~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Proverbs 2:10: “Wisdom will come into your heart and knowledge will be pleasant to your soul.”

Let us pray. Keep us hungry for insight and knowledge about what You desire from these Representatives. Grant them courage, strength, and integrity as they approach the many and varied challenges for today. Bless the leaders of our Nation, State, Speaker, staff, and all who serve in these Halls of Government. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. 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. BALES moved that when the House adjourns, it adjourn in memory of Mary Lois Shivers of Lower Richland, which was agreed to.

**REGULATIONS WITHDRAWN AND RESUBMITTED**

Document No. 4139

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 48-2-10 et seq.

Environmental Protection Fees (Re: Drinking Water Fees)

Received by Speaker of the House of Representatives January 11, 2011

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration May 11, 2011

Revised: May 12, 2011

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., January 26, 2011

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 11:30 a.m. on Thursday, January 27, 2011, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. ALLISON the invitation was accepted.

**CONCURRENT RESOLUTION**

The following was introduced:

S. 52 -- Senators McConnell, Knotts and Nicholson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 2, 2011, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2011; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2011; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2012, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT AT-LARGE, SEAT 9, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 3458 -- Reps. Horne and Murphy: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND SANDRA L. POPIVCHAK, CPA, COMPTROLLER FOR DORCHESTER SCHOOL DISTRICT TWO, UPON THE OCCASION OF HER RETIREMENT, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3459 -- Reps. Horne and Murphy: A HOUSE RESOLUTION TO EXPRESS THE SINCERE SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MIRIAM ANN BEESON OF DORCHESTER COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3460 -- Reps. Horne, Murphy and Knight: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR FIRE CHIEF STEPHEN J. LESLIE, UPON THE OCCASION OF HIS RETIREMENT, AFTER THIRTY-SEVEN YEARS OF DEDICATED SERVICE TO THE CITIZENS OF THE TOWN OF SUMMERVILLE AS A MEMBER OF THE SUMMERVILLE FIRE DEPARTMENT,

AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3461 -- Reps. Horne and Murphy: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF DAVID L. UNWIN OF SUMMERVILLE, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3462 -- Rep. Brannon: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LANDRUM HIGH SCHOOL BOYS CROSS-COUNTRY TEAM FOR AN OUTSTANDING, UNDEFEATED SEASON AND TO CONGRATULATE THE TEAM MEMBERS, COACHES, AND SCHOOL OFFICIALS FOR GARNERING THE 2010 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3463 -- Rep. Brannon: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE LANDRUM HIGH SCHOOL CROSS-COUNTRY TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2010 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3464 -- Reps. Norman, Delleney, King, Long, D. C. Moss, Pope and Simrill: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE NORTHWESTERN HIGH SCHOOL FOOTBALL TEAM ON ITS UNDEFEATED SEASON AND IMPRESSIVE WIN OF THE 2010 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3465 -- Reps. Norman, Delleney, King, Long, D. C. Moss, Pope and Simrill: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE NORTHWESTERN HIGH SCHOOL FOOTBALL 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 2010 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3466 -- Reps. Sellers and H. B. Brown: A HOUSE RESOLUTION TO AMEND RULE 5.13 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, SO AS TO REVISE THE REQUIREMENT FOR A STATEMENT OF ESTIMATED FISCAL IMPACT ON A BILL OR JOINT RESOLUTION REQUIRING THE EXPENDITURE OF FUNDS, AND TO PROVIDE THAT THE STATEMENT MUST BE OBTAINED AND DISTRIBUTED TO COMMITTEE MEMBERS BEFORE A COMMITTEE VOTE MAY BE TAKEN REPORTING THE BILL OR JOINT RESOLUTION TO THE HOUSE AND TO DEFINE "STATEMENT OF ESTIMATED FISCAL IMPACT".

The Resolution was ordered referred to the Committee on Rules.

**INTRODUCTION OF BILLS**

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

H. 3467 -- Reps. Loftis, Pinson, Limehouse, Bowen, Dillard, Erickson, Long, Munnerlyn and Pitts: A BILL TO AMEND SECTION 44-53-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE, SALE, OR MANUFACTURE OF CLEANING AGENTS CONTAINING PHOSPHATES, SO AS TO SPECIFY THAT LAUNDRY DETERGENT INCLUDES HOUSEHOLD AND COMMERCIAL LAUNDRY DETERGENT, TO ADD HOUSEHOLD DISHWASHING DETERGENT TO THE CLEANING AGENTS INCLUDED IN THE RESTRICTION ON PHOSPHATES, AND TO FURTHER SPECIFY THOSE CLEANING AGENTS THAT ARE EXEMPT FROM THIS RESTRICTION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3468 -- Rep. Pitts: A BILL TO AMEND CHAPTER 3, TITLE 51 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM'S CONTROL OVER ALL PARKS BELONGING TO THE STATE, SO AS TO TRANSFER THIS AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; AND TO AMEND SECTIONS 51-1-30, 51-1-40, 51-1-70, AND 51-1-80, ALL AS AMENDED, ALL RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO TRANSFER ITS AUTHORITY OVER THE STATE’S PARKS TO THE DEPARTMENT OF NATURAL RESOURCES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3469 -- Reps. Pitts, Cobb-Hunter, White, Bingham, G. M. Smith, Thayer, D. C. Moss, Ott, Simrill, Brantley, Umphlett, Allison, Erickson, Frye, Bowen, G. R. Smith, Horne, Herbkersman, Patrick, Hardwick, Brannon, Spires, J. H. Neal, Williams, Atwater, Forrester, King, Murphy, Bedingfield, Crosby, Daning, Harrell, Harrison, Hiott, Hixon, Hosey, Long, Sandifer, J. R. Smith, Sottile and Tallon: A BILL TO AMEND CHAPTER 21, TITLE 24, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT, CREATION, AND OPERATION OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES AND THE BOARD OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO TRANSFER ALL FUNCTIONS, POWERS, DUTIES, RESPONSIBILITIES AND AUTHORITY STATUTORILY EXERCISED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES TO THE DEPARTMENT OF CORRECTIONS, AND TO CREATE A DIVISION OF PROBATION, PAROLE AND PARDON SERVICES WITHIN THE DEPARTMENT OF CORRECTIONS.

Referred to Committee on Judiciary

H. 3470 -- Rep. Pitts: A BILL TO AMEND SECTION 44-53-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST USING, SELLING, OR MANUFACTURING CLEANING AGENTS CONTAINING PHOSPHATES, SO AS TO INCLUDE HOUSEHOLD DISHWASHING DETERGENTS IN THIS PROHIBITION; TO FURTHER SPECIFY CRITERIA FOR AND TYPES OF CLEANING AGENTS EXEMPT FROM THIS PROHIBITION; TO PROVIDE A CRIMINAL OFFENSE FOR SECOND AND SUBSEQUENT VIOLATIONS; TO AUTHORIZE THE SALE OF PROHIBITED CLEANING AGENTS THAT ARE IN A RETAILER'S INVENTORY ON JULY 1, 2011; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REPORT ON THE AVAILABILITY, EFFECTIVENESS, AND COST OF NONPHOSPHATE COMMERCIAL DISHWASHING DETERGENT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3471 -- Reps. Pope and D. C. Moss: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 11, 12, AND 13, 2011, BY THE STUDENTS OF YORK COUNTY SCHOOL DISTRICT TWO WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3472 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 14 TO CHAPTER 60, TITLE 12, SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THE PROCESS BY WHICH A TAXPAYER MAY OBJECT TO A BUSINESS LICENSE TAX ASSESSMENT, TO PROVIDE THE PROCESS BY WHICH THE ASSESSMENT MAY BE APPEALED, AND TO PROVIDE THE PROCESS BY WHICH AN ASSESSMENT MAY BE REFUNDED; AND TO AMEND SECTION 12-60-20, AS AMENDED, RELATING TO THE INTENT OF THE SOUTH CAROLINA REVENUE PROCEDURES ACT, SO AS TO PROVIDE THAT THE SOUTH CAROLINA REVENUE PROCEDURES ACT ALSO IS INTENDED TO RESOLVE DISPUTES CONCERNING BUSINESS LICENSE TAX ASSESSMENTS.

