~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 119:5: “O that my ways may be steadfast in keeping your statutes. Then I shall not be put to shame, having my eyes fixed on all your commandments.”

Let us pray. Almighty God, make us attentive to Your word and to our neighbors needs. In all we do, may it be done with the guidance of Your spirit. Convict us of the wrong we have done and convince us to do what is right and pleasing in every duty and responsibility placed before us. Sustain these Representatives and staff during this work week, that what they accomplish may be to Your honor. Look in favor upon our Nation, President, State, Governor, 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 Friday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. HAYES moved that when the House adjourns, it adjourn in memory of his sister, Gail Hayes Shelton of Dillon, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for all who were affected by the massive fire in Hartsville.

**REPORTS OF STANDING COMMITTEES**

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

H. 3601 -- Rep. H. B. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE HIGHWAY 77 FROM ITS INTERSECTION WITH FAIRFIELD/RICHLAND COUNTY LINE TO ITS INTERSECTION WITH THE FAIRFIELD/CHESTER COUNTY LINE "JOHN M. SPRATT, JR., FREEWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "JOHN M. SPRATT, JR., FREEWAY".

Ordered for consideration tomorrow.

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

S. 517 -- Senator Knotts: A CONCURRENT RESOLUTION TO FIX TUESDAY, FEBRUARY 22, 2011, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, COASTAL CAROLINA UNIVERSITY, SOUTH CAROLINA STATE UNIVERSITY, WIL LOU GRAY OPPORTUNITY SCHOOL, AND WINTHROP UNIVERSITY TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE IN 2011, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3670 -- Reps. G. R. Smith, Bannister and Bedingfield: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE HILLCREST HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM FOR AN OUTSTANDING SEASON AND FOR CAPTURING 2011 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3671 -- Reps. G. R. Smith, Bannister and Bedingfield: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HILLCREST HIGH SCHOOL WRESTLING TEAM FOR AN IMPRESSIVE SEASON ON THE MATS, AND TO CONGRATULATE THE TEAM AND COACHES FOR TAKING THE 2011 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3672 -- Reps. Hardwick, Viers, Barfield, Clemmons and Hearn: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE OLIVIA JOAN OLVERA ON BEING CROWNED MISS SUN FUN 2011 AND WISH HER MUCH SUCCESS IN HER REIGN AND IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3680 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO CONGRATULATE DOROTHY FORTUNE, GIRLS HEAD BASKETBALL COACH FOR THE LEE CENTRAL HIGH SCHOOL

LADY STALLIONS IN BISHOPVILLE, ON HER RECORD 700TH CAREER VICTORY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3681 -- Reps. Bannister, Bedingfield and G. R. Smith: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE MAULDIN HIGH SCHOOL COMPETITIVE CHEER 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. 3682 -- Reps. Bannister, Bedingfield and G. R. Smith: A HOUSE RESOLUTION TO CONGRATULATE THE MAULDIN HIGH SCHOOL COMPETITIVE CHEER TEAM ON WINNING THE 2010 CLASS AAAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM AND COACHES ON A SUPERLATIVE SEASON.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3683 -- Rep. Allen: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR PASTOR JAMES W. NESBITT FOR EIGHTEEN YEARS OF DEDICATED MINISTRY TO HIS CONGREGATION AND HIS COMMUNITY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 548 -- Senator Lourie: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. SELDEN SMITH FOR HIS YEARS OF OUTSTANDING SERVICE TO THE SOUTH CAROLINA COUNCIL ON THE HOLOCAUST IN EDUCATING THOUSANDS OF SOUTH CAROLINIANS ABOUT THE HISTORY AND LESSONS OF THE HOLOCAUST.

