~~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 26:2: “Prove me, O Lord, and try me; test my heart and mind.”

Let us pray. Lord God Almighty, you have nourished us with Your presence in our lives. As You challenge these Representatives to do what is profitable and good for the people, uphold them to do the right thing and hold the true course to the end. Bless our leaders, the President, Governor, Speaker, staff, and all who support them in their duties. 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, April 15, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. HIOTT moved that when the House adjourns, it adjourn in memory of Donald Lee "Don" Skelton of Clemson, brother of Representative B. R. Skelton, which was agreed to.

**INVITATIONS**

On motion of Rep. BARFIELD, with unanimous consent, the following were taken up for immediate consideration and accepted:

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Radio Network, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, May 3, 2011, from 6:00 p.m. to 8:00 p.m. at the South Carolina Radio Network Studio located at 1301 Gervais St., Suite 105, Columbia, South Carolina.

Sincerely,

Ashley Byrd Kelly Medwick

News Director Public Affairs Director

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the American Red Cross of Central South Carolina, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 26, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Susan Benesh, RN, MS

Regional Public Affairs Coordinator

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Association of Community Action Partnerships, Inc., the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 4, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Jessica McMoore

Executive Director

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Public Defender Association, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 25, 2011, from 12:00 p.m. to 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,

Christopher D. Scalzo

President

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Biomass Council, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 25, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Thomas French

Chair, South Carolina Biomass Council

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of Faces and Voices of Recovery “FAVOR” Midlands, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 19, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Bonnie Pate

State Chair

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the Concrete and Cement Industries of South Carolina, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 18, 2011, from 12:00 p.m. to 2:00 p.m. on the State House grounds.

Sincerely,

Michael C. Kanlic

Committee Chair - Carolinas District

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of Alpha Kappa Alpha Sorority, Inc., the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 12, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

DeVetta Williams Hughes

State Coordinator

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of Blue Cross Blue Shield, the Members and staff of the House of Representatives are invited to the 18th Annual Legislative Softball Game. This event will be held on Wednesday, May 11, 2011, at 6:00 p.m. at the Capital City Stadium.

Sincerely,

James A. D’Alessio

Vice President

Government Affairs

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the Palmetto Agriculture & Food Industry Council, the Members and staff of the House of Representatives are invited to a Legislative Luncheon, “A South Carolina Taste”. This event will be held on Wednesday, May 11, 2011, from 12:00 p.m. to 2:00 p.m. on the State House grounds.

Sincerely,

Jackie Moore

Chairman

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of Piedmont Natural Gas, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 11, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Hank McCullough

Sr. Manager, Legislative & Community Affairs

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the Associated Builders & Contractors of the Carolinas, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 5, 2011, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Chris Burrell

ABC Carolinas Lowcountry Council Chair

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Association of Certified Public Accountants, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 4, 2011, from 12:00 p.m. to 2:00 p.m. at the Columbia Metropolitan Convention Center.

Sincerely,

Erin P. Hardwick, CAE

Executive Director

April 21, 2011

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

 On behalf of the South Carolina Conservation Community, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, May 3, 2011, from 6:00 p.m. to 8:00 p.m. at the Seibels House & Gardens, 1601 Richland St., Columbia, South Carolina.

Sincerely,

Patrick Moore

Legislative Director

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., April 14, 2011

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators McConnell, Campsen and Scott of the Committee of Conference on the part of the Senate on H. 3003:

H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V. S. Moss, Norman, Parker, G. M. Smith, G. R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J. R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D. C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE "SOUTH CAROLINA ELECTION REFORM ACT"; TO AMEND SECTION 7-13-710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 7-5-125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 56-1-3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO AMEND SECTION 7-13-25, SO AS TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING FIFTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7-3-20, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7-15-320, SO AS TO REFERENCE THE EARLY VOTING PERIOD PURSUANT TO SECTION 7-13-25 AND TO PROVIDE FOR CASTING OF AN ABSENTEE BALLOT BY PAPER OR BY A VOTING MACHINE AND ABSENTEE BALLOT CENTERS; TO AMEND SECTION 7-1-25, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO ADD SECTION 7-5-675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO AMEND SECTIONS 7-15-330, 7-15-385, AND 7-5-230, ALL RELATING TO ELECTION LAWS, SO AS TO MAKE TECHNICAL CHANGES.

Very respectfully,

President

Received as information.

**REGULATION RECEIVED**

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

Document No. 4179

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 48-60-05 et seq.

Electronic Equipment Collection and Recovery

Received by Speaker of the House of Representatives

April 18, 2011

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration March 24, 2012

**HOUSE RESOLUTION**

The following was introduced:

H. 4110 -- Reps. J. R. Smith, 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, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXPRESS SINCERE SORROW UPON THE PASSING OF WILLIAM DUKE KIGHT OF BARNWELL COUNTY, AND TO EXTEND HEARTFELT SYMPATHY TO HIS LARGE AND LOVING FAMILY AND MANY FRIENDS

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4112 -- Reps. Huggins, Ballentine, McLeod, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE CHAPIN EAGLES RUGBY CLUB FOR ITS SECOND UNDEFEATED SEASON, AND TO CONGRATULATE THE CLUB'S EXCEPTIONAL PLAYERS AND COACHES FOR CAPTURING THE 2011 SOUTH CAROLINA HIGH SCHOOL RUGBY STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4113 -- Reps. Huggins, Ballentine, McLeod, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHAPIN EAGLES RUGBY CLUB AND COACHES, 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 THE 2011 SOUTH CAROLINA HIGH SCHOOL RUGBY 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 Chapin Eagles Rugby Club and coaches, 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 the 2011 South Carolina High School Rugby State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4114 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MARY ALEXANDER OF LEE COUNTY FOR HER YEARS OF SELFLESS SERVICE AND DEDICATION TO HER COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4115 -- Reps. Harrison, Stavrinakis, 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, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE WINNERS OF THE 2011 JEAN LANEY HARRIS FOLK HERITAGE AWARDS, THE WINNERS OF THE 2011 ELIZABETH O'NEILL VERNER AWARDS, AND THE MEMBERS OF THE ADVISORY COMMITTEES ON THURSDAY, MAY 5, 2011, UPON ADJOURNMENT OR A TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND CONGRATULATING THE WINNERS FOR THEIR OUTSTANDING CONTRIBUTIONS TO FOLK ART AND THE ARTS IN SOUTH CAROLINA.

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 winners of the 2011 Jean Laney Harris Folk Heritage Awards, the winners of the 2011 Elizabeth O’Neill Verner Awards, and the members of the advisory committees on Thursday, May 5, 2011, upon adjournment or a time to be determined by the Speaker, for the purpose of recognizing and congratulating the winners for their outstanding contributions to Folk Art and the arts in South Carolina.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4111 -- Rep. Barfield: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PROPOSED ANYOR OVERPASS THAT WILL CROSS UNITED STATES HIGHWAY 501 IN THE TOWN OF AYNOR THE "JULIUS H. 'DUKE' GOODSON OVERPASS" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS OVERPASS THAT CONTAIN THE WORDS "JULIUS H. 'DUKE' GOODSON OVERPASS".

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4116 -- Reps. Delleney, Clemmons and Mack: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 25, 2011, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2019; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2016; AND TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2019.

Be it resolved by the House of Representatives, the Senate concurring:

That the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives on Wednesday, May 25, 2011, at noon to elect a successor to the late Honorable Jamie Lee Murdock, judge of the family court for the Fourth Judicial Circuit, Seat 2, to fill the unexpired term that expires June 30, 2013, and the subsequent full term that expires June 30, 2019; to elect a successor to the Honorable Letitia H. Verdin, judge of the family court for the Thirteenth Judicial Circuit, Seat 3, to fill the unexpired term that expires June 30, 2016; to elect a successor to the Honorable Robert S. Armstrong, judge of the family court for the Fourteenth Judicial Circuit, Seat 3, to fill the unexpired term that expires June 30, 2013, and the subsequent full term that expires June 30, 2019.

Be it further resolved that all nominations must be made by the Chairman of the Judicial Merit Selection Commission, and that no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4122 -- Reps. 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, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO HONOR AND CONGRATULATE DR. DAVID A. NORMAN ON THE OCCASION OF HIS INAUGURATION AS THE FIFTEENTH PRESIDENT OF ERSKINE COLLEGE & SEMINARY.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 816 -- Senators Lourie, Jackson, Scott and Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE WILLIE H. WOMBLE, CHIEF MAGISTRATE OF RICHLAND COUNTY, UPON THE OCCASION OF HIS RETIREMENT FROM THE BENCH, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 817 -- Senators Knotts, Cromer, Setzler, Courson, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO CONGRATULATE MR. PAUL EDWARD RISINGER, RETIRED EDUCATOR AND ADMINISTRATOR, UPON THE OCCASION OF HIS INDUCTION INTO THE AIRPORT HIGH SCHOOL EDUCATOR HALL OF FAME, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE, AND TO

WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 839 -- Senators Scott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Gregory, Grooms, 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, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO CONGRATULATE COLUMBIA CITY BALLET ON THE OCCASION OF ITS FIFTIETH ANNIVERSARY, AND TO THANK THE COMPANY FOR ITS INVALUABLE CONTRIBUTIONS TO THE QUALITY OF LIFE ENJOYED BY SOUTH CAROLINIANS.

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. 4117 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO PROVIDE THAT EACH ENTITY, INCLUDING POLITICAL SUBDIVISIONS, IN A COUNTY PROVIDING WATER SERVICE TO AT LEAST SEVEN THOUSAND CUSTOMERS WHICH IS PART OF A JOINT REGIONAL WATER ASSOCIATION AND OBTAINS ITS WATER, IN WHOLE OR IN PART, FROM A REGIONAL PRODUCING CENTER SHALL HAVE A SPECIAL WATER BOARD TO PERFORM THE FUNCTION OF ESTABLISHING WATER RATES FOR THE ENTITY BASED ON CERTAIN FACTORS, TO PROVIDE DEFINITIONS, AND TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD AND OTHER FUNCTIONS IT SHALL PERFORM.

Referred to Committee on Labor, Commerce and Industry

H. 4118 -- Rep. Corbin: A JOINT RESOLUTION TO IMPOSE A MORATORIUM ON PERMITS FOR TROUT RIVER CROSS VANES ON THE SOUTH SALUDA RIVER.

Rep. CORBIN asked unanimous consent to have the Joint Resolution placed on the Calendar without reference.

Rep. HIOTT objected.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4119 -- Rep. G. A. Brown: A BILL TO AMEND SECTION 39-5-38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DECEPTIVE OR MISLEADING ADVERTISEMENT OF A LIVE MUSICAL PERFORMANCE, SO AS TO DEFINE A SOUND RECORDING, AND TO PROVIDE CERTAIN EXEMPTIONS, REMEDIES, AND A FINE.

Referred to Committee on Labor, Commerce and Industry

H. 4120 -- Rep. King: A BILL TO AMEND SECTION 38-53-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTINUING EDUCATIONAL REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SO AS TO CHANGE THE SIX-HOUR ANNUAL CONTINUING EDUCATION REQUIREMENT TO A THREE-HOUR BIENNIAL REQUIREMENT.

Referred to Committee on Labor, Commerce and Industry

H. 4121 -- Rep. King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 40 TO TITLE 40 SO AS TO PROVIDE FOR THE REGULATION OF PROFESSIONAL BONDSMEN BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO PROVIDE CERTAIN DEFINITIONS, TO PROVIDE LICENSURE, EDUCATION, REGISTRATION, AND OTHER REQUIREMENTS FOR PROFESSIONAL BONDSMEN, TO PROVIDE OVERSIGHT BY THE DEPARTMENT, AND TO PROVIDE FOR PENALTIES FOR VIOLATIONS; TO AMEND SECTIONS 38-53-10, 38-53-80, 38-53-85, 38-53-90, 38-53-100, 38-53-140, 38-53-150, 38-53-160, 38-53-180, 38-53-190, 38-53-200, 38-53-220, 38-53-260, ALL RELATING TO THE PROFESSION OF BONDSMEN, SO AS TO REMOVE REFERENCES TO PROFESSIONAL BONDSMEN; AND TO REPEAL SECTIONS 38-53-110, 38-53-230, 38-53-280, 38-53-290, 38-53-300, 38-53-310 AND 38-53-330, ALL RELATING TO THE REGULATION OF PROFESSIONAL BONDSMEN.

