~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 2:00 p.m.

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

Our thought for today is from Proverbs 17:9: “One who forgives an affront fosters friendship, but one who dwells on disputes will alienate a friend.”

Let us pray. Mighty Lord, help us build our lives upon Your grace and pass it to those with whom we work and serve. Give wisdom and knowledge to those chosen for leadership and to those who follow. Provide these men and women with all they need to live lives of service. Bless our Nation, State, and all who are assembled here. Protect our defenders of freedom at home and abroad, as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. FRYE moved that when the House adjourns, it adjourn in memory of Troy Winton “T. W.” Buzhardt of Batesburg, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 4592 -- Reps. Sandifer, Erickson, Toole, Brady, Gambrell and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-41-45 SO AS TO PROVIDE A CIVIL PENALTY FOR VIOLATIONS OF PROHIBITIONS AGAINST MAKING FALSE STATEMENTS RELATED TO UNEMPLOYMENT COMPENSATION, TO PROVIDE FOR THE USE OF MONEY RECEIVED FROM FINES CREATED BY THIS PENALTY, AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MAY NEVERTHELESS ENTER A CERTAIN WRITTEN CONSENT AGREEMENT WITH A PERSON ALLEGED TO BE GUILTY; TO AMEND SECTION 41-41-10, RELATING TO OBTAINING OR INCREASING AN EMPLOYMENT SECURITY BENEFIT BY USE OF FALSE STATEMENTS OR FALSE REPRESENTATIONS, OR BY THE FAILURE TO DISCLOSE MATERIAL FACTS, SO AS TO REMOVE CIVIL PENALTIES AND TO IMPOSE CRIMINAL PENALTIES AND A REQUIREMENT OF RESTITUTION; AND TO AMEND SECTION 41-41-30, RELATING TO THE PREVENTION OR REDUCTION OF EMPLOYMENT SECURITY BENEFITS OR CONTRIBUTIONS BY AN EMPLOYER, SO AS TO DELETE CIVIL PENALTIES AND TO IMPOSE CRIMINAL PENALTIES.

Ordered for consideration tomorrow.

Rep. HARDWICK, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

H. 4434 -- Reps. White, Gambrell and Thayer: A BILL TO AMEND ACT 794 OF 1966, AS AMENDED, RELATING TO THE PENDLETON DISTRICT HISTORICAL AND RECREATIONAL COMMISSION OF ANDERSON, OCONEE, AND PICKENS COUNTIES, SO AS TO PROVIDE THAT EFFECTIVE MARCH 1, 2012, THE NAME OF THE PENDLETON DISTRICT AGRICULTURAL MUSEUM MUST BE THE "BART GARRISON AGRICULTURAL MUSEUM OF SOUTH CAROLINA".

Ordered for consideration tomorrow.

Rep. HARDWICK, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report with amendments on:

H. 4475 -- Reps. Young, Clyburn, Taylor, Hixon, Frye and Southard: A BILL TO AMEND SECTION 47-9-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF EQUINE LIABILITY IMMUNITY, SO AS TO INCLUDE TRAIL RIDING IN THE DEFINITION OF "EQUINE ACTIVITY"; AND TO AMEND SECTION 47-9-730, RELATING TO WARNING SIGNS REQUIRED TO BE POSTED BY EQUINE PROFESSIONALS AND EQUINE ACTIVITY SPONSORS, SO AS TO INCLUDE A REQUIREMENT THAT WARNING SIGNS ARE TO BE POSTED AT THE ENTRANCE TO RIDING TRAILS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4661 -- Reps. Weeks, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, 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, 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, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF MR. ELLIE HERBERT SUMTER OF SUMTER COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4662 -- 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, 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, 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, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JOHN FRANKLIN THAMES, AN EXCEPTIONAL TEACHER AND OUTSTANDING COACH AT MANNING HIGH SCHOOL, FOR A HALF CENTURY OF MENTORING GENERATIONS OF STUDENTS AND INSPIRING SUCCESS AND EXCELLENCE IN THE CLASSROOM AND ON THE ATHLETIC FIELD AND COURT.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4666 -- Reps. Daning, Crosby, Jefferson, Limehouse, Merrill and Southard: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE GOOSE CREEK HIGH SCHOOL VARSITY FOOTBALL TEAM FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THE TEAM, THE COACHES, AND SCHOOL OFFICIALS FOR CAPTURING THE 2011 SOUTH CAROLINA CLASS AAAA, DIVISION II, STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4667 -- Reps. Daning, Crosby, Jefferson, Limehouse, Merrill and Southard: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE GOOSE CREEK HIGH SCHOOL VARSITY FOOTBALL TEAM OF BERKELEY COUNTY WITH THE 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 CAPTURING THE 2011 SOUTH CAROLINA CLASS AAAA, DIVISION II, 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 Goose Creek High School varsity football team of Berkeley County with the 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 capturing the 2011 South Carolina Class AAAA, Division II, State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4677 -- Rep. Vick: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHESTERFIELD HIGH SCHOOL VARSITY BASEBALL TEAM WITH THE 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 CAPTURING THE 2011 SOUTH CAROLINA 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 Chesterfield High School varsity baseball team with the 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 capturing the 2011 South Carolina Class A State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4679 -- Reps. Gambrell, Thayer, Johnson, Bowen, Agnew, White and Putnam: A HOUSE RESOLUTION TO RECOGNIZE SKILLSUSA FOR ITS CONTRIBUTION TOWARD BUILDING A QUALITY AMERICAN WORK FORCE, AND TO THANK THE ORGANIZATION FOR ITS FINE WORK AMONG THE YOUNG PEOPLE OF THE PALMETTO STATE.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

