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Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Job 40:10: “Deck yourself with majesty and dignity; clothe yourself with glory and splendor.”

Let us pray. Almighty God, help these Representatives and staff to establish priorities as they go through the agenda. Encourage them to deal with life’s puzzling options. Plant patience in us so that kindness and compassion blossom. Grant us wisdom to cope with those who would trick or trap us. Bless our Nation, State, this Assembly, and all who support them. Protect our defenders of freedom, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

**MOTION ADOPTED**

Rep. GAMBRELL moved that when the House adjourns, it adjourn in memory of Betty Hopkins of Simpsonville, which was agreed to.

**INVITATIONS**

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

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of State Farm Insurance Companies, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Tuesday, May 1, 2012, from 12:00 p.m. to 2:00 p.m., on the State House Grounds.

Sincerely,

Bruce White

Public Affairs/Marketing Dept.

State Farm Mutual Automobile Insurance Company

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Beer Wholesalers Association, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, May 1, 2012, from 6:00 p.m. to 8:00 p.m., at the SCBWA office at 1114 College St., Columbia, South Carolina.

Sincerely,

Jimmy Yahnis

Chairman of the Board

SC Beer Wholesalers Association

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Conservation Community, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, May 1, 2012, from 6:00 p.m. to 8:00 p.m., at the Seibels House, 1601 Richland St., Columbia, South Carolina.

Sincerely,

Patrick Moore

Legislative Director

South Carolina Coastal Conservation League

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Clean Energy Business Alliance, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 2, 2012, from 8:00 a.m. to 10:00 a.m., in Room 112 of the Blatt Building.

Sincerely,

Tom French

Executive Director

SC Clean Energy Business Alliance

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Association of Certified Public Accountants, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 2, 2012, from 12:00 p.m. to 2:00 p.m., at the Columbia Metropolitan Convention Center.

Sincerely,

Erin P. Hardwick

Chief Executive Officer

South Carolina Association of Certified Public Accountants

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the American Institute of Architects - South Carolina Chapter, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, May 2, 2012, from 6:00 p.m. to 8:00 p.m., at Edens, 1221 Main St., 11th Floor.

Sincerely,

Tracy B. Waltz

Business & Events Director

AIA South Carolina

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Palmetto Agribusiness Council, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 3, 2012, from 8:00 a.m. to 10:00 a.m., in Room 112 of the Blatt Building.

Sincerely,

Cathy B. Novinger

Executive Director

Palmetto Agribusiness Council

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of BlueCross BlueShield of South Carolina, the Members and staff of the House of Representatives are invited to the 19th Annual Legislative Softball Game and Picnic. This event will be held on Tuesday, May 8, 2012, from 6:00 p.m. to 8:00 p.m., at the Capital City Stadium.

Sincerely,

James A. D’Allesio

Vice President of Government Affairs

BlueCross BlueShield of South Carolina

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Association of Community Action Partnerships, Inc., the Members of the House of Representatives and staff are invited to a Legislative Breakfast. This event will be held on Wednesday, May 9, 2012, from 8:00 a.m. to 10:00 a.m., in Room 112 of the Blatt Building.

Sincerely,

Jessica McMoore

Executive Director

SC Association of Community Action Partnerships

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina State Firefighters Association, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, May 9, 2012, from 12:00 p.m. to 2:00 p.m., on the State House Grounds.

Sincerely,

Joe H. Palmer

Executive Director

SC State Firefighters Association

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Association of School Nurses, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 16, 2012, from 8:00 a.m. to 10:00 a.m., in Room 112 of the Blatt Building.

Sincerely,

Robin A. Baker, RN, BSN, CEN

SC Association of School Nurses

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Palmetto Agriculture and Food Industry Council, the Members and staff of the House of Representatives are invited to a Legislative Luncheon, “A South Carolina Taste.” This event will be held on Wednesday, May 16, 2012, from 12:00 p.m. to 2:00 p.m., on the State House Grounds.

Sincerely,

Jackie Moore

Chairman

Palmetto Agriculture & Food Industry Council

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Chapters of Delta Sigma Theta Sorority, Inc., the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 17, 2012, from 8:00 a.m. to 10:00 a.m., on the State House Grounds.