Referred to Committee on Labor, Commerce and Industry

S. 312 -- Senators Davis, McConnell, Peeler, Bright, Massey, Shoopman, S. Martin, Ryberg, Verdin, Rose, Knotts and Campsen: A BILL TO AMEND SECTION 2-65-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO REVISE THE DEFINITION OF "MATCHING FUNDS" TO INCLUDE BOTH GENERAL FUND MONIES AND OTHER FUND MONIES TO BE USED TO MEET FEDERAL MATCH REQUIREMENTS; TO AMEND SECTION 2-65-20, RELATING TO THE APPROPRIATION OF ANTICIPATED FEDERAL FUNDS AND OTHER FUNDS BY THE GENERAL ASSEMBLY IN APPROPRIATIONS ACTS, SO AS TO REQUIRE STATE AGENCIES RECEIVING FEDERAL FUNDS TO PROVIDE IN BUDGET SUBMISSIONS FOR THE PROPOSED BUDGET DETAILS OF CONDITIONS IMPOSED ON THE STATE APPLICABLE TO FEDERAL FUNDS INCLUDED IN THE AGENCY'S BUDGET SUBMISSION, REQUIRE THE RECOMMENDED BUDGET SPECIFICALLY TO ACCEPT IN DETAIL THOSE CONDITIONS WHEN FEDERAL FUNDS ARE INCLUDED IN THE PROPOSED BUDGET, AND TO CONFORM THE SECTION TO REFLECT THE PROVISION OF LAW ASSIGNING TO THE GOVERNOR THE DUTY OF PRODUCING A PROPOSED BUDGET TO THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2-65-30, RELATING TO EXPENDITURE BY A STATE AGENCY OF UNANTICIPATED FEDERAL FUNDS AND PRIVATE GRANT FUNDS NOT APPROPRIATED IN APPROPRIATIONS ACTS, SO AS TO REQUIRE THE AGENCY'S SUBMISSION OF AN EXPENDITURE PROPOSAL FOR THE ANTICIPATED FUNDS TO THE STATE BUDGET AND CONTROL BOARD TO INCLUDE THE CONDITIONS IMPOSED ON THE STATE'S RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND, IN AUTHORIZING THE RECEIPT AND

EXPENDITURE, THE BOARD'S ACCEPTANCE OF THE CONDITIONS.

Referred to Committee on Ways and Means

S. 331 -- Senator S. Martin: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO THE RENEWABLE WATER RESOURCES, SO AS TO INCREASE THE MEMBERSHIP OF THE COMMISSION FROM NINE TO ELEVEN MEMBERS; TO PROVIDE THAT AT LEAST ONE MEMBER MUST BE FROM SPARTANBURG COUNTY; AND TO CLARIFY THAT EACH MEMBER MUST SERVE AT LARGE, BE A RESIDENT OF A MEMBER COUNTY, AND BE A RESIDENT OF THE RENEWABLE WATER RESOURCES’ SERVICE AREA; AND TO DELETE OBSOLETE REFERENCES.

Referred to Spartanburg Delegation

S. 420 -- Senators McConnell, Peeler, Campbell, Rose and Ford: A BILL TO AMEND SECTION 1-23-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL ASSEMBLY REVIEW OF REGULATIONS, INCLUDING, AMONG OTHER THINGS, GROUNDS FOR EXEMPTION FROM REVIEW, SO AS TO PROVIDE THAT A REGULATION EXEMPT FROM GENERAL ASSEMBLY REVIEW BECAUSE IT WAS PROMULGATED TO COMPLY WITH FEDERAL LAW HAS THE SAME LEGAL STATUS AS THE FEDERAL LAW, SUCH THAT IF THE FEDERAL LAW IS VACATED OR OTHERWISE RENDERED WITHOUT LEGAL FORCE AND EFFECT THE STATE REGULATION IS SIMILARLY VACATED OR OTHERWISE RENDERED WITHOUT LEGAL FORCE AND EFFECT.

Referred to Committee on Judiciary

S. 560 -- Senator Fair: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO INCLUDE SPECIAL PURPOSE DISTRICTS PROVIDING SANITATION SERVICES.

Referred to Committee on Ways and Means

S. 586 -- Senators Hayes, O'Dell, Verdin, Shoopman, Nicholson, Elliott, L. Martin, Coleman, Ford, Cromer, Alexander and Knotts: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES WHOSE EMPLOYEES, RETIREES, AND THEIR DEPENDENTS ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO EXTEND THIS ELIGIBILITY TO JOINT AGENCIES ESTABLISHED PURSUANT TO CHAPTER 23, TITLE 6.

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

S. 588 -- Senators Jackson, Hayes, O'Dell, Rose, Ford and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "STROKE PREVENTION ACT OF 2011" BY ADDING ARTICLE 6 TO CHAPTER 61, TITLE 44 SO AS TO ESTABLISH A STATEWIDE SYSTEM OF STROKE CARE, WHICH REQUIRES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO RECOGNIZE AND DESIGNATE HOSPITALS THAT ARE CERTIFIED TO BE PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS, TO DISTRIBUTE A LIST OF PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS TO EACH EMERGENCY MEDICAL SERVICES PROVIDER AND TO POST THIS LIST ON ITS WEBSITE, TO ADOPT AND DISTRIBUTE A NATIONALLY STANDARDIZED STROKE-TRIAGE ASSESSMENT TOOL TO EACH EMERGENCY MEDICAL SERVICES PROVIDER, TO ESTABLISH PRE-HOSPITAL CARE PROTOCOLS FOR THE CARE AND TRANSPORT OF STROKE PATIENTS BY EMERGENCY MEDICAL SERVICE PROVIDERS, TO ESTABLISH A STROKE REGISTRY TASK FORCE TO ANALYZE AND IMPROVE STROKE CARE IN THIS STATE, AND TO ENSURE CONFIDENTIALITY IN SHARING HEALTH CARE INFORMATION; AND TO PROVIDE THAT THE DEPARTMENT'S RESPONSIBILITIES PURSUANT TO THIS ARTICLE ARE CONTINGENT UPON ADEQUATE FUNDING.

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

S. 592 -- Senators Hayes, Leventis, Cromer, Rose, Scott, Knotts, Alexander and Ford: 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

S. 594 -- Senators Grooms and Verdin: A BILL TO AMEND SECTION 56-5-1535 OF THE 1976 CODE, RELATING TO DRIVING IN A TEMPORARY WORKZONE, TO EXPAND THE SIZE OF TEMPORARY WORKZONES.

Referred to Committee on Education and Public Works

S. 643 -- Senators Knotts, Reese, Thomas, Ford, Matthews, Williams, Campsen, Cromer, Campbell, O'Dell, Rose and Setzler: 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

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

Referred to Committee on Labor, Commerce and Industry

S. 766 -- Senators McConnell, Leatherman, Alexander, Anderson, Scott, Coleman, O'Dell, Verdin, L. Martin, Ford, Massey, Knotts, Grooms, Nicholson, Shoopman, Elliott and Setzler: A BILL TO AMEND SECTION 33-49-46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISTRIBUTION OF EXCESS REVENUE TO SOUTH CAROLINA’S ELECTRIC COOPERATIVES’ MEMBERS, SO AS TO ALLOW SOUTH CAROLINA ELECTRIC COOPERATIVES TO ADVOCATE ENERGY EFFICIENCY AND RENEWABLE ENERGY INITIATIVES IN THIS STATE AND TO PROVIDE CLARITY TO PATRONAGE CAPITAL PROCEDURES; TO AMEND SECTION 27-18-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF TERMS USED IN THE UNIFORM UNCLAIMED PROPERTY ACT, SO AS TO EXEMPT ELECTRIC COOPERATIVE PATRONAGE CAPITAL FROM THE UNIFORM UNCLAIMED PROPERTY ACT; AND TO AMEND SECTION 27-18-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY THAT IS PRESUMED ABANDONED PURSUANT TO THE UNIFORM UNCLAIMED PROPERTY ACT, SO AS TO REMOVE ELECTRIC COOPERATIVE PATRONAGE CAPITAL FROM THE STATUTE.

Referred to Committee on Labor, Commerce and Industry

S. 779 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE PUBLIC SERVICE COMMISSION, RELATING TO CUSTOMER DEPOSITS AND DEPOSIT RETENTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4137, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Labor, Commerce and Industry

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Barfield |
| Battle | Bedingfield | Bikas |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Patrick | Pope | 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 | Vick | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, April 26.

|  |  |
| --- | --- |
| Carl Anderson | Bruce W. Bannister |
| Alan D. Clemmons | Mark Willis |
| Lewis E. Pinson | Tracy Edge |
| Michael A. Pitts | Kenneth F. Hodges |
| Ralph Norman | Patsy Knight |
| Anne Parks | Kris Crawford |
| David Mack |  |

**Total Present--121**

**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. MERRILL a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Ted Watson of Anderson 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-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3051 |
| Date: | ADD: |
| 04/26/11 | VIERS, BALLENTINE, HENDERSON, BEDINGFIELD and BINGHAM |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3527 |
| Date: | ADD: |
| 04/26/11 | VIERS, WHIPPER and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3713 |
| Date: | ADD: |
| 04/26/11 | HENDERSON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3226 |
| Date: | ADD: |
| 04/26/11 | ERICKSON, PINSON and PATRICK |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3035 |
| Date: | ADD: |
| 04/26/11 | BOWEN, PINSON, WHIPPER and R. L. BROWN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3994 |
| Date: | ADD: |
| 04/26/11 | WHIPPER and R. L. BROWN |

**H. 3003--DEBATE INTERRUPTED**

**CONFERENCE REPORT**

H. 3003

The General Assembly, Columbia, S.C., April 20, 2011

 The COMMITTEE OF CONFERENCE, to whom was referred (Doc. No. L:\S-JUD\AMEND\CRJUD3003.DOCX):

 H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V.S. Moss, Norman, Parker, G.M. Smith, G.R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J.R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: TO AMEND SECTION 7‑1‑25 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO AMEND SECTION 7‑5‑125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 7‑5‑230, RELATING TO ELECTION LAWS, SO AS TO MAKE TECHNICAL CHANGES; TO ADD SECTION 7‑5‑675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO AMEND SECTION 7‑13‑710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 56‑1‑3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO PROVIDE THAT THE STATE ELECTION COMMISSION CREATE A LIST OF ALL REGISTERED VOTERS WHO DO NOT HAVE A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES.

Beg leave to report that they have duly and carefully considered the same and recommend:

 That the same do pass with the following amendments: (Reference is to Printer’s Version 04/20/11.)

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

/ SECTION 1. Section 7‑1‑25 of the 1976 Code is amended to read:

 “Section 7-1-25. (A) A person’s residence is his domicile. ‘Domicile’ means a person’s fixed home where he has an intention of returning when he is absent. A person has only one domicile.

 (B) For voting purposes, a person has changed his domicile if he (1) has abandoned his prior home and (2) has established a new home, has a present intention to make that place his home, and has no present intention to leave that place.

 (C) For voting purposes, a spouse may establish a separate domicile.

 (D) For voting purposes*,* factors to consider in determining a person’s intention regarding his domicile include, but are not limited to:

 (1) a voter’s address reported on income tax returns;

 (2) a voter’s real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12‑43‑220(C);

 (3) a voter’s physical mailing address;

 (4) a voter’s address on driver’s license or other identification issued by the Department of Motor Vehicles;

 (5) a voter’s address on legal and financial documents;

 (6) a voter’s address utilized for educational purposes, such as public school assignment and determination of tuition at institutions of higher education;

 (7) a voter’s address on an automobile registration;

 (8) a voter’s address utilized for membership in clubs and organizations;

 (9) the location of a voter’s personal property;

 (10) residence of a voter’s parents, spouse, and children; and

 (11) whether a voter temporarily relocated due to medical care for the voter or for a member of the voter’s immediate family.”

SECTION 2. Section 7‑5‑125 of the 1976 Code is amended to read:

 “Section 7-5-125. (A) Any person who applies for registration to vote and is found to be qualified by the county board of registration to whom application is made must be issued a written notification of registration. This notification must be on a form prescribed and provided by the State Election Commission.

 (B) If an elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.”