Referred to Committee on Ways and Means

H. 3473 -- Reps. Sandifer, Bales, Battle, Cobb-Hunter, Erickson, Huggins and Mack: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-35 SO AS TO DEFINE CERTAIN TERMS, PROHIBIT THE SALE OF HEATING, VENTILATION, OR AIR CONDITIONING EQUIPMENT BY CERTAIN PARTIES EXCEPT UNDER CERTAIN CONDITIONS, TO EXEMPT HOMEOWNERS FROM THIS SECTION, TO IMPOSE RECORD KEEPING REQUIREMENTS ON A SUPPLIER OR DISTRIBUTOR OF HEATING, VENTILATION, OR AIR CONDITIONING EQUIPMENT, TO PROVIDE THESE RECORDS MUST BE OPEN TO INSPECTION BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION OR A DESIGNEE OF THE DEPARTMENT, TO PROVIDE THE SERVICE OF INSTALLING HEATING, VENTILATION, OR AIR CONDITIONING EQUIPMENT MUST BE PERFORMED IN COMPLIANCE WITH APPLICABLE BUILDING CODES AND OTHER SPECIFIC REQUIREMENTS, AND TO PROVIDE PENALTIES FOR A VIOLATION.

Referred to Committee on Labor, Commerce and Industry

H. 3474 -- Rep. Sandifer: A BILL TO AMEND SECTION 6-8-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO SEPARATE THE COUNCIL INTO THE SOUTH CAROLINA COMMERCIAL BUILDING CODES COUNCIL AND THE SOUTH CAROLINA RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-5, AS AMENDED, RELATING TO THE PUBLIC POLICY FOR BUILDING CODES, SO AS TO MAKE SPECIFIC REFERENCE TO BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-20, AS AMENDED, RELATING TO AGREEMENTS WITH OTHER GOVERNMENTAL ENTITIES, SO AS TO MAKE SPECIFIC REFERENCE TO BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-40, AS AMENDED, RELATING TO BUILDING CODE ADOPTION PROCEDURE, SO AS TO CLARIFY THE AUTHORITY OF BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; TO AMEND SECTION 6-9-63, RELATING TO THE COMPOSITION AND FUNCTIONS OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO DEFINE THE COMPOSITION OF BOTH THE COMMERCIAL BUILDING CODES COUNCIL AND THE RESIDENTIAL BUILDING CODES COUNCIL; AND TO AMEND SECTION 6-9-105, RELATING TO CODE VARIATIONS BASED ON PHYSICAL OR CLIMATOLOGICAL CONDITIONS, SO AS TO INCLUDE GEOLOGICAL CONDITIONS AS A CONSIDERATION FOR A VARIANCE, AND TO MAKE SPECIFIC REFERENCE TO THE APPROPRIATE COUNCIL FOR THE SUBMISSION OF PROPOSED VARIANCES.

Referred to Committee on Labor, Commerce and Industry

H. 3475 -- Reps. Pinson, Parks and Pitts: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, AND 12, 2011, BY THE STUDENTS OF GREENWOOD COUNTY SCHOOL DISTRICTS FIFTY AND FIFTY-TWO WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3476 -- Reps. Pinson, Parks, and Pitts: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF GREENWOOD COUNTY SCHOOL DISTRICT FIFTY-ONE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3477 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 40-47-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAL EXPERT WITNESSES, SO AS TO ENACT THE "MEDICAL MALPRACTICE EXPERT TESTIMONY ACT OF 2011", TO DELETE EXISTING LANGUAGE CONCERNING THE LICENSURE OF AN EXPERT MEDICAL WITNESS AND THE ABILITY OF THE BOARD OF MEDICAL EXAMINERS TO WAIVE A RELATED FEE, AND TO PROVIDE AN INDIVIDUAL NOT LICENSED TO PRACTICE MEDICINE IN SOUTH CAROLINA WHO PROVIDES EXPERT MEDICAL WITNESS TESTIMONY IN AN ADMINISTRATIVE, CIVIL, OR CRIMINAL PROCEEDING IN THIS STATE MUST BE SUBJECT TO THE JURISDICTION OF THE BOARD OF MEDICAL EXAMINERS AS IF FULLY LICENSED AS A MEDICAL EXPERT WITNESS.

Referred to Committee on Judiciary

H. 3478 -- Reps. Young, D. C. Moss, Gambrell, Agnew, Bowen, H. B. Brown, Clyburn, Spires, Frye, Bingham, Cobb-Hunter, Hardwick, Hayes, Herbkersman, Hixon, Horne, Hosey, Lucas, McEachern, Ott, Quinn, G. R. Smith, J. R. Smith, Taylor, Umphlett and White: A BILL TO AMEND SECTION 39-41-235, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETROLEUM PRODUCTS AND DIESEL FUEL SUITABLE FOR BLENDING, SALE OF UNBLENDED PRODUCTS WITHOUT NECESSARY ADDITIVES, RECORDKEEPING AND REGISTRATION, ENFORCEMENT, WHOLESALER RESPONSIBILITY, LIABILITY, AND NOTICE, SO AS TO PROVIDE THAT THESE REQUIREMENTS APPLY TO EVERY TERMINAL OPERATOR AND EVERY SUPPLIER.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3479 -- Rep. H. B. Brown: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF FAIRFIELD COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3480 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 1-23-525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATION OF MEMBERS OF THE GENERAL ASSEMBLY FROM ELECTION TO AN ADMINISTRATIVE LAW JUDGE POSITION, SO AS TO CHANGE FOUR YEARS TO ONE YEAR.

Referred to Committee on Judiciary

H. 3481 -- Rep. Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-73-955 SO AS TO IMPOSE AN AFFIRMATIVE DUTY ON THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEE, A RATING BUREAU, OR AN INSURER INVOLVED WITH AN INSURANCE RATE INCREASE TO RELEASE DATA ON WHICH THE INCREASE IS BASED, AND TO PROVIDE THIS INCREASE MAY NOT BECOME EFFECTIVE UNTIL THIS DUTY IS SATISFIED.

Referred to Committee on Labor, Commerce and Industry

H. 3482 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO INCLUDE THE GROSS PROCEEDS OF SALES OR THE SALES PRICE OF MACHINERY, MACHINE TOOLS, AND PARTS OF THEM, USED IN THE PRODUCTION OF ELECTRICITY FROM A RENEWABLE ENERGY SOURCE.

Referred to Committee on Ways and Means

H. 3483 -- Rep. Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-3-102 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MUST BE ELECTED TO OFFICE BY THE QUALIFIED ELECTORS OF THE STATE IN THE GENERAL ELECTION AND PROVIDE FOR THE DIRECTOR'S TERM OF OFFICE, QUALIFICATIONS, VACANCIES, AND RELATED MATTERS; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF INSURANCE IS THE DIRECTOR OF THE DEPARTMENT OF INSURANCE ELECTED TO OFFICE UNDER THE LAWS OF THIS STATE; TO AMEND SECTION 38-1-20, AS AMENDED, RELATING TO DEFINITIONS UNDER THE INSURANCE LAWS OF THIS STATE, SO AS TO MAKE CERTAIN CHANGES TO THE DEFINITION OF "DIRECTOR" OF THE DEPARTMENT OF INSURANCE; TO AMEND SECTION 38-3-10, RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO DELETE CERTAIN PROVISIONS RELATING TO THE DEPARTMENT'S DIRECTOR, PROVIDE THAT THE DIRECTOR IS ELECTED RATHER THAN APPOINTED, AND MAKE CHANGES IN THE PROVISIONS CONCERNING THE REMOVAL OF THE DIRECTOR; TO AMEND SECTION 38-3-100, RELATING TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE, SO AS TO, AMONG OTHER CHANGES, DELETE THE REQUIREMENT THAT, IF THE DIRECTOR BECOMES A CANDIDATE FOR PUBLIC OFFICE OR BECOMES A MEMBER OF A POLITICAL COMMITTEE DURING TENURE, HIS OFFICE MUST BE IMMEDIATELY VACATED; AND TO PROVIDE THAT THE ELECTION OF THE DIRECTOR OF THE DEPARTMENT OF INSURANCE BEGINS WITH THE 2010 STATEWIDE ELECTION PROCESS AND THAT THE DIRECTOR SERVING ON THE EFFECTIVE DATE OF THIS ACT SHALL CONTINUE TO SERVE UNTIL HIS SUCCESSOR IS ELECTED AND QUALIFIES FOR OFFICE.

