~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Jeremiah 31:10: “Hear the word of the Lord, O Nations, and declare it in the coastlands far away.”

Let us pray. Almighty God, direct us this day that what is said and done will be to the honor and glory of You. May they use Your word as a lamp on the path of justice and mercy. Keep each member in Your love and care as they debate and make decisions for the people of this State. Continue Your blessings upon our Nation, President, State, Governor, Speaker, staff, and all who support our leaders. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear our prayer, O Lord. Amen.

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

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

**MOTION ADOPTED**

Rep. TAYLOR moved that when the House adjourns, it adjourn in memory of Mrs. Catherine Evie Cato of Clearwater, mother-in-law of Representative Roland Smith and grandmother of Representative Garry Smith, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 5, 2011

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber today at 12:15 p.m., for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. NANNEY the invitation was accepted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4182 -- Reps. Erickson, Brantley, Patrick, Herbkersman, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, 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, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, 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, 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 HONOR COLONEL JOHN R. SNIDER, UNITED STATES MARINE CORPS, UPON THE OCCASION OF HIS RETIREMENT, AND COMMEND HIM FOR TWENTY-SEVEN YEARS OF DISTINGUISHED AND MERITORIOUS SERVICE TO OUR NATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4183 -- Reps. Brady, Parks, Thayer, Dillard, Butler Garrick, Erickson, Long, Allison, Neilson, Cobb-Hunter, Henderson, Horne, Munnerlyn and Nanney: A HOUSE RESOLUTION TO SUPPORT THE ESTABLISHMENT OF A NATIONAL WOMEN'S HISTORY MUSEUM IN WASHINGTON, D. C., IN ORDER TO SECURE A PERMANENT HOME IN THE NATION'S CAPITAL THAT WILL HIGHLIGHT THE IMPORTANT ROLE WOMEN HAVE PLAYED IN SHAPING THIS GREAT NATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4188 -- Reps. Johnson, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, 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 CONGRATULATE THE SCOTT'S BRANCH HIGH SCHOOL FOOTBALL TEAM ON ITS OUTSTANDING SEASON AND IMPRESSIVE WIN OF THE 2010 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4189 -- Reps. Johnson, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, 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 SCOTT'S BRANCH HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR WINNING THE 2010 CLASS A 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 Scott’s Branch High School football team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for winning the 2010 Class A State Championship title.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4184 -- Reps. Allison, Anthony, Brannon, Chumley, Cole, Forrester, Mitchell, Parker and Tallon: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. JOHN C. STOCKWELL, CHANCELLOR OF THE UNIVERSITY OF SOUTH CAROLINA UPSTATE, UPON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4190 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG SOUTH CAROLINA HIGHWAY 46 AT ITS INTERSECTIONS WITH THE TOWN LIMITS OF THE TOWN OF BLUFFTON THAT CONTAIN THE WORDS "BLUFFTON HIGH SCHOOL - HOME OF THE BOBCATS STATE CHAMPIONS 2005, 2006 BOYS CROSS COUNTRY, 2007 GIRLS VOLLEYBALL, 2009 GIRLS GOLF".

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4191 -- Reps. Erickson, 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, 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 RECOGNIZE AND HONOR ARTHUR L. CUMMINGS, BEAUFORT COUNTY BUILDING CODES DIRECTOR, UPON HIS RETIREMENT, TO THANK HIM FOR THIRTY-THREE YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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

**INTRODUCTION OF BILLS**

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

H. 4185 -- Reps. Bingham, Bikas, Hiott, Chumley, Bedingfield, Taylor, Barfield, Huggins, McCoy, Bowen, Parker, Pinson, Long, Allison, Quinn, Merrill, Tallon, Murphy, Hardwick, Corbin, Frye, V. S. Moss, Clemmons, Cole, Daning, Forrester, Henderson, Hixon, Loftis, Lowe, D. C. Moss, Owens, Sandifer, G. M. Smith, Toole and Willis: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANDIDATE QUALIFICATIONS, SO AS TO PROVIDE THAT A CANDIDATE SEEKING TO PARTICIPATE IN A PRESIDENTIAL PREFERENCE PRIMARY MUST INCLUDE WITHIN HIS STATEMENT OF CANDIDACY A SWORN AFFIRMATION THAT HE MEETS ALL THE REQUIREMENTS FOR HOLDING THE OFFICE OF PRESIDENT OF THE UNITED STATES.

Referred to Committee on Judiciary

H. 4186 -- Reps. Bannister, Hamilton, Stringer, Dillard, Corbin, Allen, Bedingfield, Henderson, G. R. Smith and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TOURISM DEVELOPMENT ACT", BY ADDING SECTION 6-1-525 SO AS TO PROVIDE THAT THE GOVERNING BODIES OF COUNTIES IN WHICH AN INTERNATIONAL AIRPORT IS LOCATED AND WHICH COLLECT ABOVE A CERTAIN AMOUNT OF ACCOMMODATIONS TAX REVENUE, BY A POSITIVE MAJORITY VOTE, MAY IMPOSE BY ORDINANCE AN ADDITIONAL LOCAL ACCOMMODATIONS MARKETING FEE NOT TO EXCEED TWO PERCENT IN ONE PERCENT INCREMENTS IN THE UNINCORPORATED AREAS OF THOSE COUNTIES, TO PROVIDE LIMITATIONS ON THE TOTAL AMOUNT OF STATE AND LOCAL SALES AND USE TAXES AND ACCOMMODATIONS TAXES THAT MAY BE IMPOSED IN THESE JURISDICTIONS, AND TO PROVIDE THE REVENUE MUST BE USED EXCLUSIVELY FOR TOURISM MARKETING COMMUNICATIONS DIRECTED AT NON-SOUTH CAROLINA RESIDENTS.

Referred to Committee on Ways and Means

H. 4187 -- Reps. Quinn, Atwater, Bingham, Toole, Ballentine, Spires, Frye and Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-355 SO AS TO REQUIRE NOTICE BY STATE AND LOCAL OFFICIALS TO MEMBERS OF AFFECTED LEGISLATIVE DELEGATIONS WHEN AS AN INDUCEMENT TO RECRUIT A NEW OR EXPANDED BUSINESS ENTERPRISE IN THIS STATE A PROMISE IS MADE TO SEEK A CHANGE IN STATE LAW, TO PROVIDE FOR THE METHOD OF PROVIDING NOTICE, AND TO REQUIRE NOTICE IN WRITING OF THE INDUCEMENT TO ALL MEMBERS OF THE GENERAL ASSEMBLY WHEN SUCH AN INDUCEMENT IS INCLUDED IN ANY AGREEMENT ENTERED INTO BY STATE OR LOCAL OFFICIALS.

Referred to Committee on Labor, Commerce and Industry

H. 4192 -- Reps. Pitts and Harrison: A BILL TO AMEND SECTION 1-30-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN AGENCIES, BOARDS, AND COMMISSIONS THAT WERE TRANSFERRED TO, INCORPORATED IN, AND ADMINISTERED AS PART OF THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO DELETE THE LAW ENFORCEMENT TRAINING COUNCIL.