SECTION 3. Section 7‑5‑230 of the 1976 Code is amended to read:

 “Section 7-5-230. (A) The boards of registration to be appointed under Section 7‑5‑10 shall be the judges of the legal qualifications of all applicants for registration. The board is empowered to require proof of these qualifications as it considers necessary.

Once a person is registered, challenges of the qualifications of any elector, except for challenges issued at the polls pursuant to Sections 7‑13‑810, 7‑13‑820, and 7‑15‑420 must be made in writing to the board of registration in the county of registration. The board must, within ten days following the challenge and after first giving notice to the elector and the challenger, hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications set forth in Section 7‑5‑120.

 (B) When a challenge is made regarding the residence or domicile of an elector, the board ~~may~~ must consider the provisions of Section 7‑1‑25(D) ~~following proof to establish residence including, but not limited to, income tax returns; real estate interests; mailing address; address on driver’s license; official papers and documents requiring the statement of residence address; automobile registration; checking and savings accounts; past voting record; membership in clubs and organizations; location of personal property; and the elector’s statements as to his intent~~.

 (C) Any person denied registration or restoration of his name on the registration books shall have the right of appeal from the decision of the board of registration denying him registration or such restoration to the court of common pleas of the county or any judge thereof and subsequently to the Supreme Court.”

SECTION 4. Article 7, Chapter 5, Title 7 of the 1976 Code is amended by adding:

 “Section 7‑5‑675. The State Elections Commission shall implement a system in order to issue voter registration cards with a photograph of the elector. This voter registration card may be used for voting purposes only.”

SECTION 5. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

 “Section 7‑13‑710. (A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid and current:

 (1) South Carolina driver’s license; or

 (2) other form of identification containing a photograph issued by the Department of Motor Vehicles~~, if he is not licensed to drive, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector.~~; or

 (3) passport; or

 (4) military identification containing a photograph issued by the federal government; or

 (5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7‑5‑675.

 ~~If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.~~

 (B) After presentation of the required identification described in subsection (A), ~~his~~ the elector’s name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

 (C)(1) If the elector cannot produce the identification as required in subsection (A), he may cast a provisional ballot that is counted only if the elector brings a valid and current photo identification to the county board of registration and elections before certification of the election by the county board of canvassers.

 (2) If the manager disputes that the photograph contained on the required identification is the person presenting himself to vote, the elector may cast a provisional ballot. A determination of that provisional ballot must be made in accordance with Section 7‑13‑830.

 (D)(1)(a) If an elector does not produce a valid and current photograph identification due to a religious objection to being photographed, he may complete an affidavit under penalty of perjury at the polling place and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

 (b) If an elector does not produce a valid and current photograph identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photograph identification, he may complete an affidavit under the penalty of perjury at the pollingplace and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photograph identification. The elector also shall list the impediment, unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

 (2) If the county board of registration and elections determines that the voter was challenged only for the inability to provide proof of identification and the required affidavit is submitted, the county board of registration and elections shall find that the provisional ballot is valid unless the board has grounds to believe the affidavit is false.

 (3) If the county board of registration and elections determines that the voter has been challenged for a cause other than the inability to provide proof of identification as required by subsection (A), the county board of registration and elections shall:

 (a) note on the envelope containing the provisional ballot that the voter complied with the proof of identification requirement; and

 (b) proceed to determine the validity of the remaining challenges before ruling on the validity of the provisional ballot.”

 (E) The purpose of the identification required pursuant to subsection (A) is to confirm the person presenting himself to vote is the elector on the poll list. Any address listed on the identification is not determinative of an elector’s domicile for the purpose of voting. An elector’s domicile for the purpose of voting is determined pursuant to the provisions of Section 7-1-25.

SECTION 6. “Section 56‑1‑3350. (A) Upon application by a person ~~ten~~ five years of age or older who is a resident of South Carolina, the department shall issue a special identification card as long as:

 (1) the application is made on a form approved and furnished by the department; and (2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth.

 (B)(1) The fee for the issuance of the special identification card is five dollars~~, and~~ for a person between the ages of five and sixteen years.

 (2) An identification card must be free to a person aged seventeen years or older.

 (C) The identification card expires five years from the date of issuance. ~~The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section ‘indigent’ means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

 ~~(a)~~ ~~a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

 ~~(b)~~ ~~an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

 ~~(c)~~ ~~a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

 ~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

 (D) Special identification cards issued to persons under the age of twenty‑one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty‑one.

 (E) The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund ~~as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:~~

 ~~Fees and Penalties~~ ~~General Fund~~ ~~Department of~~

 ~~Collected After~~ ~~of the State~~ ~~Transportation~~

 ~~State Non‑Federal~~

 ~~Aid Highway Fund~~

 ~~June 30, 2005~~ ~~60 percent~~ ~~40 percent~~

 ~~June 30, 2006~~ ~~20 percent~~ ~~80 percent~~

 ~~June 30, 2007~~ ~~0 percent~~ ~~100 percent~~.”

SECTION 7. The State Elections Commission must establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission must educate the public as follows:

 (1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

 (2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

 (3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held following preclearance by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first.

 (4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to December 15, 2011.

 (5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

 (6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than December 15, 2011.

 (7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

 (8) Notify each registered elector who does not have a South Carolina issued driver’s license or identification card a notice of the provisions of this act by no later than December 1, 2011. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It must also state the availability of a free South Carolina identification card pursuant to Section 56-1-3350.

 In addition to the items above, the State Elections Commission may implement additional educational programs in its discretion.

SECTION 8. The State Election Commission is directed to create a list containing all registered voters of South Carolina who are otherwise qualified to vote but do not have a South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles as of December 1, 2011. The list must be made available to any registered voter upon request. The Department of Motor Vehicles must provide the list of persons with a South Carolina driver’s license or other form of identification containing a photograph issued by the Department of Motor Vehicles at no cost to the commission. The commission may charge a reasonable fee for the provision of the list in order to recover associated costs of producing the list.

SECTION 9. The General Assembly finds that all the provisions contained in this act relate to one subject as required by Article III, Section 17 of the South Carolina Constitution in that each provision relates directly to or in conjunction with other sections to the subject of election reform as stated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 10. Except for SECTION 4, the provisions of this act are effective upon approval by the Governor.

SECTION 11. SECTION 4 takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. However, the implementation of the procedures provided for in this SECTION is contingent upon the State Election Commission’s receipt of funds necessary to implement these provisions. Until the provisions of this SECTION are fully funded and executed, implementation of the provisions of this SECTION shall not prohibit the State Election Commission from issuing voter registration cards by the methods allowed prior to the implementation of this SECTION. /

 Amend title to conform.

s/s Senator McConnell s/s Representative Clemmons

s/s Senator Campsen s/s Representative Merrill

Senator Scott s/s Representative Lucas

 On Part of the Senate. On Part of the House.

Rep. CLEMMONS explained the Conference Report.

Rep. HART spoke against the Conference Report.

Rep. HOWARD spoke against the Conference Report.

Rep. J. H. NEAL spoke against the Conference Report.

Rep. GOVAN spoke against the Conference Report.

Rep. CLEMMONS moved cloture on the entire matter.

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

Yeas 69; Nays 40

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Chumley |
| Clemmons | Cole | Cooper |
| Corbin | Crosby | Daning |
| Delleney | Erickson | Forrester |
| Frye | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Owens | Parker |
| Patrick | Pitts | Pope |
| Quinn | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Viers | White |
| Whitmire | Willis | Young |

**Total--69**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Bales | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Hart | Hosey | Howard |
| Jefferson | Johnson | King |
| McEachern | McLeod | Mitchell |
| Munnerlyn | J. H. Neal | J. M. Neal |
| Neilson | Ott | Rutherford |
| Sabb | Sellers | J. E. Smith |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--40**

So, cloture was ordered.

Rep. WILLIAMS moved that the House recede until 3:15 p.m., which was agreed to.

Further proceedings were interrupted by the House receding.

**THE HOUSE RESUMES**

At 3:15 p.m. the House resumed, Acting SPEAKER PATRICK in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. A. BROWN a leave of absence for the remainder of the day to attend a funeral.

**H. 3003--CONFERENCE REPORT ADOPTED**

Debate was resumed on the following Conference Report, the pending question being adoption of the Conference Report, cloture having been ordered:

**CONFERENCE REPORT**

H. 3003

The General Assembly, Columbia, S.C., April 20, 2011

 The COMMITTEE OF CONFERENCE, to whom was referred (Doc. No. L:\S-JUD\AMEND\CRJUD3003.DOCX):

 H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V.S. Moss, Norman, Parker, G.M. Smith, G.R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J.R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: TO AMEND SECTION 7‑1‑25 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO AMEND SECTION 7‑5‑125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 7‑5‑230, RELATING TO ELECTION LAWS, SO AS TO MAKE TECHNICAL CHANGES; TO ADD SECTION 7‑5‑675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO AMEND SECTION 7‑13‑710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 56‑1‑3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO PROVIDE THAT THE STATE ELECTION COMMISSION CREATE A LIST OF ALL REGISTERED VOTERS WHO DO NOT HAVE A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES.

Beg leave to report that they have duly and carefully considered the same and recommend:

 That the same do pass with the following amendments: (Reference is to Printer’s Version 04/20/11.)

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

/ SECTION 1. Section 7‑1‑25 of the 1976 Code is amended to read:

 “Section 7-1-25. (A) A person’s residence is his domicile. ‘Domicile’ means a person’s fixed home where he has an intention of returning when he is absent. A person has only one domicile.

 (B) For voting purposes, a person has changed his domicile if he (1) has abandoned his prior home and (2) has established a new home, has a present intention to make that place his home, and has no present intention to leave that place.

 (C) For voting purposes, a spouse may establish a separate domicile.

 (D) For voting purposes*,* factors to consider in determining a person’s intention regarding his domicile include, but are not limited to:

 (1) a voter’s address reported on income tax returns;

 (2) a voter’s real estate interests, including the address for which the legal residence tax assessment ratio is claimed pursuant to Section 12‑43‑220(C);

 (3) a voter’s physical mailing address;

 (4) a voter’s address on driver’s license or other identification issued by the Department of Motor Vehicles;

 (5) a voter’s address on legal and financial documents;

 (6) a voter’s address utilized for educational purposes, such as public school assignment and determination of tuition at institutions of higher education;

 (7) a voter’s address on an automobile registration;

 (8) a voter’s address utilized for membership in clubs and organizations;

 (9) the location of a voter’s personal property;

 (10) residence of a voter’s parents, spouse, and children; and

 (11) whether a voter temporarily relocated due to medical care for the voter or for a member of the voter’s immediate family.”

SECTION 2. Section 7‑5‑125 of the 1976 Code is amended to read:

 “Section 7-5-125. (A) Any person who applies for registration to vote and is found to be qualified by the county board of registration to whom application is made must be issued a written notification of registration. This notification must be on a form prescribed and provided by the State Election Commission.

 (B) If an elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.”

SECTION 3. Section 7‑5‑230 of the 1976 Code is amended to read:

 “Section 7-5-230. (A) The boards of registration to be appointed under Section 7‑5‑10 shall be the judges of the legal qualifications of all applicants for registration. The board is empowered to require proof of these qualifications as it considers necessary.

Once a person is registered, challenges of the qualifications of any elector, except for challenges issued at the polls pursuant to Sections 7‑13‑810, 7‑13‑820, and 7‑15‑420 must be made in writing to the board of registration in the county of registration. The board must, within ten days following the challenge and after first giving notice to the elector and the challenger, hold a hearing, accept evidence, and rule upon whether the elector meets or fails to meet the qualifications set forth in Section 7‑5‑120.

 (B) When a challenge is made regarding the residence or domicile of an elector, the board ~~may~~ must consider the provisions of Section 7‑1‑25(D) ~~following proof to establish residence including, but not limited to, income tax returns; real estate interests; mailing address; address on driver’s license; official papers and documents requiring the statement of residence address; automobile registration; checking and savings accounts; past voting record; membership in clubs and organizations; location of personal property; and the elector’s statements as to his intent~~.

 (C) Any person denied registration or restoration of his name on the registration books shall have the right of appeal from the decision of the board of registration denying him registration or such restoration to the court of common pleas of the county or any judge thereof and subsequently to the Supreme Court.”

SECTION 4. Article 7, Chapter 5, Title 7 of the 1976 Code is amended by adding:

 “Section 7‑5‑675. The State Elections Commission shall implement a system in order to issue voter registration cards with a photograph of the elector. This voter registration card may be used for voting purposes only.”