Referred to Committee on Judiciary

H. 3484 -- Rep. Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA CLASSROOM PRIORITY ACT" BY ADDING SECTION 59-17-160 SO AS TO PROVIDE THAT AT LEAST SIXTY-FIVE PERCENT OF THE EDUCATION OPERATIONAL EXPENDITURES OF EACH SCHOOL DISTRICT MUST BE USED FOR CLASSROOM INSTRUCTIONAL EXPENDITURES, TO PROVIDE THAT EACH SCHOOL DISTRICT SHALL SUBMIT ITS PROPOSED BUDGET TO THE STATE SUPERINTENDENT OF EDUCATION WITH THE ACTUAL PERCENTAGE OF ITS EDUCATION OPERATIONAL EXPENDITURES USED FOR CLASSROOM INSTRUCTION, TO PROVIDE FOR A WAIVER, TO PROVIDE THAT THE GOVERNING BODY IN A COUNTY MAY AMEND THE FISCAL YEAR BUDGET OF A SCHOOL DISTRICT WITHIN THE COUNTY UPON A FINDING BY THE STATE SUPERINTENDENT OF EDUCATION THAT A SCHOOL DISTRICT HAS DEMONSTRATED BLATANT DISREGARD FOR THESE REQUIREMENTS, TO PROVIDE THAT THE SUPERINTENDENT OF EDUCATION SHALL DEVELOP MODEL PLANS AND THE STATE BOARD OF EDUCATION SHALL PROMULGATE REGULATIONS TO AID IN THE IMPLEMENTATION OF THESE REQUIREMENTS, AND TO DEFINE CERTAIN TERMS.

Referred to Committee on Ways and Means

H. 3485 -- Rep. Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-244 SO AS TO PROHIBIT A COMPANY ISSUING AN ACCIDENT AND HEALTH INSURANCE POLICY FROM DENYING OR LIMITING COVERAGE TO AN INSURED BECAUSE OF A PREEXISTING CONDITION WHICH RESULTS FROM AN INJURY OR CONDITION SUSTAINED BY A VICTIM AS A RESULT OF A CRIMINAL ACT.

Referred to Committee on Labor, Commerce and Industry

H. 3486 -- Reps. Parker, Pinson, Bowers, Mitchell, Brannon, Forrester, Simrill, Chumley, Toole, Patrick, Bingham, Stringer, Loftis, Bowen, Atwater, Whitmire, Hearn, Thayer, Agnew, Allison, Anthony, Bannister, Barfield, Brady, Daning, Delleney, Gambrell, Hamilton, Harrell, Harrison, Hayes, Henderson, Herbkersman, Long, Lucas, V. S. Moss, Nanney, Owens, Pitts, Pope, Quinn, Sandifer, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Tallon, Umphlett and Willis: A BILL TO AMEND THE CODE OF LAWS SOUTH CAROLINA, 1976, TO ENACT THE "STATE AGENCY DEFICIT PREVENTION AND RECOGNITION ACT" BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO PROVIDE THAT A STATE AGENCY, DEPARTMENT, OR INSTITUTION MAY NOT OPERATE IN A MANNER THAT RESULTS IN A YEAR-END DEFICIT UNLESS THE DEFICIT IS RECOGNIZED BY THE GENERAL ASSEMBLY, TO PROVIDE THE MANNER IN WHICH THE GENERAL ASSEMBLY MAY RECOGNIZE A DEFICIT, TO PROVIDE THAT AN OFFICER OR EMPLOYEE OF THIS STATE MAY NOT MAKE OR AUTHORIZE AN EXPENDITURE OR OBLIGATION EXCEEDING THE AMOUNT AVAILABLE IN AN EXISTING STATE APPROPRIATION, TO PROVIDE EXCEPTIONS, AND TO PROVIDE PENALTIES; AND TO AMEND SECTION 1-11-495, AS AMENDED, RELATING TO YEAR END DEFICITS, SO AS TO ELIMINATE THE BUDGET AND CONTROL BOARD AUTHORITY TO RECOGNIZE AN AGENCY DEFICIT.

Referred to Committee on Ways and Means

H. 3487 -- Reps. Parker, Pinson, Bowers, Brannon, Chumley, Toole, Forrester, Bingham, Stringer, Loftis, Atwater, Bowen, Whitmire, Thayer, Patrick, Mitchell, Nanney, Hearn, Agnew, Allison, Anthony, Bannister, Barfield, Brady, Daning, Delleney, Gambrell, Hamilton, Harrell, Harrison, Hayes, Henderson, Herbkersman, Long, Lucas, V. S. Moss, Owens, Pitts, Pope, Quinn, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Tallon, Umphlett and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-9-25 SO AS TO PROHIBIT A STATE OFFICER OR EMPLOYEE FROM AUTHORIZING AN EXPENDITURE OR OBLIGATION OR INVOLVE THE STATE IN A CONTRACT OR OBLIGATION WITHOUT APPROPRIATED FUNDS TO PAY THE EXPENDITURE OR OBLIGATION, TO PROHIBIT A STATE OFFICER OR EMPLOYEE FROM MAKING OR AUTHORIZING AN EXPENDITURE OR OBLIGATION EXCEEDING FUNDS AVAILABLE IN A QUARTERLY ALLOCATION PROGRAM, TO PROHIBIT A STATE OFFICER OR EMPLOYEE FROM EMPLOYING PERSONAL SERVICES EXCEEDING THOSE AUTHORIZED BY LAW AND PROVIDE EXCEPTIONS, TO PROVIDE EMPLOYMENT-RELATED PENALTIES FOR VIOLATIONS, AND TO PROVIDE THAT THESE PENALTIES ARE IN ADDITION TO AND NOT IN LIEU OF ANY OTHER ADMINISTRATIVE OR CRIMINAL PENALTIES FOR VIOLATING OTHER SIMILAR PROVISIONS OF LAW.

Referred to Committee on Ways and Means

H. 3488 -- Reps. Bingham and Harrell: A BILL TO AMEND ACT 99 OF 2007, RELATING TO THE ADDITION OF A SALES TAX EXEMPTION FOR DURABLE MEDICAL EQUIPMENT AND THE PHASE IN OF THAT EXEMPTION, SO AS TO DELETE THE PHASE IN REQUIREMENTS; AND TO AMEND SECTIONS 12-36-90, 12-36-910, 12-36-1310, AND 12-36-2120, ALL AS AMENDED, RELATING TO THE IMPOSITION OF AND EXEMPTIONS FROM THE SALES AND USE TAX, SO AS TO PROVIDE FURTHER FOR THOSE INSTANCES WHERE SALES AND USE TAX APPLIES IN CONNECTION WITH WARRANTIES AND SERVICE MAINTENANCE CONTRACTS SOLD IN CONNECTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY.

Referred to Committee on Ways and Means

H. 3489 -- Rep. H. B. Brown: A BILL TO AMEND SECTION 2-17-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACTS PROHIBITED BY LOBBYISTS, LOBBYISTS' PRINCIPALS, PUBLIC OFFICIALS, AND PUBLIC EMPLOYEES, SO AS TO PROHIBIT LOBBYISTS' PRINCIPALS FROM OFFERING, MAKING, OR FACILITATING A CAMPAIGN CONTRIBUTION TO A MEMBER OF THE GENERAL ASSEMBLY OR A STATEWIDE CONSTITUTIONAL OFFICER FROM DECEMBER THIRTY-FIRST THROUGH JUNE FIRST OF THE CALENDAR YEAR IMMEDIATELY FOLLOWING.

Referred to Committee on Judiciary

H. 3490 -- Reps. Nanney, Hamilton, Barfield, Erickson, Stringer, Ryan, Chumley, Patrick, Allison, Williams, Gambrell, Clemmons, Hixon, Huggins, Lowe, Pitts, J. R. Smith, Spires, Taylor, White and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-240 SO AS TO PREVENT A COURT OR OTHER ENFORCEMENT AUTHORITY FROM ENFORCING FOREIGN LAW IN THIS STATE FROM A FORUM OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Judiciary

H. 3491 -- Rep. Sandifer: A BILL TO AMEND SECTION 16-3-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSE OF HOMICIDE BY CHILD ABUSE, SO AS TO INCREASE THE PENALTY TO LIFE WITHOUT PAROLE OR DEATH IF THE STATE SEEKS THE DEATH PENALTY FOR MURDER.

