~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 8:4: “What are human beings that you are mindful of them; mortals that you care for them?”

Let us pray. Lord, help us to be faithful stewards of all that You have created. Make us wise in using the resources You have provided to us. Direct these Representatives in the way of wisdom and courage. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear us, O Lord. Amen.

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

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

**MOTION ADOPTED**

Rep. MUNNERLYN moved that when the House adjourns, it adjourn in memory of Gloria Elias Ward of Bennettsville, which was agreed to.

**REGULATION RECEIVED**

The following was received and referred to the appropriate committee for consideration:

Document No. 4157

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-5-60 and 59-25-110

Requirements for Additional Areas of Certification

Received by Speaker of the House of Representatives

February 23, 2011

Referred to Education and Public Works Committee

Legislative Review Expiration January 30, 2012

**HOUSE RESOLUTION**

The following was introduced:

H. 3736 -- Reps. J. R. Smith, Hixon, Taylor and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF THE NAVAL JUNIOR RESERVE OFFICER TRAINING CORPS OF SILVER BLUFF HIGH SCHOOL OF AIKEN COUNTY, AND TO CONGRATULATE THE TEAM, THEIR INSTRUCTORS, AND THEIR SCHOOL OFFICIALS FOR WINNING THE 2011 NAVAL JUNIOR RESERVE OFFICER TRAINING CORPS AREA SIX STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3737 -- Reps. J. R. Smith, Hixon, Taylor and Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE NAVAL JUNIOR RESERVE OFFICER TRAINING CORPS DRILL TEAM, INSTRUCTORS, AND SCHOOL OFFICIALS OF SILVER BLUFF HIGH SCHOOL, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM FOR CAPTURING THE 2011 NAVAL JUNIOR RESERVE OFFICER TRAINING CORPS AREA SIX STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Naval Junior Reserve Officer Training Corps drill team, instructors, and school officials of Silver Bluff High School, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them for capturing the

2011 Naval Junior Reserve Officer Training Corps Area Six State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3752 -- Reps. Sellers, Brantley, H. B. Brown, Agnew, Jefferson, King, Mitchell and Williams: A HOUSE RESOLUTION TO REBUKE THE UNFORTUNATE COMMENTS MADE BY SENATOR RICK SANTORUM UPON HIS RECENT VISIT TO SOUTH CAROLINA.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 3753 -- Rep. Rutherford: A HOUSE RESOLUTION TO DECLARE THURSDAY, MARCH 10, 2011, AS “ETIQUETTE DAY IN SOUTH CAROLINA”, AND TO COMMEND THE UNIVERSITY OF SOUTH CAROLINA'S EDUCATIONAL TALENT SEARCH PROGRAM AND ITS PARTICIPANTS FOR THEIR OUTSTANDING ACHIEVEMENTS AND PROGRESS IN BECOMING PRODUCTIVE CITIZENS.

Whereas, the Educational Talent Search Program at the University of South Carolina encourages middle school and high school students to complete their secondary education and to pursue completion of postsecondary degrees; and

Whereas, the Educational Talent Search Program serves to prepare students of tomorrow with skills and knowledge that will enable them to become productive and contributing members of society; and

Whereas, a key component of student success is the use of etiquette and decorum that allow students to respond appropriately in both familiar and unfamiliar situations and that help them build self‑confidence and self‑esteem; and

Whereas, the eighth grade curriculum focuses on etiquette during the month of February and culminates with an etiquette luncheon on Thursday, March 10, 2011, designed to provide students an opportunity to implement what they have learned in a practical setting; and

Whereas, the lessons learned by these students are lessons all South Carolinians would benefit from learning. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, declare Thursday, March 10, 2011, as “Etiquette Day in South Carolina”, and commend the University of South Carolina’s Educational Talent Search Program and its participants for their outstanding achievements and progress in becoming productive citizens.

Be it further resolved that a copy of this resolution be forwarded to Dr. Paul L. Beasley, Director of the TRIO Programs at the University of South Carolina.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3754 -- Reps. White, Agnew, Bowen, Cooper, Gambrell and Thayer: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MRS. ROSEMARY H. LINDLEY OF ANDERSON COUNTY, MEMBER OF THE TRI-COUNTY TECHNICAL COLLEGE COMMISSION, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3755 -- Reps. Tallon and Cole: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE JESSE BOYD ELEMENTARY SCHOOL IMPROVEMENT COUNCIL OF SPARTANBURG COUNTY UPON THE OCCASION OF ITS BEING NAMED TO THE SOUTH CAROLINA SCHOOL IMPROVEMENT COUNCIL'S HONOR ROLL AND AS ONE OF FIVE SEMI-FINALISTS FOR THE 2011 DICK AND TUNKY RILEY SCHOOL IMPROVEMENT AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3756 -- Reps. Parks, Pitts, Pinson, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Patrick, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire and Williams: A HOUSE RESOLUTION TO RECOGNIZE OLD MOUNT ZION BAPTIST CHURCH OF THE EPWORTH COMMUNITY IN GREENWOOD COUNTY ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FIFTIETH ANNIVERSARY AND TO COMMEND

THE CHURCH FOR A CENTURY AND A HALF OF SERVICE TO THE COMMUNITY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3746 -- Reps. Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF MARY L. SHIVERS OF RICHLAND COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 603 -- Senators Leventis and Land: A CONCURRENT RESOLUTION TO RECOGNIZE SUMTER COUNTY AS A VITAL PART OF THE GREAT STATE OF SOUTH CAROLINA, AND TO DECLARE WEDNESDAY, FEBRUARY 23, 2011, "SUMTER COUNTY DAY" IN SOUTH CAROLINA.

