this to first paying down our state’s huge unfunded liabilities – which now amount to more than $20 billion – and when this is done, to then either set money aside for a rainy day or return it to the taxpayer.

The importance of addressing spending and our unfunded liabilities can’t be underscored enough. It is the reason I got into politics, and I realize my convictions on these things can get old, but history has consistently shown how governments spend their way into oblivion – and pain for the people they supposedly represent. As a starting point I would simply ask you look at what we proposed in our budget in addressing unfunded liabilities.

On spending limits, if your political persuasion is from the right, then they make sense for the way that they protect the taxpayer in the good times. They help to avoid money going into wants and wishes rather than core needs – as when an additional $1.5 billion comes into our state government as it did just three years ago. If your political persuasion is from the left, spending limits make sense for the way that they avoid us cutting past muscle and right into bone when times aren’t so good.

Financial restraint is in many ways impossible without them, because as I’ve said repeatedly this fall at Rotary Club talks across the state, it’s as if over the last seven years’ worth of budgets we’ve been having parallel universe conversations, much like that described in the book, *Men Are from Mars, Women Are from Venus*. On the one hand I was over here pointing out that our spending was in no way sustainable. I pointed that out in each of the previous States of the State and literally a thousand other places as well.

Just last year, I noted I didn’t have a crystal ball on economic trends; I simply heard from a lot of South Carolinians on common sense principles that they believed ought to apply to government. Trees don’t grow to the sky, winter follows summer, and economies go through cycles – these things represent thinking that has been around for a very long time. Unfortunately as a nation, and as a state government, this idea had been forgotten by too many for too long.

The unsustainable debt march we were on has now come to an end, and so as a nation, and again by extension as a state, we will face a tremendous de-leveraging. I said then, and still believe, there is no way to avoid this reality.

In last year’s State of the State I said that anybody who said that this economic slowdown would be short-lived was missing what I was hearing across the State – and that I believed that anyone who suggested that things wouldn’t get a whole lot worse before they got better had missed how high the forest of debt and spending had indeed grown over these 20 years.

Unfortunately, I’ve been proven right – but in fairness to every one of you as legislators that was not the decision most immediately before you as each budget year approached. I say this because the reality that we all know of any dollar that comes into the political system is not whether or not it will be spent, but where it will be spent. Whether the spending of that dollar was sustainable or not becomes a purely intellectual exercise for you at budget time when the question before each one of you was at that point, “Do I fight for my district – and some of that money coming to the people that I serve – or do I simply let others spend it?”

I don’t begrudge any one of you for doing that which you were elected to do in trying to watch out for the people of your district, and so if we do nothing we will be left at the impasse that we have found ourselves at for seven years. This means future governors – if they choose to try and hold the line on spending will simply burn bridges and large amounts of political capital with less than commensurate results – or they may punt on the issue as many have done with consequential results to the taxpayer.

Doing nothing will leave every one of you in the less than ideal position of voting for spending that you know is unsustainable as the only way of getting a portion of that money back to your district and the people you represent.

Doing nothing would perpetuate the peaks and valleys approach to government spending that we have seen for far too long.

Doing nothing locks in a spending track that can almost guarantee future tax increases.

People are hurting in our state, and they rightly expect action to be taken. But what we do in addressing the jobs and spending issues is very important for the way unsustainable spending can bring even greater harm to the economy and job prospects. Spending money we don’t have will never be the key to economic prosperity – this is true of bailouts from Washington just as it is true of our own approach to spending in this state.

So we have a second opportunity in these trying economic times – and that is to pass spending limits. I don’t know when it will ever happen if it doesn’t happen in this kind of budget year – and so I join thousands across our state in asking that you pass meaningful and real spending limits this year.

While on this topic of spending there is one other thing we need to do – make our voices heard in Washington. Everyone well knows my opinions on the fallacy of stimulus money – and my belief that lasting jobs and economic growth can never come from a government bailout. I won’t restate my beliefs on how damaging those efforts are to future generations, the American dollar and the long term viability of the American and South Carolina economies. But there is a new threat to each one of us, the dollar and the financial stability of this country as debts are spiraling in Washington.

So-called healthcare reform will bring immediate damages to our state and nation, as for instance in South Carolina alone it would expand South Carolina Medicaid roles by over 500,000 people – costing our state’s taxpayers more than $1 billion over the next ten years. It would also mean Medicaid would grow to almost 40 percent of the state budget in five years, and in so doing effectively place about one-third of the state’s population on Medicaid.