SECTION 5. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

 “Section 7‑13‑710. (A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid and current:

 (1) South Carolina driver’s license; or

 (2) other form of identification containing a photograph issued by the Department of Motor Vehicles~~, if he is not licensed to drive, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector.~~; or

 (3) passport; or

 (4) military identification containing a photograph issued by the federal government; or

 (5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7‑5‑675.

 ~~If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.~~

 (B) After presentation of the required identification described in subsection (A), ~~his~~ the elector’s name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

 (C)(1) If the elector cannot produce the identification as required in subsection (A), he may cast a provisional ballot that is counted only if the elector brings a valid and current photo identification to the county board of registration and elections before certification of the election by the county board of canvassers.

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 (D)(1)(a) If an elector does not produce a valid and current photograph identification due to a religious objection to being photographed, he may complete an affidavit under penalty of perjury at the polling place and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

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 (2) If the county board of registration and elections determines that the voter was challenged only for the inability to provide proof of identification and the required affidavit is submitted, the county board of registration and elections shall find that the provisional ballot is valid unless the board has grounds to believe the affidavit is false.

 (3) If the county board of registration and elections determines that the voter has been challenged for a cause other than the inability to provide proof of identification as required by subsection (A), the county board of registration and elections shall:

 (a) note on the envelope containing the provisional ballot that the voter complied with the proof of identification requirement; and

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 (3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at every election held following preclearance by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first.

 (4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county prior to December 15, 2011.

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 (6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation by no later than December 15, 2011.

 (7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

 (8) Notify each registered elector who does not have a South Carolina issued driver’s license or identification card a notice of the provisions of this act by no later than December 1, 2011. This notice must include the requirements to vote absentee, early, or on election day and a description of voting by provisional ballot. It must also state the availability of a free South Carolina identification card pursuant to Section 56-1-3350.

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 Amend title to conform.

s/s Senator McConnell s/s Representative Clemmons

s/s Senator Campsen s/s Representative Merrill

Senator Scott s/s Representative Lucas

 On Part of the Senate. On Part of the House.

Rep. R. L. BROWN spoke against the Conference Report.

Rep. WEEKS spoke against the Conference Report.

Rep. GILLIARD spoke against the Conference Report.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. GILLIARD continued speaking.

The question then recurred to the adoption of the Conference Report.

The yeas and nays were taken resulting as follows:

 Yeas 71; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bikas | Bingham |
| Bowen | Brady | Brannon |
| Chumley | Clemmons | Cole |
| Cooper | Corbin | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Horne | Huggins | Loftis |
| Long | Lowe | Lucas |
| McCoy | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Norman |
| Owens | Parker | Patrick |
| Pinson | Pitts | Pope |
| Quinn | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Viers | White | Whitmire |
| Willis | Young |  |

**Total--71**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Bowers |
| Branham | Brantley | H. B. Brown |
| R. L. Brown | Butler Garrick | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Johnson | King |
| Knight | McEachern | McLeod |
| Mitchell | Munnerlyn | J. H. Neal |
| Neilson | Ott | Parks |
| Rutherford | Sabb | J. E. Smith |
| Weeks | Whipper | Williams |

**Total--36**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote to adopt the Conference Report on H. 3003. If I had been present, I would have voted in favor of the Conference Report.

 Rep. Chip Limehouse

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote to adopt the Conference Report on H. 3003, for Voter I.D. If I had been present, I would have voted against the Conference Report.

 Rep. Chris Hart

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote to adopt the Conference Report on H. 3003, for Voter I.D. If I had been present, I would have voted against the Conference Report.

 Rep. David Mack III

RECORD FOR VOTING

 I was temporarily absent from the House Chamber on April 26, 2011, attending a school function with my son, and missed the vote on the Conference Report on the Voter I.D. Bill, H. 3003. Had I been present, I would have voted in favor of the Conference Report.

 Rep. Tommy Stringer

**H. 3663--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3663 -- Reps. Cooper, Harrell, Ott, Bingham, Allison, Owens, Anthony, Bales and McLeod: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2011 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO REQUIRE THE DEPARTMENT TO SUSPEND WRITING ASSESSMENTS FOR CERTAIN GRADES, AND TO PROVIDE THAT WRITING ASSESSMENTS MAY NOT BE USED IN GROWTH CALCULATIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2011 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE-FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS; TO PROVIDE FOR A ONE-YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT TO CONVENE A TASK FORCE TO CONSIDER END-OF-COURSE ASSESSMENTS FOR FEDERAL ASSESSMENT PURPOSES.

Rep. COOPER proposed the following Amendment No. 1 (COUNCIL\NBD\11563BH11), which was adopted:

Amend the joint resolution, as and if amended, by deleting in its entirety SECTION 7, as contained on page 3, lines 9‑24.

Amend the joint resolution further, by deleting in its entirety SECTION 6, line 7, as contained on page 3, and inserting:

/weighted pupil units./

Renumber sections to conform.

Amend title to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anthony | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Brannon |
| Brantley | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crosby | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Knight | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McLeod |
| 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 | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--105**

 Those who voted in the negative are:

**Total--0**

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

**H. 3657--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3657 -- Reps. Cooper and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-45-17 SO AS TO PROVIDE MINIMUM CONTINUING EDUCATION COURSE REQUIREMENTS FOR COUNTY TAX COLLECTORS AND PROVIDE EXCEPTIONS; BY ADDING SECTION 12-59-85 SO AS TO ALLOW A COUNTY FORFEITED LAND COMMISSION TO REFUSE TO ACCEPT TITLE TO PROPERTY WHEN REFUSAL IS IN THE PUBLIC INTEREST; AND TO AMEND SECTIONS 12-51-50, AS AMENDED, AND 12-51-70, RELATING TO DELINQUENT TAX SALES, SO AS TO PROVIDE FOR THE SALES DATE AND TO INCREASE FROM THREE HUNDRED TO ONE THOUSAND DOLLARS THE DAMAGES FOR WHICH A DEFAULTING BIDDER IS LIABLE.

The Ways and Means Committee proposed the following Amendment No. 1 (COUNCIL\BBM\10136HTC11), which was adopted:

Amend the bill, as and if amended, in Section 12‑51‑70, as contained in SECTION 4, page 2, by striking line 35, and inserting /bidder is liable for no more than ~~three~~ five hundred / so that when amended, Section 12‑51‑70 reads:

 / Section 12‑51‑70. ~~In case~~ If the successful bidder fails to remit in legal tender within the time specified, the person officially charged with the collection of delinquent taxes shall cancel that bid and duly readvertise the same property for sale, in the same manner, on a subsequent delinquent tax sale date. The defaulting bidder is liable for no more than ~~three~~ five hundred dollars damages upon default, which may be collected by suit by the person officially charged with the collection of delinquent taxes in the name of the taxing authority. /

Renumber sections to conform.

Amend title to conform.

Rep. COOPER explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 103; Nays 0

 Those who voted in the affirmative are:

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

**Total--103**

 Those who voted in the negative are:

**Total--0**

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

**H. 3650--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Wednesday, April 27, which was adopted:

H. 3650 -- Reps. Cooper and Ott: A BILL TO AMEND SECTION 12-37-2725, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANCELLATION OF A LICENSE PLATE AND REGISTRATION CERTIFICATE WHEN A VEHICLE OWNER MOVES OUT OF STATE AND THE PRORATED PROPERTY TAX REFUND DUE ON THAT CANCELLATION, SO AS TO ALLOW THE APPROPRIATE RECEIPT ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES TO SUBSTITUTE FOR THE ACTUAL LICENSE PLATE AND CERTIFICATE; TO AMEND SECTION 12-39-220, RELATING TO THE DISCOVERY OF UNTAXED PROPERTY FOR PURPOSES OF PROPERTY TAXES, SO AS TO PROVIDE THE DUTIES OF THE ASSESSOR WITH RESPECT TO THIS PROPERTY; AND TO AMEND SECTION 12-54-85, AS AMENDED, RELATING TO THE TIME LIMITS APPLICABLE FOR ASSESSING DELINQUENT TAXES, SO AS TO MAKE A CONFORMING AMENDMENT.

**H. 3762--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Wednesday, April 27, which was adopted:

H. 3762 -- Reps. Cooper, White, Bowen, Gambrell, Thayer, Sandifer, D. C. Moss, McLeod and Viers: A BILL TO AMEND SECTION 41-31-45, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNEMPLOYMENT INSURANCE TRUST FUND, SO AS TO PROVIDE THAT IN A YEAR IN WHICH THE FUND IS IN DEBT STATUS, THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, AMONGST OTHER ESTIMATES, MUST ESTIMATE THE AMOUNT OF INCOME NECESSARY TO REPAY ALL OUTSTANDING FEDERAL LOANS WITHIN EIGHT YEARS.

**H. 3956--RECOMMITTED**

The following Bill was taken up:

H. 3956 -- Reps. Cooper, Skelton, White, Ott, Horne and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-119-180 SO AS TO ALLOW CLEMSON UNIVERSITY TO ENTER INTO GROUND LEASE AGREEMENTS WITH A PRIVATE ENTITY, TO PROVIDE WHAT THOSE AGREEMENTS MUST INCLUDE, TO PROVIDE FOR THE SURRENDERING OF THE PREMISES UPON THE EXPIRATION OF THE LEASE TERM, TO REQUIRE REVIEW OF THE LEASE BY THE STATE BUDGET AND CONTROL BOARD, AND TO PROVIDE THAT THE FULL FAITH AND CREDIT OF THE STATE MAY NOT BE PLEDGED.

Rep. COOPER moved to recommit the Bill to the Committee on Ways and Means, which was agreed to.

**H. 3865--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3865 -- Reps. Hardwick, Quinn, Barfield, Hearn, Tallon, Ballentine, D. C. Moss, Mitchell, J. H. Neal, Hodges, G. M. Smith, Pinson, Herbkersman, Hiott, R. L. Brown, Whipper, Forrester, Toole, Hayes, Butler Garrick, Chumley, J. E. Smith, Atwater, Huggins, Clemmons, Pitts, Edge, Dillard, Ryan, Vick, J. R. Smith, Knight, Long, Crosby, Hixon, Murphy, Stringer, Owens, Bikas, Viers, Ott and Weeks: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GENERAL FISH AND GAME PROVISIONS, BY ADDING SECTION 50-1-160 SO AS TO PERMIT THE DEPARTMENT TO RELEASE A SEIZED VEHICLE, BOAT, MOTOR, OR FISHING DEVICE UNDER CERTAIN CONDITIONS; TO AMEND ARTICLE 3, CHAPTER 13, TITLE 50, RELATING TO USE OF SEINES, TRAPS, AND LIKE DEVICES, SO AS TO REVISE AND FURTHER PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THESE DEVICES MAY BE USED AND TO PROVIDE PENALTIES FOR VIOLATIONS; BY ADDING ARTICLE 5 TO CHAPTER 13, TITLE 50 SO AS TO PROVIDE FOR CERTAIN UNLAWFUL FRESHWATER ACTIONS AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND ARTICLE 6, CHAPTER 13, TITLE 50, RELATING TO THE PROTECTION OF NONGAME FISH, SO AS TO FURTHER PROVIDE FOR THE USE OF NONGAME FISHING DEVICES AND THE TAKING OF NONGAME FISH IN THE FRESHWATERS OF THIS STATE, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS AND FOR SPECIFIED EXCEPTIONS TO THESE PROVISIONS; TO AMEND ARTICLE 11, CHAPTER 13, TITLE 50, RELATING TO THE SALE AND TRAFFIC IN FISH, SO AS TO REVISE CERTAIN PROVISIONS IN THE ARTICLE PERTAINING TO PROHIBITED PRACTICES IN REGARD TO THE SALE OR TRAFFICKING IN FISH AND ADD OTHER PROVISIONS WITH PENALTIES FOR VIOLATIONS; TO AMEND ARTICLE 13, CHAPTER 13, TITLE 50, RELATING TO FISH HATCHERIES AND SANCTUARIES AND PROPAGATION, SO AS TO REVISE AND FURTHER PROVIDE FOR ACTIONS THE DEPARTMENT MAY TAKE IN REGARD TO FISH HATCHERIES, SANCTUARIES, AND THE PROPAGATION OF FISH AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO AMEND ARTICLE 13, CHAPTER 19, TITLE 50, RELATING TO THE HORRY COUNTY FISH AND GAME COMMISSION, SO AS TO DELETE THE PROVISIONS OF THE ARTICLE AND INSTEAD PROVIDE FOR THE PERMITTED USE OF NONGAME DEVICES ON THE LITTLE PEE DEE RIVER FOR A PERIOD OF THREE YEARS; AND TO REPEAL SECTIONS 50-13-1450 RELATING TO PRIMA FACIE EVIDENCE OF USING EXPLOSIVES TO TAKE FISH; 50-13-385 RELATING TO MINIMUM SIZE FOR LARGE MOUTH BASS IN LAKE WYLIE; 50-13-390 RELATING TO DAILY LIMIT ON ARKANSAS BLUE CATFISH; AND 50-13-400 RELATING TO LAKE MURRAY CRAPPIE CREEL AND SIZE LIMITS.