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

H. 4663 -- Rep. Howard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-31-45 SO AS TO PROVIDE THAT A CAR RENTAL COMPANY MUST RENT A PRIVATE PASSENGER VEHICLE AT ITS STANDARD RATES TO ANY PERSON WHO IS AT LEAST EIGHTEEN YEARS OF AGE, WHO IS ON ACTIVE DUTY IN THE UNIFORMED SERVICES OF THE UNITED STATES WITH A VALID MILITARY IDENTIFICATION, WHO HAS A VALID DRIVER'S LICENSE, AND WHO IS OTHERWISE QUALIFIED TO RENT A MOTOR VEHICLE UNDER THE LAWS OF THIS STATE AND THE RULES AND POLICIES OF A CAR RENTAL COMPANY, EXCEPT FOR ANY AGE RESTRICTIONS, AND TO PROVIDE THAT A VIOLATION OF THIS SECTION IN ADDITION TO ALL OTHER PENALTIES AUTHORIZED BY LAW CONSTITUTES AN UNFAIR TRADE PRACTICE SUBJECTING THE VIOLATOR TO THE PENALTIES AND SANCTIONS PROVIDED IN CHAPTER 5, TITLE 39.

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

H. 4664 -- Rep. Clyburn: A BILL TO AMEND SECTION 11-50-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY, SO AS TO PROVIDE FOR THE APPOINTMENT OF CERTAIN MEMBERS OF THE GOVERNING BOARD OF THE AUTHORITY.

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

H. 4665 -- Reps. Hixon, Clyburn, J. R. Smith, Spires, Taylor and Young: A BILL TO AMEND ACT 571 OF 1967, AS AMENDED, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, THE BOUNDARIES OF WHICH PURSUANT TO THIS ACT INCLUDE AREAS IN EDGEFIELD AND AIKEN COUNTIES, SO AS TO REVISE THE MANNER IN WHICH THE EXISTING MEMBERS OF THE GOVERNING BODY OF THE AUTHORITY ARE APPOINTED, AND TO ADD TWO MEMBERS TO THE GOVERNING BODY OF THE AUTHORITY FROM THE AREAS IN AIKEN COUNTY SERVED BY THE AUTHORITY.

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

H. 4668 -- Reps. Simrill, Owens and Pope: A BILL TO AMEND SECTION 35-1-504, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FILING OF SALES AND ADVERTISING LITERATURE REGARDING SECURITIES, SO AS TO PROVIDE THAT UPON FILING, THE SALES AND ADVERTISING LITERATURE MAY BE DISTRIBUTED TO PROSPECTIVE INVESTORS.

Referred to Committee on Labor, Commerce and Industry

H. 4669 -- Reps. J. H. Neal, King and Howard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 16 TO TITLE 8 SO AS TO ENACT THE "SOUTH CAROLINA CLEAN ELECTIONS ACT", TO PROVIDE A PROCEDURE BY WHICH CERTAIN CANDIDATES FOR OFFICE WHO AGREE TO LIMITATIONS ON CONTRIBUTIONS TO RECEIVE A PREDETERMINED AMOUNT OF PUBLIC FUNDS FOR CAMPAIGNS AND TO REQUIRE ELECTRONIC DISCLOSURES FOR ALL CAMPAIGN CONTRIBUTIONS TO CANDIDATES AND POLITICAL COMMITTEES.

Referred to Committee on Judiciary

H. 4670 -- Reps. J. H. Neal, King and Howard: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF SUFFRAGE, BY ADDING SECTION 13 SO AS TO AUTHORIZE A PROCEDURE BY WHICH A CANDIDATE FOR ELECTIVE OFFICE MAY FINANCE HIS CAMPAIGN WITH PUBLIC FUNDS AS THE GENERAL ASSEMBLY MAY DETERMINE.

Referred to Committee on Judiciary

H. 4671 -- Rep. Huggins: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FOUNDING PRINCIPLES ACT" BY ADDING SECTION 59-29-155 SO AS TO PROVIDE THAT THE LOCAL SCHOOL BOARDS SHALL REQUIRE DURING THE HIGH SCHOOL YEARS THE TEACHING OF A CURRICULUM AS PART OF THE REQUIRED STUDY OF THE UNITED STATES CONSTITUTION CONTAINING SPECIFIED FOUNDING PHILOSOPHY AND PRINCIPLES OF THIS COUNTRY CONTAINED IN VARIOUS DOCUMENTS AND PUBLICATIONS, AND TO PROVIDE FOR THE ADMINISTRATION OF THE PROVISIONS AND REQUIREMENTS OF THIS SECTION.

Referred to Committee on Education and Public Works

H. 4672 -- Rep. H. B. Brown: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELIGIBILITY TO HOLD A POPULARLY ELECTED OFFICE IN THIS STATE, SO AS TO ELIMINATE THE EXCEPTION THAT ALLOWS A PERSON TO HOLD ELECTIVE OFFICE IF A PERSON'S CONVICTION HAS BEEN PARDONED UNDER STATE OR FEDERAL LAW, OR IF IT HAS BEEN FIFTEEN OR MORE YEARS AFTER THE COMPLETION DATE OF THE PERSON'S SENTENCE, INCLUDING PROBATION AND PAROLE TIME.