All this means is that unless people across this state really make their voices heard, significant cuts to other parts of state government – or substantial raises in taxes – are coming our way. If you take but one pearl from this talk it is that now is the time to make your voice heard – whether in correcting the path Washington is now on, or in bettering our state.

Finally, in this last year of office I backed away from some of our more ambitious proposals in changing our government structure – and by extension the way things are done in Columbia – and instead we’re just asking for three changes that we, again, believe will be specific, measurable and achievable in moving us toward a more balanced – and thereby more efficient and effective state government.

It is important to remember that government in South Carolina costs about 140 percent of the national average. Our governmental structure leads in mighty ways to this cost and this is something that hurts business and job prospects – as well as the taxpayer.

Three things that we believe would move us in a different direction are a Department of Administration, having the Governor and Lt. Governor run together on a ticket and allowing the people to decide whether a host of constitutional officers should be elected or appointed.

Last year, a Department of Administration bill passed the House unanimously before stalling in the Senate. Its premise is that we don’t need to continue to be the only state in the country that does not allow its Governor to administer the laws administered by the other 49 Governors in the United States. You would not be giving this power to me; I’m gone in 11 months – but for the sake of good government please give this power to whomever follows me, whether they are Republican or Democrat – male or female – please give them the tools by which they may succeed or fail, and then hold them accountable.

Two, put the Governor and Lt. Governor together as a team. To me it makes no sense to have a governor elected by the people, and yet have his first check on delivering promises made by, not the legislative or judicial branches of government – but the Lieutenant Governor, who in our state could be of opposite political persuasion and party. Would it make any sense to have the President and Vice President in Washington elected with opposing agendas and wanting to go in opposition directions? I don’t believe it would, and I respectfully ask we make this change.

Finally, can we let the people of South Carolina decide on whether a host of constitutional officers should be appointed rather than elected. We are for instance the only state in the country where the Adjutant General is elected. We are not asking that any of you take a position for or against change in any of these changes, just that you let the people of South Carolina decide.

We are asking you do what was done at the time of the lottery when many in this chamber said they were against a lottery – but felt it was such an important issue that they would vote to allow the people to decide. If this reasoning can be good enough for a lottery, can it be good enough for the taxpayers chance to make decisions on our constitutional framework?

This is the case particularly in South Carolina when that framework was handed to us in the 1800’s based on fears of black men in politics that are wrong and long outdated. These truths on the need for change have been recognized by Democrats like Anton Gunn or Vincent Sheheen along with Republicans like Garry Smith or Tom Young – and I think it is vital we all do something *this year* about these truths.

So these are our simple requests for this legislative term. I ask for your work in their passage, and hope that you will call on me as I am committed to doing anything in your respective districts that might help toward that end.

I am tempted to end here, but as this is my last State of the State let me add a few other words of thanks, as together we have effected some changes over these last seven years that have made, and will continue to make, a difference in people’s lives. In fact, when I ran for this office eight years ago, I pledged to work to make South Carolina a better place to call home. While this work is never done, and never complete in today’s global competition for jobs, capital and way of life, we have made changes in each of the areas talked about in that now distant campaign.

We talked about the need to improve the chance for a job, the chance to better what we brought home in building a life or a family, how even a job was key to using one’s talents, and therefore how important it was that we do things each year to make our business climate more competitive.

That’s why I thank you for passing the first cut to the marginal income tax rate in South Carolina’s history. As a result of this change, $292 million has already stayed in the hands of small business people that would have gone to government. It has made a difference in how many of those small businesses could add a job to their payroll – or even survive in these economic times.

I thank you for passing the largest recurring tax cut in South Carolina history. Already $260 million has stayed in the hands of taxpayers and for the difference this will make in their lives – I again thank you.

I thank you for passing the first tort reform bill of its kind. That bill took us off the list of “judicial hell holes*”* and is the kind of change instrumental to bettering our state’s business climate and the prospect of jobs.

I thank you for passing our state’s first reform to the workers’ compensation system. A change like that one is also just the kind of thing that a business from afar looking at South Carolina takes into consideration. And I thank you for passing things like the small business healthcare bill.

The byproduct of these changes is in part evident in the record setting more than $4 billion in capital investment brought to our state last year, which followed the year before in record setting investment. It is borne in the more than $19 billion invested in our state over the last seven years, or the 64,000 *more* people working today than in 2003.