Referred to Committee on Judiciary

H. 3492 -- Reps. Cobb-Hunter, Ott, Mitchell, J. H. Neal and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1126 SO AS TO PROVIDE THAT A MEMBER OF THE GENERAL ASSEMBLY WHO IN ANY WAY DERIVES OR RECOGNIZES ANY INCOME, PROFIT, OR OTHER DIRECT MONETARY BENEFIT AS A RESULT OF THE PROVISIONS OF THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT (PPACA) SHALL DISCLOSE THIS FACT AND THIS AMOUNT ON HIS OR HER ANNUAL STATEMENT OF ECONOMIC INTEREST FILED WITH THE HOUSE OR SENATE ETHICS COMMITTEE, AND TO PROVIDE PENALTIES FOR VIOLATIONS.

Referred to Committee on Judiciary

H. 3493 -- Reps. Gilliard, Brantley, Clyburn, Anderson, Mack, Whipper, Dillard, Hosey, Jefferson, Parks and Sabb: A JOINT RESOLUTION TO PROHIBIT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FROM RESTRICTING ITS CURRENT COVERAGE OF ORGAN TRANSPLANTS UNDER THE MEDICAID PROGRAM.

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

H. 3494 -- Reps. Willis, Pitts and Tribble: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF LAURENS COUNTY SCHOOL DISTRICT FIFTY-FIVE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3495 -- Rep. Alexander: A JOINT RESOLUTION TO CREATE A STUDY COMMITTEE TO STUDY THE FEASIBILITY AND COST EFFECTIVENESS OF CONSOLIDATING SCHOOL DISTRICTS WITHIN THE INDIVIDUAL COUNTIES OF THIS STATE, TO PROVIDE FOR THE DUTIES OF THE COMMITTEE AND FOR ITS MEMBERSHIP, AND TO REQUIRE THE COMMITTEE TO REPORT ITS FINDINGS TO THE GENERAL ASSEMBLY BY JANUARY 31, 2012, AT WHICH TIME THE STUDY COMMITTEE IS ABOLISHED.

Referred to Committee on Education and Public Works

H. 3496 -- Reps. Brady, Butler Garrick and Spires: A BILL TO AMEND SECTION 44-29-135, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONFIDENTIALITY OF SEXUALLY TRANSMITTED DISEASE RECORDS, SO AS TO DELETE THE PROVISION REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE SCHOOL DISTRICT SUPERINTENDENT AND SCHOOL NURSE IF A MINOR IS ATTENDING A SCHOOL IN THE DISTRICT AND HAS ACQUIRED IMMUNODEFICIENCY SYNDROME OR IS INFECTED WITH THE HUMAN IMMUNODEFICIENCY VIRUS; AND BY ADDING SECTION 59-10-220 SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDATIONS ON UNIVERSAL PRECAUTIONS FOR BLOODBORNE DISEASE EXPOSURE.

Referred to Committee on Education and Public Works

H. 3497 -- Rep. Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "WILSON HIGH SCHOOL ALUMNI ASSOCIATION" SPECIAL LICENSE PLATES.

Referred to Committee on Education and Public Works

H. 3498 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 70 TO CHAPTER 61, TITLE 38, TO DECLARE THAT THE COURTS OF SOUTH CAROLINA SHALL CONSIDER CERTAIN PUBLIC POLICY LIMITATIONS AND INTERPRETATIONS IN LANGUAGE IN PAST, PRESENT, AND FUTURE CONTRACTS ISSUED TO CONSTRUCTION PROFESSIONALS.

Referred to Committee on Judiciary

H. 3499 -- Reps. Merrill and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-150-357 SO AS TO PROVIDE THAT APPROPRIATIONS MADE TO A PUBLIC INSTITUTION OF HIGHER LEARNING FROM THE LOTTERY EXPENDITURE ACCOUNT MUST BE REFLECTED IN ITS BUDGET.

Referred to Committee on Ways and Means

H. 3500 -- Reps. Pitts and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-232 SO AS TO PROVIDE THAT POLITICAL SUBDIVISIONS OF THIS STATE EMPLOYING FULL-TIME LAW ENFORCEMENT OFFICERS SHALL GRANT A TOTAL OF AT LEAST ONE HUNDRED EIGHTY DAYS OF PAID ADMINISTRATIVE LEAVE FOR AN OFFICER WHO SUFFERS BODILY INJURY WHEN PHYSICALLY ATTACKED WHILE IN THE PERFORMANCE OF OFFICIAL DUTIES, AND TO PROVIDE THAT THE PAID ADMINISTRATIVE LEAVE REQUIRED BY THIS SECTION APPLIES BEFORE THE OFFICER IS REQUIRED TO USE ANY SICK LEAVE.

Referred to Committee on Ways and Means

H. 3501 -- Reps. Pitts and D. C. Moss: A BILL TO AMEND SECTION 8-11-83, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYROLL DEDUCTION FOR DUES OF THE STATE EMPLOYEES' ASSOCIATION AND THE SOUTH CAROLINA TROOPERS' ASSOCIATION, SO AS TO ALSO AUTHORIZE A PAYROLL DEDUCTION FOR DUES OF THE SOUTH CAROLINA FRATERNAL ORDER OF POLICE.

Referred to Committee on Ways and Means

H. 3502 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO REQUIRE SCHOOL DISTRICTS WITHIN A COUNTY TO COLLABORATIVELY DEVELOP AND IMPLEMENT A PLAN TO CENTRALIZE ALL PROCUREMENT, PERSONNEL, AND FINANCIAL MATTERS INTO ONE COUNTY OFFICE, TO PROVIDE FOR AN ADMINISTRATOR AND STAFF FOR THE OFFICE, AND TO PROVIDE THAT THE STATE SUPERINTENDENT SHALL APPOINT AN ADMINISTRATOR AND STAFF TO OVERSEE THE COUNTY OFFICE IF SCHOOL DISTRICTS WITHIN A COUNTY FAIL TO CENTRALIZE THESE OPERATIONS BY JULY 1, 2012.

Referred to Committee on Education and Public Works

H. 3503 -- Reps. Pitts and Umphlett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-2250 SO AS TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL GIVE PREFERENCE TO RESIDENT HUNTERS WHEN ISSUING SPECIAL PERMITS FOR HUNTING IN CATEGORY ONE DESIGNATED WATERFOWL AREAS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3504 -- Rep. H. B. Brown: A JOINT RESOLUTION TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2011, AND CONTINUING FOR TWO FISCAL YEARS THEREAFTER, THE COMPENSATION OF ALL MEMBERS OF THE GENERAL ASSEMBLY MUST BE REDUCED BY TWENTY-FIVE PERCENT, AND TO DEFINE THE TERM "COMPENSATION".

Referred to Committee on Ways and Means

H. 3505 -- Rep. H. B. Brown: A JOINT RESOLUTION TO PROVIDE THAT BEGINNING WITH FISCAL YEAR 2011, AND CONTINUING FOR TWO FISCAL YEARS THEREAFTER, THE COMPENSATION OF ALL PUBLIC OFFICIALS ELECTED STATEWIDE OR WHO DISCHARGE STATEWIDE RESPONSIBILITIES, INCLUDING THE HEADS OF ALL EXECUTIVE CABINET AGENCIES, MUST BE REDUCED BY TWENTY-FIVE PERCENT, AND TO PROVIDE THAT THESE PROVISIONS DO NOT APPLY TO JUSTICES OR JUDGES IN THE STATE COURT SYSTEM AND STATEWIDE CONSTITUTIONAL OFFICERS WHOSE COMPENSATION MAY NOT BE REDUCED DURING THEIR TERM OF OFFICE.

Referred to Committee on Ways and Means

H. 3506 -- Rep. Loftis: A BILL TO AMEND SECTION 12-6-3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO REVISE THE DEFINITION OF A "TECHNOLOGY INTENSIVE FACILITY"; TO AMEND SECTION 12-20-105, AS AMENDED, RELATING TO THE TAX CREDIT FOR INFRASTRUCTURE IMPROVEMENTS FOR WATER, WASTEWATER, HYDROGEN FUEL, SEWER, GAS, STEAM, ELECTRIC ENERGY, AND COMMUNICATION SERVICES, SO AS TO INCLUDE CERTAIN SITE PREPARATION COSTS WITHIN THE DEFINITION OF INFRASTRUCTURE IMPROVEMENTS WHICH GIVE RISE TO THE CREDIT; AND TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO FEES IN LIEU OF TAXES, SO AS TO REVISE THE DEFINITION OF "TERMINATION DATE".