Referred to Committee on Judiciary

H. 4673 -- Rep. H. B. Brown: A BILL TO AMEND SECTION 8-13-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REPORTING PARTICULAR GIFTS RECEIVED BY A PUBLIC OFFICIAL OR MEMBER ON THE STATEMENT OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE REPORTING OF FREE PRIVATE AIR TRANSPORTATION; TO AMEND SECTION 8-13-755, RELATING TO THE RESTRICTIONS ON FORMER PUBLIC OFFICIALS, MEMBERS, OR EMPLOYEES SERVING AS A LOBBYIST OR ACCEPTING EMPLOYMENT IN A FIELD OF FORMER SERVICE, SO AS INCREASE THE DURATIONAL LIMITATION FROM ONE TO THREE YEARS; TO AMEND SECTION 8-13-1332, AS AMENDED, RELATING TO UNLAWFUL CONTRIBUTIONS AND EXPENDITURES, SO AS TO PROHIBIT CONTRIBUTIONS FROM APPOINTED PUBLIC OFFICIALS AND PUBLIC MEMBERS TO CERTAIN ELECTED OFFICIALS; AND TO AMEND SECTION 8-13-1510, AS AMENDED, RELATING TO THE PENALTY FOR LATE FILING OF, OR FAILURE TO FILE A REPORT OR STATEMENT, SO AS TO INCREASE THE APPLICABLE DAILY AND MAXIMUM CIVIL PENALTIES.

Referred to Committee on Judiciary

H. 4674 -- Rep. Rutherford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-13-180 SO AS TO PROHIBIT A LAW ENFORCEMENT OFFICER FROM CONFISCATING OR SEIZING A CELL PHONE, VIDEO RECORDER, OR OTHER ELECTRONIC RECORDING DEVICE AT THE SCENE OF A LAW ENFORCEMENT INVESTIGATION OR LAWFUL ARREST UNLESS ITS USE SUBSTANTIALLY IMPEDES OR INTERFERES WITH THE INVESTIGATION OR ARREST, TO PROVIDE A PENALTY FOR UNLAWFUL SEIZURE OF A DEVICE, AND TO PROVIDE FOR THE RETURN OF THE DEVICE.

Referred to Committee on Judiciary

H. 4675 -- Reps. Henderson, G. M. Smith, J. R. Smith, Parker, Barfield, Allison, Atwater, Bowen, Corbin, Delleney, Forrester, Hamilton, Lowe, Lucas, Owens, Putnam, Simrill, G. R. Smith, Stringer, Toole, Tribble and Willis: A BILL TO AMEND SECTION 61-2-180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BINGO, RAFFLES, AND OTHER SPECIAL EVENTS, SO AS TO CLARIFY THAT THIS SECTION DOES NOT AUTHORIZE THE USE OF ANY DEVICE PROHIBITED BY SECTION 12-21-2710; AND TO AMEND SECTION 61-4-580, RELATING TO GAME PROMOTIONS ALLOWED BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO CLARIFY THAT THIS ITEM DOES NOT AUTHORIZE THE USE OF ANY DEVICE PROHIBITED BY SECTION 12-21-2710.

Referred to Committee on Judiciary

H. 4676 -- Reps. Lowe, Brantley, Erickson, Spires, Brannon, Southard, Neilson, Bales, Anderson, Battle, Bowers, G. A. Brown, Crawford, Delleney, Gambrell, Herbkersman, Hixon, D. C. Moss, Pope, Sandifer, Simrill, J. R. Smith and Whitmire: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY AND THE APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF PROPERTY TAX, SO AS TO REDUCE THE ASSESSMENT RATIO ON COMMERCIAL AND OTHER APPLICABLE REAL PROPERTY FROM SIX PERCENT OF VALUE TO FIVE PERCENT OF VALUE, PHASE IN THIS REDUCTION OVER TWO PROPERTY TAX YEARS, AND REIMBURSE POLITICAL SUBDIVISIONS AND SCHOOL DISTRICTS FOR PROPERTY TAX NOT COLLECTED BECAUSE OF THIS REDUCTION; AND TO AMEND SECTION 11-11-150, RELATING TO THE TRUST FUND FOR TAX RELIEF, SO AS TO INCLUDE REVENUES TO MAKE THE REIMBURSEMENTS REQUIRED FOR THE ASSESSMENT RATIO REDUCTION PROVIDED IN THIS ACT.

Referred to Committee on Ways and Means

H. 4678 -- Reps. Nanney, Brantley, Clemmons, Toole, Parker, Long, Allison, Limehouse, J. R. Smith, Bedingfield, Bowen, Corbin, Hamilton, Henderson, Hixon, Stringer and Willis: A BILL TO AMEND SECTION 29-3-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO METHODS OF ENTERING A SATISFACTION OF MORTGAGE IN THE PUBLIC RECORDS, SO AS TO PROVIDE THAT THE MORTGAGEE OF RECORD, THE OWNER OR HOLDER OF THE DEBT INSTRUMENT SECURED BY THE MORTGAGE, THE TRUSTEE OR BENEFICIARY OF A DEED OF TRUST, OR THE LEGAL REPRESENTATIVE OR ATTORNEY-IN-FACT OF ANY OF THOSE PARTIES MAY EXECUTE A MORTGAGE SATISFACTION OR DEED OF TRUST RELEASE, AND TO PROVIDE A PROCEDURE AND FORM FOR USE IN THIS EXECUTION.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Atwater |
| Bales | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| 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 |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Putnam |
| Quinn | Rutherford | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, January 25.