Rep. VICK explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 0

 Those who voted in the affirmative are:

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

**Total--104**

 Those who voted in the negative are:

**Total--0**

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

**H. 3772--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3772 -- Reps. Hardwick, Vick and Hixon: A BILL TO AMEND CHAPTER 26, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF AGRICULTURAL LIMING MATERIALS, SO AS TO PROVIDE FOR REGULATION OF LANDPLASTER, TO REVISE CERTAIN REPORTING REQUIREMENTS, AND TO REVISE THE PROVISIONS RELATING TO THE PAYMENT OF ASSESSMENTS LEVIED BY THE STATE CROP PEST COMMISSION.

Rep. FRYE explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 107; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Corbin | 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 |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parker | 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 |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--107**

 Those who voted in the negative are:

**Total--0**

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

**H. 3744--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. FRYE explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 106; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cole | Cooper |
| Corbin | Crosby | Daning |
| Delleney | Dillard | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | 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 | Vick |
| Viers | Weeks | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--106**

 Those who voted in the negative are:

**Total--0**

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

**H. 3730--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3730 -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO SELL OR TAKE FURBEARING ANIMALS BY ANY MEANS, EXCEPT A PROCESSOR, MANUFACTURER, OR RETAILER, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50-11-40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO DELETE THE PROVISION THAT MAKES IT UNLAWFUL TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50-11-1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FURBEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS "FURBEARING ANIMAL" AND "COMMERCIAL PURPOSES", AND TO PROVIDE DEFINITIONS FOR THE TERMS "OWNER" AND "AGENT"; TO AMEND SECTION 50-11-2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50-11-2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER'S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS, AND TO PROVIDE THAT A DESIGNEE MUST POSSESS WRITTEN PERMISSION FROM THE TRAP'S OWNER TO ACT ON HIS BEHALF AND MUST MEET ALL COMMERCIAL FUR LICENSING REQUIREMENTS OR BE LISTED ON A VALID DEPREDATION PERMIT; TO AMEND SECTION 50-11-2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT RESTRICTS THE TYPES OF TRAPS THAT ARE ALLOWED TO THOSE THAT ARE IN ACCORDANCE WITH APPROVED COMMERCIAL FUR LICENSES, TO ALLOW FOR THE USE OF LIVE TRAPS TO CAPTURE CERTAIN FERAL ANIMALS, TO REVISE THE SIZE OF FOOT-HOLD TRAPS THAT ARE ALLOWABLE, TO PROVIDE THAT SMALL SNAP, BOX, AND OTHER TRAPS ARE ALLOWED FOR TRAPPING; TO AMEND SECTION 50-11-2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR'S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FURBEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; AND TO REPEAL SECTIONS 50-11-1060, 50-11-1070, AND 50-11-2420 RELATING TO THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, AND THE KILLING OF BOBCATS.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 (COUNCIL\SWB\6142CM11), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 1, page 1, and inserting:

/ SECTION 1. Article 1, Chapter 9, Title 50 of the 1976 Code is amended by adding:

 “Section 50‑9‑450. (A) In addition to a valid state hunting license, an annual commercial fur license is required of all persons who sell or take by any means, for commercial purposes, and all persons who trap or who attempt to trap any furbearing animals. The license is issued by the department at a cost of twenty‑five dollars for residents and two hundred dollars for nonresidents. Any person having in his possession more than five furbearing animals or raw or green pelts shall have a valid commercial fur license. The provisions of this section do not apply to a processor, manufacturer, or retailer.

 (B) A person under the age of sixteen may purchase a commercial fur license without having to purchase a state hunting license after completing the ‘Trappers Education Course’.

 (C) A person under the age of sixteen is exempt from the licensing requirements of this section while in the presence of a commercial fur licensee, but may not sell any furbearing animals or raw or green pelts unless licensed.” /

Amend the bill further, by deleting SECTION 6, page 5, and inserting:

/ SECTION 6. Section 50‑11‑2440 of the 1976 Code is amended to read:

 “Section 50‑11‑2440. A trapper ~~shall~~ must visit his traps ~~daily~~ at least once each day from two hours before sunrise to two hours after sunset and remove any animal caught ~~but no trapper may visit any trap at night and no trap may be set “in the open” or in paths, roadways, or runways commonly used by persons or domestic animals~~ with the exception that a trapper must visit body gripping traps when used in water sets and other traps when used in ‘submersion sets’ at least once every forty‑eight hours.”/

Amend the bill further, by deleting SECTION 10, page 6, and inserting:

/ SECTION 10. Sections 50‑11‑1060, 50‑11‑1070, 50‑11‑2420, and 50‑11‑2575 of the 1976 Code are repealed. /

Renumber sections to conform.

Amend title to conform.

Rep. VICK explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 109; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | 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 |
| Crosby | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| D. C. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parker | Parks |
| Patrick | Pinson | Pitts |
| Pope | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Viers | Weeks | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--109**

 Those who voted in the negative are:

**Total--0**

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

**H. 3470--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3470 -- Reps. Pitts, Knight, Loftis and Toole: A BILL TO AMEND SECTION 44‑53‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST USING, SELLING, OR MANUFACTURING CLEANING AGENTS CONTAINING PHOSPHATES, SO AS TO INCLUDE HOUSEHOLD DISHWASHING DETERGENTS IN THIS PROHIBITION; TO FURTHER SPECIFY CRITERIA FOR AND TYPES OF CLEANING AGENTS EXEMPT FROM THIS PROHIBITION; TO PROVIDE A CRIMINAL OFFENSE FOR SECOND AND SUBSEQUENT VIOLATIONS; (Abbrev. title)

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 (COUNCIL\NBD\11586AC11), which was adopted:

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

/SECTION 1. Section 44‑53‑50 of the 1976 Code is amended to read:

 “Section 44‑53‑50. (A) Except as otherwise provided in this section, a person may ~~not~~ use, sell, manufacture, or distribute for use or sale in this State ~~any~~ no cleaning agent that contains more than zero percent phosphorus by weight expressed as elemental phosphorus except for an amount not exceeding five‑tenths of one percent ~~that is incidental to manufacturing~~. For the purposes of this section, ‘cleaning agent’ means a household or commercial laundry detergent, dishwashing compound, household cleaner, household or commercial dishwashing detergent, metal cleaner, industrial cleaner, phosphate compound, or other substance that is intended to be used for cleaning purposes.

 (B) A person may use, sell, manufacture, or distribute for use or sale a cleaning agent that contains greater than zero percent phosphorus by weight but does not exceed eight and seven‑tenths percent phosphorus by weight that is~~:~~

 ~~(1)~~ ~~a detergent used in a dishwashing machine, whether commercial or household; and~~

 ~~(2)~~ a substance excluded from the zero percent phosphorus limitation of this section by regulations adopted by the Department of Health and Environmental Control which are based on a finding that compliance with this section would:

 ~~(i)~~(1) create a significant hardship on the user; or

 ~~(ii)~~(2) be unreasonable because of the lack of an adequate substitute cleaning agent.

 (C) This section does not apply to a cleaning agent that is:

 (1) used in dairy, beverage, or food processing equipment;

 (2) ~~a product used as an industrial sanitizer, brightener, acid cleaner, or metal conditioner, including phosphoric acid products or trisodium phosphate;~~

 ~~(3)~~ used in hospitals, veterinary hospitals, clinics, or health care facilities or in agricultural or dairy production or in the manufacture of health care supplies;

 ~~(4)~~ ~~used by a commercial laundry or textile rental service company or any other commercial entity: (a) to provide laundry service to hospitals, clinics, nursing homes, other health care facilities, or veterinary hospitals or clinics; (b) to clean textile products owned by a commercial laundry or textile rental service company and supplied to industrial or commercial users of the products on a rental basis; or (c) to clean military, professional, industrial, or commercial work uniforms;~~

 ~~(5)~~(3) used by industry for metal, fabric, or fiber cleaning or conditioning;

 ~~(6)~~(4) manufactured, stored, or distributed for use or sale outside of this State;

 ~~(7)~~(5) used in ~~any~~ a laboratory, including a biological laboratory, research facility, chemical laboratory, ~~and~~ or engineering laboratory; or

 ~~(8)~~ ~~used for cleaning hard surfaces, including household cleansers for windows, sinks, counters, ovens, tubs, or other food preparation surfaces and plumbing fixtures;~~

 ~~(9)~~(6) used as a water softening chemical, antiscale chemical, or corrosion inhibitor intended for use in closed systems such as boilers, air conditioners, cooling towers, or hot water heating systems.

 (D) The Department of Health and Environmental Control shall promulgate regulations to administer and enforce the provisions of this section. ~~Any~~ A cleaning agent held for sale or distribution in violation of this section may be seized by appropriate administrative or law enforcement personnel. The seized cleaning agents are considered forfeited.

 (E) A person who knowingly sells, manufactures, or distributes any cleaning agent in violation of the provisions of this section shall receive a written warning from the Department of Health and Environmental Control for the first violation. For a subsequent violation, the person is guilty of a misdemeanor and, upon conviction, must be fined not more than five thousand dollars or imprisoned not more than one year. Each unlawful sale constitutes a separate violation.

 (F) The provisions of this section may not restrict sale by a retailer of a household dishwashing detergent product from inventory existing and in stock at the retailer on July 1, 2011. ”

SECTION 2. The provisions of this act relating to household dishwashing detergent take effect July 1, 2011. The provisions of this act relating to commercial dishwashing and laundry detergent and industrial cleaners take effect on July 1, 2013. All other provisions of this act take effect July 1, 2014./

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

The amendment was then adopted.

Rep. AGNEW proposed the following Amendment No. 2 (COUNCIL\NBD\11619AC11), which was adopted:

Amend the bill, as and if amended, SECTION 2, page 3470-3, line 15, by deleting /2011/ and inserting /2012/ and on line 17 by deleting /2011/ and inserting /2012/

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 0

 Those who voted in the affirmative are:

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

**Total--104**

 Those who voted in the negative are:

**Total--0**

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

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., April 26, 2011

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 20, S. 724, by a vote of 0 to 31:

(R20) S. 724 -- Senator McGill: AN ACT TO AMEND ACT 1095 OF 1962, AS AMENDED, RELATING TO THE LOWER FLORENCE COUNTY HOSPITAL DISTRICT, SO AS TO PROVIDE A PROCESS BY WHICH THE FLORENCE COUNTY COUNCIL MAY LEVY MILLAGE WITHIN THE DISTRICT FOR PURPOSES OF CONSTRUCTING, EQUIPPING, AND MAINTAINING HOSPITAL FACILITIES WITHIN THE DISTRICT.

Very respectfully,

President

Received as information.

**REPORTS OF STANDING COMMITTEE**

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

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.

Ordered for consideration tomorrow.

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

S. 109 -- Senator Verdin: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 137, TO ENACT THE "REFLEX SYMPATHETIC DYSTROPHY SYNDROME EDUCATION ACT", TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH AN EDUCATIONAL PROGRAM CONCERNING THE SYNDROME, TO PROVIDE FOR THE CONTENTS OF A PUBLIC AWARENESS PROGRAM, TO REQUIRE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL WORK WITH HEALTH CARE PROVIDERS AND OTHER PROFESSIONALS CONCERNING THE SYNDROME, TO ALLOW FOR PRIVATE FUNDING OF THE PROGRAM, AND TO DEFINE NECESSARY TERMS.

Ordered for consideration tomorrow.

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

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

Ordered for consideration tomorrow.