Referred to Committee on Ways and Means

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3507 -- Reps. Harrell, Cooper, Bingham, Clemmons, Allison, Atwater, Barfield, Bikas, Bowen, Brannon, Corbin, Crosby, Daning, Forrester, Hamilton, Harrison, Henderson, Herbkersman, Hiott, Hixon, Horne, Loftis, Long, McCoy, D. C. Moss, V. S. Moss, Murphy, Parker, Patrick, Quinn, Ryan, Skelton, G. R. Smith, Sottile, Tallon, Taylor, Toole, Whitmire, G. M. Smith, J. R. Smith and Young: A CONCURRENT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONSTITUTIONAL CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION FOR THE PURPOSE OF PROPOSING A CONSTITUTIONAL AMENDMENT THAT PERMITS THE REPEAL OF ANY FEDERAL LAW OR REGULATION BY VOTE OF TWO-THIRDS OF THE STATE LEGISLATURES.

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

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, January 27.

|  |  |
| --- | --- |
| Chris Hart | Thad Viers |
| Joseph Neal | Jerry Govan |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. COOPER a leave of absence due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. WILLIS a leave of absence to attend a funeral.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOVAN a temporary leave of absence.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Andrew Pate of Mount Pleasant was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3112 |
| Date: | ADD: |
| 01/27/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3185 |
| Date: | ADD: |
| 01/27/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3002 |
| Date: | ADD: |
| 01/27/11 | SANDIFER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3074 |
| Date: | ADD: |
| 01/27/11 | OWENS and BIKAS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3095 |
| Date: | ADD: |
| 01/27/11 | WEEKS and ATWATER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3225 |
| Date: | ADD: |
| 01/27/11 | WEEKS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3228 |
| Date: | ADD: |
| 01/27/11 | HENDERSON, OWENS and SIMRILL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3241 |
| Date: | ADD: |
| 01/27/11 | SANDIFER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3276 |
| Date: | ADD: |
| 01/27/11 | OWENS and BIKAS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3335 |
| Date: | ADD: |
| 01/27/11 | D. C. MOSS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3351 |
| Date: | ADD: |
| 01/27/11 | WEEKS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3375 |
| Date: | ADD: |
| 01/27/11 | OTT, J. M. NEAL, VICK, G. A. BROWN, BRANHAM, ANTHONY and BOWERS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3376 |
| Date: | ADD: |
| 01/27/11 | WILLIAMS and JEFFERSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3410 |
| Date: | ADD: |
| 01/27/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3441 |
| Date: | ADD: |
| 01/27/11 | BALLENTINE |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3445 |
| Date: | ADD: |
| 01/27/11 | J. R. SMITH, LOWE, PITTS and BRADY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3490 |
| Date: | ADD: |
| 01/27/11 | HENDERSON |

**SENT TO THE SENATE**

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

H. 3416 -- Reps. D. C. Moss, King and Pope: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF YORK COUNTY SCHOOL DISTRICT ONE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 3243 -- Reps. Pinson, Pitts and Parks: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50 IN GREENWOOD COUNTY, SO AS TO PROVIDE THAT IF THE NUMBER OF CANDIDATES FOR THE BOARD OF TRUSTEES IS EQUAL TO OR LESS THAN THE NUMBER OF POSITIONS TO BE FILLED, THE COUNTY ELECTION COMMISSION SHALL DECLARE THOSE CANDIDATES ELECTED.

H. 3434 -- Reps. Lucas, Neilson and Williams: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF DARLINGTON COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 3436 -- Reps. D. C. Moss and V. S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ACT 606 OF 1973, RELATING TO THE CREATION AND DUTIES OF THE CHEROKEE COUNTY HISTORICAL COMMISSION.

H. 3444 -- Reps. Funderburk, Lucas and Butler Garrick: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 12, 13, AND 14, 2011, BY THE STUDENTS OF KERSHAW COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

H. 3415 -- Reps. Henderson, Allen, Bannister, Bedingfield, Bikas, Corbin, Hamilton, Loftis, G. R. Smith, Stringer and Willis: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 12 AND 13, 2011, BY THE STUDENTS OF GREENVILLE COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

**H. 3095--POINT OF ORDER**

The following Bill was taken up:

H. 3095 -- Reps. Clemmons, Erickson, Stavrinakis, McCoy, Bowen, Sandifer, Whitmire, Hixon, J. R. Smith, Allison, Long, Toole, Weeks and Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-1-70 SO AS TO PROVIDE CERTAIN DEFINITIONS RELATED TO TRANSFER FEE COVENANTS, TO STATE CERTAIN FINDINGS RELATED TO TRANSFER FEE COVENANTS, TO PROVIDE A TRANSFER FEE COVENANT RECORDED AFTER THE EFFECTIVE DATE OF THIS SECTION, OR ANY LIEN TO THE EXTENT THAT IT PURPORTS TO SECURE THE PAYMENT OF A TRANSFER FEE, IS NOT BINDING ON OR ENFORCEABLE AGAINST THE AFFECTED REAL PROPERTY OR ANY SUBSEQUENT OWNER, PURCHASER, OR MORTGAGEE OF ANY INTEREST IN THE PROPERTY, AND TO PROVIDE THE SECTION DOES NOT IMPLY THAT A TRANSFER FEE COVENANT RECORDED BEFORE THE EFFECTIVE DATE OF THIS SECTION IS VALID OR ENFORCEABLE.

**POINT OF ORDER**

Rep. CLEMMONS 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. 3295--POINT OF ORDER**

The following Bill was taken up:

H. 3295 -- Rep. Herbkersman: A BILL TO AMEND SECTION 61-6-1820, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CRITERIA FOR A NONPROFIT ORGANIZATION TO OBTAIN A LICENSE TO SELL ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO PROVIDE THAT UNDER CERTAIN CONDITIONS A HOMEOWNER'S ASSOCIATION, CHARTERED AS A NONPROFIT ORGANIZATION BY THE SECRETARY OF STATE, WHOSE MEMBERSHIP IS LIMITED TO INDIVIDUALS WHO OWN PROPERTY IN THE RESIDENTIAL COMMUNITY AND WHOSE AFFAIRS ARE GOVERNED BY A BOARD OF DIRECTORS ELECTED BY THE MEMBERSHIP, IS ALSO ELIGIBLE FOR SUCH A LICENSE.

**POINT OF ORDER**

Rep. VIERS 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. 3074--DEBATE ADJOURNED**

Rep. BARFIELD moved to adjourn debate upon the following Joint Resolution until Wednesday, February 2, which was adopted:

H. 3074 -- Reps. Barfield, Toole, Viers, Owens and Bikas: A JOINT RESOLUTION TO REQUEST APPROPRIATE ACTION BY THE CONGRESS OF THE UNITED STATES, ON ITS OWN ACTION BY CONSENT OF TWO-THIRDS OF BOTH HOUSES OR ON THE APPLICATION OF THE LEGISLATURES OF TWO-THIRDS OF THE SEVERAL STATES, TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO REQUIRE THAT THE TOTAL OF ALL FEDERAL APPROPRIATIONS MAY NOT EXCEED THE TOTAL OF ALL ESTIMATED FEDERAL REVENUES IN ANY FISCAL YEAR, WITH CERTAIN EXCEPTIONS.

**H. 3351--POINT OF ORDER**

The following Bill was taken up:

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

**POINT OF ORDER**

Rep. BEDINGFIELD 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. 3122--POINT OF ORDER**

The following Bill was taken up:

H. 3122 -- Rep. J. M. Neal: A BILL TO AMEND SECTION 56-3-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ISSUANCE OF SPECIAL PERMITS TO MOVE VEHICLES DURING AN EMERGENCY, SO AS TO DELETE THE TERM "MOVE" AND REPLACE IT WITH THE TERM "OPERATE", TO DELETE THE PROVISION THAT RESTRICTS THE ISSUANCE OF THE PERMITS TO EMERGENCY SITUATIONS, TO REMOVE THE RESTRICTION PLACED ON THE NUMBER OF PERMITS THAT MAY BE ISSUED FOR A VEHICLE, AND TO REVISE THE INFORMATION THAT MUST BE SPECIFIED ON THE PERMIT.