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

**INTRODUCTION OF BILLS**

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

H. 3738 -- Reps. Mitchell, Cobb-Hunter, Butler Garrick, J. H. Neal, Dillard, Alexander and Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 96 TO TITLE 38 TO ENACT THE "SOUTH CAROLINA HEALTH BENEFIT EXCHANGE ACT" SO AS TO ESTABLISH THE HEALTH BENEFIT EXCHANGE WITHIN THE OFFICE OF THE GOVERNOR FOR THE PURPOSE OF FACILITATING THE PURCHASE AND SALE OF QUALIFIED HEALTH PLANS AS PROVIDED FOR IN THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT; TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE DIRECTOR OF THE EXCHANGE WHO SHALL SERVE AS THE CHIEF EXECUTIVE OFFICER OF THE EXCHANGE AND TO PROVIDE THAT THE EXCHANGE MUST BE GOVERNED BY A BOARD OF DIRECTORS APPOINTED BY THE GOVERNOR; AND TO PROVIDE FOR THE POWERS AND DUTIES OF THE EXCHANGE, INCLUDING, AMONG OTHER THINGS, THE ESTABLISHMENT OF THE SMALL EMPLOYER EXCHANGE TO ASSIST QUALIFIED SMALL EMPLOYERS IN THIS STATE IN FACILITATING THE ENROLLMENT OF THEIR EMPLOYEES IN QUALIFIED HEALTH PLANS.

Referred to Committee on Ways and Means

H. 3739 -- Reps. Herbkersman, Patrick, Brantley, Chumley, Parker, Bikas, Viers, Corbin, J. R. Smith, Bowen, Bales, Long, Merrill, V. S. Moss, G. R. Smith and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 43 SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PRINT AND MAKE AVAILABLE PLACARDS TO RETAIL ESTABLISHMENTS THAT ACCEPT SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS (FORMERLY KNOWN AS FOOD STAMPS), STATING ON THE PLACARD THAT FOOD STAMP FRAUD IS A CRIME, AND A NUMBER TO CALL TO REPORT SUSPECTED FOOD STAMP FRAUD; TO REQUIRE THESE RETAIL ESTABLISHMENTS TO PROMINENTLY DISPLAY THE PLACARDS AT REGISTERS AND ENTRANCES IN THESE RETAIL ESTABLISHMENTS; AND TO AUTHORIZE THE DEPARTMENT TO CHARGE RETAIL ESTABLISHMENTS FOR THE ACTUAL COST OF THE PLACARDS.

Referred to Committee on Ways and Means

H. 3740 -- Reps. Spires, Frye and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-1-105 SO AS TO PROVIDE THAT IF A PERSON HAS APPLIED FOR RENEWAL OF A PERMIT ISSUED PURSUANT TO THE POLLUTION CONTROL ACT AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DOES NOT RENEW OR DENY THE PERMIT RENEWAL OR REVOKE THE ORIGINAL PERMIT WITHIN SIX MONTHS OF THE APPLICATION BEING TIMELY FILED AND COMPLETED, THE PERMIT IS DEEMED TO BE DENIED.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3741 -- Rep. Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-43-50 SO AS TO PROVIDE THAT A TIME LIMIT MAY NOT BE IMPOSED UPON SENIOR CITIZENS WHO TAKE THE GENERAL EDUCATIONAL DEVELOPMENT EXAM, AND TO DEFINE CERTAIN TERMS.

Referred to Committee on Education and Public Works

H. 3742 -- Reps. Neilson, Brantley, Quinn, Brannon, Spires, Chumley, J. H. Neal, Knight, Sabb, Parker, Branham, Dillard, Edge, Funderburk, Hosey, Murphy, Simrill, Taylor and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-43 SO AS TO PROVIDE THAT IT IS AN UNFAIR TRADE PRACTICE FOR A MERCHANT OF GOODS OR SERVICES TO REFUSE TO RENDER THOSE GOODS OR SERVICES IF A CUSTOMER DECLINES TO DISCLOSE HIS SOCIAL SECURITY NUMBER.

Referred to Committee on Judiciary

H. 3743 -- Reps. Harrell, Lucas, Battle, Bingham, Cooper, Harrison and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-17-89 SO AS TO PROVIDE THAT NO PROVISION IN CHAPTER 17, TITLE 13 MAY BE CONSTRUED TO AUTHORIZE THE SOUTH CAROLINA RESEARCH AUTHORITY TO COMMIT THE CREDIT AND TAXING POWER OF THE STATE, TO PROVIDE A WRITTEN NOTICE REQUIREMENT WHEN THE AUTHORITY HAS CERTAIN RELATIONSHIPS WITH A NONPROFIT ENTITY THAT ESTABLISHES A FOR-PROFIT ENTITY, AND TO PROVIDE THAT A FAILURE TO PROVIDE THIS NOTICE MAY NOT BE CONSTRUED TO INDICATE THE AUTHORITY MAY PLEDGE THE CREDIT AND TAXING POWER OF THE STATE; TO AMEND SECTION 13-17-40, AS AMENDED, RELATING TO THE MEMBERSHIP AND TERMS OF THE BOARD OF TRUSTEES AND EXECUTIVE COMMITTEE OF THE AUTHORITY, SO AS TO PROVIDE FOR THE ELECTION OF TWO ADDITIONAL TRUSTEES, TO PERMIT A UNIVERSITY PRESIDENT WHO IS AN EX OFFICIO MEMBER OF THE BOARD TO DESIGNATE THE CHIEF RESEARCH OFFICER OF HIS UNIVERSITY TO PARTICIPATE AND VOTE IN NO MORE THAN TWO MEETINGS OF THE EXECUTIVE COMMITTEE EACH YEAR, TO ALLOW THE EXECUTIVE COMMITTEE TO ELECT A VICE CHAIRMAN WITH POWERS AND DUTIES PROVIDED BY THE EXECUTIVE COMMITTEE, TO PROVIDE THE VICE CHAIRMAN SERVES AT THE PLEASURE OF THE EXECUTIVE COMMITTEE, TO PROVIDE FOR MEMBER TERMS, FILLING OF A VACANCY, AND REMOVAL OF AN EXECUTIVE COMMITTEE MEMBER, AND TO DELETE ARCANE REFERENCES; TO AMEND SECTION 13-17-70, AS AMENDED, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES OF THE AUTHORITY, SO AS TO PROVIDE THE BOARD MAY PROVIDE GUARANTEES AS SECURITY FOR CERTAIN OBLIGATIONS; TO AMEND SECTION 13-17-87, AS AMENDED, RELATING TO COSTS ASSOCIATED WITH INNOVATION CENTERS ESTABLISHED BY THE AUTHORITY, SO AS TO MAKE CERTAIN FINANCING OPTIONAL RATHER THAN MANDATORY, TO EXPAND THE SOURCES OF FUNDING AVAILABLE FOR FINANCING THESE COSTS, AND TO PROHIBIT THE USE OF A PLEDGE OF CREDIT AND TAXING POWER OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE TO FINANCE THESE COSTS; TO AMEND SECTION 13-17-88, RELATING TO THE IMPLEMENTATION OF THE CERTAIN SECTIONS OF THE CODE OF LAWS BY THE AUTHORITY, SO AS TO PROVIDE THE AUTHORITY MAY EXPEND FUNDS REFERENCED IN THE INNOVATION CENTERS ACT OF 2005 AND THE INDUSTRY PARTNERS ACT OF 2006 IN A CERTAIN MANNER.