Sincerely,

Rosalyn Frierson

Delta Sigma Theta

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Electric, Telephone and Gas Utilities, the Members and staff of the House of Representatives are invited to a Legislative Reception “Spring Fling.” This event will be held on Tuesday, May 22, 2012, from 6:00 p.m. to 8:00 p.m., at The Zone at Williams Brice Stadium.

Sincerely,

Gene Upchurch

Vice President - External Relations

Progress Energy

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Homeownership and Employment Lending Program, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, May 23, 2012, from 8:00 a.m. to 10:00 a.m., in Room 112 of the Blatt Building.

Sincerely,

Valarie M. Williams

Executive Director

SC Homeownership & Employment Lending Program

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina State Chapters of Zeta Phi Beta Sorority, Inc., the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Tuesday, May 1, 2012, from 12:00 p.m. to 2:00 p.m., in Room 112 of the Blatt Building.

Sincerely,

Yvonne Jefferson Barnes, Ed.D., Ph.D.

Chairperson - Social Action Committee

SC State Chapters, Zeta Phi Beta Sorority, Inc.

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of Boeing, BMW, the South Carolina Manufacturers Association, and General Electric, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, May 23, 2012, from 6:00 p.m. to 8:00 p.m., at the Nexsen Pruet Rooftop Terrace, 1230 Main Street, #700, Columbia, South Carolina.

Sincerely,

John M. Moloney

Senior Director - State & Local Government Operations

Boeing

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of South Carolina Coroners Association, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, May 24, 2012, from 8:00 a.m. to 10:00 a.m., in Room 112 of the Blatt Building.

Sincerely,

Kenneth L. Johnson, BS, DABMDI, CMI-III, CFC

President

SC Coroners Association

April 20, 2012

The Honorable Liston D. Barfield

Chairman, House Invitations Committee

503-A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Section of the American Water Works Association’s Water Utility Council, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on a date in May to be determined.

Sincerely,

Cynthia Presson

Executive Director

SCAWWA

**REPORT OF STANDING COMMITTEE**

Rep. SANDIFER, from the Committee on Oconee Delegation, submitted a favorable report on:

S. 1223 -- Senator Alexander: A BILL TO AMEND SECTION 7-7-430, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN OCONEE COUNTY, SO AS TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5153 -- Reps. Lucas and Neilson: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HARTSVILLE HIGH SCHOOL BASKETBALL TEAM FOR A SUCCESSFUL SEASON AND TO COMMEND ITS OUTSTANDING PLAYERS AND COACHES FOR CAPTURING THE 2012 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5156 -- Reps. Hardwick, Clemmons, Barfield and Hearn: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JARROD DANKA IN HIS COURAGEOUS STRUGGLES AGAINST KIDNEY DISEASE, AND TO COMMEND THE EFFORTS OF JARROD DANKA DAY IN MYRTLE BEACH TO RAISE FUNDS TO PROVIDE HIM WITH A VITAL KIDNEY TRANSPLANT.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5157 -- Rep. Owens: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SOUTH CAROLINA DISTRICT TEACHERS OF THE YEAR, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED ON BEING SELECTED TO REPRESENT THEIR INDIVIDUAL SCHOOL DISTRICTS AS TEACHERS OF THE YEAR.

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 South Carolina district Teachers of the Year, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended on being selected to represent their individual school districts as Teachers of the Year.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5159 -- Reps. Anderson, Agnew, Alexander, Allen, Allison, 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, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR ELIZABETH RUTH WILSON OF GEORGETOWN COUNTY, AND TO CONGRATULATE HER UPON HER GRADUATION FROM THE UNIVERSITY OF SOUTH CAROLINA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5154 -- Reps. Norman and J. M. Neal: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH THE FAIRFIELD/CHESTER COUNTY LINE TO ITS INTERSECTION WITH COOL BRANCH ROAD (S-20-50) "SCHP PATROLMAN RALPH W. MCCRACKEN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "SCHP PATROLMAN RALPH W. MCCRACKEN MEMORIAL HIGHWAY".