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

H. 4193 -- Reps. Pitts, Brantley, J. H. Neal, Huggins, Merrill, Brannon, Toole, Spires, Gilliard, Parker, Loftis, Williams, Crosby, King, McEachern, Thayer, Gambrell, McCoy, Hardwick, Norman, Limehouse, Barfield, Branham, Delleney, Hixon, Hosey, Long, Lowe, D. C. Moss, V. S. Moss, Neilson, Patrick, Pope, Simrill, Stringer, Taylor, White and Willis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 10, ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO SEARCHES AND SEIZURES AND INVASIONS OF PRIVACY, SO AS TO GUARANTEE THE RIGHT OF THE PEOPLE TO BE SECURE IN THEIR PERSONAL HEALTH INFORMATION FROM INVASIONS OF PRIVACY BY HEALTH CARE PROVIDERS, MEDICAL INSURERS, AND GOVERNMENTAL ENTITIES.

Referred to Committee on Judiciary

H. 4194 -- Reps. Limehouse, Corbin, Delleney, Hiott, Hixon, D. C. Moss, Norman, Owens, Sottile, Taylor and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-1-200 SO AS TO PROHIBIT COLLECTIVE BARGAINING CONCERNING LABOR MATTERS BY PUBLIC EMPLOYEES OF THIS STATE, AND TO PROVIDE DEFINITIONS.

Referred to Committee on Judiciary

S. 857 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS; AND TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4141, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | G. A. Brown |
| R. L. Brown | Chumley | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | 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 | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, May 5.

|  |  |
| --- | --- |
| Paul Agnew | Kenny Bingham |
| Mia Butler Garrick | Dan Hamilton |
| Peter McCoy, Jr. | Kevin Ryan |
| Richard "Rick" Quinn | Chris Hart |
| Jerry Govan | Todd Rutherford |
| Bakari Sellers |  |

**Total Present--117**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. R. SMITH a leave of absence for the day due to a death in the family.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the day due to a prior commitment.

STATEMENT FOR THE JOURNAL

I respectfully request leave for the legislative days of May 4th and May 5th of 2011. On those days I will be leading a delegation of members of the National I-73 Corridor Association, which I have the honor to chair, to an association sponsored I-73 event in the nation’s capital, in preparation for the impending congressional debate over the Federal Highway Reauthorization Bill.

Rep. Alan Clemmons

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BEDINGFIELD a leave of absence for the day due to family illness.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Mary Baker of Newberry was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. VICK presented to the House the Central High School "Eagles" Football Team, the 2010 AA Champions, their coaches, and other school officials.

**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. 3059 |
| Date: | ADD: |
| 05/05/11 | J. E. SMITH and WHIPPER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3688 |
| Date: | ADD: |
| 05/05/11 | KNIGHT and MITCHELL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4154 |
| Date: | ADD: |
| 05/05/11 | TAYLOR |

**ORDERED ENROLLED FOR RATIFICATION**

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

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.

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.

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.

S. 824 -- Senators Land, Leatherman, Setzler, Nicholson, Hutto, Jackson and Ford: A JOINT RESOLUTION TO DESIGNATE THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY AS THE AUTHORIZED AGENCY TO IMPLEMENT THE STATE SMALL BUSINESS CREDIT INITIATIVE WITHIN AND ON BEHALF OF THE STATE OF SOUTH CAROLINA; TO AUTHORIZE THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY TO EXECUTE AND DELIVER THE REQUISITE APPLICATION AND THE STATE SMALL BUSINESS CREDIT INITIATIVE ALLOCATION AGREEMENT FOR PARTICIPATING STATES, AND ALL OTHER RELATED AGREEMENTS, DOCUMENTS, CERTIFICATES, AND UNDERTAKINGS, ON BEHALF OF THE STATE OF SOUTH CAROLINA; AND TO AUTHORIZE THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY TO CONTRACT WITH THE BUSINESS DEVELOPMENT CORPORATION OF SOUTH CAROLINA TO ADMINISTER THE PROGRAMS PERMITTED UNDER AND SUPPORTED BY THE STATE SMALL BUSINESS CREDIT INITIATIVE.

**SENT TO THE SENATE**

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

H. 3660 -- Reps. Ott, Bales, McLeod, Brantley, Battle, Whipper, G. A. Brown, Parker, Anderson, J. M. Neal, Hodges, Bowers, Hosey, Alexander, Branham, Funderburk, Harrison, King, Dillard, Butler Garrick and Jefferson: A BILL TO AMEND SECTION 16-11-523, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OBTAINING NONFERROUS METALS UNLAWFULLY, SO AS TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS PROVISION; TO AMEND SECTION 16-17-680, AS AMENDED, RELATING TO THE PURCHASE OF NONFERROUS METALS, PROCEDURES AND REQUIREMENTS FOR PURCHASE OF NONFERROUS METALS, AND EXCEPTIONS, SO AS TO PROVIDE ADDITIONAL RESTRICTIONS RELATED TO THE SALE OF COPPER; TO AMEND SECTION 16-17-685, RELATING TO THE UNLAWFUL TRANSPORTATION OF NONFERROUS METALS, SO AS TO INCREASE THE PENALTIES FOR CERTAIN VIOLATIONS OF THIS PROVISION; AND BY ADDING CHAPTER 40 TO TITLE 40 SO AS TO REQUIRE SECONDARY METALS RECYCLERS TO REGISTER WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, AND TO PROVIDE REGISTRATION AND RENEWAL REQUIREMENTS.

H. 4145 -- Reps. Long, Harrell, Butler Garrick, Viers and Knight: A BILL TO AMEND SECTION 2-1-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADJOURNMENT OF THE GENERAL ASSEMBLY, SO AS TO CHANGE THE DATE FOR THE MANDATORY ADJOURNMENT OF THE GENERAL ASSEMBLY FROM THE FIRST THURSDAY IN JUNE TO THE LAST THURSDAY IN MAY PRECEDING THE NATIONAL MEMORIAL DAY HOLIDAY.

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.

**S. 445--DEBATE ADJOURNED**

Rep. G. R. SMITH moved to adjourn debate upon the following Bill until Wednesday, May 11, which was adopted:

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.

**H. 3688--REQUESTS FOR DEBATE**

The following Bill was taken up:

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

Reps. ATWATER, CRAWFORD, LOWE, BRANNON, DANING, ERICKSON and FORRESTER requested debate on the Bill.

**S. 431--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 431 -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O'Dell, Campsen, Ford, Rose, Lourie, Cleary, Verdin, McGill, Williams, Nicholson, Knotts, Land and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-61-70 SO AS TO PROVIDE THAT A LIABILITY INSURANCE POLICY ISSUED BY AN INSURER AND COVERING A CONSTRUCTION PROFESSIONAL IN THIS STATE MUST BE BROADLY CONSTRUED IN FAVOR OF COVERAGE, AND TO PROVIDE THAT WORK OF A CONSTRUCTION PROFESSIONAL RESULTING IN PROPERTY DAMAGE IN CERTAIN CIRCUMSTANCES CONSTITUTES AN OCCURRENCE AS COMMONLY DEFINED IN LIABILITY INSURANCE AND IS NOT THE INTENDED OR EXPECTED CONSEQUENCE OF THE WORK OF THE CONSTRUCTION PROFESSIONAL.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 (COUNCIL\AGM\19065AB11), which was adopted:

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

/ SECTION 1. Chapter 61, Title 38 of the 1976 Code is amended by adding:

“Section 38–61–70. (A) For purposes of this section:

(1) ‘Commercial general liability insurance policy’ means a contract of insurance that covers occurrences of damages or injury during the policy period and insures a construction professional for liability arising from construction related work.