Referred to Committee on Ways and Means

H. 3744 -- Reps. Erickson and Sandifer: A BILL TO AMEND SECTION 40-65-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PROVISIONS CONCERNING SOIL CLASSIFIERS, SO AS TO REVISE THE EXEMPTIONS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3745 -- Reps. Erickson, Brantley, Patrick, Brannon, Murphy, Daning and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-51-210 SO AS TO PROVIDE CERTAIN PODIATRIC SURGERY MUST BE PERFORMED IN CERTAIN FACILITIES, TO PROVIDE A PODIATRIST WHO PERFORMS THESE PROCEDURES MUST MEET CERTAIN CRITERIA, TO PROVIDE FOR THE EXTENSION OF PROFESSIONAL PRIVILEGES TO THESE PODIATRISTS BY CERTAIN HEALTH FACILITIES, TO REQUIRE HEALTH FACILITIES IN THIS STATE PROVIDE THE RIGHT TO PURSUE AND PRACTICE FULL CLINICAL AND SURGICAL PRIVILEGES TO PODIATRISTS WHO MEET CERTAIN CRITERIA, TO PROVIDE AN ABILITY TO LIMIT THESE PRIVILEGES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THIS SECTION DOES NOT REQUIRE A HEALTH FACILITY IN THIS STATE TO OFFER A SPECIFIC HEALTH SERVICE NOT OTHERWISE OFFERED BY IT, AND TO PROVIDE THAT IF THE FACILITY DOES OFFER A HEALTH SERVICE, IT MAY NOT DISCRIMINATE AMONG CERTAIN HEALTH PROFESSIONALS AUTHORIZED BY LAW TO PROVIDE THESE SERVICES; AND TO AMEND SECTION 40-51-20, RELATING TO DEFINITIONS, SO AS TO AMEND, DELETE, AND ADD CERTAIN DEFINITIONS.

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

H. 3747 -- Rep. Cooper: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT BIOLOGICS ADMINISTERED BY A PHYSICIAN IN A PHYSICIAN'S OFFICE.

Referred to Committee on Ways and Means

H. 3748 -- Reps. Owens, Bowen, Erickson, Daning, Whitmire, Spires, McCoy, Loftis, Gambrell, Lucas, Skelton, Bingham, Thayer, Hardwick, Harrell, Crosby, Battle, Sottile, Patrick, Clemmons, Cole, Forrester, Hamilton, Henderson, Hixon, Huggins, Murphy, J. M. Neal, Pinson, Pope, G. R. Smith, Stringer, Tallon, White and Willis: A BILL TO AMEND SECTION 59-59-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPLEMENTATION OF THE EDUCATION AND ECONOMIC DEVELOPMENT ACT, SO AS TO EXTEND THE DATE BY WHICH THE ACT MUST BE IMPLEMENTED FULLY.

Referred to Committee on Education and Public Works

H. 3749 -- Reps. Gambrell and Brantley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 52 TO TITLE 23 SO AS TO ENACT THE "NOVELTY LIGHTER PROHIBITION ACT", TO PROVIDE DEFINITIONS FOR CERTAIN TERMS AND FOR THE PROHIBITION OF THE SALE OR DISTRIBUTION OF NOVELTY LIGHTERS, AND TO PROVIDE PENALTIES.

Referred to Committee on Labor, Commerce and Industry

H. 3750 -- Reps. Viers and Vick: A BILL TO AMEND SECTION 17-5-530, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A CORONER'S DUTIES WHEN A PERSON DIES, INCLUDING WHERE AN AUTOPSY MUST BE PERFORMED IF A PERSON DIES IN A HEALTH CARE FACILITY WITHIN TWENTY-FOUR HOURS OF ENTERING THE FACILITY OR WITHIN TWENTY-FOUR HOURS OF UNDERGOING AN INVASIVE SURGICAL PROCEDURE, SO AS TO PROVIDE THAT UNLESS THE CORONER CERTIFIES THAT THERE IS NO REASONABLE ALTERNATIVE, THE AUTOPSY MUST NOT BE PERFORMED AT THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED OR BY A PHYSICIAN WHO TREATED THE PATIENT OR WHO WAS EMPLOYED BY THE HEALTH CARE FACILITY WHERE THE DEATH OCCURRED.