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

**INTRODUCTION OF BILLS**

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

H. 3666 -- Rep. H. B. Brown: A BILL TO AMEND ARTICLE 7, CHAPTER 7, TITLE 1, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROSECUTION COORDINATION COMMISSION, SO AS TO TRANSFER THE COMMISSION TO THE OFFICE OF THE ATTORNEY GENERAL, TO CREATE THE PROSECUTION COORDINATION DIVISION IN THAT OFFICE, AND TO REMOVE THE FORMER COMMISSION MEMBERSHIP; AND TO AMEND SECTION 1-5-40, AS AMENDED, RELATING TO THE DUTY OF THE SECRETARY OF STATE TO MONITOR STATE BOARDS AND COMMISSIONS, SECTION 8-11-260, AS AMENDED, RELATING TO PERSONNEL ADMINISTRATION EXEMPTIONS FOR CERTAIN EMPLOYEES OF THE STATE, SECTION 8-13-770, AS AMENDED, RELATING TO EXEMPTIONS FOR MEMBERS OF THE GENERAL ASSEMBLY TO SERVE ON STATE BOARDS AND COMMISSIONS, SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM EMPLOYEE GRIEVANCE PROCEDURES FOR CERTAIN EMPLOYEES OF THE STATE, SECTION 8-21-320, AS AMENDED, RELATING TO MOTION FEES IN THE COURT OF COMMON PLEAS AND FAMILY COURT, SECTION 14-1-204, AS AMENDED, RELATING TO DISTRIBUTION OF COURT FILING FEES, SECTION 14-1-212, RELATING TO GENERAL SESSIONS, MAGISTRATES, AND MUNICIPAL COURT SURCHARGES ON FINES, SECTION 14-1-213, AS AMENDED, RELATING TO SURCHARGES ON FINES FOR DRUG OFFENSES, SECTION 16-1-130, AS AMENDED, RELATING TO PERSONS NOT ELIGIBLE FOR A DIVERSION PROGRAM, SECTION 16-3-1410, AS AMENDED, RELATING TO VICTIM ASSISTANCE SERVICES AND MEMBERSHIP OF THE VICTIM SERVICES COORDINATING COUNCIL, SECTION 16-3-1525, AS AMENDED, RELATING TO VICTIM NOTIFICATION UNDER CERTAIN CIRCUMSTANCES, SECTION 17-3-510, RELATING TO CIRCUIT PUBLIC DEFENDER SELECTION PANELS, SECTION 17-22-30, RELATING TO PRETRIAL INTERVENTION PROGRAMS, SECTION 17-22-40, RELATING TO THE PRETRIAL INTERVENTION COORDINATOR, SECTION 17-22-310, RELATING TO THE ESTABLISHMENT OF TRAFFIC EDUCATION PROGRAMS, SECTION 17-22-360, RELATING TO TRAFFIC EDUCATION PROGRAM ANNUAL REPORTS, SECTION 17-22-370, RELATING TO THE CREATION AND MAINTENANCE OF A LIST OF PARTICIPANTS OF A TRAFFIC EDUCATION PROGRAM, SECTION 17-22-510, RELATING TO THE ESTABLISHMENT OF ALCOHOL EDUCATION PROGRAMS, SECTION 17-22-530, RELATING TO DISPOSITION OF AN ALCOHOL-RELATED OFFENSE UPON COMPLETION OF AN ALCOHOL EDUCATION PROGRAM, SECTION 17-22-560, RELATING TO THE CREATION AND MAINTENANCE OF A LIST OF PARTICIPANTS OF AN ALCOHOL EDUCATION PROGRAM, SECTION 22-3-546, RELATING TO THE ESTABLISHMENT OF A PROGRAM FOR PROSECUTION OF FIRST OFFENSE MISDEMEANOR CRIMINAL DOMESTIC VIOLENCE OFFENSES, AND SECTION 43-35-310, RELATING TO THE MEMBERSHIP OF THE ADULT PROTECTION COORDINATING COUNCIL, ALL SO AS TO MAKE CONFORMING CHANGES TO REFLECT THE CHANGE OF THE PREVIOUS COMMISSION TO THE PROSECUTION COORDINATION DIVISION WITHIN THE OFFICE OF THE ATTORNEY GENERAL.

Referred to Committee on Judiciary

H. 3667 -- Rep. Bannister: A BILL TO AMEND SECTION 16-3-655, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES, SO AS TO PROVIDE FOR CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE WHEN THE ACTOR IS OVER THE AGE OF FOURTEEN AND COMMITS CERTAIN ACTS WITH A CHILD UNDER THE AGE OF SIXTEEN, TO PROVIDE AN EXCEPTION FOR CERTAIN CONSENSUAL CONDUCT, AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 16-15-140 RELATING TO COMMITTING OR ATTEMPTING TO COMMIT A LEWD ACT UPON A CHILD UNDER THE AGE OF SIXTEEN.

Referred to Committee on Judiciary

H. 3668 -- Rep. Bannister: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 56-1-745 RELATING TO THE DRIVER'S LICENSE SUSPENSION OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION.