(2) ‘Construction professional’ means a person, sole proprietorship, partnership, corporation, limited liability company, or other recognized legal entity that engages in the development, construction, installation, or repair of an improvement to real property.

(3) ‘Construction related work’ means activities by a construction professional involving the development, construction, installation, or repair of an improvement to real property.

(B) Commercial general liability insurance policies shall contain or be deemed to contain a definition of ‘occurrence’ that includes:

(1) an accident, including continuous or repeated exposure to substantially the same general harmful conditions; and

(2) property damage or bodily injury resulting from faulty workmanship, exclusive of the faulty workmanship itself.

(C) This section is not intended to restrict or limit the nature or types of exclusions from coverage that an insurer, including a surplus lines insurer, may include in a commercial general liability insurance policy.

(D) This section applies only to a commercial general liability insurance policy that insures a construction professional for liability arising from construction related work.

(E) This section applies to any pending or future dispute over coverage that would otherwise be affected by this section as to all commercial general liability insurance policies issued in the past, currently in existence, or issued in the future.”

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor and applies to any pending or future dispute over coverage that would otherwise be affected by this section as to commercial general liability insurance policies issued in the past, currently in existence, or issued in the future. /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER 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:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | R. L. Brown |
| Butler Garrick | Chumley | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| 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 |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Rutherford | Ryan | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Weeks | Whipper |
| 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.

**S. 431--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that S. 431 be read the third time tomorrow.

**S. 643--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. HARDWICK explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

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

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**S. 643--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HARDWICK, with unanimous consent, it was ordered that S. 643 be read the third time tomorrow.

**S. 109--DEBATE ADJOURNED ON MOTION**

**TO RECONSIDER**

Rep. WHITE moved to adjourn debate on the motion to reconsider until Wednesday, May 11, which was agreed to.

**OBJECTION TO RECALL**

Rep. COOPER asked unanimous consent to recall S. 844 from the Committee on Ways and Means.

Rep. JOHNSON objected.

**H. 3153--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. YOUNG, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

H. 3153 -- Rep. Young: A BILL TO AMEND SECTION 22-3-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

**OBJECTION TO RECALL**

Rep. SKELTON asked unanimous consent to recall H. 3109 from the Committee on Judiciary.

Rep. BATTLE objected.

**S. 705--RECALLED FROM COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

On motion of Rep. GAMBRELL, with unanimous consent, the following Bill was ordered recalled from the Committee on Labor, Commerce and Industry:

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.

**H. 3642--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

The Senate Amendments to the following Joint Resolution were taken up for consideration:

H. 3642 -- Reps. Cooper, Bingham, Allison, Harrell and Owens: A JOINT RESOLUTION TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY PAY TEACHERS BASED ON THE YEARS OF EXPERIENCE THE TEACHERS POSSESSED IN FISCAL YEAR 2010-2011 WITHOUT NEGATIVE IMPACT TO THEIR EXPERIENCE CREDIT; TO PROVIDE VOTING AND NOTICE REQUIREMENTS FOR THIS DECISION; TO REQUIRE THAT PAYMENT ACCORDING TO THE 2010-2011 DATA BE APPLIED UNIFORMLY; TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY NOT PAY DISTRICT OR SCHOOL ADMINISTRATORS MORE THAN THEY RECEIVED IN FISCAL YEAR 2010-2011; TO REQUIRE A LOCAL SCHOOL DISTRICT TO PAY TEACHERS AND SCHOOL ADMINISTRATORS FOR CHANGES IN THEIR EDUCATION LEVELS; AND TO DEFINE CERTAIN TERMS.

Rep. COOPER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Atwater | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | R. L. Brown |
| Butler Garrick | Clyburn | Cobb-Hunter |
| Cole | Cooper | Corbin |
| Crawford | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Hamilton |
| Hardwick | Harrell | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Owens | Parker |
| Patrick | Pinson | Quinn |
| Ryan | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stringer | Taylor |
| Thayer | Toole | Tribble |
| Vick | White | Whitmire |
| Williams | Willis | Young |

**Total--93**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Joint Resolution having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**SENT TO THE SENATE**

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

H. 3934 -- Reps. Bingham, Lowe, Atwater, Huggins, Bales, Pinson, Toole, Barfield, Clemmons, Norman, Owens, Lucas, Delleney, Loftis, Corbin, Simrill, Hixon, Taylor, D. C. Moss, J. R. Smith, Limehouse, Sottile, Bikas, Hiott, Parker, Allison, Long, Erickson, Patrick, Herbkersman, Merrill, Cole, Sellers, Ott, Hardwick, Hearn, Tallon, Stringer, Ryan, White, Pope, Henderson, Nanney, Sandifer, V. S. Moss, Horne, Neilson, Edge, Crawford, Viers, Quinn, Tribble, Willis, Parks, King, Ballentine, Bannister, Butler Garrick, J. E. Smith, Brannon, Bowen and Mitchell: A BILL TO AMEND SECTION 12-43-224, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSESSMENT OF UNDEVELOPED ACREAGE SUBDIVIDED INTO LOTS, SO AS TO PROVIDE THAT THE DISCOUNT APPLIES TO A DEVELOPER THAT HAS FIVE LOTS INSTEAD OF TEN LOTS, AND TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATE COMES AFTER MAY FIRST, BUT BEFORE JUNE FIRST, THE OWNER SHALL RECEIVE THE DISCOUNTED RATE BUT THE DISCOUNT SHALL BE REDUCED; AND TO AMEND SECTION 12-43-225, AS AMENDED, RELATING TO MULTIPLE LOT DISCOUNTS, SO AS TO PROVIDE THAT THE DISCOUNT APPLIES TO A DEVELOPER THAT HAS FIVE LOTS INSTEAD OF TEN LOTS, TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATES COMES AT A CERTAIN TIME AFTER MAY FIRST, THE ASSESSOR STILL SHALL GRANT THE DISCOUNT IF ALL OTHER REQUIREMENTS ARE MET, TO PROVIDE THAT APPLICATION FOR THE DISCOUNTED RATE ONLY MUST BE MADE IN THE FIRST YEAR, AND TO TOLL TIME LIMITATIONS FOR CERTAIN PROPERTY.

H. 3111 -- Reps. Young, Sandifer, Hayes and D. C. Moss: A BILL TO AMEND SECTION 38-73-525, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT AN INSURER WRITING A WORKERS' COMPENSATION POLICY SHALL FILE CERTAIN INFORMATION ON WHICH IT RELIES TO SUPPORT ITS RATE REQUEST, SO AS TO REQUIRE THE INSURER TO ADOPT THE MOST RECENT LOSS COST WITHIN ONE HUNDRED TWENTY DAYS OF APPROVAL OF THE LOSS COSTS; AND TO AMEND SECTION 38-73-1210, RELATING TO THE REQUIREMENT THAT ITS OBLIGATION TO MAKE CERTAIN FILINGS MAY BE SATISFIED BY MAKING FILINGS AS A MEMBER OF, OR SUBSCRIBER TO, A LICENSED RATING ORGANIZATION THAT MAKES FILINGS, SO AS TO REQUIRE THESE FILINGS BE RULE AND FORM FILINGS AND NOT LOSS COST ADOPTION FILINGS, AND REQUIRE THE INSURER TO FILE FOR CERTAIN APPROVAL IF THE RATING ORGANIZATION TO WHICH IT SUBSCRIBES HAS A RATE INCREASE WITHIN TWELVE MONTHS AFTER THE INSURER BECOMES A MEMBER.