|  |  |
| --- | --- |
| Mike Anthony | Nathan Ballentine |
| Eric Bikas |  |

**Total Present--120**

**LEAVE OF ABSENCE**

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

**STATEMENT OF ATTENDANCE**

Rep. ALLISON signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Tuesday, January 24.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Thomas Rowland of Columbia was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3351 |
| Date: | ADD: |
| 01/25/12 | WHIPPER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3445 |
| Date: | ADD: |
| 01/25/12 | TOOLE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3757 |
| Date: | ADD: |
| 01/25/12 | ATWATER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3945 |
| Date: | ADD: |
| 01/25/12 | ATWATER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4463 |
| Date: | ADD: |
| 01/25/12 | MCLEOD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4592 |
| Date: | ADD: |
| 01/25/12 | WHITMIRE, ALLISON, BEDINGFIELD, G. R. SMITH, BANNISTER, NANNEY, CORBIN, CLEMMONS, DELLENEY, SIMRILL, HORNE, D. C. MOSS, FRYE, HEARN, STRINGER, RYAN, BOWEN, HARRISON, BINGHAM, QUINN, SOUTHARD, PATRICK, CROSBY, EDGE, HERBKERSMAN, FUNDERBURK, PINSON, PARKER, LONG, THAYER, ANDERSON, SOTTILE, HIOTT, TAYLOR, J. R. SMITH, PUTNAM, G. M. SMITH, WEEKS, HARDWICK, HAMILTON, MURPHY, V. S. MOSS, LUCAS and FORRESTER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4627 |
| Date: | ADD: |
| 01/25/12 | WHIPPER, BOWEN, WHITE, MURPHY and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4629 |
| Date: | ADD: |
| 01/25/12 | GOVAN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4635 |
| Date: | ADD: |
| 01/25/12 | V. S. MOSS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4654 |
| Date: | ADD: |
| 01/25/12 | MURPHY and SOUTHARD |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4625 |
| Date: | REMOVE: |
| 01/25/12 | AGNEW |

**SENT TO THE SENATE**

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

H. 4636 -- Reps. Tallon, J. R. Smith, Hixon, Pope, Delleney, Corbin, Bedingfield, G. R. Smith, Lucas, Hamilton, Stringer, Ryan, Owens, Horne, Pinson, Thayer, Putnam, Murphy, Pitts, Spires, Brannon, Chumley, Lowe, Allison, Anthony, Quinn, Bingham, Ballentine, Bannister, Hearn, D. C. Moss, Hardwick, Parker, Cole, Forrester, Limehouse, Gilliard, Sottile, McEachern and Frye: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 3, TITLE 23 SO AS TO ESTABLISH THE BLUE ALERT PROGRAM THAT IS DESIGNED TO APPREHEND A SUSPECT THAT ALLEGEDLY KILLS, SERIOUSLY INJURES, OR ABDUCTS A LAW ENFORCEMENT OFFICER BY RAPIDLY DISSEMINATING INFORMATION REGARDING THE SUSPECT.

**H. 4595--DEBATE ADJOURNED**

Rep. BINGHAM moved to adjourn debate upon the following Bill until Thursday, January 26, which was adopted:

H. 4595 -- Reps. Bingham, Allison, Anthony and White: A BILL TO AMEND ACT 73 OF 2011, RELATING TO THE 2011-2012 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.54, SECTION 1A, PART IB, DIRECTING THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY PROVIDING THAT THE DOLLAR AMOUNT DIRECTED TO BE TRANSFERRED MUST BE "UP TO" THAT AMOUNT AND NOT THE SPECIFIC AMOUNT STIPULATED.

**H. 4627--AMENDED AND DEBATE INTERRUPTED**

The following Joint Resolution was taken up:

H. 4627 -- Reps. Merrill, Stavrinakis, Harrison, King, Knight, Williams, Jefferson, Johnson, Sabb, Munnerlyn, Anderson, G. A. Brown, Allison, Horne, Agnew, Gambrell, McCoy, Ryan, Mack, Gilliard, Sottile, Hardwick, Hearn, Weeks, Simrill, Pope, Delleney, Dillard, Sandifer, Erickson, Herbkersman, Brantley, Crosby, Daning, Brady, Quinn, Spires, Frye, Pitts, Southard, Butler Garrick, Pinson, Tallon, Long, Parker, Hodges, Whitmire, Anthony, Bannister, Putnam, Edge, Allen, Thayer, Funderburk, Lucas, Cobb-Hunter, Howard, Harrell, Bowers and Patrick: A JOINT RESOLUTION TO SUSPEND THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR ALL DECISIONS SUBSEQUENT TO 2007 PERTAINING TO THE NAVIGABILITY, DEPTH, DREDGING, WASTEWATER AND SLUDGE DISPOSAL, AND RELATED COLLATERAL ISSUES OF THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER BECAUSE THE AUTHORITY OF THE SAVANNAH RIVER MARITIME COMMISSION SUPERSEDES AND REPLACES THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL WITH REGARD TO ALL ACTIONS CONCERNING THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER BY ENACTMENT OF ACT 56 OF 2007, EFFECTIVE MAY 1, 2007.