Referred to Committee on Judiciary

H. 3669 -- Reps. Harrison and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-7-385 SO AS TO PROVIDE THAT WITH CERTAIN EXCEPTIONS, THE ATTORNEY GENERAL MUST APPROVE ANY CIVIL ACTION UNDERTAKEN BY A SOLICITOR OF THIS STATE EITHER UNDER HIS OWN SIGNATURE IN HIS OFFICIAL CAPACITY ON BEHALF OF THE STATE OR BY OUTSIDE COUNSEL RETAINED AS PROVIDED BY LAW BY THE SOLICITOR IN HIS OFFICIAL CAPACITY ON BEHALF OF THE STATE; AND TO AMEND SECTION 15-3-570, RELATING TO ACTIONS TO SECURE A PENALTY OR FORFEITURE BY A PRIVATE PARTY FOR A PENALTY OR FORFEITURE GIVEN TO THE PRIVATE PARTY, OR UPON FAILURE OF THE PRIVATE PARTY TO COMMENCE THE ACTION WITHIN THE TIME PRESCRIBED BY THE ATTORNEY GENERAL OR THE SOLICITOR OF THE CIRCUIT WHERE THE OFFENSE WAS COMMITTED ON BEHALF OF THE STATE, SO AS TO DELETE THE AUTHORITY OF THE SOLICITOR OF THE CIRCUIT WHERE THE OFFENSE WAS COMMITTED TO BRING THE ACTION.

Referred to Committee on Judiciary

H. 3673 -- Reps. Tribble, Pitts and Willis: 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-SIX 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. TRIBBLE, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 3674 -- Rep. J. E. Smith: 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 FOR THE ISSUANCE OF "SC RIVERKEEPERS" SPECIAL LICENSE PLATES.

Referred to Committee on Education and Public Works

H. 3675 -- Rep. Edge: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-68-145 SO AS TO PROVIDE THAT FOR PURPOSES OF DETERMINING AN INCENTIVE OR BUSINESS PREFERENCE PROGRAM BASED ON EMPLOYMENT, A COVERED EMPLOYEE IS CONSIDERED AN EMPLOYEE SOLELY OF THE CLIENT AND NOT THE LICENSEE; TO PROVIDE THAT FOR THE PURPOSES OF AN INCENTIVE OR BUSINESS PREFERENCE PROGRAM BASED ON THE NUMBER OF EMPLOYEES, A COVERED EMPLOYEE OR DIRECT EMPLOYEE OF THE CLIENT IS CONSIDERED AN EMPLOYEE SOLELY OF THE CLIENT BUT NOT THE LICENSEE; TO PROVIDE CERTAIN EMPLOYMENT INFORMATION A LICENSEE MAY AND MAY NOT BE REQUIRED TO PROVIDE; TO PROVIDE A LICENSEE MAY CHARGE A CLIENT A CERTAIN FEE; AND TO PROVIDE CERTAIN CONSIDERATIONS WITH RESPECT TO THE ENTERPRISE ZONE ACT OF 1995.

Referred to Committee on Labor, Commerce and Industry

H. 3676 -- Reps. J. E. Smith, Clemmons, Dillard, Herbkersman, Limehouse and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 23 TO TITLE 31 SO AS TO ENACT THE "SOUTH CAROLINA COMMUNITY LAND TRUST ACT OF 2011", TO DEFINE TERMS, MAKE FINDINGS, TO PROVIDE THAT THE PURPOSE OF A COMMUNITY LAND TRUST IS TO HOLD LEGAL AND EQUITABLE TITLE TO LAND TO THEN LEASE THE LAND TO PROMOTE AFFORDABILITY, TO PROVIDE THE MANNER IN WHICH COMMUNITY LAND TRUSTS ARE FUNDED, AND TO PROVIDE THE PROCESS BY WHICH COMMUNITY LAND TRUSTS OPERATE.