**POINT OF ORDER**

Rep. OWENS 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. 3185--POINT OF ORDER**

The following Bill was taken up:

H. 3185 -- Reps. Harrell, Cooper, Owens, Harrison, Hardwick, Sandifer, Bingham, Atwater, Bowen, Daning, Hamilton, Hiott, Parker, Bannister, J. R. Smith, Tallon, Limehouse, Brady, Willis, Taylor, Young, Spires, Thayer, Long, Pitts, D. C. Moss, Patrick, Edge, Hixon, Norman, Chumley, Huggins, Frye, Pope, Brannon, Umphlett, Delleney, Allison, Bedingfield, Loftis, Crosby, McCoy, Horne, Clemmons, Skelton, Quinn, White, G. R. Smith, Toole, Ballentine, G. M. Smith, Barfield, Sottile, Erickson, Hearn, Murphy, Pinson, Ryan, Stringer, Lucas, Bikas, Gambrell, Corbin, Simrill, Forrester, Henderson, Viers and Weeks: A BILL TO ENACT THE "SOUTH CAROLINA HIGHER EDUCATION TRANSPARENCY ACT OF 2011" INCLUDING THE PROVISIONS TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-355 SO AS TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, TO PROVIDE EXCEPTIONS AND OTHER REQUIREMENTS FOR IMPLEMENTATION, TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO ITS OFFICERS AND EMPLOYEES FOR OFFICIAL USE, AND TO PROVIDE THAT IF THE COMPTROLLER GENERAL'S OFFICE POSTS THE SAME CREDIT CARD INFORMATION ON ITS WEBSITE, THE INSTITUTION MAY PROVIDE INFORMATION ON HOW TO ACCESS ITS CREDIT CARD INFORMATION ON THE COMPTROLLER GENERAL'S WEBSITE IN LIEU OF COMPLYING WITH THE ABOVE REQUIREMENTS.

**POINT OF ORDER**

Rep. OWENS 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. 3410--POINT OF ORDER**

The following Bill was taken up:

H. 3410 -- Reps. Owens, Cooper, Harrell, Branham, Limehouse, Atwater, Bikas, Govan, Loftis, Skelton, Taylor, Young, Williams, Daning, Quinn, Brannon, J. M. Neal, Bowen, Patrick, Norman, Whitmire, Willis, Thayer, Erickson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA HIGHER EDUCATION EFFICIENCY AND ADMINISTRATIVE POLICIES ACT OF 2011"; TO AMEND SECTIONS 2-47-30, 2-47-35, 2-47-40, AND 2-47-50, AS AMENDED, RELATING THE JOINT BOND REVIEW COMMITTEE, SO AS TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY STATE AGENCIES AND FOR THE APPROVAL OF THESE PROJECTS; BY ADDING SECTION 2-47-53 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO DEFINE PERMANENT IMPROVEMENT PROJECTS WITH RESPECT TO THOSE INSTITUTIONS, TO ALLOW THE COMMITTEE TO REQUEST ASSISTANCE WITH THE REVIEW OF PROJECTS, AND TO DEFINE PERMANENT IMPROVEMENT PROJECTS WITH RESPECT TO THOSE INSTITUTIONS; BY ADDING SECTION 2-47-54 SO AS TO ALLOW PUBLIC INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO GROUND LEASE AGREEMENTS WITH A PRIVATE ENTITY AND TO PROVIDE REQUIREMENTS FOR THOSE AGREEMENTS; BY ADDING SECTION 59-53-168 SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH A TIERED SYSTEM FOR CATEGORIZING TECHNICAL COLLEGES WITH RESPECT TO FINANCIAL STRENGTH AND OTHER FACTORS BY WHICH TECHNICAL COLLEGES MAY APPLY FOR CERTAIN EFFICIENCY POLICIES GRANTED BY THE BOARD AND TO REQUIRE THE BOARD TO ESTABLISH AN ADVISORY BOARD AND REPORT TO THE GENERAL ASSEMBLY; TO AMEND SECTIONS 59-53-290, 59-53-630, 59-53-740, 59-53-1784, AND 59-53-2430, ALL RELATING TO LEASE AGREEMENTS OF TECHNICAL COLLEGES, SO AS TO PROVIDE FOR THE FAVORABLE REVIEW OF THE AGREEMENT BY THE JOINT BOND REVIEW COMMITTEE AND ITS APPROVAL BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND SECTION 1-11-65, RELATING TO APPROVAL OF REAL PROPERTY TRANSACTIONS BY THE STATE BUDGET AND CONTROL BOARD AND ACCEPTANCE OF THE TRANSFER OF TANGIBLE PERSONAL PROPERTY BY A STATE ENTITY, SO AS TO EXEMPT CERTAIN REAL PROPERTY TRANSACTIONS MADE FOR OR BY THESE INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-147-42 AND 59-147-43 AND TO AMEND SECTION 59-147-30, AS AMENDED, RELATING TO THE PROCEDURES FOR THE ISSUANCE OF REVENUE BONDS UNDER THE HIGHER EDUCATION REVENUE BOND ACT, ALL SO AS TO REVISE THESE PROCEDURES AND THE PURPOSES FOR WHICH THE BONDS MAY BE USED; BY ADDING ARTICLE 7 TO CHAPTER 101, TITLE 59 SO AS TO PROVIDE FOR CERTAIN PROVISIONS APPLICABLE TO BOND ACTS FOR INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 11-35-1210, AS AMENDED, RELATING TO CERTIFICATION OF THE BUDGET AND CONTROL BOARD TO ALLOW GOVERNMENTAL BODIES TO MAKE DIRECT PROCUREMENTS, SO AS TO PROVIDE FOR APPROVAL OF PROCUREMENT AUTHORITY BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND SECTION 11-35-1550, AS AMENDED, RELATING TO SMALL PURCHASES UNDER THE CONSOLIDATED PROCUREMENT CODE AND BID PROCEDURES ON PROCUREMENTS UP TO FIFTY THOUSAND DOLLARS, SO AS TO INCREASE THE AMOUNT OF AUTHORIZED SMALL PURCHASES BY PUBLIC INSTITUTIONS OF HIGHER LEARNING AND TO AUTHORIZE THESE INSTITUTIONS TO USE PURCHASING CARDS FOR THESE PURCHASES IN THE AMOUNT AUTHORIZED; TO AMEND SECTION 11-35-3310, AS AMENDED, RELATING TO INDEFINITE DELIVERY CONTRACTS FOR CONSTRUCTION, ARCHITECTURAL-ENGINEERING AND LAND SURVEYING SERVICES, SO AS TO RAISE THE PERMITTED AMOUNTS OF THESE CONTRACTS; TO AMEND SECTION 11-35-4810, AS AMENDED, RELATING TO COOPERATIVE PURCHASES OF PUBLIC ENTITIES UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO ESTABLISH CERTAIN EXCEPTIONS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING IN REGARD TO NOTICE AND ELIGIBLE VENDORS; TO AMEND SECTION 1-7-170, RELATING TO THE REQUIRED APPROVAL OF THE ATTORNEY GENERAL BEFORE AN AGENCY OR DEPARTMENT OF THIS STATE MAY ENGAGE AN ATTORNEY AT LAW ON A FEE BASIS AND EXCEPTIONS TO THIS REQUIREMENT, SO AS TO ESTABLISH A SPECIAL APPROVAL PROCEDURE FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-101-55 SO AS TO PROVIDE THAT STATE APPROPRIATED FUNDS MAY NOT BE USED TO PROVIDE OUT-OF-STATE SUBSIDIES TO STUDENTS ATTENDING STATE-SUPPORTED INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 59-101-620, RELATING TO LIMITATIONS ON EDUCATIONAL FEE WAIVERS OFFERED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO REVISE THESE LIMITATIONS FOR CERTAIN INSTITUTIONS AND TO PROVIDE FOR ANNUAL REPORTING REQUIREMENTS TO THE COMMISSION ON HIGHER EDUCATION IN REGARD TO THESE WAIVERS; BY ADDING SECTION 59-112-115 SO AS TO PROVIDE THAT WHEN THE GOVERNING BOARD OF A FOUR-YEAR AND GRADUATE LEVEL PUBLIC INSTITUTION OF HIGHER LEARNING IN THIS STATE ADOPTS A CHANGE TO THE TUITION OR FEES IMPOSED ON STUDENTS, THE CHANGE ONLY MAY BE IMPLEMENTED BY THE INSTITUTION AFTER A PUBLICALLY RECORDED ROLL CALL VOTE, AND A MAJORITY VOTE SHALL BE REQUIRED TO IMPLEMENT ANY CHANGE TO THE TUITION OR FEES, AND TO PROVIDE REPORTING REQUIREMENTS; AND TO AMEND SECTION 1-11-55, RELATING TO LEASING OF REAL PROPERTY FOR GOVERNMENTAL BODIES, SO AS TO ALLOW PUBLIC INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO LEASE AGREEMENTS UP TO ONE HUNDRED THOUSAND DOLLARS ANNUALLY UPON APPROVAL BY THE INSTITUTIONAL BOARDS.