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

H. 3751 -- Rep. Viers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-147 SO AS TO REQUIRE A RETAIL FOOD ESTABLISHMENT SEMI-ANNUALLY SCREEN ITS EMPLOYEES TO DETERMINE IF AN EMPLOYEE HAS A COMMUNICABLE DISEASE THAT CAN BE TRANSMITTED BY FOOD OR CARRIES AN ORGANISM THAT CAUSES A COMMUNICABLE DISEASE THAT CAN BE CARRIED BY FOOD, MAY NOT EMPLOY SUCH A PERSON IN A MANNER IN WHICH THERE IS A LIKELIHOOD OF THE PERSON CONTAMINATING FOOD OR FOOD-CONTACT SURFACES WITH PATHOGENIC ORGANISMS OR TRANSMITTING A COMMUNICABLE DISEASE TO OTHER PEOPLE, AND TO MAINTAIN DOCUMENTATION OF ITS EMPLOYEE SCREENING RESULTS FOR A PERIOD OF FIVE YEARS; AND TO AMEND SECTION 45-4-40, RELATING TO STANDARDS FOR FOOD PRODUCTS AND HYGIENE PRACTICES FOR INNKEEPERS AND EMPLOYEES, SO AS TO PROVIDE AN INNKEEPER SEMI-ANNUALLY MUST SCREEN HIS EMPLOYEES AND HIMSELF TO DETERMINE IF AN EMPLOYEE OR HE HAS A COMMUNICABLE DISEASE THAT CAN BE TRANSMITTED BY FOOD OR CARRIES AN ORGANISM THAT CAUSES A COMMUNICABLE DISEASE THAT CAN BE CARRIED BY FOOD, MAY NOT EMPLOY SUCH A PERSON IN A MANNER IN WHICH THERE IS A LIKELIHOOD OF THE PERSON CONTAMINATING FOOD OR FOOD-CONTACT SURFACES WITH PATHOGENIC ORGANISMS OR TRANSMITTING A COMMUNICABLE DISEASE TO OTHER PEOPLE OR ACT IN SUCH A MANNER HIMSELF, AND SHALL MAINTAIN DOCUMENTATION OF ITS EMPLOYEE SCREENING RESULTS FOR A PERIOD OF FIVE YEARS.

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

H. 3757 -- Reps. Hardwick, Hearn, Mitchell, Long, Erickson, Brady, Butler Garrick, Funderburk, Munnerlyn, Knight, Dillard, Cobb-Hunter and Parks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 3, TITLE 16 SO AS TO DEFINE NECESSARY TERMS, PROVIDE FOR CERTAIN HUMAN TRAFFICKING OFFENSES AND PROVIDE PENALTIES, TO PROVIDE FOR CRIMINAL LIABILITY OF BUSINESS ENTITIES, TO PROVIDE RESTITUTION FOR VICTIMS OF HUMAN TRAFFICKING OFFENSES, TO ESTABLISH AN INTERAGENCY TASK FORCE TO DEVELOP AND IMPLEMENT A PLAN FOR THE PREVENTION OF TRAFFICKING IN PERSONS, TO REQUIRE THE COLLECTION AND DISSEMINATION OF DATA RELATED TO HUMAN TRAFFICKING BY THE STATE LAW ENFORCEMENT DIVISION (SLED), TO REQUIRE MANDATORY LAW ENFORCEMENT TRAINING ON HUMAN TRAFFICKING OFFENSES, TO PROVIDE FOR THE CREATION OF PUBLIC AWARENESS PROGRAMS REGARDING HUMAN TRAFFICKING IN THE STATE, TO ALLOW CIVIL ACTIONS BY VICTIMS OF HUMAN TRAFFICKING, TO PROVIDE THAT CERTAIN STANDARDS OF WORKING CONDITIONS APPLY WITHOUT REGARD TO IMMIGRATION STATUS, TO PROVIDE CERTAIN PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING PURSUANT TO THE VICTIMS' BILL OF RIGHTS AND OTHER RELEVANT STATUTORY PROVISIONS, TO REQUIRE THE STATE TO DEVELOP PLANS FOR HOUSING AND COUNSELING, AMONG OTHER THINGS, OF VICTIMS OF HUMAN TRAFFICKING WITHIN ONE HUNDRED EIGHTY DAYS OF THE EFFECTIVE DATE OF THE ACT, TO PROVIDE FOR CERTAIN RIGHTS OF MINOR VICTIMS OF HUMAN TRAFFICKING, TO ESTABLISH HUMAN TRAFFICKING VICTIM-CASEWORKER PRIVILEGE, AND TO CREATE THE OFFENSE OF MALICIOUSLY OR WITH CRIMINAL NEGLIGENCE PUBLISHING, DISSEMINATING, OR OTHERWISE DISCLOSING THE LOCATION OF A HUMAN TRAFFICKING VICTIM, A TRAFFICKING SHELTER, OR A DOMESTIC VIOLENCE SHELTER AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 16-3-930 RELATING TO TRAFFICKING IN PERSONS FOR FORCED LABOR OR SERVICES.

Referred to Committee on Judiciary

H. 3758 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-681 SO AS TO PROHIBIT THE PURCHASE OF CERTAIN METALS BY A SECONDARY METALS RECYCLER, PROVIDE EXCEPTIONS, AND PROVIDE A PENALTY; AND TO AMEND SECTION 16-17-680, AS AMENDED, RELATING TO THE PURCHASE OF NONFERROUS METALS, SO AS TO AMEND THE DEFINITION OF "NONFERROUS METALS", AND FURTHER REGULATE THE PURCHASE OF NONFERROUS METALS.