Referred to Committee on Judiciary

H. 3677 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-3067 SO AS TO CREATE THE OFFENSE OF FRATERNIZATION; TO AMEND SECTION 25-1-10, RELATING TO THE STATE MILITARY CODE'S DEFINITIONS, SO AS TO DEFINE THE TERM "ORGANIZED MILITIA"; TO AMEND SECTION 25-1-40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO DELETE AN UNNECESSARY REFERENCE TO CAPITAL SENTENCES; TO AMEND SECTION 25-1-60, RELATING TO THE COMPOSITION AND CLASSES OF THE STATE MILITIA, SO AS TO CLARIFY THAT ACTIVE MEMBERS OF THE NATIONAL GUARD ARE NOT PART OF THE ORGANIZED MILITIA; TO AMEND SECTION 25-1-70, RELATING TO THE COMPOSITION OF THE NATIONAL GUARD, SO AS TO CLARIFY THE ADJUTANT GENERAL'S AUTHORITY TO ORGANIZE UNITS FOR STATE RECOGNIZED AND ORGANIZED POSITIONS; TO AMEND SECTION 25-1-120, RELATING TO MILITARY CORPORATIONS, SO AS TO CLARIFY THAT MILITARY CORPORATIONS ARE EXEMPT FROM FILING RETURNS WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO THE SAME EXTENT THEY ARE EXEMPT FROM FILING RETURNS WITH THE INTERNAL REVENUE SERVICE; TO AMEND SECTION 25-1-340, RELATING TO VACANCIES IN THE OFFICE OF THE ADJUTANT GENERAL, SO AS TO PROVIDE THAT AN INTERIM APPOINTEE SHALL HOLD THE RANK OF COLONEL OR HIGHER; TO AMEND SECTION 25-1-635, RELATING TO LEGAL ASSISTANCE SERVICES, SO AS TO CLARIFY THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTION 25-1-830, RELATING TO OFFICER SELECTION BOARDS, SO AS TO INCLUDE REFERENCES TO FEDERAL PERSONNEL ACTS; TO AMEND SECTION 25-1-1370, RELATING TO MAINTENANCE ALLOWANCES, SO AS TO PROVIDE THAT THESE FUNDS MUST BE DEPOSITED IN STATE ACCOUNTS FOR MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE; TO AMEND SECTION 25-1-2420, RELATING TO CODE OF MILITARY JUSTICE DEFINITIONS, SO AS TO PROVIDE THAT THE TERM "STATE JUDGE ADVOCATE" MEANS A FEDERALLY RECOGNIZED NATIONAL GUARD JUDGE ADVOCATE; TO AMEND SECTION 25-1-2450, RELATING TO THE APPOINTMENT OF THE STATE JUDGE ADVOCATE, SO AS TO PROVIDE THAT THE STATE JUDGE ADVOCATE MUST BE FEDERALLY RECOGNIZED AS A JUDGE ADVOCATE; TO AMEND SECTION 25-1-2455, RELATING TO THE APPOINTMENT OF THE STATE MILITARY JUDGE, SO AS TO REQUIRE MEMBERSHIP AND GOOD STANDING IN THE SOUTH CAROLINA BAR; TO AMEND SECTION 25-1-2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO ALLOW THE DELEGATION OF NONJUDICIAL PUNISHMENT AUTHORITY IN CERTAIN SITUATIONS; TO AMEND SECTION 25-1-2550, RELATING TO GENERAL COURTS-MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT'S PUNISHMENT AUTHORITY; TO AMEND SECTION 25-1-2560, RELATING TO SPECIAL COURTS-MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT'S PUNISHMENT AUTHORITY; TO AMEND SECTION 25-1-2570, RELATING TO SUMMARY COURTS-MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT'S PUNISHMENT AUTHORITY; TO AMEND SECTION 25-1-2580, RELATING TO THE APPOINTMENT OF GENERAL COURTS-MARTIAL, SO AS TO PROVIDE THAT APPOINTMENT AUTHORITY MAY BE DELEGATED TO THE ADJUTANT GENERAL UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25-1-2600, RELATING TO THE APPOINTMENT OF SUMMARY COURTS-MARTIAL, SO AS TO PROVIDE THAT APPOINTMENT AUTHORITY MAY BE DELEGATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25-1-2630, RELATING TO THE DETAIL OF TRIAL AND DEFENSE COUNSEL, SO AS TO CLARIFY THE STATE JUDGE ADVOCATE'S APPOINTMENT AUTHORITY; TO AMEND SECTION 25-1-2640, RELATING TO THE RECORDING OF PROCEEDINGS, SO AS TO PROVIDE THAT A QUALIFIED COURT REPORTER MAY BE HIRED TO RECORD COURT-MARTIAL PROCEEDINGS; TO AMEND SECTION 25-1-2910, RELATING TO FRAUDULENT ENLISTMENTS, APPOINTMENTS, OR SEPARATIONS, SO AS TO PROVIDE JURISDICTION OVER SERVICEMEMBERS WHO COMMIT WILFUL MISCONDUCT TO INTENTIONALLY CAUSE THEIR SEPARATION; TO AMEND SECTION 25-1-3025, RELATING TO THE OFFENSE OF MALINGERING, SO AS TO PROVIDE JURISDICTION OVER SERVICEMEMBERS WHO COMMIT, PERFORM, OR UNDERTAKE SERVICE DISQUALIFYING ACTIVITIES; TO AMEND SECTION 25-1-3065, RELATING TO THE OFFENSE OF CONDUCT UNBECOMING AN OFFICER, SO AS TO DELETE THE ELEMENT THAT THE ACCUSED BE A COMMISSIONED OFFICER; AND TO AMEND SECTION 25-1-3160, RELATING TO CONSTRUCTION OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO ALLOW THE ADJUTANT GENERAL TO ESTABLISH PROCEDURES TO CONFORM STATE MILITARY JUDICIAL PROCEEDINGS WITH STATE CIRCUIT COURT PROCEEDINGS.