**H. 4150--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4150 -- Rep. White: A CONCURRENT RESOLUTION TO ENCOURAGE PRIVATE INSURERS, THAT COVER INFLUENZA VACCINATIONS, TO COVER THE COST AND ADMINISTRATION OF THE VACCINE WHEN IT IS ADMINISTERED IN SCHOOL SETTINGS, AND OTHER RELATED SETTINGS, IN ORDER TO MAKE THIS VACCINE MORE READILY AVAILABLE TO CHILDREN, A HIGH RISK POPULATION FOR CONTRACTING AND TRANSMITTING INFLUENZA, AND TO ENCOURAGE THE PUBLIC HEALTH COMMUNITY AND VACCINE STAKEHOLDERS TO PROMOTE SCHOOL LOCATED VACCINATION PROGRAMS AND HELP EDUCATE PRIVATE INSURERS ABOUT THE PUBLIC HEALTH BENEFITS OF THESE ALTERNATIVE VACCINATION LOCATIONS.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 3658--DEBATE ADJOURNED**

Rep. CRAWFORD moved to adjourn debate upon the following Bill until Wednesday, May 11, which was adopted:

H. 3658 -- Reps. Clemmons, Harrell, Loftis, Herbkersman, Merrill, Corbin, Norman, D. C. Moss, Quinn, Bowen, Forrester, McCoy, Lucas, Bedingfield, Hamilton, Bingham, Hardwick, Owens, Bikas, Parker, Cooper, Erickson, Frye, V. S. Moss, Long, G. R. Smith, Atwater, Huggins, Murphy, Hearn, Whitmire, Brannon, Chumley, Tallon, Taylor, Limehouse, Patrick, Crosby, Thayer, Sottile, Crawford, Allison, Ballentine, Barfield, Cole, Daning, Delleney, Edge, Gambrell, Harrison, Henderson, Hixon, Lowe, Nanney, Pinson, Pitts, Sandifer, Simrill, G. M. Smith, J. R. Smith, Toole, Willis and Horne: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA EMPLOYER FREE SPEECH ACT" BY ADDING SECTION 41-7-110 SO AS TO PROVIDE THAT AN EMPLOYER IN THIS STATE IS NOT REQUIRED TO POST, PHYSICALLY, ELECTRONICALLY, OR OTHERWISE, NOTICES INFORMING EMPLOYEES OF THEIR RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT, COURT DECISIONS IMPLEMENTING THOSE RIGHTS, OR INFORMATION PERTAINING TO THE ENFORCEMENT OF THOSE RIGHTS, AND TO PROVIDE DEFINITIONS.

**H. 3059--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3059 -- Reps. Merrill, Stavrinakis, J. E. Smith and Whipper: A BILL TO AMEND SECTION 12-6-3376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR PLUG-IN HYBRID VEHICLES, SO AS TO REVISE THE DEFINITION OF "PLUG-IN HYBRID VEHICLE", TO RAISE THE AGGREGATE AMOUNT OF THE CREDIT AVAILABLE EACH FISCAL YEAR AND DELETE ITS EXPIRATION DATE, AND TO PROVIDE THAT THE CREDIT MUST BE ALLOCATED TO ELIGIBLE CLAIMANTS DURING A FISCAL YEAR ON A FIRST-COME, FIRST-SERVE BASIS.

Rep. MERRILL proposed the following Amendment No. 2 (COUNCIL\GGS\22108ZW11), which was adopted:

Amend the bill, as and if amended, Section 12-6-3376(B), as contained in SECTION 1, page 2, lines 12-21, by deleting subsection (B) in its entirety and inserting:

/ (B) Notwithstanding the credit amount allowed pursuant to this section, for a fiscal year all claims made pursuant to this section must not exceed two hundred thousand dollars and must apply proportionately to all eligible claimants; provided, that beginning with fiscal year 2011, all claims made pursuant to this section must not exceed five hundred thousand dollars a fiscal year and shall apply to eligible claimants on a first‑come, first‑serve basis as determined by the Department of Revenue in a manner it prescribes until the total allowable credits for that fiscal year are exhausted. The tax credit provided pursuant to this act shall sunset after December 31, 2016.” /

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

The amendment was then adopted.

Rep. SIMRILL spoke against the Bill.

Rep. SKELTON spoke against the Bill.

Rep. FUNDERBURK proposed the following Amendment No. 3 (COUNCIL\BBM\10212HTC11), which was tabled:

Amend the bill, as and if amended, page 2, by striking SECTION 2 and inserting:

/ SECTION 2. Upon approval of this act by the Governor, the amendment to Section 12‑6‑3376 of the 1976 Code as contained in this act first applies for purchases or leases of a plug‑in hybrid vehicle during and after the first taxable year beginning after the most recently completed state fiscal year ending after 2010 in which state general fund revenues for that most recently completed state fiscal year increased over the prior completed state fiscal year by a percentage that equals or exceeds the annual increase in the consumer price index and the state’s population growth as those amounts were calculated for the most recently completed state fiscal year pursuant to Section 11‑11‑156(A)(3)(a). /

Renumber sections to conform.

Amend title to conform.

Rep. FUNDERBURK explained the amendment.

Rep. NORMAN moved to table the amendment, which was agreed to.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 64; Nays 40

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bingham | Bowen | Bowers |
| Brady | R. L. Brown | Butler Garrick |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Edge | Erickson |
| Frye | Gambrell | Gilliard |
| Harrell | Harrison | Hart |
| Hayes | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| King | Knight | Limehouse |
| Mack | Merrill | Mitchell |
| Munnerlyn | Murphy | J. H. Neal |
| Neilson | Ott | Parks |
| Patrick | Pinson | Pitts |
| Quinn | Rutherford | Sandifer |
| G. M. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Vick | Whipper | White |
| Williams |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Branham | Chumley |
| Corbin | Crawford | Daning |
| Delleney | Dillard | Forrester |
| Funderburk | Hamilton | Hardwick |
| Hearn | Henderson | Hixon |
| Johnson | Long | Lucas |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Nanney | J. M. Neal |
| Norman | Owens | Parker |
| Pope | Ryan | Sabb |
| Simrill | Skelton | G. R. Smith |
| Stringer | Taylor | Tribble |
| Weeks | Whitmire | Willis |
| Young |  |  |

**Total--40**

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

**H. 3059--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. MERRILL, with unanimous consent, it was ordered that H. 3059 be read the third time tomorrow.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**RECURRENCE TO THE MORNING HOUR**

Rep. R. L. BROWN moved that the House recur to the Morning Hour, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 5, 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. 17, S. 533 by a vote of 0 to 35:

(R17, S533) -- Senators Coleman, Reese and Ford: AN ACT TO AMEND SECTION 12‑36‑2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR A SALES TAX EXEMPTION OF CERTAIN ITEMS FOR CERTAIN FACILITIES RESEARCHING AND TESTING THE IMPACT OF NATURAL DISASTERS, SO AS TO PROVIDE THAT THE QUALIFYING INVESTMENT OF AT LEAST TWENTY MILLION DOLLARS MAY BEGIN AT ANY TIME PERIOD AFTER DECEMBER 31, 2008, AND ALL OR A PORTION MAY OCCUR BEFORE THE TAXPAYER NOTIFIES THE DEPARTMENT OF REVENUE OF ITS INTENTION.

Very respectfully,

President

Received as information.