Referred to Committee on Judiciary

H. 3759 -- Reps. J. R. Smith, Hixon and Taylor: A BILL TO AMEND ACT 503 OF 1982, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF AIKEN COUNTY, SO AS TO REQUIRE THAT THE SCHOOL DISTRICT SET THE DATE OF A SCHOOL BOND ELECTION ON THE DATE OF A GENERAL ELECTION OR PRIMARY ELECTION.

Referred to Aiken Delegation

H. 3760 -- Reps. Hixon, Gilliard, Limehouse, Tallon, Sottile, McCoy, Williams, Patrick, Clyburn, Corbin, Allen, Dillard, Bowen, Bannister, Knight, Bikas, Ryan, McEachern, Murphy, Thayer, Gambrell, Munnerlyn, Agnew, R. L. Brown, Clemmons, Daning, Hamilton, Hardwick, Hearn, Henderson, Hodges, Jefferson, Loftis, Lucas, V. S. Moss, Norman, Pope, Sabb, Simrill, G. M. Smith, J. R. Smith, J. E. Smith, Taylor, Vick, Weeks, Whipper and Young: A BILL TO AMEND SECTION 56-1-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND CONTENTS OF A SOUTH CAROLINA DRIVER'S LICENSE, SO AS TO, UPON THE LICENSEE'S REQUEST AND PROOF OF ELIGIBILITY, INCLUDE A VETERAN STATUS DESIGNATION ON THE DRIVER'S LICENSE; AND TO AMEND SECTION 56-1-3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS, SO AS TO, UPON THE CARD HOLDER'S REQUEST AND PROOF OF ELIGIBILITY, INCLUDE A VETERAN STATUS DESIGNATION ON THE SPECIAL IDENTIFICATION CARD.

Referred to Committee on Education and Public Works

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Barfield | Battle | 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 |
| Gambrell | Gilliard | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parker | Parks |
| Patrick | Pinson | Pope |
| Ryan | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, February 24.

|  |  |
| --- | --- |
| Paul Agnew | Laurie Funderburk |
| Bruce W. Bannister | Terry Alexander |
| Chris Hart | Jerry Govan |
| Todd RutherfordRichard “Rick” Quinn | H. B. "Chip" Limehouse |

**Total Present--117**

**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. HORNE a leave of absence due to a prior commitment with the Liberty Fellowship Program.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. SMITH a leave of absence due to military service.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BEDINGFIELD a leave of absence due to medical reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Preston Wendell of Mount Pleasant was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. DELLENEY presented to the House the Lewisville High School Baseball Team, the 2010 Class A Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. NORMAN, DELLENEY, KING, LONG, D. C. MOSS, POPE and SIMRILL presented to the House the Northwestern High School "Trojans", the 2010 AAAA Football Champions, their coaches and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3044 |
| Date: | ADD: |
| 02/24/11 | WILLIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3066 |
| Date: | ADD: |
| 02/24/11 | HARRELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3070 |
| Date: | ADD: |
| 02/24/11 | HARRELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3152 |
| Date: | ADD: |
| 02/24/11 | HARRELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3292 |
| Date: | ADD: |
| 02/24/11 | VIERS and KNIGHT |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3403 |
| Date: | ADD: |
| 02/24/11 | WILLIS and POPE |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3408 |
| Date: | ADD: |
| 02/24/11 | WILLIS and VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3617 |
| Date: | ADD: |
| 02/24/11 | WILLIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3633 |
| Date: | ADD: |
| 02/24/11 | WILLIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3720 |
| Date: | ADD: |
| 02/24/11 | PATRICK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3292 |
| Date: | ADD: |
| 02/24/11 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3368 |
| Date: | ADD: |
| 02/24/11 | VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3333 |
| Date: | ADD: |
| 02/24/11 | BRADY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3403 |
| Date: | ADD: |
| 02/24/11 | VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3414 |
| Date: | ADD: |
| 02/24/11 | BRADY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3419 |
| Date: | ADD: |
| 02/24/11 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3621 |
| Date: | ADD: |
| 02/24/11 | VIERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3410 |
| Date: | ADD: |
| 02/24/11 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3419 |
| Date: | ADD: |
| 02/24/11 | STAVRINAKIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3268 |
| Date: | ADD: |
| 02/24/11 | CLEMMONS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3738 |
| Date: | ADD: |
| 02/24/11 | BUTLER GARRICK, J. H. NEAL, DILLARD, ALEXANDER and RUTHERFORD |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3689 |
| Date: | REMOVE: |
| 02/24/11 | GILLIARD |

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 563 -- Senators Rose and Matthews: A BILL TO AMEND ACT 1627 OF 1972, AS AMENDED, RELATING TO THE DORCHESTER COUNTY CAREER AND TECHNOLOGY CENTER BOARD OF TRUSTEES, TO PROVIDE THAT THE DORCHESTER COUNTY COUNCIL SHALL APPOINT ALL MEMBERS OF THE BOARD OF TRUSTEES.

STATEMENT FOR THE JOURNAL

 I object to S. 563, because as a member of the Dorchester Legislative Delegation, I believe we should not relinquish our duties to the Dorchester County Council.

 Rep. Patsy Knight

**ORDERED TO THIRD READING**

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

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.

H. 3734 -- Rep. Knight: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF DORCHESTER 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. 3516 -- Rep. Cooper: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEAR 2011-2012, AND TO PROVIDE THAT FOR FISCAL YEAR 2011-2012 COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

**S. 430--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HIOTT, with unanimous consent, it was ordered that S. 430 be read the third time tomorrow.

**H. 3734--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. KNIGHT, with unanimous consent, it was ordered that H. 3734 be read the third time tomorrow.

**H. 3516--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. COOPER, with unanimous consent, it was ordered that H. 3516 be read the third time tomorrow.