Reps. MERRILL and HARRELL proposed the following Amendment No. 1 to H. 4627 (COUNCIL\DKA\3923SD12), which was adopted:

Amend the joint resolution, as and if amended, by striking the third paragraph immediately after the title and inserting:

/ Whereas, the General Assembly granted to the Maritime Commission by statute the oversight and permitting responsibilities for the State as to the navigability or depth of the South Carolina portion of the Savannah River, superseding any other concurrent responsibilities of a particular state agency or department; and

Whereas, by enactment of Act 56 in 2007, the General Assembly also bifurcated the permitting process for construction in the South Carolina portion of the Savannah River, such that all matters pertaining to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues, including navigable waters permitting criteria, in regard to the use of the Savannah River as a waterway for ocean‑going container or commerce vessels fell within the purview of the Maritime Commission; /

Amend further by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. The General Assembly, pursuant to Section 7, Article I of the South Carolina Constitution, suspends the authority of the South Carolina Department of Health and Environmental Control, hereinafter the department, for all decisions subsequent to 2007, related to all matters pertaining to the navigability, depth, dredging, wastewater and sludge disposal, and related collateral issues concerning the South Carolina portion of the Savannah River, in particular the approval by the department of the application of the United States Army Corps of Engineers for a Construction in Navigable Waters Permit for the dredging of the South Carolina portion of the Savannah River, because the authority of the Savannah River Maritime Commission, hereinafter the Maritime Commission, superseded the responsibilities of the department for such approval, as established by Act 56 of 2007, and the approval by the department could present imminent and irreversible public health and environmental concerns for the South Carolina portion of the Savannah River. /

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

The amendment was then adopted.

Rep. MERRILL spoke in favor of the Joint Resolution.

Rep. STAVRINAKIS spoke in favor of the Joint Resolution.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of the Joint Resolution.

**RECURRENCE TO THE MORNING HOUR**

Rep. STAVRINAKIS moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3793 -- Reps. Thayer, Whitmire, H. B. Brown, G. R. Smith, Gambrell, Bowen, Hardwick, Clemmons, Mitchell, Parks, Atwater, Butler Garrick, Pinson, Corbin, Norman, Viers, Erickson, Hearn, Murphy, Allison, McCoy, Stavrinakis, Govan, Agnew, Hosey, Hiott, Patrick, Chumley, Brannon, Battle, Brady, R. L. Brown, Clyburn, Cobb-Hunter, Cole, Daning, Delleney, Funderburk, Hamilton, Harrison, Hayes, Henderson, Horne, Lucas, D. C. Moss, V. S. Moss, Nanney, J. M. Neal, Owens, Pitts, Pope, Ryan, Sabb, Sandifer, Simrill, J. R. Smith, Stringer, Tallon, Taylor, White, Cooper, Quinn, Lowe and Barfield: A BILL TO AMEND SECTION 44-53-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I CONTROLLED SUBSTANCES, INCLUDING HALLUCINOGENICS, SO AS TO ADD METHYLONE, MDPV, MEPHEDRONE, METHO-XYMETHCATHINONE, AND FLUROROMETHCATHINONE, COMMONLY REFERRED TO AS "BATH SALTS", TO THE LIST OF SCHEDULE I DRUGS.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4571 -- Rep. Rutherford: A BILL TO AMEND ACT 13 OF 2011, RELATING TO THE REPEAL OF SECTION 56-1-745 WHICH RELATES TO THE SUSPENSION OF A DRIVER'S LICENSE OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION, SO AS TO PROVIDE THAT THE REPEAL OF THIS PROVISION APPLIES TO ALL ACTIONS, RIGHTS, DUTIES, OR LIABILITIES FOUNDED ON IT PENDING ON AND BEFORE APRIL 12, 2011, AND ALTERS, DISCHARGES, RELEASES AND EXTINGUISHES ANY PENALTY, FORFEITURE, OR LIABILITY INCURRED UNDER THE REPEALED SECTION.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4463 -- Reps. Harrison, Clyburn and Murphy: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT TO MAGISTRATES OR MUNICIPAL COURT, SO AS TO CLARIFY THE TYPES OF CASES THAT MAY BE TRANSFERRED INCLUDES CRIMINAL CASES ORIGINALLY CHARGED AND THOSE IN WHICH THE CHARGES ARE REDUCED FOR PURPOSES OF A GUILTY PLEA, TO ALLOW DEFENDANTS TO WAIVE CERTAIN RIGHTS, AND TO REQUIRE THE APPROVAL OF A CIRCUIT COURT JUDGE REGARDING TERMS OF COURT OF THE MAGISTRATES AND MUNICIPAL COURTS FOR THE DISPOSITION OF TRANSFERRED CASES.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4549 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-3-70 SO AS TO REQUIRE A THIRD-PARTY VOTER REGISTRATION ORGANIZATION OPERATING IN THIS STATE TO REGISTER AND FILE CERTAIN INFORMATION WITH THE STATE ELECTION COMMISSION; TO PROVIDE THAT A THIRD-PARTY VOTER REGISTRATION ORGANIZATION MUST PROMPTLY DELIVER ALL COLLECTED REGISTRATION APPLICATIONS TO THE APPROPRIATE REGISTRATION OFFICE, AND TO PROVIDE PENALTIES.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 4614 -- Reps. Pitts, Lucas, Hearn, Brannon, Weeks and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT-ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING "JOINT CUSTODY" AND "SOLE CUSTODY", REQUIRING PARENTS TO JOINTLY PREPARE AND SUBMIT A PARENTING PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS; REQUIRING THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, REQUIRING THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, STATING FINDINGS OF FACT AS TO WHY OR WHY NOT JOINT CUSTODY WAS AWARDED, PROVIDING MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER, PROVIDING FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD, AND AUTHORIZING A PARENT TO SEEK ARBITRATION OF AN ISSUE THAT CANNOT BE RESOLVED BETWEEN THE PARENTS; AND TO AMEND SECTION 63-5-30, RELATING TO THE RIGHTS AND DUTIES OF PARENTS TO THEIR CHILDREN, SO AS TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL POWERS, RIGHTS, AND DUTIES CONCERNING ALL MATTERS AFFECTING THEIR CHILDREN.