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

S. 445 -- Senators Hutto, Fair, Jackson and Ford: A BILL TO AMEND SECTION 44-29-135, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONFIDENTIALITY OF SEXUALLY TRANSMITTED DISEASE RECORDS, SO AS TO DELETE THE PROVISION REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE SCHOOL DISTRICT SUPERINTENDENT AND SCHOOL NURSE IF A MINOR IS ATTENDING A SCHOOL IN THE DISTRICT AND HAS ACQUIRED IMMUNODEFICIENCY SYNDROME OR IS INFECTED WITH THE HUMAN IMMUNODEFICIENCY VIRUS; AND BY ADDING SECTION 59-10-220 SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDATIONS ON UNIVERSAL PRECAUTIONS FOR BLOODBORNE DISEASE EXPOSURE.

Ordered for consideration tomorrow.

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

S. 590 -- Senators McGill and Ford: A JOINT RESOLUTION TO EXEMPT THE ESTABLISHMENT OF A GEROPSYCHIATRIC DISTINCT PART UNIT FOR PROSPECTIVE PAYMENT SYSTEM EXCLUSION OF UP TO TEN BEDS FROM THE REQUIREMENT OF OBTAINING A CERTIFICATE OF NEED.

Ordered for consideration tomorrow.

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

S. 295 -- Senators Hutto, Fair, Jackson, Rankin and Ford: 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.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4123 -- Rep. White: A CONCURRENT RESOLUTION TO DESIGNATE THE MONTH OF MAY 2011 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO ENCOURAGE COMMUNITY AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESS.

Whereas, the members of the General Assembly call upon all citizens, government agencies, public and private institutions, businesses, and schools in South Carolina to increase our state’s awareness and understanding of mental illnesses; and

Whereas, mental health is critical for the well‑being and vitality of our families, businesses, and communities; and

Whereas, mental illness will strike one in five Americans in a given year, regardless of age, gender, race, ethnicity, religion, or economic status; and

Whereas, one in five children suffers from a diagnosable mental or emotional disorder, and one in ten has a serious disorder that, if untreated, can lead to school failure, addiction, and even suicide; and

Whereas, mental disorders, collectively, make mental illness the most prevalent health problem in America today. It is more common than cancer and lung and heart disease combined; and

Whereas, the South Carolina Department of Mental Health observes Mental Health Month each year in May to raise awareness of mental health, mental illness, and insurance discrimination against people with mental illnesses; and

Whereas, the General Assembly commends the South Carolina Department of Mental Health as it fulfills its difficult task of educating the public about the often misunderstood issue of mental illness. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, designate the month of May 2011 as “Mental Health Month” in South Carolina and encourage community awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illness.

Be it further resolved that a copy of this resolution be forwarded to the South Carolina Department of Mental Health.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4124 -- Rep. V. S. Moss: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON EL BETHEL ROAD THAT CROSSES THICKETTY CREEK IN CHEROKEE COUNTY "COLONEL JAMES STEEN MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "COLONEL JAMES STEEN MEMORIAL BRIDGE".

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 849 -- Senators Lourie, Courson and Leventis: A CONCURRENT RESOLUTION TO THANK ATTORNEY BENJAMIN A. JOHNSON OF YORK COUNTY FOR HIS TWELVE YEARS OF DEDICATED SERVICE AS SOUTH CAROLINA'S COMMISSIONER AND CHAIRMAN OF THE ATLANTIC LOW-LEVEL RADIOACTIVE WASTE COMPACT COMMISSION, AND TO WISH HIM MUCH FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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. 4125 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO MINIMUM STANDARDS FOR LICENSING CHIROPRACTIC FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4180, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4126 -- Reps. Williams, King and Neilson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-11-277 SO AS TO PROVIDE A VEHICLE IN THE STATE MOTOR POOL OR OTHER STATE-OWNED MOTOR VEHICLE USED BY A STATE AGENCY OR STATEWIDE OFFICER ONLY MAY BE OPERATED DURING THE NORMAL OPERATING HOURS OF THE AGENCY TO WHICH THE VEHICLE IS ASSIGNED UNLESS THE VEHICLE IS BEING USED TO CONDUCT AN ORDINARY FUNCTION OF THE AGENCY, TO PROVIDE A VEHICLE IN THE STATE MOTOR POOL OR OTHER MOTOR VEHICLE USED BY A STATE AGENCY MAY NOT BE USED TO TRANSPORT A STATE EMPLOYEE OR STATE OFFICIAL BETWEEN HIS RESIDENCE AND EMPLOYMENT LOCATION, AND TO PROVIDE AN EXCEPTION FOR CERTAIN LAW ENFORCEMENT AND EMERGENCY RESPONSE PERSONNEL; AND TO AMEND SECTION 1-11-270, RELATING TO PERMANENTLY ASSIGNED, STATE-OWNED MOTOR VEHICLES, SO AS TO DELETE REFERENCES IMPLYING PERMISSIBILITY OF USE OF THESE VEHICLES FOR COMMUTING.

Referred to Committee on Ways and Means

H. 4127 -- Rep. Sandifer: A BILL TO AMEND SECTION 41-15-520, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMEDIES FOR AN EMPLOYEE CHARGING CERTAIN UNLAWFUL DISCHARGE OR DISCRIMINATION RELATED TO HIS INVOLVEMENT IN COMPLAINTS OR PROCEEDINGS CONCERNING HEALTH AND OCCUPATIONAL SAFETY LAW, SO AS TO PROVIDE WHEN A PRIVATE SECTOR EMPLOYEE MAKES THESE ALLEGATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, THE DEPARTMENT IMMEDIATELY SHALL FORWARD THE COMPLAINT TO THE UNITED STATES DEPARTMENT OF LABOR WHISTLEBLOWER PROGRAM, AND TO PROVIDE CIVIL REMEDIES FOR A VIOLATION.

Referred to Committee on Judiciary

H. 4128 -- Reps. Pitts, Atwater, Toole, Chumley, Delleney, Hosey, D. C. Moss, G. R. Smith, Williams and Willis: A BILL TO AMEND THE CODE OF LAWS OS SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT GOLD OR SILVER COIN, OR BOTH, SHALL BE LEGAL TENDER IN THIS STATE FOR PAYMENT OF CERTAIN DEBTS; AND BY ADDING ARTICLE 26 TO CHAPTER 1, TITLE 1 SO AS TO ESTABLISH A JOINT COMMITTEE FOR THE ADOPTION OF AN ALTERNATE FORM OF CURRENCY.

Referred to Committee on Judiciary

H. 4129 -- Rep. Hodges: A BILL TO AMEND SECTION 16-11-523, AS AMENDED, RELATING TO THE CRIMINAL OFFENSE OF DAMAGING REAL OR PERSONAL PROPERTY FOR THE PURPOSE OF OBTAINING NONFERROUS METALS, SO AS TO INCLUDE FERROUS METALS IN THIS CRIMINAL OFFENSE, TO ELIMINATE A MISDEMEANOR OFFENSE WITH TWO THOUSAND DOLLARS AS THE MAXIMUM AMOUNT OF PROPERTY DAMAGE INVOLVED IN THE OFFENSE, AND TO REVISE PROPERTY DAMAGE AMOUNTS FOR THE REMAINING FELONY PENALTIES; TO AMEND SECTION 16-17-680, AS AMENDED, RELATING TO PURCHASING, RECORDKEEPING, AND HOLD NOTICE REQUIREMENTS FOR PURCHASERS OF NONFERROUS METALS AND CRIMINAL PENALTIES FOR VIOLATIONS, SO AS TO INCLUDE THE PURCHASE OF FERROUS METALS IN THESE REQUIREMENTS, TO REQUIRE THESE PURCHASES TO BE MADE FROM A FIXED LOCATION, TO APPLY THE CRIMINAL PENALTIES TO VIOLATIONS PERTAINING TO FERROUS METALS, TO INCREASE CRIMINAL FINES, AND TO MAKE TECHNICAL CORRECTIONS; AND BY ADDING CHAPTER 40, TITLE 40 SO AS TO REQUIRE SECONDARY METALS RECYCLERS TO REGISTER WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, TO ESTABLISH REGISTRATION AND ELIGIBILITY REQUIREMENTS, TO PROVIDE CRIMINAL PENALTIES FOR FAILING TO REGISTER, AND TO AUTHORIZE SANCTIONS AND ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF THE CHAPTER OR ORDERS OF THE DEPARTMENT.

Referred to Committee on Judiciary

S. 793 -- Senators Alexander and Bryant: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR FISCAL YEAR 2011-2012 TO TEMPORARILY SUSPEND ENFORCEMENT OF CERTAIN PROVISIONS OF THE MEDICAID NURSING HOME PERMIT LAW AND TO SET CERTAIN NURSING HOME STAFFING STANDARDS IN ORDER TO MEET APPROPRIATIONS.

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

**H. 3687--REQUESTS FOR DEBATE**

The following Bill was taken up:

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.

Reps. CLEMMONS, G. M. SMITH, LOFTIS, NORMAN, BEDINGFIELD, HAMILTON, G. R. SMITH, SANDIFER, BIKAS, SOTTILE and MCCOY requested debate on the Bill.

**H. 3617--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3617 -- Reps. Pitts, R. L. Brown, Allen, Bales, Brady, Knight, Ballentine, McLeod, Willis, Toole and Sellers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48-1-95 SO AS TO PROVIDE THAT A SEWAGE SYSTEM, OR ITS TREATMENT WORKS, THAT HAS HAD THREE OR MORE SEWAGE SPILLS IN A TWELVE-MONTH PERIOD MUST COMPLETE A COMPREHENSIVE REVIEW OF THEIR OPERATIONS; TO PROVIDE FOR THE COMPREHENSIVE REVIEW; TO PROVIDE FOR THE DEVELOPMENT AND IMPLEMENTATION OF AN ACTION PLAN TO ADDRESS ISSUES RAISED IN THE COMPREHENSIVE REVIEW; TO PROVIDE SPENDING PRIORITIES FOR WASTEWATER UTILITIES THAT LACK FUNDS FOR IMPLEMENTING AN ACTION PLAN; TO PROVIDE THAT WASTEWATER UTILITIES THAT DEVELOP AN ACTION PLAN HAVE PRIORITY FOR STATE FUNDS OR STATE-DIRECTED FEDERAL FUNDS; AND TO PROVIDE THAT REPETITIVE SPILLS MUST BE FORWARDED TO AND RECORDED BY THE SOUTH CAROLINA ENVIRONMENTAL CERTIFICATION BOARD.

Reps. NORMAN, QUINN, ATWATER, LONG, CROSBY, BRANNON, PARKER, ALLISON, FORRESTER, JEFFERSON, WHIPPER, BIKAS, TAYLOR and BEDINGFIELD requested debate on the Bill.

**H. 3864--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3864 -- Reps. Hardwick, Quinn, Barfield, Hearn, Tallon, Herbkersman, Hiott, Hodges, G. M. Smith, Pinson, Ballentine, D. C. Moss, Mitchell, J. H. Neal, R. L. Brown, Whipper, Toole, Forrester, Butler Garrick, Hayes, Chumley, J. E. Smith, Atwater, Owens, Bikas, Crosby, Hixon, Murphy, Stringer, Clemmons, Pitts, Edge, Viers, Dillard, Ryan, Vick, J. R. Smith, Knight, Long, Huggins, Ott and Weeks: A BILL TO AMEND ARTICLE 1, CHAPTER 13, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON FISHING GENERALLY, SO AS TO REVISE THE PROVISIONS OF THE ARTICLE TO GOVERN CERTAIN FISHING ACTIVITIES IN THE FRESHWATERS OF THIS STATE AND TO PROVIDE PENALTIES FOR SPECIFIC VIOLATIONS; BY ADDING ARTICLE 2 TO CHAPTER 13, TITLE 50 SO AS TO PROVIDE FOR CERTAIN REGULATION OF AND THE PROTECTION FOR FRESHWATER GAME FISH; TO AMEND ARTICLE 13, CHAPTER 13, TITLE 50, RELATING TO FISH HATCHERIES AND SANCTUARIES, BY ADDING SECTION 50-13-1995 SO AS TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY PERMIT THE FEDERAL GOVERNMENT TO CONDUCT FISH AND SCIENTIFIC INVESTIGATIONS IN THE WATERS OF THIS STATE IN CONNECTION WITH HATCHERY OPERATIONS OR MANAGEMENT OF THOSE SPECIES UNDER FEDERAL JURISDICTION; AND TO REPEAL SECTIONS 50-13-610 RELATING TO LAWFUL TAKING OF FISH IN GAME ZONE NO. 1; 50-13-620 RELATING TO PENALTIES APPLICABLE TO FISHING VIOLATIONS IN GAME ZONE NO. 1; 50-13-680 RELATING TO PERMITS REQUIRED FOR TAKING FISH IN CERTAIN PONDS IN MARLBORO COUNTY; 50-13-690 RELATING TO THE USE OF NETS OR OTHER DEVICES TO TAKE NONGAME FISH FROM PRIVATE PONDS IN CHESTERFIELD COUNTY; 50-13-730 RELATING TO THE USE OF NETS TO TAKE NONGAME FISH IN THE FRESHWATERS OF THIS STATE; AND 50-13-2010 RELATING TO THE SHELLEY LAKE FISH SANCTUARY IN MARION COUNTY.