**H. 3410--DEBATE ADJOURNED**

Rep. BRANHAM moved to adjourn debate upon the following Bill until Wednesday, March 2, which was adopted:

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, Weeks, Munnerlyn, McEachern, Vick, Sandifer, Viers, Hixon, Huggins and Clemmons: 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.

**H. 3419--DEBATE ADJOURNED**

Rep. MERRILL moved to adjourn debate upon the following Bill until Tuesday, March 1, which was adopted:

H. 3419 -- Reps. Merrill, Bingham, Young, Taylor, Hixon, J. R. Smith, Clemmons and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TAXPAYER FAIRNESS ACT" BY ADDING SECTION 12-4-397 SO AS TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA DEPARTMENT OF REVENUE MUST INTERPRET TAX STATUTES OF THIS STATE, TO PROVIDE THAT TERMS IN THE TAX STATUTES OF THIS STATE MAY NOT BE GIVEN BROADER MEANING THAN INTENDED BY POLICY DOCUMENTS AND REGULATIONS OF THE DEPARTMENT OF REVENUE, TO PROVIDE THAT AMBIGUITY IN TAX STATUTES MUST BE RESOLVED IN FAVOR OF THE TAXPAYER, TO REQUIRE THE DEPARTMENT TO REPORT AMBIGUITIES TO CERTAIN MEMBERS OF THE GENERAL ASSEMBLY, AND TO DEFINE "TAX STATUTES OF THIS STATE".

**H. 3368--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, March 1, which was adopted:

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

**H. 3716--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, March 1, which was adopted:

H. 3716 -- Ways and Means Committee: A BILL TO AMEND CHAPTER 20, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION FINANCE ACT OF 1977, SO AS TO RENAME THE CHAPTER, DEFINE CERTAIN TERMS, REVISE THE PURPOSE OF THE CHAPTER, REVISE PUPIL WEIGHTINGS WITHIN THE ALLOCATION FORMULA, DELETE PROVISIONS REGARDING SCHOOL AND DISTRICT IMPROVEMENT PLANS, DELETE THE INFLATION ADJUSTMENT TO STATE FUNDS FOR SCHOOL DISTRICTS, DELETE THE PROVISION THAT A SCHOOL DISTRICT MAY NOT RECEIVE HOLD HARMLESS FUNDS, DELETE THE REQUIREMENT THAT TEACHER SALARIES MUST BE ADJUSTED TO STAY AT THE SOUTHEASTERN AVERAGE, PROVIDE WHAT THE STATE MINIMUM SALARY SCHEDULE MUST INCLUDE, PROVIDE THAT TEACHER SALARIES IN THE FISCAL YEAR AFTER A FURLOUGH HAS BEEN IMPOSED MUST BE BASED ON THE TEACHER SALARY IN THE YEAR PRIOR TO THE FURLOUGH, PROVIDE THAT TEACHER PAY RAISES MAY BE PROVIDED AT THE DISCRETION OF THE SCHOOL DISTRICT, REVISE HOW A TEACHER MAY QUALIFY FOR A PAY RAISE, REQUIRE THE DEPARTMENT TO DEVELOP AN INCENTIVE COMPENSATION SYSTEM BASED ON TEACHER PERFORMANCE FOR TEACHERS AND PROVIDE REPORTING REQUIREMENTS, REQUIRE A SCHOOL DISTRICT TO PUBLISH THE ACTUAL PERCENTAGE OF ITS PER PUPIL EXPENDITURES USED FOR CLASSROOM INSTRUCTION, INSTRUCTIONAL SUPPORT, AND NON-INSTRUCTIONAL PUPIL SERVICES, REQUIRE THE DISTRICT TO SPEND AT LEAST SEVENTY PERCENT OF ITS PER PUPIL EXPENDITURES IN THESE CATEGORIES, AND DELETE OBSOLETE REFERENCES; BY ADDING ARTICLE 2 TO CHAPTER 139, TITLE 59 SO AS TO REQUIRE EACH SCHOOL DISTRICT BOARD OF TRUSTEES TO DEVELOP FIVE-YEAR PLANS FOR THE DISTRICT AND FOR THE SCHOOLS OF THE DISTRICT, PROVIDE WHAT THESE PLANS MUST INCLUDE, AND PROVIDE FOR ALLOCATION OF FUNDING FOR ELEMENTS OF THE PLAN; AND BY ADDING SECTION 59-19-91 SO AS TO REQUIRE A SCHOOL DISTRICT BOARD OF TRUSTEES TO ESTABLISH AN IMPROVEMENT COUNCIL AT EACH SCHOOL IN THE DISTRICT, PROVIDE WHO MAY SERVE ON THE COUNCIL, PROVIDE THE DUTIES OF THE COUNCIL, AND PROVIDE TERMS FOR COUNCIL MEMBERS.

**H. 3333--POINT OF ORDER**

The following Bill was taken up:

H. 3333 -- Reps. Sandifer, Toole, Bowers, Hayes, Erickson and Brady: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO AMEND THE DEFINITION OF "ADMITTED ASSETS" TO INCLUDE THOSE ON THE MOST RECENT STATUTORY FINANCIAL STATEMENT OF THE INSURER FILED WITH THE DEPARTMENT OF INSURANCE PURSUANT TO THE PROVISIONS OF SECTION 38-13-80; TO AMEND SECTION 38-9-10, RELATING TO CAPITAL AND SURPLUS REQUIRED OF STOCK INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES THAT MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38-9-20, RELATING TO THE SURPLUS REQUIRED OF MUTUAL INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES WHICH MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38-9-210, RELATING TO THE REDUCTION FROM LIABILITY FOR THE REINSURANCE CEDED BY A DOMESTIC INSURER, SO AS TO CHANGE THE SECURITIES LISTED THAT QUALIFY AS SECURITY; TO AMEND SECTION 38-10-40, RELATING TO THE PROTECTED CELL ASSETS OF A PROTECTED CELL, SO AS TO CHANGE A CODE REFERENCE; TO AMEND SECTION 38-33-130, RELATING TO THE SECURITY DEPOSIT OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO DELETE THE REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ISSUE A CONVERSION POLICY TO AN ENROLLEE UPON THE TERMINATION OF THE ORGANIZATION; AND TO AMEND SECTION 38-55-80, RELATING TO LOANS TO DIRECTORS OR OFFICERS BY AN INSURER, SO AS TO CHANGE A CODE REFERENCE.