Ordered for consideration tomorrow.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 4680 -- Rep. Bannister: A BILL TO AMEND SECTION 17-25-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDUCTION OF A SENTENCE WHEN A DEFENDANT PROVIDES SUBSTANTIAL ASSISTANCE IN INVESTIGATING OR PROSECUTING ANOTHER PERSON, SO AS TO DELETE THE REQUIREMENT THAT THE ASSISTANCE BE PROVIDED AFTER SENTENCING AND CLARIFY THAT A DEFENDANT'S SENTENCE MAY BE REDUCED BELOW THE MINIMUM TERM OF IMPRISONMENT PROVIDED BY LAW UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Judiciary

**H. 4627--ORDERED TO THIRD READING**

Debate was resumed on the following Joint Resolution, the pending question being the consideration of the Joint Resolution:

H. 4627 -- Reps. Merrill, Stavrinakis, Harrison, King, Knight, Williams, Jefferson, Johnson, Sabb, Munnerlyn, Anderson, G. A. Brown, Allison, Horne, Agnew, Gambrell, McCoy, Ryan, Mack, Gilliard, Sottile, Hardwick, Hearn, Weeks, Simrill, Pope, Delleney, Dillard, Sandifer, Erickson, Herbkersman, Brantley, Crosby, Daning, Brady, Quinn, Spires, Frye, Pitts, Southard, Butler Garrick, Pinson, Tallon, Long, Parker, Hodges, Whitmire, Anthony, Bannister, Putnam, Edge, Allen, Thayer, Funderburk, Lucas, Cobb-Hunter, Howard, Harrell, Bowers and Patrick: A JOINT RESOLUTION TO SUSPEND THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR ALL DECISIONS SUBSEQUENT TO 2007 PERTAINING TO THE NAVIGABILITY, DEPTH, DREDGING, WASTEWATER AND SLUDGE DISPOSAL, AND RELATED COLLATERAL ISSUES OF THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER BECAUSE THE AUTHORITY OF THE SAVANNAH RIVER MARITIME COMMISSION SUPERSEDES AND REPLACES THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL WITH REGARD TO ALL ACTIONS CONCERNING THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER BY ENACTMENT OF ACT 56 OF 2007, EFFECTIVE MAY 1, 2007.

Rep. STAVRINAKIS spoke in favor of the Joint Resolution.

The question then recurred to the passage of the Joint Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 111; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Atwater |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| 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 | Limehouse |
| Loftis | Long | Lucas |
| Mack | McCoy | McEachern |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--111**

 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.

RECORD FOR VOTING

 I was temporarily out of the House Chamber, due to a prior commitment, during the vote on H. 4627. I support H. 4627 and would have voted in favor of the Joint Resolution, had I been present.

 Rep. Lester P. Branham, Jr.

RECORD FOR VOTING

 I was out of the chamber on work related business as well as a constituent matter during the floor debate and vote on H. 4627. Had I been present during the vote, I would have voted in favor of the Joint Resolution.

 Rep. Nathan Ballentine

RECORD FOR VOTING

 I was temporarily out of the House Chamber on constituent business during the vote on H. 4627. Had I been present for the vote, I would have voted in favor of the Joint Resolution.

 Rep. Chip Huggins

RECORD FOR VOTING

 I was on leave from the House today and missed the vote on H. 4627. Had I been present for the vote, I would have voted in favor of the Joint Resolution.

 Rep. Mike Anthony

**H. 3124--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3124 -- Reps. Pitts and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, AND 124 TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DISTINGUISHED SERVICE MEDAL" SPECIAL LICENSE PLATES, "SECOND AMENDMENT" SPECIAL LICENSE PLATES, "DISTINGUISHED SERVICE CROSS" SPECIAL LICENSE PLATES, "DEPARTMENT OF NAVY" SPECIAL LICENSE PLATES, "PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS" SPECIAL LICENSE PLATES, "STATE FLAG" SPECIAL LICENSE PLATES, "SOUTH CAROLINA HIGHWAY PATROL-RETIRED" LICENSE PLATES, "I SUPPORT LIBRARIES" SPECIAL LICENSE PLATES, "SOUTH CAROLINA EDUCATOR" SPECIAL LICENSE PLATES, "COON HUNTERS" LICENSE PLATES, "BEACH MUSIC" SPECIAL LICENSE PLATES, "CITADEL ALUMNI ASSOCIATION 'BIG RED'" SPECIAL LICENSE PLATES, "LARGE MOUTH BASS" SPECIAL LICENSE PLATES, "HIGH SCHOOL" SPECIAL LICENSE PLATES, "SOUTH CAROLINA WILDLIFE FEDERATION" SPECIAL LICENSE PLATES AND "HISTORIC" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-7330, RELATING TO THE ISSUANCE OF "BOY SCOUTS OF AMERICA" SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF "EAGLE SCOUTS OF AMERICA" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56-3-1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-3-10410, RELATING TO THE ISSUANCE OF "VETERAN" SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN "VETERAN" LICENSE PLATES; TO AMEND SECTION 56-3-3310, AS AMENDED, RELATING TO THE ISSUANCE OF "PURPLE HEART" SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56-3-8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT'S USE OF THE ORGANIZATION'S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56-3-8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

Rep. DANING proposed the following Amendment No. 1A to H. 3124 (COUNCIL\SWB\5101CM12), which was tabled:

Amend the bill, as and if amended, Section 56‑3‑8000(K), as contained in SECTION 22, by deleting / deposit / as contained on line 33, page 20, and inserting / fee /

Amend the bill further, Section 56‑3‑8100(J), as contained in SECTION 23, by deleting / deposit / as contained on line 24, page 22, and inserting / fee /

Amend the bill further, by deleting SECTION 25 in its entirety.