Reps. COBB-HUNTER, OTT, J. H. NEAL, SABB, MACK, LOFTIS, JEFFERSON, FORRESTER, MCEACHERN, HOSEY and GILLIARD requested debate on the Bill.

**H. 3873--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3873 -- Rep. Vick: A BILL TO AMEND SECTION 50-5-1507, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ZONES, SEASONS, TIMES, CATCH AND SIZE LIMITS, METHODS, AND EQUIPMENT FOR TAKING HERRING, SO AS TO REVISE THE SEASONS, TIMES, AND SIZE AND TAKE LIMITS FOR HERRING, AND THE METHODS AND EQUIPMENT WHICH APPLY AND TO PROVIDE FOR THE AREAS IN WHICH CERTAIN OF THESE PROVISIONS APPLY.

Rep. VICK explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 108; Nays 0

 Those who voted in the affirmative are:

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

**Total--108**

 Those who voted in the negative are:

**Total--0**

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

**H. 3897--DEBATE ADJOURNED**

Rep. HARDWICK moved to adjourn debate upon the following Joint Resolution until Wednesday, April 27, which was adopted:

H. 3897 -- Reps. Stringer and Ballentine: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ENVIRONMENTAL PROTECTION FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4132, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**H. 3792--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3792 -- Rep. Rutherford: A BILL TO AMEND SECTION 50-21-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONDITIONS UPON WHICH A PERSON MAY OPERATE A VESSEL DISPLAYING, REFLECTING, OR FLASHING A BLUE LIGHT, SO AS TO REVISE THE CIRCUMSTANCES IN WHICH A PERSON MAY OPERATE A VESSEL WHILE DISPLAYING A BLUE LIGHT, AND TO REVISE THE PENALTY PROVISION.

Rep. RUTHERFORD explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 108; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | 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 |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Viers | Weeks | White |
| Whitmire | Williams | Willis |

**Total--108**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 3792. If I had been present, I would have voted in favor of the Bill.

 Rep. Thomas R. Young, Jr.

**H. 3986--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3986 -- Reps. Hayes and Bingham: A JOINT RESOLUTION TO ALLOW A SCHOOL DISTRICT THAT HAS RECEIVED FUNDS PURSUANT TO SECTION 59-21-430 THAT ARE SET TO LAPSE ON OR BEFORE JUNE 30, 2011, TO RETAIN THOSE FUNDS AND USE THEM FOR THE SAME PURPOSES UNTIL JUNE 30, 2012.

Rep. COOPER explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 113; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anthony | Atwater | 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 |
| Edge | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| 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 |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--113**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 3986. If I had been present, I would have voted in favor of the Joint Resolution.

 Rep. Marion Frye

**H. 3527--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3527 -- Reps. Gilliard, McEachern, Spires, Butler Garrick, King, Jefferson, Sabb, Munnerlyn, V. S. Moss, Cobb-Hunter, Herbkersman, Willis, Harrell, Pope, D. C. Moss, Norman, Hearn, Horne, Murphy, Bikas, Viers, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-3-970 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE TO BE A MEMBER OF AN INTERNET-BASED SOCIAL NETWORKING WEBSITE AND TO PROVIDE A PENALTY.

Rep. GILLIARD explained the Bill.

Reps. RUTHERFORD, HERBKERSMAN, ERICKSON, VIERS, DANING, BRANNON, BANNISTER, KING, GILLIARD, GAMBRELL, HARRELL, WEEKS, PINSON and WILLIAMS requested debate on the Bill.

**H. 3226--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3226 -- Reps. Bedingfield, Stringer, G. R. Smith, Simrill, Harrison, Allison, G. M. Smith, Bingham, Viers, Ballentine, Harrell, Young, Herbkersman, Hixon, Taylor, Barfield, Loftis, Corbin, Clemmons, Hearn, Owens, Bowen, Norman, Erickson, Pinson and Patrick: A BILL TO ENACT THE "SOUTH CAROLINA REGULATORY REFORM ACT"; TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-122 SO AS TO PROVIDE THE GENERAL ASSEMBLY OR A COMMITTEE OF THE GENERAL ASSEMBLY MAY NOT AMEND OR OTHERWISE CHANGE AN AMENDMENT UNDER GENERAL ASSEMBLY REVIEW, AND ONLY THE AGENCY THAT SUBMITTED THE REGULATION FOR REVIEW MAY AMEND OR OTHERWISE CHANGE THE LANGUAGE OF A REGULATION IT SUBMITS FOR GENERAL ASSEMBLY REVIEW; TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO THE APPROVAL OF PROPOSED REGULATIONS, SO AS TO DELETE THE PROVISION OF AN AUTOMATIC APPROVAL AND TO INSTEAD PROVIDE AN AUTOMATIC VOTE IN THE HOUSE AND SENATE; AND TO AMEND SECTION 1-23-125, AS AMENDED, RELATING TO CERTAIN NOTICE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

Rep. BEDINGFIELD moved to adjourn debate on the Bill until Wednesday, April 27, which was agreed to.

**H. 3028--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3028 -- Reps. Clemmons, Taylor, Clyburn and Long: A BILL TO AMEND SECTION 59-26-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUCTION, ANNUAL, AND CONTINUING CONTRACTS FOR TEACHERS, SO AS TO INCREASE THE INDUCTION CONTRACT PERIOD FROM ONE YEAR TO FIVE YEARS.

The Education and Public Works Committee proposed the following Amendment No. 1 (COUNCIL\AGM\19006BH11):

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

/ SECTION 1. Section 59‑26‑40(C) of the 1976 Code, as last amended by Act 283 of 2004, is further amended to read:

 “(C) At the end of each of the first two years of the three‑year induction period, the district may employ the teacher under another induction contract or may terminate his employment. If employment is terminated, the teacher may seek employment in another school district at the induction contract level. At the end of the ~~one‑year~~ three‑year induction contract period, a teacher shall become eligible for employment at the annual contract level. At the discretion of the local school district in which the induction teacher was employed, the district may employ the teacher under an annual contract or the district may terminate his employment. If employment is terminated, the teacher may seek employment in another school district at the annual contract level. A person must not be employed as an induction teacher for more than ~~one year~~ three years. This subsection does not preclude his employment under an emergency certificate in extraordinary circumstances if the employment is approved by the State Board of Education. During the induction contract period, the employment dismissal provisions of Article 3, Chapter 19 and Article 5, Chapter 25 of this title do not apply.”

SECTION 2. Section 59‑26‑40(J) of the 1976 Code, as last amended by Act 283 of 2004, is further amended to read:

 “(J) After successfully completing ~~an~~ a three‑year induction contract ~~year~~ period and an annual contract period, a teacher shall become eligible for employment at the continuing contract level. This contract status is transferable to any district in this State. A continuing contract ~~teachers~~ teacher shall have full procedural rights that currently exist under law relating to employment and dismissal. ~~Teachers~~ A teacher employed under a continuing ~~contracts~~ contract must be evaluated on a continuous basis. At the discretion of the local district and based on an individual teacher’s needs and past performance, the evaluation may be formal or informal. Formal evaluations must be conducted with a process developed or adopted by the local district in accordance with State Board of Education regulations. The formal process also must include an individualized professional growth plan established by the school or district. Professional growth plans must be supportive of district strategic plans and school renewal plans. Informal evaluations which should be conducted for accomplished teachers who have consistently performed at levels required by state standards, must be conducted with a goals‑based process in accordance with State Board of Education regulations. The professional development goals must be established by the teacher in consultation with a building administrator and must be supportive of district strategic plans and school renewal plans.”

SECTION 3. Section 59‑26‑40(L) of the 1976 Code, as last amended by Act 283 of 2004, is further amended to read:

 “(L) ~~Teachers~~ A teacher certified under the career and technology education work‑based certification process ~~are~~ is exempt from the provisions of the South Carolina Education Improvement Act of 1984 which require the completion of scholastic requirements for teaching at an approved college or university. After completing ~~an~~ the induction contract three‑year period, the ~~teachers~~ teacher may be employed for a maximum of four years under an annual ~~contracts~~ contract to establish ~~their~~ his eligibility for employment as a continuing contract ~~teachers~~ teacher. Before being eligible for a continuing contract, ~~these teachers~~ a teacher shall pass a basic skills examination developed in accordance with Section 59‑26‑30, a state approved skill assessment in ~~their~~ his area, and ~~the~~ performance evaluations as required for teachers who are employed under annual contracts. Certification renewal requirements for ~~these~~ teachers are those promulgated by the State Board of Education.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Reps. HIOTT, WHITMIRE, SKELTON, SELLERS, JEFFERSON, OTT, TOOLE, KING, BRANTLEY, HOSEY, R. L. BROWN, CLYBURN, CLEMMONS, PINSON, TAYLOR, DILLARD and PARKER requested debate on the Bill.

**H. 3035--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3035 -- Reps. Erickson, Daning, Clyburn, Long, Lucas, Norman, Owens, Patrick, Herbkersman, Crosby, Brady, Allison, Merrill, Bowen, Pinson, Whipper and R. L. Brown: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BEGINNING AND LENGTH OF SCHOOL TERM AND SCHOOL MAKE-UP DAYS, SO AS TO ALLOW A LOCAL SCHOOL DISTRICT TO ESTABLISH ITS CALENDAR BASED ON A STATUTORY TERM OF ONE HUNDRED EIGHTY DAYS OF INSTRUCTION OR THE EQUIVALENT NUMBER OF INSTRUCTIONAL HOURS.

The Education and Public Works Committee proposed the following Amendment No. 1 (COUNCIL\AGM\19022BH11):

Amend the bill, as and if amended, by deleting in its entirety Section 59‑1‑425(A), as contained in SECTION 1, pages 1‑2, and inserting:

/ (A) ~~Each~~ A local school district board of trustees of the State ~~shall have~~ has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term ~~is one hundred ninety days annually and shall consist~~ consists of a minimum of one hundred eighty days of instruction ~~covering at least nine calendar months. However, beginning with the 2007‑2008 school year the opening date for students must not be before the third Monday in August, except for schools operating on a year‑round modified school calendar~~ or the equivalent one thousand one hundred seventy instructional hours and ten additional days or the equivalent sixty hours as provided in this section for secondary schools or one thousand eighty hours and ten additional days or the equivalent sixty hours for elementary schools as provided in this section. A local school district may decide how best to structure the instructional day and how many days of instruction comprise the school year, in that the local school district calendar includes instructional days to coincide with official testing dates as set by the South Carolina Department of Education for the administration of the statewide testing program. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among schools in the district. However, beginning with the 2007‑2008 school year, the opening date for students may not be before the third Monday in August, except for schools that operate on a year round modified school calendar. A local school district shall schedule ten additional days. Three days or the equivalent eighteen hours must be used for collegial professional development based upon the educational standards ~~as required by~~ provided in Section 59‑18‑300. The professional development shall address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools, and the remaining five days may be used for teacher planning, academic plans, and parent conferences. ~~The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.~~ /

Renumber sections to conform.

Amend title to conform.

Rep. WHITMIRE explained the amendment.

Reps. OTT, SELLERS, WILLIAMS, JEFFERSON, PITTS, SABB, WHITMIRE, KING, ERICKSON, HERBKERSMAN, TALLON, R. L. BROWN, MACK, PATRICK, BRANTLEY, CLYBURN and J. R. SMITH requested debate on the Bill.