**REPORTS OF STANDING COMMITTEES**

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

H. 4146 -- Reps. Pinson, Parks and Pitts: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WEST CAMBRIDGE STREET IN THE CITY OF GREENWOOD "CARL JULIEN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "CARL JULIEN BRIDGE".

Ordered for consideration tomorrow.

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

H. 4160 -- Reps. G. R. Smith, Bedingfield, Corbin, Dillard, Hamilton, Henderson and Stringer: A HOUSE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE HOUSE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE BLATT BUILDING ON THURSDAY, NOVEMBER 17, 2011, AND FRIDAY, NOVEMBER 18, 2011, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

Ordered for consideration tomorrow.

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

S. 821 -- Senators Cleary and McGill: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 BUSINESS FROM ITS INTERSECTION WITH OCEAN HIGHWAY IN GEORGETOWN COUNTY TO ITS INTERSECTION WITH THE GEORGETOWN/HORRY COUNTY LINE "MICKEY SPILLANE WATERFRONT 17 HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MICKEY SPILLANE WATERFRONT 17 HIGHWAY".

Ordered for consideration tomorrow.

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

S. 871 -- Senator Anderson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 25 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 291 TO ITS INTERSECTION WITH LENHART ROAD IN GREENVILLE COUNTY "DR. S. C. CURETON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "DR. S. C. CURETON MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

**HOUSE TO MEET IN LOCAL SESSION TOMORROW AND IN STATEWIDE SESSION ON WEDNESDAY, MAY 11**

Rep. COOPER moved that when the House adjourns it adjourn to meet in local session at 10:00 a.m. tomorrow and to next meet in Statewide session at 12:00 noon on Wednesday, May 11, which was agreed to.

**H. 4195--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4195 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF THIS STATE, 1895, AND SECTION 2-1-180 OF THE 1976 CODE, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 2, 2011, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT NOON ON TUESDAY, JUNE 14, 2011, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON FRIDAY, JULY 1, 2011, FOR THE CONSIDERATION OF CERTAIN MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN 5:00 P.M. ON FRIDAY, JULY 1, 2011, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

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

(A) Pursuant to the provisions of Section 9, Article III, of the South Carolina Constitution, 1895, and Section 2‑1‑180 of the 1976 Code, and the provisions of this resolution, the Sine Die adjournment date for the General Assembly for the 2011 session is recognized and extended to permit the General Assembly to continue in session after Thursday, June 2, 2011, under the terms and conditions stipulated in this resolution and for this purpose each house agrees that when the Senate and the House of Representatives adjourn on Thursday, June 2, 2011, not later than 5:00 p.m. or at any time prior, each house shall stand adjourned to meet in statewide session on Tuesday, June 14, 2011, at 12:00 noon and to continue in statewide session, if necessary, until not later than 5:00 p.m. on Friday, July 1, 2011. Further, each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

(1) receipt and consideration of gubernatorial vetoes;

(2) receipt and consideration of resolutions affecting Sine Die adjournment;

(3) receipt, consideration, and confirmation of appointments;

(4) receipt and consideration of resolutions expressing sympathy or congratulations;

(5) receipt and consideration of local legislation which has the unanimous consent of the affected delegation;

(6) concurrence and nonconcurrence in amendments to bills returned from the other house;

(7) appointment of members to conference and free conference committees;

(8) receipt and consideration of legislation and related matters pertaining to redistricting plans for the South Carolina House of Representatives, South Carolina Senate, and Congressional Districts; and,

(9) receipt and consideration of conference and free conference reports.

(B) The President *Pro Tempore* of the Senate and the Speaker of the House of Representatives may set a mutually agreed upon time prior to Sine Die adjournment for officers of the Senate and House to ratify acts.

(C) When the Senate and the House of Representatives adjourn on Friday, July 1, 2011, not later than 5:00 p.m. or at any time prior, the General Assembly shall stand adjourned Sine Die.

(D) For purposes of the Administrative Procedures Act in regard to the one hundred twenty day period the General Assembly has to review state agency regulations, this one hundred twenty day period is tolled beginning Friday, June 3, 2011, until January 10, 2012.

Rep. HARRELL spoke in favor of the Resolution.

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

Yeas 109; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | R. L. Brown | Butler Garrick |
| Chumley | Clyburn | Cobb-Hunter |
| Cole | Cooper | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| 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 | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Quinn |
| Ryan | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--109**

Those who voted in the negative are:

**Total--0**

The Concurrent Resolution was adopted and sent to the Senate.

**HOUSE RESOLUTION**

The following was introduced:

H. 4196 -- Reps. Dillard and Butler Garrick: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ALPHA KAPPA ALPHA SORORITY FOR ITS PHILANTHROPIC WORK, AND TO DECLARE THURSDAY, MAY 12, 2011, "ALPHA KAPPA ALPHA DAY" AT THE SOUTH CAROLINA STATE HOUSE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4197 -- Rep. Cobb-Hunter: A HOUSE RESOLUTION TO AUTHORIZE THE ANNUAL YOUTH LEGISLATIVE CONFERENCE TO USE THE HOUSE CHAMBER ON MONDAY, SEPTEMBER 26, 2011, FROM 9:00 A.M. TO 12:00 NOON FOR ITS ANNUAL MOCK SESSION.

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

**SPEAKER IN CHAIR**

**MOTION PERIOD**

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

**H. 3028--DEBATE ADJOURNED**

Rep. WHITMIRE moved to adjourn debate upon the following Bill until Wednesday, May 11, which was adopted:

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.

**H. 3498--DEBATE ADJOURNED**

Rep. HERBKERSMAN moved to adjourn debate upon the following Bill until Tuesday, May 17, which was adopted:

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.

**H. 3164--REQUESTS FOR DEBATE WITHDRAWN, REQUESTS FOR DEBATE, AMENDED AND DEBATE ADJOURNED**

The following Bill was taken up:

H. 3164 -- Reps. Young, G. R. Smith, Taylor, Forrester, Patrick, Bowers, Brannon and Clemmons: A BILL TO AMEND SECTION 56-1-176, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SCHOOL ATTENDANCE CONDITIONS ASSOCIATED WITH THE ISSUANCE OF CONDITIONAL AND SPECIAL RESTRICTED DRIVER'S LICENSES, SO AS TO PROVIDE THAT THESE AND ADDITIONAL CONDITIONS SHALL APPLY TO THE ISSUANCE OR REINSTATEMENT OF A BEGINNER'S PERMIT, CONDITIONAL DRIVER'S LICENSE, SPECIAL RESTRICTED DRIVER'S LICENSE, AND A REGULAR DRIVER'S LICENSE ISSUED TO A PERSON LESS THAN EIGHTEEN YEARS OF AGE; BY ADDING SECTION 56-1-177 SO AS TO PROVIDE THAT A MINOR'S PRIVILEGE TO DRIVE MUST BE SUSPENDED UNDER CERTAIN CIRCUMSTANCES; AND BY ADDING SECTION 56-1-46 SO AS TO PROVIDE A PENALTY FOR A PERSON WHO DRIVES A MOTOR VEHICLE WHEN HIS LICENSE TO DRIVE HAS BEEN SUSPENDED, CANCELLED, REVOKED, OR DENIED PURSUANT TO CERTAIN PROVISIONS.