Referred to Committee on Judiciary

H. 3678 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 16-27-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTIONS OF CERTAIN ACTIVITIES FROM THE ANIMAL FIGHTING AND BAITING ACT, SO AS TO DELETE THE EXEMPTION OF "BEAR-BAYING"; AND TO AMEND SECTION 50-11-430, AS AMENDED, RELATING TO BEAR HUNTING AND UNLAWFUL ACTS IN REGARD TO BEARS INCLUDING A PROVISION THAT IT IS UNLAWFUL TO POSSESS A CAPTIVE BEAR EXCEPT BY PERMIT ISSUED BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO PROVIDE THAT A CAPTIVE BEAR FOR WHICH A PERMIT HAS BEEN ISSUED AND WHICH UPON INFORMATION AND BELIEF OF THE DEPARTMENT HAS BEEN OR IS BEING USED FOR THE PURPOSE OF "BEAR-BAYING" MUST BE TAKEN INTO CUSTODY BY THE DEPARTMENT, AND TO PROVIDE THAT THE DEPARTMENT SHALL MAKE EVERY EFFORT TO PLACE THESE BEARS IN A SUITABLE ENVIRONMENT, INCLUDING ZOOS OR ANIMAL PARKS WITHIN OR OUTSIDE THIS STATE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3679 -- Rep. Bannister: A BILL TO AMEND SECTION 16-3-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TESTING OF CERTAIN OFFENDERS FOR HEPATITIS B AND HUMAN IMMUNODEFICIENCY VIRUS (HIV), SO AS TO FURTHER CLARIFY OFFENDERS WHO MUST BE TESTED AND THE TIME FRAME THAT TESTING MUST BE CONDUCTED AND PROVIDE FOR FOLLOW-UP TESTING FOR HIV WHEN MEDICALLY APPROPRIATE.

Referred to Committee on Judiciary

H. 3684 -- Reps. Rutherford and Bales: A BILL TO AMEND SECTION 7-27-405, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RICHLAND COUNTY ELECTION COMMISSION AND RICHLAND COUNTY BOARD OF REGISTRATION, SO AS TO PROVIDE THAT COUNTY EMPLOYMENT DOES NOT PRECLUDE A MEMBER'S SERVICE ON THE BOARD.

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

H. 3685 -- Reps. Bales and Ballentine: A BILL TO AMEND SECTION 51-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USE OF FACILITIES, CAMPSITES, AND OVERNIGHT LODGING FACILITIES AT STATE PARKS AT REDUCED RATES BY THE AGED, BLIND, OR DISABLED, SO AS TO PROVIDE THAT SUCH PERSONS MAY USE THESE FACILITIES AT ONE-HALF THE PRESCRIBED FEE, INCLUDING CAMPSITE FACILITIES AND OVERNIGHT LODGING FACILITIES IF VACANCIES EXIST, AND TO PROVIDE THAT DISABLED VETERANS MAY GAIN ADMISSION TO STATE PARKS WITHOUT CHARGE AND MAY USE THE CAMPING FACILITIES AND OVERNIGHT LODGING FACILITIES OF STATE PARKS IF VACANCIES EXIST WITHOUT CHARGE; AND BY ADDING SECTION 51-3-75 SO AS TO PROVIDE THAT BASED ON A REVIEW OF BUSINESS AND PERSONAL USE OF A PARTICULAR STATE PARK OR FACILITY BY THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, AND THE LABOR AND INSURANCE REQUIREMENTS IT SUSTAINS AT THAT FACILITY, IT MAY ALTER THE MANAGEMENT PLAN FOR THAT PARK OR FACILITY BY PERMITTING THE RELETTING OF CAMPSITES, CAMPING FACILITIES, OR OTHER AMENITIES BEFORE THE RENTAL TERM OF THE ORIGINAL RENTER HAS EXPIRED IF VACATED BY THE ORIGINAL RENTER BEFORE THE END OF THE STATED TERM, AND TO PROVIDE THE DEPARTMENT ALSO MAY WAIVE THE CHARGES FOR ITS REUSE AND FOR THE USE OF THESE AND OTHER AMENITIES.

Referred to Committee on Ways and Means

H. 3686 -- Reps. Young, J. R. Smith, Taylor, Clyburn, Hixon and Hosey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 20, TITLE 37 SO AS TO ENTITLE THE ARTICLE "CALLER IDENTIFICATION AND SOCIAL MEDIA FRAUD", TO CREATE THE OFFENSE OF UNLAWFULLY ALTERING THE IDENTIFICATION OF A CALLER'S NUMBER OR SOCIAL MEDIA IDENTITY, TO DEFINE NECESSARY TERMS, AND TO PROVIDE A PENALTY; AND TO REDESIGNATE THE EXISTING SECTIONS OF CHAPTER 20, TITLE 37 AS ARTICLE 1 ENTITLED "IDENTITY THEFT".