**H. 3163--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3163 -- Reps. Tallon, Cole, Allison, G. R. Smith, Taylor, McCoy, Forrester, Murphy, Hixon and Patrick: A BILL TO AMEND SECTION 56-5-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERM "MOTOR VEHICLE" SO AS TO INCLUDE "MOPEDS" IN THE TERM'S DEFINITION.

The Education and Public Works Committee proposed the following Amendment No. 1 (COUNCIL\SWB\6141CM11), which was adopted:

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

/ SECTION 1. Section 56‑5‑130 of the 1976 Code is amended to read:

 “Section 56‑5‑130. Every vehicle which is self‑propelled, ~~except mopeds,~~ and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, is a ‘motor vehicle’.”

SECTION 2. Section 56‑5‑140 of the 1976 Code is amended to read:

 “Section 56‑5‑140. Every motor vehicle having no more than two permanent functional wheels in contact with the ground or trailer and having a saddle for the use of the rider, but excluding a tractor or a moped, is a ‘motorcycle’.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. COLE explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 98; Nays 7

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Branham | Brannon |
| Brantley | H. B. Brown | R. L. Brown |
| Butler Garrick | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hamilton | Hardwick |
| Harrell | Hart | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Jefferson | Johnson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. M. Neal | Neilson | Norman |
| 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 | Tallon | Taylor |
| Thayer | Toole | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--98**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bowers | Dillard | Hodges |
| Hosey | McEachern | McLeod |
| Tribble |  |  |

**Total--7**

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

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3266--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3266 -- Reps. Owens and Hiott: A BILL TO AMEND SECTION 57-5-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL COMPOSITION OF THE STATE HIGHWAY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS IN THE STATE HIGHWAY SYSTEM MUST BE BUILT ACCORDING TO STATE STANDARDS AND TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY USE CERTAIN FUNDS TO MAINTAIN THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 57-5-70, RELATING TO ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO ALLOW THE DEPARTMENT OF TRANSPORTATION TO ADD COUNTY AND MUNICIPAL ROADS TO THE STATE HIGHWAY SYSTEM WHEN NECESSARY FOR THE INTERCONNECTIVITY OF THE STATE HIGHWAY SYSTEM; TO AMEND SECTION 57-5-80, RELATING TO THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO REVISE THE PROCEDURE FOR THE REMOVAL OF ROADS FROM THE STATE HIGHWAY SYSTEM WHEN A GOVERNMENTAL AGENCY AGREES TO ACCEPT THE ROAD INTO ITS OWN HIGHWAY SYSTEM; AND TO REPEAL SECTION 57-5-90 RELATING TO BELT LINES AND SPURS.

Reps. OTT, DANING, JEFFERSON, SELLERS, WHITMIRE, KING, SABB, BRANNON, JOHNSON, R. L. BROWN, BRANTLEY, CROSBY, HOSEY and WEEKS requested debate on the Bill.

**S. 358--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 358 -- Senator Grooms: A BILL TO AMEND SECTION 56-3-2335 OF THE 1976 CODE, RELATING TO RESEARCH AND DEVELOPMENT LICENSE PLATES, TO PROVIDE THAT RESEARCH AND DEVELOPMENT LICENSE PLATES MAY ALSO BE ISSUED TO VEHICLES OWNED BY THE RESEARCH AND DEVELOPMENT BUSINESS AND BY A FLEET OWNER UNDER CONTRACT WITH THE RESEARCH AND DEVELOPMENT BUSINESS, TO INCREASE THE MAXIMUM NUMBER OF RESEARCH AND DEVELOPMENT LICENSE PLATES THAT MAY BE ISSUED, AND TO PROVIDE FOR OPERATION OF RESEARCH AND DEVELOPMENT LICENSED VEHICLES IN OTHER STATES.

Rep. DANING explained the Bill.

Reps. SIMRILL, LOFTIS, STAVRINAKIS, NORMAN, WHITMIRE, FORRESTER, TAYLOR, BIKAS, VIERS and CHUMLEY requested debate on the Bill.

**S. 686--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 686 -- Education Committee: A JOINT RESOLUTION TO CLARIFY THE SCIENCE COURSE REQUIREMENT FOR RECEIVING A SOUTH CAROLINA HIGH SCHOOL DIPLOMA.

Rep. WHITMIRE explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 101; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cole | Cooper | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| 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 | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--101**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Parker |  |  |

**Total--1**

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

**H. 4097--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 4097 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4157, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. WHITMIRE explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 103; Nays 1

 Those who voted in the affirmative are:

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

**Total--103**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Sabb |  |  |

**Total--1**

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

**H. 3051--REQUESTS FOR DEBATE**

The following Joint Resolution was taken up:

H. 3051 -- Reps. Erickson, Harrison, G. R. Smith, Long, Lucas, Norman, Young, Taylor, Owens, Patrick, Daning, Crosby, Brady, Allison, Merrill, Quinn, Toole, Viers, Ballentine, Henderson, Bedingfield and Bingham: A JOINT RESOLUTION TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, OR ENTITY BY REGULATION OR OTHERWISE MAY ADMINISTRATIVELY INCREASE OR IMPLEMENT A FEE FOR PERFORMING A SERVICE OR FUNCTION, OR A CIVIL PENALTY OR FINE FOR FAILURE TO COMPLY WITH A REQUIREMENT OR PROVISION OF LAW UNDER ITS JURISDICTION WITHOUT THE SPECIFIC APPROVAL OF THE INCREASED OR NEW FEE, FINE, OR PENALTY BY THE GENERAL ASSEMBLY BY CONCURRENT RESOLUTION ON A RECORDED ROLL CALL VOTE; TO PROVIDE THAT GENERAL APPROVAL BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION OF A REGULATION OF A STATE AGENCY OR DEPARTMENT UNDER THE ADMINISTRATIVE PROCEDURES ACT WHEREIN A FEE, FINE, OR PENALTY INCREASE OR IMPOSITION IS CONTAINED DOES NOT CONSTITUTE APPROVAL UNDER THE REQUIREMENTS OF THIS SECTION, AND IF AN INCREASE OR IMPLEMENTATION IS CONTAINED IN THAT JOINT RESOLUTION, THE INCREASE OR IMPLEMENTATION IS NULL AND VOID; TO PROVIDE CERTAIN EXCEPTIONS; AND TO PROVIDE FOR THE DURATION OF THIS PROVISION.

Rep. ERICKSON proposed the following Amendment No. 1 (COUNCIL\AGM\19045AB11):

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

/ SECTION 1. (A) Notwithstanding any other provision of law, beginning on the effective date of this section, no state agency, department, or entity by regulation may administratively increase or implement a fee for performing a service or function, or a civil penalty or fine for failure to comply with a requirement or provision of law under its jurisdiction without the specific approval of the increased or new fee, fine, or penalty by the General Assembly by joint resolution on a recorded roll call vote. General approval by the General Assembly by joint resolution of a regulation of a state agency or department under the Administrative Procedures Act wherein a fee, fine, or penalty increase or imposition is contained does not constitute approval under the requirements of this section, and if an increase or implementation is contained in that joint resolution, the increase or implementation is null and void.

 (B) The provisions of this section do not apply to:

 (1) any regulation pending approval by the General Assembly which contain fees, fines, or both that have been previously authorized by statute;

 (2) any fees or charges made by public institutions of higher learning as defined in Section 59‑103‑5 to students of the institution for activities or materials provided or furnished to those students;

 (3) charges, fees, or fines related to marine terminal operations, facilities, and services, or to charges, fees, or fines which are governed by marine terminal operator tariffs or contracts;

 (4) the South Carolina Public Service Authority;

 (5) federally mandated programs that require federally mandated fee, fine, or penalty schedules;

 (6) the Department of Parks, Recreation and Tourism; and

 (7) any fees set pursuant to the Atlantic Interstate Low‑Level Radioactive Waste Compact Implementation Act.

 (C) The provisions of this section expire on July 1, 2012, unless reauthorized by the General Assembly by law.

SECTION 2. This joint resolution takes effect upon approval by the Governor and only applies prospectively. /

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

Reps. OTT, SKELTON, JEFFERSON, MACK, WEEKS, BATTLE, HERBKERSMAN, ERICKSON, KING, PARKER, ALLISON, WILLIAMS, BOWERS, MCEACHERN, BRADY, KNIGHT, BRANTLEY, CLYBURN, BIKAS, FRYE, HOSEY and PATRICK requested debate on the Joint Resolution.

**H. 3498--REQUESTS FOR DEBATE**

The following Bill was taken up:

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

Reps. HERBKERSMAN, STAVRINAKIS, SELLERS, QUINN, TOOLE, OTT, BRANTLEY, H. B. BROWN, JEFFERSON, BRANNON, KING, BRADY, WHIPPER, R. L. BROWN, GILLIARD, MCCOY, WEEKS, G. M. SMITH, NORMAN, HIXON, J. R. SMITH, GAMBRELL, HOSEY, SANDIFER and SIMRILL requested debate on the Bill.

**H. 4084--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4084 -- Reps. Tallon, Bannister, Brannon, Cole, Dillard, Forrester, Mitchell and G. R. Smith: A BILL TO AMEND ARTICLE 3, CHAPTER 11, TITLE 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GREENVILLE-SPARTANBURG AIRPORT DISTRICT AND COMMISSION, BY ADDING SECTION 55-11-240 SO AS TO PROVIDE THAT A BUSINESS ESTABLISHMENT LOCATED WITHIN A BUILDING ON THE GROUNDS OF THE GREENVILLE-SPARTANBURG INTERNATIONAL AIRPORT WHERE THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK IS PERMITTED ON ITS LICENSED PREMISES MAY APPLY FOR AND RECEIVE A TEMPORARY PERMIT AUTHORIZED BY SECTION 61-6-2010 TO ALLOW THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK FOR A PERIOD NOT TO EXCEED TWENTY-FOUR HOURS ON ITS LICENSED PREMISES IF ANY COUNTY WITHIN THE TERRITORY OF THE GREENVILLE-SPARTANBURG AIRPORT DISTRICT OR ANY MUNICIPALITY LOCATED WITHIN THE TERRITORY OF THE DISTRICT HAS APPROVED, BY REFERENDUM, THE ISSUANCE OF THESE TEMPORARY PERMITS.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 66; Nays 26

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anthony | Atwater |
| Bannister | Barfield | Battle |
| Bowen | Bowers | Brady |
| Brannon | Brantley | H. B. Brown |
| Butler Garrick | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Dillard | Edge | Erickson |
| Forrester | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Henderson | Herbkersman | Hixon |
| Hodges | Hosey | Johnson |
| King | Knight | Limehouse |
| Lucas | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| J. M. Neal | Ott | Parks |
| Patrick | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Tallon |
| Taylor | Tribble | Vick |
| Viers | Weeks | Whitmire |

**Total--66**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bikas | Bingham |
| Chumley | Crosby | Delleney |
| Frye | Hayes | Hiott |
| Horne | Lowe | McEachern |
| Nanney | Norman | Owens |
| Parker | Pinson | Pitts |
| Simrill | J. R. Smith | Spires |
| Thayer | Toole | White |
| Willis | Young |  |

**Total--26**

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

**H. 4089--DEBATE ADJOURNED**

Rep. EDGE moved to adjourn debate upon the following Bill until Wednesday, April 27, which was adopted:

H. 4089 -- Reps. Edge, Alexander, Barfield, Hearn and Viers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-9-83 SO AS TO AUTHORIZE HOSPITAL PUBLIC SERVICE DISTRICTS TO ENTER INTO AGREEMENTS WITH NONPROFIT ENTITIES AND TO TRANSFER ASSETS AND LIABILITIES TO SUCH NONPROFIT ENTITIES AND PROVIDE CONDITIONS AND REQUIREMENTS FOR THESE AGREEMENTS AND TRANSFERS.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4122 -- Reps. 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, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO HONOR AND CONGRATULATE DR. DAVID A. NORMAN ON THE OCCASION OF HIS INAUGURATION AS THE FIFTEENTH PRESIDENT OF ERSKINE COLLEGE & SEMINARY.

**ADJOURNMENT**

At 5:47 p.m. the House, in accordance with the motion of Rep. HIOTT, adjourned in memory of Donald Lee "Don" Skelton of Clemson, brother of Representative B. R. Skelton, to meet at 10:00 a.m. tomorrow.

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