Reps. YOUNG, GOVAN, MITCHELL, R. L. BROWN, BEDINGFIELD and J. M. NEAL proposed the following Amendment No. 1 (COUNCIL\SWB\6173CM11), which was adopted:

Amend the bill, as and if amended, Section 56‑1‑176(B), as contained in SECTION 1, by inserting after the period on line 26, page 1:

/ By applying for a license, the parent, or guardian, or both, consents to the release of attendance information to the department. The department shall include the consent language on its application form. /

Amend the bill further, Section 56‑1‑176(C), as contained in SECTION 1, page 2, by deleting Section 56‑1‑176(C), and inserting:

/ (C) Within twenty‑eight days of learning that an enrolled student who is at least fifteen but less than eighteen years of age has accumulated ten or more total unlawful absences, been expelled, or dropped out of school as provided for in Section 56‑1‑177, the board of trustees of the school district or its designee, the governing body of a private school, or an official of a home school association shall notify the Department of Motor Vehicles. This notification must be by an electronic method as determined by the Department of Motor Vehicles and the Department of Education. Nothing in this subsection should be construed to change the way or the frequency with which home school students or parents of home school students report a home school student’s attendance in an academic year. /

Amend the bill further, Section 56‑1‑177(2), as contained in SECTION 2, page 4, by deleting Section 56‑1‑177(2), and inserting:

/ (2) accumulated ten or more unlawful absences in the current academic year or ten or more unlawful absences in the previous academic semester. /

Amend the bill further, as and if amended, by deleting on page 3, starting at line 3 through line 30, subsection (E) in its entirety and inserting:

/ (E) Upon receipt of notice of suspension of the minor’s license and driving privileges, the minor student’s parent or guardian or in a case where the parent or guardian is unavailable an advocate for the student may appeal the decision. The notice must provide that a person aggrieved by the department’s determination may file a request for a contested case hearing with the Office of Motor Vehicle Hearings in accordance with its rules of procedure. The Office of Motor Vehicle Hearings has exclusive jurisdiction to conduct these hearings. In such appeal, the student’s parent or guardian has the burden of demonstrating with clear and convincing evidence the need for a waiver as provided in this section. A waiver of the requirements of this section may be granted by the Office of Motor Vehicle Hearings if the student has a personal or family hardship that requires that the student have a driver’s license. For purposes of this section, a personal or family hardship means:

(1) a medical condition of the student or a member of his immediate family that requires that he maintain a driver’s license to receive or transport an immediate family member or the student for treatment; or

(2) employment requiring the student to maintain a driver’s license to support himself or his immediate family. Additionally, a waiver must be granted if the student is seventeen years old, and it can be shown by clear and convincing evidence that the student has joined a branch of the United States Armed Forces, active or reserve.

The filing of an appeal does not stay the suspension until a final decision is issued on appeal. The Office of Motor Vehicle Hearings shall notify the appropriate school district, governing body of a private school, or official of a home school association when an appeal decision results in the granting of a waiver of the provisions of Section 56‑1‑177. An appeal from the determination of the Office of Motor Vehicle Hearings must be to the Administrative Law Court. /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Section 59‑1‑396 of the 1976 Code, as added by Act 273 of 2010, is amended by adding a subsection at the end to read:

“(E) The provisions of this section do not apply to a person whose license is suspended pursuant to Section 56‑1‑176.” /

Amend the bill further, as and if amended, by deleting SECTION 6 in its entirety and inserting:

/ SECTION 6. This act takes effect on August 1, 2013. /

Renumber sections to conform.

Amend title to conform.

Rep. YOUNG explained the amendment.

Rep. HIOTT moved to adjourn debate on the Bill.

Rep. YOUNG moved to table the motion.

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

Yeas 68; Nays 37

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Chumley |
| Clyburn | Cole | Cooper |
| Corbin | Crosby | Daning |
| Delleney | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Hayes | Hearn | Henderson |
| Herbkersman | Hixon | Horne |
| Huggins | Limehouse | Long |
| Lowe | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | J. M. Neal | Norman |
| Owens | Parker | Patrick |
| Pinson | Pitts | Pope |
| Quinn | Ryan | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Willis | Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Battle | R. L. Brown |
| Butler Garrick | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Hart | Hiott | Hodges |
| Hosey | Howard | Jefferson |
| Johnson | King | Loftis |
| Mack | McEachern | McLeod |
| Mitchell | J. H. Neal | Ott |
| Parks | Rutherford | Sabb |
| Skelton | J. E. Smith | Stavrinakis |
| Weeks | Whipper | White |
| Williams |  |  |

**Total--37**

So, the motion to adjourn debate was tabled.

Reps. STAVRINAKIS, ANDERSON, HOSEY, SKELTON, KING, SABB and WEEKS withdrew their requests for debate on the Bill, whereupon requests for debate were raised by Reps. YOUNG, SANDIFER, WHITMIRE, G. R. SMITH, HIXON, J. H. NEAL, TAYLOR and SIMRILL.

The question then recurred to the adoption of the amendment.

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

Yeas 78; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Ballentine | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | R. L. Brown |
| Cole | Cooper | Corbin |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Govan |
| Hamilton | Hardwick | Harrell |
| Hayes | Hearn | Henderson |
| Hiott | Hixon | Horne |
| Huggins | Limehouse | Loftis |
| Long | Lowe | McCoy |
| McEachern | McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | J. M. Neal |
| Norman | Owens | Parker |
| Patrick | Pinson | Pitts |
| Pope | Quinn | Ryan |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Weeks | White |
| Whitmire | Willis | Young |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bales | Butler Garrick |
| Chumley | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Hart |
| Hodges | Hosey | Howard |
| Jefferson | Johnson | King |
| Mack | J. H. Neal | Parks |
| Rutherford | Sabb | Skelton |
| Stavrinakis | Whipper | Williams |

**Total--24**

The amendment was then adopted.

Reps. YOUNG, GOVAN, MITCHELL, R. L. BROWN, BEDINGFIELD and J. M. NEAL proposed the following Amendment No. 2 (COUNCIL\MS\7371AHB11), which was adopted:

Amend the bill, as and if amended, Section 56‑1‑176(B), as contained in SECTION 1, by inserting after the period on line 26, page 1:

/ By applying for a license, the parent, or guardian, or both, consents to the release of attendance information to the department. The department shall include the consent language on its application form. /

Amend the bill further, Section 56‑1‑176(C), as contained in SECTION 1, page 2, by deleting Section 56‑1‑176(C), and inserting:

/ (C) Within twenty‑eight days of learning that an enrolled student who is at least fifteen but less than eighteen years of age has accumulated ten or more total unlawful absences, been expelled, or dropped out of school as provided for in Section 56‑1‑177, the board of trustees of the school district or its designee, the governing body of a private school, or an official of a home school association shall notify the Department of Motor Vehicles. This notification must be by an electronic method as determined by the Department of Motor Vehicles and the Department of Education. Nothing in this subsection should be construed to change the way or the frequency with which home school students or parents of home school students report a home school student’s attendance in an academic year. /

Amend the bill further, Section 56‑1‑177(2), as contained in SECTION 2, page 4, by deleting Section 56‑1‑177(2), and inserting:

/ (2) accumulated ten or more unlawful absences in the current academic year or ten or more unlawful absences in the previous academic semester. /

Amend the bill further, as and if amended, by deleting on page 3, starting at line 3 through line 30, subsection (E) in its entirety and inserting:

/ (E) Upon receipt of notice of suspension of the minor’s license and driving privileges, the minor student’s parent or guardian or in a case where the parent or guardian is unavailable an advocate for the student may appeal the decision. The notice must provide that a person aggrieved by the department’s determination may file a request for a contested case hearing with the Office of Motor Vehicle Hearings in accordance with its rules of procedure. The Office of Motor Vehicle Hearings has exclusive jurisdiction to conduct these hearings. In such appeal, the student’s parent or guardian has the burden of demonstrating with clear and convincing evidence the need for a waiver as provided in this section. A waiver of the requirements of this section may be granted by the Office of Motor Vehicle Hearings if the student has a personal or family hardship that requires that the student have a driver’s license. For purposes of this section, a personal or family hardship means:

(1) a medical condition of the student or a member of his immediate family that requires that he maintain a driver’s license to receive or transport an immediate family member or the student for treatment; or

(2) employment requiring the student to maintain a driver’s license to support himself or his immediate family. Additionally, a waiver must be granted if the student is seventeen years old, and it can be shown by clear and convincing evidence that the student has joined a branch of the United States Armed Forces, active or reserve.