Amend the bill further, Section 56‑3‑12510(D) as contained in SECTION 27, page 25, by deleting Section 56‑3‑12510(D) and inserting:

/ (D) The requirements for production, collection, and distribution of fees for this license plate are those set forth in Section 56‑3‑8100. /

Amend the bill further, by deleting SECTION 29, page 26 in its entirety and inserting:

/ SECTION 29. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 127

‘2010‑11 BASEBALL NATIONAL CHAMPIONS’

SPECIAL LICENSE PLATES

 Section 56‑3‑12710. (A) The Department of Motor Vehicles may issue ‘2010 Baseball National Champions’ special license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56‑3‑20, registered in their names.

 (B) The University of South Carolina may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate, provided that the phrase ‘2010‑11 National Baseball Champions’ must be utilized on the plate.

 (C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of seventy dollars. Any portion of the additional seventy dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the fund established for the University of South Carolina pursuant to Section 56‑3‑3710(B) used for the purposes provided in that section.

 (D) License number ‘1’ for the ‘2010‑11 Baseball National Champions’ license plate is reserved for the University of South Carolina Head Baseball Coach.” /

Amend the bill further, Section 56‑1‑140, as contained in SECTION 31, pages 28 and 29, by deleting Section 56‑1‑140 in its entirety.

Amend the bill further, Section 56‑3‑6000, as contained in SECTION 32, pages 29 and 30, by deleting Section 56‑3‑6000, and inserting:

/ SECTION 32. Section 56‑3‑6000 of the 1976 Code is amended to read:

 “Section 56‑3‑6000. (A) The department may issue a distinct and separate special license ~~plates~~ plate for the United States Army, the United States Navy, the United States Marines Corps, the United States Air Force, and the United States Coast Guard for use on private passenger motor vehicles and motorcycles owned or leased by residents of this State ~~which separately honor the United States Army, United States Navy, United States Marines Corps, United States Air Force, and the United States Coast Guard~~. The biennial fee for ~~the~~ each special license plate issued for a branch of the military is the regular motor vehicle license plate fee contained in Article 5, Chapter 3 of this title plus thirty dollars.

 (B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be ~~administered by the Department of Education and deposited in an appropriate account designated by the Department of Education for distribution to the ROTC program~~ disbursed in equal amounts to the various county Veterans’ Administration offices to be used for operational expenses.

 (C) ~~Before the department produces and distributes a special license plate pursuant to this section, it must receive:~~

 ~~(1)~~ ~~four hundred prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization’s license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit.~~

 ~~(2)~~ ~~a plan to market the sale of the special license plate that must be approved by the department~~ Notwithstanding another provision of law, the requirements for production, collection, and distribution of fees for these license plates are those set forth in Section 56‑3‑8100.

 (D) ~~If the department receives less than three hundred biennial applications and renewals for a particular license plate, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.~~

 ~~(E)~~ ~~The special license plates must be of the same size and general design as regular motor vehicle license plates.~~ The department shall imprint the special license plates with a distinctive emblem approved by the United States Department of Defense and United States Department of Transportation, as applicable, which distinguishes each branch of the United States Armed Services.” /

Amend the bill further, SECTION 33, page 30, by deleting SECTION 33 and inserting:

/ SECTION 33. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DANING moved to table the Amendment, which was agreed to.

Rep. DANING proposed the following Amendment No. 2A to H. 3124 (COUNCIL\SWB\5108CM12), which was adopted:

Amend the bill, as and if amended, by striking SECTION 12 in its entirety which creates the ‘Coon Hunter’s’ license plate.

Amend the bill further, Section 56‑3‑8000(K), as contained in SECTION 22, by deleting / deposit / as contained on line 33, page 20, and inserting / fee /

Amend the bill further, Section 56‑3‑8100(J), as contained in SECTION 23, by deleting / deposit / as contained on line 24, page 22, and inserting / fee /

Amend the bill further, by deleting SECTION 25 in its entirety.

Amend the bill further, Section 56‑3‑12510(D) as contained in SECTION 27, page 25, by deleting Section 56‑3‑12510(D) and inserting:

/ (D) The requirements for production, collection, and distribution of fees for this license plate are those set forth in Section 56‑3‑8100. /

Amend the bill further, by deleting SECTION 29, page 26 in its entirety and inserting:

/ SECTION 29. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“ARTICLE 127

‘2010‑11 BASEBALL NATIONAL CHAMPIONS’

SPECIAL LICENSE PLATES

 Section 56‑3‑12710. (A) The Department of Motor Vehicles may issue ‘2010 Baseball National Champions’ special license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56‑3‑20, registered in their names.

 (B) The University of South Carolina may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate, provided that the phrase ‘2010‑11 National Baseball Champions’ must be utilized on the plate.

 (C) The requirements for production, collection, and distribution of fees for the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of seventy dollars. Any portion of the additional seventy dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the fund established for the University of South Carolina pursuant to Section 56‑3‑3710(B) used for the purposes provided in that section.

 (D) License number ‘1’ for the ‘2010‑11 Baseball National Champions’ license plate is reserved for the University of South Carolina Head Baseball Coach.” /

Amend the bill further, Section 56‑1‑140, as contained in SECTION 31, pages 28 and 29, by deleting Section 56‑1‑140 in its entirety.