Referred to Committee on Judiciary

H. 3687 -- Reps. J. E. Smith, Bingham and Huggins: A BILL TO AMEND SECTION 50-5-2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL EXHIBIT OF A MARINE MAMMAL IN THIS STATE AND PROVIDING PENALTIES FOR VIOLATION, SO AS TO PROHIBIT THE DISPLAY OF A WILD CAUGHT OR CAPTIVE BRED DOLPHIN OR WHALE AND TO REQUIRE THE MARINE MAMMAL STRANDING NETWORK TO ATTEMPT TO REHABILITATE AND TO RELEASE ANY BEACH-STRANDED WHALE OR DOLPHIN AND TO PROVIDE PENALTIES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3688 -- Reps. J. E. Smith, Whipper and Limehouse: A BILL TO AMEND CHAPTER 65, TITLE 12, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SOUTH CAROLINA TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO MAKE THE PROVISIONS OF THIS CHAPTER ALSO APPLICABLE TO ABANDONED GOVERNMENTAL PROPERTIES.

Referred to Committee on Labor, Commerce and Industry

H. 3689 -- Reps. Bales, Whipper, Mitchell, Gilliard, Allen, Anderson, Anthony, Battle, Branham, G. A. Brown, R. L. Brown, Cobb-Hunter, Dillard, Hayes, Hosey and J. R. Smith: A BILL TO AMEND SECTION 16-17-680, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PURCHASE OF NONFERROUS METALS, RECORDS REQUIRED TO BE KEPT BY SECONDARY METALS RECYCLERS, AND PENALTIES FOR THE UNLAWFUL PURCHASE OF NONFERROUS METALS, SO AS TO EXPAND THE DEFINITION OF "NONFERROUS METALS", TO REQUIRE ADDITIONAL INFORMATION TO BE COLLECTED, MAINTAINED, AND TRANSMITTED TO THE DEPARTMENT OF REVENUE, TO REQUIRE THE DEPARTMENT OF REVENUE TO MAINTAIN THE INFORMATION ON SAME-DAY SALES ON ITS WEBSITE, TO REQUIRE SECONDARY METALS RECYCLERS TO BE BONDED, AND TO INCREASE THE FINE FOR A VIOLATION AND REQUIRE THE REVOCATION OF A RETAIL OR WHOLESALE LICENSE FOR THIRD AND SUBSEQUENT VIOLATIONS; AND TO AMEND SECTION 16-17-685, RELATING TO THE UNLAWFUL TRANSPORTATION OF NONFERROUS METALS, SO AS TO CONFORM THE DEFINITION OF "NONFERROUS METALS" TO THAT OF SECTION 16-17-680.

Referred to Committee on Judiciary

S. 430 -- Senators L. Martin and Alexander: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS ATTENDING DANIEL HIGH SCHOOL IN THE PICKENS COUNTY SCHOOL DISTRICT ON AUGUST 18, 2010, DUE TO A WATER MAIN BREAK, IS EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, February 15.

|  |  |
| --- | --- |
| Chris Hart | Denny Neilson |
| Edward "Eddie" Tallon | Richard "Rick" Quinn |
| Thad Viers | David Mack |
| Patsy Knight |  |

**Total Present--120**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Brian Reinhardt of Greenwood 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. 3002 |
| Date: | ADD: |
| 02/15/11 | AGNEW |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3292 |
| Date: | ADD: |
| 02/15/11 | YOUNG, POPE and WILLIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3467 |
| Date: | ADD: |
| 02/15/11 | J. E. SMITH |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3507 |
| Date: | ADD: |
| 02/15/11 | VIERS and WHITE |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3617 |
| Date: | ADD: |
| 02/15/11 | BRADY and BALES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3665 |
| Date: | ADD: |
| 02/15/11 | AGNEW |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3506 |
| Date: | ADD: |
| 02/15/11 | OTT and COBB-HUNTER |

**ORDERED TO THIRD READING**

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

H. 3648 -- Rep. Brantley: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF HAMPTON 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.

H. 3656 -- Rep. Bowers: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF HAMPTON 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. 3661 -- Reps. Clyburn and Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 11 AND 12, 2011, BY THE STUDENTS OF EDGEFIELD 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. 3662 -- Rep. Munnerlyn: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF THE MARLBORO 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. 3393--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3393 -- Rep. Sandifer: A BILL TO AMEND SECTION 32-8-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY SERVE AS A DECEDENT'S AGENT TO AUTHORIZE CREMATION, SO AS TO FURTHER PROVIDE FOR THOSE PERSONS WHO IN ORDER OF PRIORITY MAY AUTHORIZE CREMATION.