The filing of an appeal stays the suspension until a final decision is issued on appeal. The Office of Motor Vehicle Hearings shall notify the appropriate school district, governing body of a private school, or official of a home school association when an appeal decision results in the granting of a waiver of the provisions of Section 56‑1‑177. An appeal from the determination of the Office of Motor Vehicle Hearings must be to the Administrative Law Court. /

Amend the bill further, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_\_. Section 59‑1‑396 of the 1976 Code, as added by Act 273 of 2010, is amended by adding a subsection at the end to read:

“(E) The provisions of this section do not apply to a person whose license is suspended pursuant to Section 56‑1‑176.” /

Amend the bill further, as and if amended, by deleting SECTION 6 in its entirety and inserting:

/ SECTION 6. This act takes effect on August 1, 2013. /

Renumber sections to conform.

Amend title to conform.

Rep. YOUNG explained the amendment.

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

Yeas 56; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Atwater | Bannister |
| Barfield | Battle | Bowen |
| Bowers | Brady | Branham |
| Brannon | R. L. Brown | Cole |
| Cooper | Daning | Delleney |
| Edge | Erickson | Forrester |
| Funderburk | Govan | Hamilton |
| Hardwick | Harrell | Hayes |
| Hearn | Hixon | Horne |
| Limehouse | Loftis | Long |
| Lowe | McCoy | McLeod |
| Merrill | V. S. Moss | Nanney |
| J. M. Neal | Norman | Owens |
| Pinson | Pope | Quinn |
| Ryan | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stringer | Taylor |
| Tribble | Vick | Whitmire |
| Willis | Young |  |

**Total--56**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Butler Garrick | Cobb-Hunter | Dillard |
| Hart | Hodges | Hosey |
| Howard | Jefferson | Johnson |
| King | Mack | Mitchell |
| J. H. Neal | Parks | Rutherford |
| Sabb | Skelton | J. E. Smith |
| Stavrinakis | Weeks | Williams |

**Total--24**

The amendment was then adopted.

Rep. STAVRINAKIS spoke against the Bill.

Rep. STAVRINAKIS moved to adjourn debate on the Bill until Wednesday, May 11, which was agreed to.

**MOTION ADOPTED**

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

**RATIFICATION OF ACTS**

At 12:15 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R32, S. 38) -- Senators McConnell, L. Martin and Campsen: AN ACT TO AMEND SECTION 56‑19‑240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FORM AND CONTENT OF APPLICATIONS FOR VEHICLE TITLES, SO AS TO PROVIDE THAT THE APPLICANT MUST PROVIDE WITH THE APPLICATION A VALID DRIVER’S LICENSE OR IDENTIFICATION CARD IF THE APPLICANT IS AN INDIVIDUAL, TO PROVIDE THAT THE APPLICANT MUST PROVIDE A SOCIAL SECURITY NUMBER FOR A SOLE PROPRIETOR OR FEDERAL EMPLOYER IDENTIFICATION NUMBER AND THE PHYSICAL ADDRESS OF THE BONA FIDE PLACE OF BUSINESS IF THE APPLICANT IS A BUSINESS, AND TO PROHIBIT THE TITLING OF VEHICLES PURCHASED FOR OPERATION IN A FOREIGN JURISDICTION.

(R33, S. 358) -- Senator Grooms: AN ACT TO AMEND SECTION 56‑3‑2335, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF RESEARCH AND DEVELOPMENT LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REVISE THE DEFINITION OF THE TERM “RESEARCH AND DEVELOPMENT BUSINESS”, TO PROVIDE DEFINITIONS FOR THE TERMS “BUSINESS”, “CONTRACTED FLEET OWNER”, “CONTRACTOR”, AND “TIRES”, TO REVISE THE APPLICATION PROCEDURE TO OBTAIN THE LICENSE PLATES, THEIR COST, THE DISTRIBUTION OF MONEY RECEIVED FROM THEIR SALE, AND THE MAXIMUM NUMBER OF LICENSE PLATES THAT MAY BE ISSUED, TO PROVIDE FOR THE ISSUANCE OF FLEET RESEARCH AND DEVELOPMENT LICENSE PLATES, THEIR COST, THE DISTRIBUTION OF THE MONEY RECEIVED FROM THEIR SALE, AND THE MAXIMUM NUMBER OF LICENSE PLATES THAT MAY BE ISSUED, TO PROVIDE THAT THE DEPARTMENT MAY ENTER INTO CERTAIN RECIPROCAL AGREEMENTS WITH OTHER STATES FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF RESEARCH AND DEVELOPMENT BUSINESS’ TIRES, AND TO PROVIDE THAT A RESEARCH AND DEVELOPMENT BUSINESS, OR CONTRACTED FLEET OWNER IS RESPONSIBLE TO TAKE ANY ACTIONS REQUIRED BY ANOTHER STATE THAT ARE NECESSARY FOR IT TO LEGALLY TEST AND EVALUATE THE PERFORMANCE OF ITS TIRES IN ANOTHER STATE.

(R34, S. 523) -- Senators Leatherman and McGill: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 23, TITLE 4 SO AS TO ALLOW JOINT COUNTY FIRE DISTRICTS TO UTILIZE THE PROCEDURES CONTAINED IN ARTICLE 5, CHAPTER 11, TITLE 6 TO ISSUE GENERAL OBLIGATION BONDS.

(R35, S. 584) -- Senators Knotts, Setzler, Courson, Cromer and Leatherman: AN ACT TO EXTEND THE ONE CENT SALES TAX IMPOSED BY ACT 378 OF 2004, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

(R36, S. 686) -- Education Committee: A JOINT RESOLUTION TO CLARIFY THE SCIENCE COURSE REQUIREMENT FOR RECEIVING A SOUTH CAROLINA HIGH SCHOOL DIPLOMA.

(R37, S. 692) -- Senators Jackson, Courson, Scott and Lourie: AN ACT TO AMEND SECTION 7‑27‑405, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION INTO A SINGLE ENTITY.