**POINT OF ORDER**

Rep. OWENS 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. 3112--POINT OF ORDER**

The following Bill was taken up:

H. 3112 -- Reps. Allison, G. R. Smith and Weeks: A BILL TO AMEND SECTION 56-3-1960, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND USE OF TEMPORARY AND PERMANENT PARKING PLACARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE A SLEEVE WITH A PLACARD TO ALLOW THE HOLDER TO COVER THE PHOTOGRAPH ON THE PLACARD FROM PUBLIC VIEW, AND TO PROVIDE THAT THE PHOTOGRAPH MUST BE SHOWN WHEN IT IS REQUESTED BY A LAW ENFORCEMENT AGENCY OR ITS AGENTS.

**POINT OF ORDER**

Rep. OWENS 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. 3441--RECALLED FROM COMMITTEE ON EDUCATION AND PUBLIC WORKS**

On motion of Rep. HUGGINS, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works:

H. 3441 -- Reps. Huggins, Bingham and Ballentine: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-23-845 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY MOW BEYOND THIRTY FEET FROM THE PAVEMENT ROADSIDE VEGETATION ADJACENT TO INTERSTATE 126 IN RICHLAND COUNTY AND INTERSTATE HIGHWAYS 20 AND 26 IN BOTH LEXINGTON AND RICHLAND COUNTIES.

**SENT TO THE SENATE**

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

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: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-3-70 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS WHO ARE QUALIFIED TO VOTE, BUT DO NOT HAVE A SOUTH CAROLINA DRIVER'S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AS OF JANUARY 1, 2013, AND TO REQUIRE THE DEPARTMENT TO FURNISH A LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER'S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT AT NO CHARGE TO THE COMMISSION; BY ADDING SECTION 7-5-675 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO IMPLEMENT A SYSTEM IN ORDER TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR; TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT; TO AMEND SECTION 7-1-25, RELATING TO THE DEFINITION OF "DOMICILE", SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON'S INTENTION REGARDING HIS DOMICILE; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO MAINTAIN IN A MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTING IN A GENERAL ELECTION; TO AMEND SECTION 7-5-125, RELATING TO THE ISSUANCE OF A WRITTEN NOTIFICATION OF REGISTRATION TO VOTE, SO AS TO PROVIDE FOR THE ISSUANCE OF A DUPLICATE NOTIFICATION IF THE ELECTOR TO WHOM IT WAS ORIGINALLY ISSUED LOSES OR DEFACES IT; TO AMEND SECTION 7-5-230, AS AMENDED, RELATING TO THE BOARDS OF REGISTRATION BEING THE JUDGES OF THE LEGAL QUALIFICATIONS OF ALL APPLICANTS FOR REGISTRATION, SO AS TO ADD A REFERENCE TO SECTION 7-1-25 AND DELETE CERTAIN CRITERIA USED WHEN CONSIDERING A CHALLENGE REGARDING THE RESIDENCE OF AN ELECTOR; TO AMEND SECTION 7-13-710, AS AMENDED, RELATING TO THE PRESENTATION OF A PERSON'S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PROVIDING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE FOR CERTAIN EXCEPTIONS, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE; TO AMEND SECTION 7-15-330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE REFERENCES TO AN AUTHORIZED REPRESENTATIVE REQUESTING AN APPLICATION FOR A QUALIFIED ELECTOR; TO AMEND SECTION 7-15-385, AS AMENDED, RELATING TO THE MARKING AND RETURNING OF THE ABSENTEE BALLOT, SO AS TO REQUIRE THE BOARD OF REGISTRATION TO RECORD, INSTEAD OF NOTE, CERTAIN PROCEDURES REGARDING THE RETURN OF THE ABSENTEE BALLOT; TO AMEND SECTION 56-1-3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTION 7-15-470 RELATING TO THE PROHIBITION OF VOTING ON A VOTING MACHINE FOR IN-PERSON ABSENTEE VOTING.

**STATEMENT FOR THE JOURNAL**

RE: H. 3003, a Bill to require photo identification in order to vote in South Carolina.

I oppose this legislation on behalf of the law-abiding, hard-working, and concerned citizens of South Carolina and the professional, objective, reasonable, and responsible administration of our county election commissions. This legislation is the wrong response to citizens’ attempts to express their opinions through the election process and eliminates well developed and practical steps for receiving and recording the electoral ballots in South Carolina. It also discounts the efforts of thousands of South Carolina voters who loyally and patriotically answer the call to vote, stand in line for hours, travel miles, and maintain focus on the electoral process.

Each measure in this Bill reduces the number of likely voters and restricts the opportunity to participate in our democratic process. Furthermore, each measure is likely to burden, impede, and delay the ability of a citizen to exercise the precious, paramount, and treasured right-to-vote.

The alleged justification for this legislation has no basis in fact. South Carolina’s voting process has been plagued more by error and obstruction than identify fraud. It is well documented that errors resulting from unannounced relocation of polling places, delayed opening of polling places, improper closing of polling places, and oppressive, biased interpretations of voting regulations have been substantial enough to cast doubt on the outcome of many elections.

This legislation discourages citizens from participating in the process, and its effect will be insidious and profound. It will cause the ballot box to be hidden beneath a shroud of inconveniences and balanced on a narrow ledge of availability.

We know our State. It is rural, poor, educationally challenged, aging, and suffering from high unemployment. We know the areas where these factors are concentrated and that the juxtaposition of work related functions and the availability of access to the ballot more often than not creates a tension that weighs against voting. If time set aside for voting is not in harmony with time required for working, then tomorrow’s results in politics will yield to today’s requirements for the paycheck.

In light of what we know, I have a strong concern, a deep discomfort, and a heavy presumption that the effects of this legislation are deliberately disregarded, if not desired. There is no true justification for this legislation.

Rep. J. Seth Whipper

**H. 3117--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3117 -- Rep. King: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME A PORTION OF CONSTITUTION BOULEVARD IN THE CITY OF ROCK HILL "DR. MARTIN LUTHER KING, JR. MEMORIAL BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "DR. MARTIN LUTHER KING, JR. MEMORIAL BOULEVARD".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3253--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3253 -- Rep. Cobb-Hunter: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 301 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH INTERSTATE HIGHWAY 26 TO ITS INTERSECTION WITH HOMESTEAD ROAD "DR. THOMAS L. MOSS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "DR. THOMAS L. MOSS MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3256--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3256 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE LANDING AT BUCKINGHAM OFF FOUNDING ISLAND ROAD IN BEAUFORT COUNTY "WILLIAM F. MARSCHER II MEMORIAL LANDING" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LANDING THAT CONTAIN THE WORDS "WILLIAM F. MARSCHER II MEMORIAL LANDING".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3302--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3302 -- Reps. J. E. Smith, Vick, Pinson, Agnew, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Young, Patrick, Umphlett and Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THAT PORTION OF NATIONAL GUARD ROAD IN RICHLAND COUNTY, SOUTH CAROLINA, BEGINNING AT ITS INTERSECTION WITH BLUFF ROAD AND EXTENDING PAST THE SOUTH CAROLINA NATIONAL GUARD HEADQUARTERS BUILDING (THE TAG BUILDING) TO ITS CONCLUSION AS "STAN SPEARS DRIVE" IN HONOR OF MAJOR GENERAL STANHOPE SIFFORD "STAN" SPEARS, RETIRING ADJUTANT GENERAL OF SOUTH CAROLINA AND A TRULY DISTINGUISHED MILITARY LEADER AND PUBLIC SERVANT OF THIS STATE FOR OVER THIRTY YEARS, AND ERECT APPROPRIATE MARKERS AND SIGNS ALONG THIS ROAD THAT CONTAIN THE WORDS "STAN SPEARS DRIVE".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3311--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3311 -- Reps. Gilliard and Mack: A CONCURRENT RESOLUTION TO URGE OUR FEDERAL, STATE, AND LOCAL GOVERNMENTS, ALONG WITH CHURCHES AND NEIGHBORHOOD ASSOCIATIONS, TO STEP UP THEIR EFFORTS TO ASSIST THE HOMELESS IN LIGHT OF THE NATION'S ECONOMIC DOWNTURN, ADVERSE WEATHER CONDITIONS, AND AN INCREASE IN THE HOMELESS POPULATION.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3370--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