Rep. TOOLE spoke in favor of the Bill.

Rep. LOFTIS spoke upon the Bill.

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

**H. 3508--REQUESTS FOR DEBATE**

The following Bill was taken up:

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, Dillard, Alexander, Cooper and Mack: 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 TELECOMMUNICATIONS 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 COMMUNICATIONS 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.

Reps. KING, CRAWFORD, LOWE, OTT, DANING, HART, WILLIAMS, JEFFERSON, SABB, MUNNERLYN, ALLISON, BRANTLEY, SANDIFER, GAMBRELL, R. L. BROWN, WHIPPER, ANDERSON, HOSEY, BIKAS, YOUNG, GILLIARD, HEARN and COBB-HUNTER requested debate on the Bill.

**H. 3276--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3276 -- Reps. White, Owens, Bikas, Sellers, Ott and Clemmons: A BILL TO RATIFY AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS UNDER THE STATE'S CONSTITUTION, BY ADDING SECTION 25 SO AS TO PROVIDE THAT HUNTING AND FISHING ARE VALUABLE PARTS OF THE STATE'S HERITAGE, IMPORTANT FOR CONSERVATION, AND A PROTECTED MEANS OF MANAGING NONTHREATENED WILDLIFE; TO PROVIDE THAT THE CITIZENS OF SOUTH CAROLINA SHALL HAVE THE RIGHT TO HUNT, FISH, AND HARVEST WILDLIFE TRADITIONALLY PURSUED, SUBJECT TO LAWS AND REGULATIONS PROMOTING SOUND WILDLIFE CONSERVATION AND MANAGEMENT AS PRESCRIBED BY THE GENERAL ASSEMBLY; AND TO SPECIFY THAT THIS SECTION MUST NOT BE CONSTRUED TO ABROGATE ANY PRIVATE PROPERTY RIGHTS, EXISTING STATE LAWS OR REGULATIONS, OR THE STATE'S SOVEREIGNTY OVER ITS NATURAL RESOURCES.

Rep. HARDWICK explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 102; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cole |
| Cooper | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Patrick |
| Pitts | Pope | Quinn |
| Rutherford | Ryan | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Viers |
| Weeks | White | Whitmire |
| Williams | Willis | Young |

**Total--102**

 Those who voted in the negative are:

**Total--0**

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

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3543 from the Committee on Judiciary.

Rep. ATWATER objected.

**H. 3507--DEBATE ADJOURNED**

The following Concurrent Resolution was taken up:

H. 3507 -- Reps. Harrell, Cooper, Bingham, Clemmons, Allison, Atwater, Barfield, Bikas, Bowen, Brannon, Corbin, Crosby, Daning, Forrester, Hamilton, Harrison, Henderson, Herbkersman, Hiott, Hixon, Horne, 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, Young, Chumley, Viers and White: 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.

Rep. LUCAS moved to adjourn debate on the Concurrent Resolution until Wednesday, February 16, which was agreed to.

**S. 471--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 471 -- Senators Grooms, Campsen, Davis, Shoopman, Alexander, Anderson, Bright, Bryant, Campbell, Cleary, Coleman, Courson, Cromer, Elliott, Fair, Ford, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO OPPOSE ANY PLAN TO EXPAND THE SAVANNAH RIVER THAT DOES NOT PROVIDE MUTUAL ECONOMIC BENEFITS TO THE PEOPLE OF SOUTH CAROLINA.

Rep. HARRISON explained the Resolution.

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

Yeas 112; Nays 0

 Those who voted in the affirmative are:

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

**Total--112**

 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. SANDIFER.