These job numbers are not where we would like them to be, but it is important to remember that we rank 14th in the nation in employment growth – and 9th in labor force growth – which means a lot of people are voting with their feet in leaving the Northeast or Upper Midwest and coming to South Carolina to seek opportunity.

It is evident in the decision of companies like Boeing, Google, Starbucks or Adidas to put down roots in South Carolina.

It is evident in the expansions of companies like BMW, GE Aviation or Husqvarna.

It is evident in the efforts of unsung heroes out working to grow and sustain small business like Southern Aluminum in Clinton, JVS Roofing in Simpsonville, or Elliott Sawmilling in Estill.

We talked about changing the way Columbia works, and once again we haven’t reached the promised land on where we would like to end, but we have made real changes and for your efforts I thank you.

For too long too many votes were never recorded in these chambers and there can be no accountability without transparency. Thank you for what all of you did to change this.

We now have on-line transparency to allow a taxpayer to see more directly how their money is spent in state government.

We ended the Competitive Grants program.

We ended pass-throughs and bobtailing – and I thank you here too.

When even the ethics committee said it couldn’t be done back in 2005, we found a way to begin on-line disclosure so that citizens could better see where money was coming from and going to in campaigns.

We passed campaign finance reform. It had been vetoed twice during the previous administration, and its passage ended the Wild West practice that had prevailed in South Carolina that allowed unlimited and undisclosed amounts to go to a political party or caucus.

Thank you for passing steps toward improving governmental structure that in turn yields better results. The Department of Transportation had not been changed since 1919, and changes there mean more money will go to the place where congestion and need exist rather than to the places of few cars but greater political power.

You know the DMV story and its impact in people’s lives. We only have so much time here on earth and you can spend it doing something you love or instead wait in a DMV line. The change you made has meant that wait times have on average gone from 66 minutes to 16. That kind of time matters, and so accordingly I’d thank the staff at DMV that has been remarkable in the way they have embraced and fostered change.

We talked about improving quality of life.

For me and so many others this is in part measured in the look and feel of this state, and that is why I am particularly proud of the fact that more land has been set aside during this governorship than any other in state history. These 153,000 acres will pay dividends economically in attracting and retaining people in our state, and in giving them a glimpse of the splendor that keeps so many of us here.

Quality of life begins with life itself, and so I want to thank each of you for your work in passing DUI reforms. Over the course of this administration fatalities due to drinking and driving have decreased by about one-third, and this means over 100 people each year continue in this gift called life. That would not have been the case without these changes.

Did you know we passed one of the toughest immigration reform bills in the country? It was based on the simple notion that if you are going to have rules we all ought to play by those rules, and has made a real difference for families across this state.

If you live on, or near, the coast, some would define quality of life as being able to get insurance for your home. The Coastal Insurance Bill protected taxpayers in the Midlands and Upstate from paying the bill for storm damages as is now the case in the state government-run Florida program.

Just as when we walk into Walmart they never give us the exact price we would love – we still get a better price than if there was no competition. This bill has allowed the private sector and the marketplace to work.

We talked about improving education. As a result of all that back and forth on this administration’s core belief that parents ought to have every opportunity to decide what school works best for their child – for a choice – more have been offered.

We now have virtual schools and classrooms that allow someone in rural South Carolina to be taught by an expert in a different corner of the State.

We passed a statewide charter school bill that was the first of its kind in the nation. I don’t believe we would have gotten that bill through – or other choices that now come in education – without the larger debate on full-scale choice in education.

Whether in the additional $2.7 billion that has gone to education above and beyond the level of funding that came at this administration’s start in 2003 – or with the Education and Economic Development Act that offered a tech-prep choice to students – or in physical fitness programs offered as a result of the South Carolina Health and Fitness Act – or even in outright full choice in education now offered in early childhood education, I know that a long list of people deserve credit for work here that is making a difference in the minds of students across our state.

Finally, I said I’d watch out for the taxpayer. I have always believed that money was a close proxy for freedom – and freedom at the end of the day is what the American political system was designed to perpetuate. It is economic freedom that unleashes the very initiative that drives our economy. It is freedom that empowers us to strive toward our respective dreams that individually define what “the pursuit of happiness” means to each one of us.

Yet when you spend a third, or half, your year working just to pay taxes, you are, in essence, indentured to government part of that time. And we ought to always get to the heart of what drives taxes – what we spend in government.