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

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

Yeas 92; Nays 3

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Battle | Bikas | Bingham |
| Bowen | Brady | Branham |
| G. A. Brown | H. B. Brown | Chumley |
| Clemmons | Clyburn | Corbin |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | King |
| Limehouse | Long | Lucas |
| Mack | McCoy | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. M. Neal | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pope | Quinn |
| Ryan | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Umphlett |
| Vick | Weeks | Whitmire |
| Williams | Young |  |

**Total--92**

Those who voted in the negative are:

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

**Total--3**

The Concurrent Resolution was adopted and sent to the Senate.

**S. 343--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 343 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE JIMMIE FOSTER, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, MARCH 1, 2011.

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

Yeas 78; Nays 5

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Bannister | Barfield |
| Battle | Bingham | Bowen |
| Brady | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clemmons |
| Clyburn | Crosby | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hamilton |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Limehouse | Lucas |
| Mack | McCoy | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Patrick | Pinson | Pope |
| Quinn | Ryan | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Whipper | Whitmire | Young |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Brannon | Crawford | Lowe |
| Merrill | Pitts |  |

**Total--5**

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORT OF STANDING COMMITTEE**

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

H. 3507 -- Reps. Harrell, Cooper, Bingham, Clemmons, Allison, Atwater, Barfield, Bikas, Bowen, Brannon, Corbin, Crosby, Daning, Forrester, Hamilton, Harrison, Henderson, Herbkersman, Hiott, Hixon, Horne, Loftis, Long, McCoy, D. C. Moss, V. S. Moss, Murphy, Parker, Patrick, Quinn, Ryan, Skelton, G. R. Smith, Sottile, Tallon, Taylor, Toole, Whitmire, G. M. Smith, J. R. Smith and Young: A CONCURRENT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONSTITUTIONAL CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION FOR THE PURPOSE OF PROPOSING A CONSTITUTIONAL AMENDMENT THAT PERMITS THE REPEAL OF ANY FEDERAL LAW OR REGULATION BY VOTE OF TWO-THIRDS OF THE STATE LEGISLATURES.

Ordered for consideration tomorrow.

**INTRODUCTION OF BILLS**

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

H. 3508 -- Reps. Gambrell, Sandifer, Harrell, Erickson, Limehouse, Weeks, H. B. Brown, Agnew, Allison, Anthony, Bales, Bannister, Bedingfield, Bingham, Brady, Brannon, G. A. Brown, Cole, Crosby, Forrester, Hardwick, Harrison, Hayes, Hiott, Hixon, Horne, Jefferson, Lowe, Lucas, McCoy, D. C. Moss, Owens, Parker, Pinson, Pitts, Skelton, J. E. Smith, J. R. Smith, Sottile, Tallon, Vick, White, Taylor, Hamilton, Battle, Allen and Dillard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS AS "GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDERS"; BY ADDING SECTION 58-9-2660 SO AS TO PROVIDE A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN “UNSERVED AREA”, TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58-9-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF "BROADBAND SERVICE"; TO AMEND SECTION 58-9-2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58-9-2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT-OWNED TELECOMMUNI-CATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58-9-2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF A GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNI-CATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58-9-2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 58-9-2650, AS AMENDED, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES.

Referred to Committee on Labor, Commerce and Industry

H. 3509 -- Reps. Long, D. C. Moss, Limehouse, Thayer, Pinson, Toole, Neilson, Allison, Umphlett, Spires, Bowen, Parker, Gambrell, Murphy, Agnew, Bales, Bingham, Brady, Branham, Corbin, Crawford, Dillard, Erickson, Hiott, Hixon, Lowe, Merrill, J. M. Neal, Norman, Sandifer, G. R. Smith, J. E. Smith and Willis: A BILL TO AMEND SECTION 38-71-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COVERAGE THAT MAY BE WRITTEN BY A LICENSED ACCIDENT AND HEALTH INSURER, SO AS TO PROHIBIT THE INSURER FROM DIRECTLY PAYING MONEY TO AN INSURED FOR A HEALTH CARE SERVICE PROVIDED TO THE INSURED, AND TO PROVIDE EXCEPTIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3510 -- Rep. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-2260 SO AS TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL ALLOW THE SUBSTITUTION OF A MEMBER OF A PARTY THAT HAS OBTAINED A SPECIAL PERMIT TO HUNT IN A CATEGORY ONE DESIGNATED WATERFOWL AREA UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3511 -- Reps. Loftis, Hardwick, Erickson and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57 SO AS TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE'S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO TOURISM-ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR TOURISM ACTIVITIES.

Referred to Committee on Education and Public Works

**MOTION ADOPTED**

Rep. BRANNON moved that upon the completion of the Ratification of Acts, the House stand adjourned, which was agreed to.

**RATIFICATION OF ACTS**

At 11:30 a.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolution were duly ratified:

(R1, H. 3278) -- Rep. Harrison: A JOINT RESOLUTION TO PROVIDE THAT UNTIL JUNE 30, 2011, THERE ARE NO RESTRICTIONS ON THE TYPES OF APPLICANTS OR ORGANIZATIONS THAT MAY APPLY FOR A SPECIAL FIFTEEN‑DAY BEER AND WINE PERMIT AUTHORIZED BY SECTION 61‑4‑550 OF THE 1976 CODE IF THE APPLICANT MEETS ALL OTHER REQUIREMENTS OF THE SECTION AND ALL OTHER REQUIREMENTS OF LAW AS DETERMINED BY THE DEPARTMENT OF REVENUE.

(R2, H. 3290) -- Rep. Branham: AN ACT TO AMEND ACT 806 OF 1952, AS AMENDED, RELATING TO ANNUAL MEETINGS OF THE SCHOOL DISTRICTS OF FLORENCE COUNTY, SO AS TO REQUIRE FLORENCE COUNTY SCHOOL DISTRICT TWO TO CALL A SEPARATE CITIZENS’ MEETING ON THE PROPOSED DISTRICT BUDGET BEFORE JUNE THIRTIETH OF EACH YEAR, TO PROVIDE FOR THE LOCATION, TIME, AND ADVERTISEMENT OF THE MEETINGS, AND TO REQUIRE THE CHAIRMAN TO KEEP A RECORD OF THE PROCEEDINGS AND TO FILE THEM WITH THE DISTRICT BOARD OF TRUSTEES.

(R3, H. 3321) -- Rep. J. R. Smith: AN ACT TO AMEND ACT 1006 OF 1958, RELATING TO THE BATH WATER AND SEWER DISTRICT, THE CLEARWATER WATER AND SEWER DISTRICT, AND THE LANGLEY WATER AND SEWER DISTRICT IN AIKEN COUNTY AND THE ELECTION OF COMMISSIONERS FOR THESE DISTRICTS, SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER OF THESE DISTRICTS AND ALSO SERVE AS AN OFFICER OR EMPLOYEE OF THE SAME DISTRICT, AND TO REQUIRE PRESENT COMMISSIONERS IN VIOLATION OF THIS PROVISION TO MAKE A WRITTEN ELECTION AS TO WHICH POSITION WILL BE RETAINED AND WHICH POSITION BY THAT ELECTION IS BEING RESIGNED.

**ADJOURNMENT**

At 11:45 a.m. the House, in accordance with the motion of Rep. BALES, adjourned in memory of Mary Lois Shivers of Lower Richland, to meet at 10:00 a.m. tomorrow.

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