**H. 3241--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Bill until Wednesday, February 16, which was adopted:

H. 3241 -- Reps. Owens, Stringer, G. R. Smith, Harrison, Daning, Hamilton, Bingham, Long, Henderson, Atwater, Lucas, Clemmons, Cooper, Horne, Simrill, D. C. Moss, Sandifer, Harrell and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-40-55 SO AS TO PROVIDE CHARTER SCHOOL POWERS AND DUTIES AND TO ALLOW A SPONSOR TO RETAIN CERTAIN FUNDS FOR OVERSEEING THE CHARTER SCHOOL; BY ADDING SECTION 59-40-175 SO AS TO CREATE THE CHARTER SCHOOL FACILITY REVOLVING LOAN PROGRAM FOR THE CONSTRUCTION, PURCHASE, RENOVATION, AND MAINTENANCE OF PUBLIC CHARTER SCHOOL FACILITIES; TO AMEND SECTION 59-40-20, AS AMENDED, RELATING TO THE PURPOSE OF THE CHARTER SCHOOL ACT, SO AS TO INCLUDE AN ADDITIONAL PURPOSE; TO AMEND SECTION 59-40-40, AS AMENDED, RELATING TO DEFINITIONS, SO AS TO AMEND EXISTING DEFINITIONS AND ADD NEW DEFINITIONS; TO AMEND SECTION 59-40-50, AS AMENDED, RELATING TO CHARTER SCHOOL POWERS AND DUTIES, SO AS TO ALLOW FOR THE APPLICATION TO CREATE A SINGLE GENDER CHARTER SCHOOL, REVISE PRIORITY ENROLLMENT LIMITS, PROVIDE FOR THE ELECTION OF A CHARTER SCHOOL BOARD OF DIRECTORS, PROVIDE FOR BOARD MEETING NOTICE REQUIREMENTS, ALLOW A CHARTER SCHOOL TO CONTRACT WITH PROVIDERS FOR STUDENT TRANSPORTATION, AND ALLOW CHARTER SCHOOL STUDENTS TO PARTICIPATE IN CERTAIN EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO APPLICATION TO CREATE A CHARTER SCHOOL, SO AS TO CLARIFY WHAT MUST BE INCLUDED IN THE CONTRACT, AND TO REQUIRE THE DEPARTMENT OF EDUCATION TO CREATE A CONTRACT TEMPLATE; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE, SO AS TO REVISE ITS MEMBERSHIP AND TO EXTEND THE TIME PERIOD IN WHICH THE COMMITTEE SHALL DETERMINE APPLICATION COMPLIANCE AND THE TIME IN WHICH A LOCAL SCHOOL DISTRICT SHALL RULE ON THE APPLICATION; TO AMEND SECTION 59-40-100, AS AMENDED, RELATING TO CHARTER SCHOOL CONVERSION, SO AS TO REQUIRE THE STATE BOARD OF EDUCATION TO PROMULGATE REGULATIONS PROVIDING FOR PAPER BALLOTS, TO REVISE PRIORITY ENROLLMENT PROCEDURES FOR A CONVERTED CHARTER SCHOOL, AND TO ALLOW A CONVERTED CHARTER SCHOOL TO RETAIN FACILITIES AND EQUIPMENT AVAILABLE BEFORE CONVERSION; TO AMEND SECTION 59-40-110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER, SO AS TO ALLOW A SPONSOR TO IMMEDIATELY REVOKE A CHARTER AND CLOSE THE SCHOOL UPON CERTAIN CONDITIONS; TO AMEND SECTION 59-40-140, AS AMENDED, RELATING TO DISTRIBUTION OF RESOURCES, SO AS TO PROVIDE FOR THE DISTRIBUTION OF FUNDS TO CHARTER SCHOOLS, TO REVISE WHAT THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL DISTRICT SHALL RECEIVE, TO ALLOW THE DEPARTMENT OF EDUCATION TO FINE SPONSORS THAT FAIL TO DISTRIBUTE CERTAIN FUNDS TO CHARTER SCHOOLS, AND TO REVISE REPORTING REQUIREMENTS; TO AMEND SECTION 59-40-190, AS AMENDED, RELATING TO LIABILITY OF A GOVERNING BODY OF A CHARTER SCHOOL, SO AS TO PROVIDE IMMUNITY TO A LOCAL SCHOOL DISTRICT FOR CRIMINAL OR CIVIL LIABILITY REGARDING ACTIVITIES RELATED TO A SPONSORED CHARTER SCHOOL; TO AMEND SECTION 59-40-230, RELATING TO THE BOARD OF TRUSTEES OF THE SOUTH CAROLINA PUBLIC CHARTER SCHOOL, SO AS TO REVISE ITS MEMBERSHIP; AND TO AMEND SECTION 59-40-130, AS AMENDED, RELATING TO LEAVE TO BE EMPLOYED AT A CHARTER SCHOOL, SO AS TO PROVIDE THAT A CHARTER SCHOOL IS A COVERED EMPLOYER WITH RESPECT TO THE SOUTH CAROLINA RETIREMENT SYSTEMS FOR CERTAIN SCHOOL DISTRICT EMPLOYEES.

**H. 3508--DEBATE ADJOURNED**

Rep. CRAWFORD moved to adjourn debate upon the following Bill until Wednesday, February 16, which was adopted:

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, Dillard, Alexander, Cooper and Mack: 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 TELECOMMUNICATIONS 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 COMMUNICATIONS 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.

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

**ADJOURNMENT**

At 1:08 p.m. the House, in accordance with the motion of Rep. HAYES, adjourned in memory of his sister, Gail Hayes Shelton of Dillon, to meet at 10:00 a.m. tomorrow.

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