**POINT OF ORDER**

Rep. BRADY 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. 3414--POINT OF ORDER**

The following Bill was taken up:

H. 3414 -- Reps. Sandifer, Toole, Bowers, Hayes, Erickson and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-90-213 SO AS TO PROVIDE CERTAIN FEATURES AND REQUIREMENTS CONCERNING A PROTECTED CELL; BY ADDING SECTION 38-90-215 SO AS TO PERMIT THE FORMATION OF A PROTECTED CELL AND TO PROVIDE REQUIREMENTS FOR ITS CREATION, OWNERSHIP AND OPERATION; BY ADDING SECTION 38-90-457 SO AS TO PROVIDE FOR THE FORMATION OF A PROTECTED CELL OF A SPECIAL PURPOSE FINANCIAL CAPTIVE; TO AMEND SECTION 33-9-100, RELATING TO ARTICLES OF DOMESTICATION FOR A FOREIGN CORPORATION, SO AS TO CHANGE THE WORD “STATE” TO “JURISDICTION”; TO AMEND SECTION 38-90-180, AS AMENDED, RELATING TO APPLICABILITY OF PROVISIONS RELATING TO INSURANCE REORGANIZATIONS, RECEIVERSHIPS, INJUNCTIONS, AND SPONSORED CAPTIVE INSURANCE COMPANY ASSETS AND CAPITAL PROVISIONS, SO AS TO PROVIDE FOR THE APPLICABILITY OF THE TERMS AND CONDITIONS OF CHAPTERS 26 AND 27, TITLE 38, TO A CAPTIVE INSURANCE COMPANY AND A PROTECTED CELL OF THIS COMPANY, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY OBTAIN PERMISSION OF THE CIRCUIT COURT TO CONSERVE, REHABILITATE, OR LIQUIDATE ONE OR MORE PROTECTED CELLS, INDEPENDENTLY, WITHOUT CAUSING OR OTHERWISE EFFECTING CERTAIN ACTIONS, TO PROVIDE A DIRECTOR MAY NOT SEEK TO HAVE A SPONSORED CAPTIVE INSURANCE COMPANY DECLARED INSOLVENT IF AT LEAST ONE OF ITS PROTECTED CELLS REMAINS SOLVENT, AND TO PROVIDE THIS SECTION DOES NOT PREVENT THE DIRECTOR FROM TAKING CERTAIN ACTIONS TO THE CONSERVATION OR REHABILITATION OF A SPONSORED CAPTIVE INSURANCE COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-90-210, RELATING TO FORMATION OF A SPONSORED CAPTIVE INSURANCE COMPANY AND ESTABLISHING PROTECTED CELLS, SO AS TO ADD CONDITIONS UNDER WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH AND MAINTAIN ONE OR MORE PROTECTED CELLS TO INSURE RISKS OF ONE OR MORE OF ITS PARTICIPANTS; TO AMEND SECTION 38-90-220, AS AMENDED, RELATING TO REQUIREMENTS APPLICABLE TO SPONSORS, SO AS TO PROVIDE THE DIRECTOR MAY APPROVE AN ADDITIONAL ENTITY UNDER CERTAIN CONDITIONS; TO AMEND SECTION 38-90-230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THE PARTICIPANT WHOSE RISKS ARE INSURED THROUGH CERTAIN PROTECTED CELL ENTITIES, THE SPONSOR, OR THE SPONSORED CAPTIVE INSURANCE COMPANY MUST BE THE OWNER OF THAT PROTECTED CELL ENTITY UNLESS OTHERWISE APPROVED BY THE DIRECTOR; TO AMEND SECTION 38-90-235, RELATING TO TERMS, CONDITIONS, AND EXCEPTIONS FOR PROTECTED CELL INSURANCE COMPANIES APPLICABLE TO SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE FOR THE LAW THAT GOVERNS IN THE EVENT OF A CONFLICT; AND TO AMEND SECTION 38-90-485, RELATING TO THE EFFECT OF THE CREATION, NAMING, AND MANAGEMENT OF ASSETS OF A PROTECTED CELL, SO AS TO PROVIDE AN EXCEPTION FOR CERTAIN PROTECTED CELLS.

**POINT OF ORDER**

Rep. BRADY 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. 3621--POINT OF ORDER**

The following Bill was taken up:

H. 3621 -- Reps. Bannister, Rutherford, Herbkersman, Weeks, J. E. Smith and Viers: A BILL TO AMEND SECTION 61-6-1035, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SAMPLING OF WINES, SO AS TO PERMIT RETAILERS TO CONDUCT TASTINGS.

**POINT OF ORDER**

Rep. HIOTT 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. 3668--POINT OF ORDER**

The following Bill was taken up:

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.

**POINT OF ORDER**

Rep. HIOTT 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. 3403--POINT OF ORDER**

The following Bill was taken up:

H. 3403 -- Reps. Delleney, Simrill, Lucas, Hiott, Limehouse, Bowen, Bedingfield, Pinson, G. M. Smith, J. R. Smith, Bingham, Frye, V. S. Moss, Corbin, Bikas, Cooper, Allison, Parker, Toole, G. R. Smith, Henderson, Atwater, McCoy, Ballentine, Brannon, Clemmons, D. C. Moss, Hixon, Pitts, Young, Sandifer, Quinn, Willis, Viers and Pope: A BILL TO AMEND SECTION 2-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF THE WORDS "PERSON" AND "PARTY" AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, SO AS TO PROVIDE FURTHER FOR THE CONSTRUCTION OF "PERSON", "HUMAN BEING", "CHILD", AND "INDIVIDUAL", SO THAT THEY INCLUDE EVERY INFANT MEMBER OF THE SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE".