(R38, H. 3012) -- Reps. Horne, H.B. Brown and Lowe: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 70 TO TITLE 44 TO ENACT THE “LICENSURE OF IN‑HOME CARE PROVIDERS ACT” SO AS TO REQUIRE A BUSINESS TO BE LICENSED TO PROVIDE, OR TO MAKE PROVISIONS FOR, IN‑HOME CARE SERVICES THROUGH ITS EMPLOYEES OR AGENTS OR THROUGH CONTRACTUAL ARRANGEMENTS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS FOR LICENSURE REQUIREMENTS, INCLUDING, BUT NOT LIMITED TO, LICENSE APPLICATION AND RENEWAL REQUIREMENTS, AND DRUG TESTING AND CRIMINAL RECORD CHECKS FOR LICENSURE APPLICANTS; TO REQUIRE CRIMINAL RECORD CHECKS FOR IN‑HOME CAREGIVERS EMPLOYED BY IN‑HOME CARE PROVIDERS; AND TO PROVIDE THAT THE DEPARTMENT SHALL RETAIN ALL FEES COLLECTED PURSUANT TO THIS CHAPTER TO BE USED EXCLUSIVELY TO CARRY OUT THE DEPARTMENT’S RESPONSIBILITIES PURSUANT TO THIS CHAPTER; AND TO AMEND SECTION 44‑7‑2910, AS AMENDED, RELATING TO REQUIRED CRIMINAL RECORD CHECKS FOR CAREGIVERS, SO AS TO ALSO REQUIRE THESE CHECKS FOR IN‑HOME CARE PROVIDERS.

(R39, H. 3104) -- Rep. Nanney: AN ACT TO AMEND SECTION 29‑3‑330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTERING A SATISFACTION OF MORTGAGE IN THE PUBLIC RECORD, SO AS TO INCLUDE AN ACKNOWLEDGEMENT FORM IN THE SATISFACTION AFFIDAVIT.

(R40, H. 3276) -- Reps. White, Owens, Bikas, Sellers, Ott and Clemmons: AN ACT TO RATIFY AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS UNDER THE STATE’S CONSTITUTION, BY ADDING SECTION 25 SO AS TO PROVIDE THAT HUNTING AND FISHING ARE VALUABLE PARTS OF THE STATE’S HERITAGE, IMPORTANT FOR CONSERVATION, AND A PROTECTED MEANS OF MANAGING NONTHREATENED WILDLIFE; TO PROVIDE THAT THE CITIZENS OF SOUTH CAROLINA SHALL HAVE THE RIGHT TO HUNT, FISH, AND HARVEST WILDLIFE TRADITIONALLY PURSUED, SUBJECT TO LAWS AND REGULATIONS PROMOTING SOUND WILDLIFE CONSERVATION AND MANAGEMENT AS PRESCRIBED BY THE GENERAL ASSEMBLY; AND TO SPECIFY THAT THIS SECTION MUST NOT BE CONSTRUED TO ABROGATE ANY PRIVATE PROPERTY RIGHTS, EXISTING STATE LAWS OR REGULATIONS, OR THE STATE’S SOVEREIGNTY OVER ITS NATURAL RESOURCES.

(R41, H. 3287) -- Reps. Hardwick and Hodges: AN ACT TO AMEND SECTION 50‑21‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABANDONMENT OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO PROVIDE THAT AN ABANDONED WATERCRAFT AS IDENTIFIED BY THE DEPARTMENT OF NATURAL RESOURCES MAY BE REMOVED AT THE RISK AND EXPENSE OF THE OWNER AND DISPOSED OF BY ANY GOVERNMENT AGENCY THAT HAS JURISDICTION OVER THE AREA WHERE THE ABANDONED WATERCRAFT IS LOCATED, TO PROVIDE THAT THE DEPARTMENT MUST CONDUCT AN INVESTIGATION OF A WATERCRAFT SUBJECT TO THIS PROVISION TO DETERMINE ITS STATUS AND ATTEMPT TO NOTIFY THE LAST KNOW OWNER OF THE WATERCRAFT THAT IT HAS BEEN ABANDONED, AND TO PROVIDE THAT A WATERCRAFT ABANDONED FOR AT LEAST NINETY DAYS MAY BE CLAIMED BY ANY PERSON OR ENTITY AS ABANDONED PROPERTY.

(R42, H. 3438) -- Reps. G.M. Smith and Weeks: AN ACT TO AMEND SECTION 29‑15‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIENS FOR REPAIR OR STORAGE, SO AS TO EXCLUDE FROM THESE LIENS THE CONTENTS OF A TOWED, STORED, OR REPAIRED MOTOR VEHICLE, TRAILER, MOBILE HOME, WATERCRAFT, OR OTHER ITEM OR OBJECT SUBJECT TO TOWING, STORAGE, OR REPAIR.

(R43, H. 3441) -- Reps. Huggins, Bingham, Ballentine, McLeod and Ott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑23‑845 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY MOW AND MAINTAIN ROADSIDE VEGETATION BEYOND THIRTY FEET FROM THE PAVEMENT ADJACENT TO PORTIONS OF INTERSTATE HIGHWAYS 126, 20, 26, AND 77.

(R44, H. 3562) -- Reps. Ott, Hardwick, Brady, Spires, Butler Garrick, Vick, Jefferson, McEachern, Munnerlyn, Knight, Sabb, Gambrell, Anderson, Hiott, Hodges, Dillard, Allen, Battle, Hosey, Weeks and Long: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 26 TO TITLE 50 SO AS TO ENACT “CHANDLER’S LAW” SO AS TO PROVIDE FOR REGULATION OF THE OPERATION OF ALL‑TERRAIN VEHICLES INCLUDING MINIMUM AGE REQUIREMENTS FOR THE OPERATION OF ALL‑TERRAIN VEHICLES, SAFETY COURSE COMPLETION REQUIREMENTS, SAFETY EQUIPMENT REQUIREMENTS, AND PASSENGER RIDING REQUIREMENTS, TO PROVIDE FOR THE ENFORCEMENT OF THE PROVISIONS CONTAINED IN THIS CHAPTER, TO PROVIDE THAT ALL‑TERRAIN VEHICLES ARE EXEMPT FROM AD VALOREM TAXES, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; AND BY ADDING ARTICLE 9 TO CHAPTER 19, TITLE 56 SO AS TO PROVIDE A PROCEDURE FOR THE TITLING OF ALL‑TERRAIN VEHICLES.

(R45, H. 3586) -- Reps. Hardwick, Clemmons, Loftis, Corbin, Barfield, Thayer, Patrick, Hearn, Murphy, Ryan, Viers, Bedingfield, Edge, Herbkersman, Horne and Stringer: AN ACT TO AMEND SECTION 48‑39‑290, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST NEW CONSTRUCTION OR RECONSTRUCTION SEAWARD OF THE BASELINE AND EXEMPTIONS FROM THIS PROHIBITION, SO AS TO INCLUDE IN THESE EXEMPTIONS ASSOCIATED AMENITY STRUCTURES ON FISHING PIERS; TO EXEMPT SUCH A STRUCTURE FROM PERMIT REQUIREMENTS IF THE LOCAL GOVERNING BODY FOR PLANNING AND ZONING AUTHORIZED THE CONSTRUCTION OF THE STRUCTURE; TO SPECIFY CERTAIN STRUCTURES THAT ARE NOT ASSOCIATED AMENITY STRUCTURES; AND TO PROVIDE A MAXIMUM AMOUNT OF THE PIER THAT SUCH A STRUCTURE MAY COVER.

(R46, H. 4040) -- Rep. Hodges: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE MICROENTERPRISE DEVELOPMENT STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 20, 2011, TO JANUARY 20, 2012.

**ADJOURNMENT**

At 12:25 p.m. the House, in accordance with the motion of Rep. TAYLOR, adjourned in memory of Mrs. Catherine Evie Cato of Clearwater, mother-in-law of Representative Roland Smith and grandmother of Representative Garry Smith, to meet at 10:00 a.m. tomorrow.

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