As mentioned earlier, this conviction is to the core. At times I wasn’t as diplomatic as I should have been in expressing my thoughts on this – but the good news is that as a result of all that fussing and fighting – the taxpayer was recognized at the table of our government in ways that would have not been the case.

Though the pigs are still remembered, what is forgotten about that chapter was the way we faced a $155 million unconstitutional deficit. We set precedent back then for the next 100 years on the sanctity of our balanced budget in this state – and for your work I thank you.

Did you know we are the second state in the nation to offer Health Savings Accounts for all state workers and retirees, and with this health and budget initiative millions will be saved?

Did you know those changes we instituted at the front end of this administration with Corrections producing their own eggs and growing their own corn for grits, Commerce selling jets, PRT consolidating programs – millions more have been saved – and will continue to be saved?

Did you know $110 million has been saved with the proviso you put into the budget with the preferred drug list, or that we have saved $1.8 billion over the last six years with our first in the nation Community Long-Term Care Program?

I could go down a lot of “did you knows” on taxpayer savings, but I’ll spare you that laundry list of savings, and simply thank you for your part in all those little, and at times unseen, efforts to save the taxpayer money. I have always believed in the notion that the ultimate measure of government was found in what it spends – and that all too often it spends at a rate that surpasses the taxpayer’s ability to keep up with it.

All those conversations, and even consternations, have been worthwhile for the way they served to force people in government to follow the lead of the people paying for government in looking for ways to do more with less.

Lest the length of this talk of mine lead you to the conclusion that I will ask for legislative change beyond the three things I mentioned, I will call it quits. But I will leave you with two parting thoughts.

The first is from our family minister Greg Surratt. In the prayer service before my second inaugural he encouraged me to live by Micah 6:8 which simply asks that we love mercy, do justice and walk humbly. I never got that charge quite right over the following four years, I don’t know that I ever will – but I do know that I will be trying and would pass his charge to each of you who bear the pressures and responsibilities of elected leadership.

Under the category of life beyond politics, I’d ask you to focus on the things that matter most. Many of you are far ahead of me on this journey, but I heard a story a few months ago that has helped me in refocusing – and in the hope it might help you too, I offer it.

In early December I was at the grand opening of Red Ventures in Lancaster, where I ended up in an amazing conversation with its CEO, Ric Elias, who had found himself in seat 1A of the plane that went down in the Hudson River.

The plane lifted off from LaGuardia, and a short time after takeoff the captain came on mentioning a bird strike and matter-of-factly said that they would have to be heading back to the airport to re-land. Ric’s position was interesting because he sat cattycorner to the flight attendant and saw no fear in her eyes as the captain said what he said.

Another couple minutes go by and the captain comes back on announcing just three words, “prepare for impact.” At that point, he could see the absolute sheer horror in the flight attendant’s eyes as she knew what that meant. They were fully loaded with fuel and you don’t put down a jet of that size on a street in Queens, Brooklyn or Manhattan.

Ric did the mental calculation and figured he would be dying in about 40 to 45 seconds and his whole life went rolling by. He said though he had previously had the natural fears of death, he was not afraid of death as it was so near. What he did think about was the time he had wasted – the time he had spent arguing about petty things, about things that didn’t matter with people who did, the times he had let little things get to him. He said it was the most amazing process of letting go of all these things in those 45 seconds. In essence, he died to himself and to those previous aggravations in the short window of time that he had left on earth.

But he didn’t die, and he now likened life to playing on bonus time in a video game – that he shouldn’t be here, but he was, and therefore he was going to fully live each day. In profoundly positive ways he would try and make a difference in the lives of those around him and the world at large. He would invest in things that truly matter – those things that you can’t see, you can’t touch, you can’t feel – but are the things that will have lasting value.

I don’t know if I will ever see Ric again, but I do know I’ll be trying to follow his lead. As we work together over the next 11 months and as we go different ways after that, I hope you will too. If we all strive in this direction I suspect it will make a difference in bringing all of us – Republicans and Democrats, as representatives from the Coast, Midlands, and Upstate – as South Carolinians – together to better the lives of people in our state. That’s my prayer.

Thank you and good night.

**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 7:55 p.m. the House resumed, the SPEAKER in the Chair.

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

**ADJOURNMENT**

At 8:00 p.m. the House, in accordance with the motion of Rep. SKELTON, adjourned in memory of Mac McKeown of Clemson, to meet at 10:00 a.m. tomorrow.

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