**POINT OF ORDER**

Rep. HART 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. 3408--POINT OF ORDER**

The following Bill was taken up:

H. 3408 -- Reps. Delleney, Lucas, Simrill, Hiott, Limehouse, Bowen, Bedingfield, Pinson, J. R. Smith, G. M. Smith, Bingham, Thayer, V. S. Moss, Brannon, Bikas, Cooper, Allison, Toole, Parker, G. R. Smith, Frye, Atwater, Henderson, McCoy, Ballentine, Clemmons, Hixon, D. C. Moss, Pitts, Young, Quinn, Willis and Viers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5, TO CHAPTER 41, TITLE 44, TO ENACT THE "FREEDOM OF CONSCIENCE ACT" SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, DISCIPLINING, OR DISCRIMINATING AGAINST AN EMPLOYEE WHO ADVISES THE EMPLOYER THAT HE OR SHE REFUSES TO PARTICIPATE IN CERTAIN ACTIVITIES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROVIDE THAT A HEALTH CARE FACILITY IS NOT REQUIRED TO ADMIT A PATIENT, OR TO ALLOW THE USE OF THE FACILITY FOR PROCEDURES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB AND TO PROVIDE THAT CERTAIN HEALTH CARE PROVIDERS AND EMPLOYEES OF SUCH PROVIDERS WHO PROVIDED NOTICE THAT THEY WILL NOT PARTICIPATE IN SUCH ACTIVITIES MUST NOT BE REQUIRED TO PARTICIPATE, MUST NOT BE DISCIPLINED DUE TO SUCH REFUSAL, AND ARE IMMUNE FROM LIABILITY FOR ANY DAMAGES CAUSED BY SUCH REFUSAL; TO PROVIDE THAT THE STATE MUST NOT REQUIRE AN INSURANCE PLAN OR ISSUER TO COVER PROCEDURES INCLUDING, BUT LIMITED TO, PROCEDURES RELATING TO EMBRYONIC TISSUE OR DEVELOPMENT OF A CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROHIBIT A HEALTH CARE FACILITY, SCHOOL, OR EMPLOYER FROM DISCRIMINATING AGAINST A PERSON REGARDING ADMISSION, HIRING OR FIRING, TERMS OF EMPLOYMENT, OR STUDENT OR STAFF STATUS BECAUSE THE PERSON REFUSES, WHETHER OR NOT IN WRITING, TO PARTICIPATE IN PROCEDURES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROVIDE THAT A PERSON MUST NOT BE REQUIRED TO PARTICIPATE IN, MAKE FACILITIES AVAILABLE FOR, OR PROVIDE PERSONNEL FOR PROCEDURES INCLUDING, BUT LIMITED TO, PROCEDURES RELATING TO EMBRYONIC TISSUE OR DEVELOPMENT OF A CHILD IN AN ARTIFICIAL OR NATURAL WOMB IF THE ACTIVITY IS CONTRARY TO THE PERSON'S CONSCIENCE; TO PROHIBIT DISCRIMINATION AGAINST A PERSON ESTABLISHING OR OPERATING A HEALTH CARE FACILITY BECAUSE THE FACILITY DECLINES TO PARTICIPATE IN A HEALTH CARE SERVICE THAT IS CONTRARY TO THE FACILITY'S CONSCIENCE; AND TO PROVIDE THAT A PERSON ADVERSELY AFFECTED BY CONDUCT THAT IS IN VIOLATION OF THIS ARTICLE MAY BRING A CIVIL ACTION FOR EQUITABLE RELIEF AND IF THE PERSON PREVAILS, THE COURT SHALL AWARD ATTORNEY'S FEES.

**POINT OF ORDER**

Rep. HOSEY 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. 3204--RECALLED AND REFERRED TO**

**COMMITTEE ON MEDICAL, MILITARY,**

**PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. WHITMIRE, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Medical, Military, Public and Municipal Affairs:

H. 3204 -- Reps. Brady, Spires and Butler Garrick: A JOINT RESOLUTION TO CREATE THE SOUTH CAROLINA SUMMER CAMP STUDY COMMITTEE TO STUDY THE SUMMER CAMPS IN THE STATE AND MAKE RECOMMENDATIONS TO THE LEGISLATURE RELATED TO LICENSING AND REGULATION OF SUMMER CAMPS, PROVIDE FOR THE MEMBERSHIP AND METHOD OF APPOINTMENT FOR THE MEMBERSHIP, PROVIDE FOR THE DUTIES OF THE STUDY COMMITTEE, PROVIDE FOR THE STAFFING OF THE STUDY COMMITTEE, AND TO DISSOLVE THE STUDY COMMITTEE AFTER A REPORT OF ITS FINDINGS IS PROVIDED TO THE LEGISLATURE AND THE GOVERNOR.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3536 from the Committee on Labor, Commerce and Industry.

Rep. SANDIFER objected.

**OBJECTION TO RECALL**

Rep. D. C. MOSS asked unanimous consent to recall H. 3732 from the Committee on Education and Public Works.

Rep. HART objected.

**SENT TO THE SENATE**

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

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, Erickson, Norman, Barfield and Loftis: 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.

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

**ADJOURNMENT**

At 11:04 a.m. the House, in accordance with the motion of Rep. MUNNERLYN, adjourned in memory of Gloria Elias Ward of Bennettsville, to meet at 10:00 a.m. tomorrow.

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