Amend the bill further, Section 56‑3‑6000, as contained in SECTION 32, pages 29 and 30, by deleting Section 56‑3‑6000, and inserting:

/ SECTION 32. Section 56‑3‑6000 of the 1976 Code is amended to read:

 “Section 56‑3‑6000. (A) The department may issue a distinct and separate special license ~~plates~~ plate for the United States Army, the United States Navy, the United States Marines Corps, the United States Air Force, and the United States Coast Guard for use on private passenger motor vehicles and motorcycles owned or leased by residents of this State ~~which separately honor the United States Army, United States Navy, United States Marines Corps, United States Air Force, and the United States Coast Guard~~. The biennial fee for ~~the~~ each special license plate issued for a branch of the military is the regular motor vehicle license plate fee contained in Article 5, Chapter 3 of this title plus thirty dollars.

 (B) Notwithstanding any other provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be ~~administered by the Department of Education and deposited in an appropriate account designated by the Department of Education for distribution to the ROTC program~~ disbursed in equal amounts to the various county Veterans’ Administration offices to be used for operational expenses.

 (C) ~~Before the department produces and distributes a special license plate pursuant to this section, it must receive:~~

 ~~(1)~~ ~~four hundred prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization’s license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, then the department must retain the deposit.~~

 ~~(2)~~ ~~a plan to market the sale of the special license plate that must be approved by the department~~ Notwithstanding another provision of law, the requirements for production, collection, and distribution of fees for these license plates are those set forth in Section 56‑3‑8100.

 (D) ~~If the department receives less than three hundred biennial applications and renewals for a particular license plate, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.~~

 ~~(E)~~ ~~The special license plates must be of the same size and general design as regular motor vehicle license plates.~~ The department shall imprint the special license plates with a distinctive emblem approved by the United States Department of Defense and United States Department of Transportation, as applicable, which distinguishes each branch of the United States Armed Services.” /

Amend the bill further, SECTION 33, page 30, by deleting SECTION 33 and inserting:

/ SECTION 33. This act takes effect six months after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The yeas and nays were taken resulting as follows:

 Yeas 88; Nays 15

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Brannon | Brantley | G. A. Brown |
| Butler Garrick | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Johnson | King |
| Limehouse | Lucas | Mack |
| McCoy | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pope | Rutherford | Sabb |
| Sandifer | Simrill | Skelton |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Taylor | Thayer | Tribble |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis |  |  |

**Total--88**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | R. L. Brown | Chumley |
| Corbin | Frye | Hiott |
| Hixon | Pitts | Putnam |
| Quinn | G. M. Smith | G. R. Smith |
| Stringer | Tallon | Young |

**Total--15**

The Amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

RECORD FOR VOTING

 During the vote on Amendment No. 2A to H. 3124, I removed my voting card from my desk and inadvertently changed my vote. I intended to vote ‘yea’ in favor of the Amendment.

 Rep. Rick Quinn

**H. 3351--COMMITTED**

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

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

Rep. COBB-HUNTER moved to commit the Bill to the Committee on Invitations and Memorial Resolutions, which was agreed to.

**H. 4635--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4635 -- Reps. Funderburk, Erickson, Brady, Stavrinakis, Agnew, Ott, McLeod, McCoy, Sottile, Allison, Delleney, Gambrell, Hamilton, Harrell, Herbkersman, Horne, Limehouse, Long, Murphy, Pitts, Pope, Simrill, G. R. Smith, Thayer, Weeks, Willis and Bowers: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO DESIGNATE IN SOUTH CAROLINA THE SOUTHERN CAMPAIGN OF THE REVOLUTION NATIONAL HERITAGE AREA, WHICH IS AN AREA UNDER CONSIDERATION FOR THIS NATIONAL HERITAGE AREA DESIGNATION DUE TO ITS HISTORICAL SIGNIFICANCE AND SOUTH CAROLINA'S VITAL ROLE IN THE AMERICAN REVOLUTION.

The Concurrent Resolution was adopted and sent to the Senate.

**ABSTENTION FROM VOTING**

 In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4635, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal.

 Rep. Eric Bedingfield

**MOTION PERIOD**

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

**H. 4095--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4095 -- Reps. Pitts, Lucas, Loftis, Corbin, Williams and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-15-45 SO AS TO PROVIDE THAT IF JOINT CUSTODY OF A CHILD IS AWARDED TO THE PARENTS, THERE IS A REBUTTABLE PRESUMPTION THAT BOTH PARENTS HAVE JOINT PHYSICAL CUSTODY OF THE CHILD; TO PROVIDE THAT THE PRESUMPTION MAY BE OVERCOME BY PRESENTING CLEAR AND CONVINCING EVIDENCE THAT JOINT PHYSICAL CUSTODY IS NOT IN THE BEST INTEREST OF THE CHILD; TO REQUIRE THE PARENTS TO SUBMIT A PARENTING PLAN TO THE COURT REFLECTING PARENTAL PREFERENCES AND AGREEMENT ON MATTERS OF SUBSTANCE; AND TO PROVIDE THAT PARENTS SHARE DECISION-MAKING AUTHORITY AND RESPONSIBILITY FOR IMPORTANT DECISIONS AFFECTING THE CHILD'S WELFARE AND THAT WHEN AGREEMENT CANNOT BE REACHED THE PARENTS SHALL SUBMIT TO MEDIATION WITH A PRESELECTED MEDIATOR.

Rep. PITTS moved to adjourn debate on the Bill until Wednesday, February 1, which was agreed to.

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

**ADJOURNMENT**

At 3:50 p.m. the House, in accordance with the motion of Rep. FRYE, adjourned in memory of Troy Winton "T. W." Buzhardt of Batesburg, to meet at 10:00 a.m. tomorrow.

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