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5158 -- Reps. Owens, 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, 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, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO CONGRATULATE SOUTH CAROLINA'S 2012 DISTRICT TEACHERS OF THE YEAR ON BEING SELECTED TO REPRESENT THEIR RESPECTIVE SCHOOL DISTRICTS, TO WISH THEM CONTINUED SUCCESS IN THE FUTURE, AND TO EXPRESS APPRECIATION FOR THEIR DEDICATED SERVICE TO CHILDREN.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5160 -- Reps. Young, Clyburn, Hixon, J. R. Smith, Spires, Taylor, 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, 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, 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, Sottile, Southard, Stavrinakis, Stringer, Tallon, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams and Willis: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE IN THE LINE OF DUTY BY MASTER CORPORAL SANDRA ELIZABETH "SANDY" ROGERS, AND TO EXPRESS TO HER FAMILY THE

PROFOUND APPRECIATION OF A GRATEFUL STATE FOR HER LIFE, SACRIFICE, AND SERVICE.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1390 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SERTOMA UPON THE OCCASION OF THE ONE HUNDREDTH ANNIVERSARY OF ITS FOUNDING, AN ORGANIZATION WHICH EXISTS FOR THE HIGH AND NOBLE PURPOSE OF SERVICE TO MANKIND BY FACILITATING HUMAN PROGRESS IN HEARING AND SPEECH HEALTH, EDUCATION, FREEDOM, AND DEMOCRACY; AND TO PROCLAIM APRIL 11, 2012, "SERTOMA DAY" THROUGHOUT SOUTH CAROLINA.

Whereas, Sertoma is a service organization which exists for the high and noble purpose of providing service (SER) to (TO) mankind (MA) and making life worthwhile for communities throughout North America; and

Whereas, Sertoma has had a long and storied presence in the State of South Carolina since 1949 and currently boasts forty‑eight active Sertoma Clubs with 1313 members; and

Whereas, in its sixty‑three years of participation with Sertoma, South Carolina has provided eight presidents of Sertoma International: C. Tucker Weston, M.D., Columbia, 1959‑60; Paul A. “Pat” Thrash, Columbia, 1966‑67; John A. Mason, Columbia, 1975‑76; Thomas J. Horner III, North Augusta, 1981‑82; Mitchell B. Foster, Chester, 1983‑84; Charles W. Smith, Spartanburg, 1990‑91; Thomas H. “Tommy” Brush, Charleston, 2002‑03; and Carol Moore, Spartanburg, 2008‑09; and

Whereas, Christian T. Weston III of Columbia will assume the duties of international president on July 1, 2012, to begin Sertoma’s second century of service to mankind; and

Whereas, in communities throughout the Palmetto State, Sertoma Clubs have provided millions of dollars through fundraising projects to many local charities, including speech and hearing charities; and

Whereas, Sertomans in South Carolina have donated thousands of service hours for the betterment of mankind all over the State; and

Whereas Sertoma has interacted with elementary and middle school children through its Freedom and Democracy Sponsorship, instilling the youth of our communities with the principles of law, order, justice, and pride in our national heritage through essay writing contests and other projects; and

Whereas, Sertomans in South Carolina raised funds for and built Camp Sertoma South Carolina on Lake Hartwell near Clemson, a camp for speech and hearing impaired children and under‑privileged children to attend each summer with tuition paid by the Sertoma Clubs; and

Whereas, Sertoma Clubs have made a profound, positive impact on communities in South Carolina by their service to mankind and have made life worthwhile for many citizens of the State through their efforts; and

Whereas, joining with their colleagues throughout North America, Sertomans in South Carolina are celebrating the centennial anniversary of its founding. Now, therefore,

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

That the members of the South Carolina General Assembly, by this resolution, recognize and honor Sertoma upon the occasion of the one hundredth anniversary of its founding, an organization which exists for the high and noble purpose of service to mankind by facilitating human progress in hearing and speech health, education, freedom, and democracy; and proclaim April 11, 2012, “Sertoma Day” throughout South Carolina.

Be it further resolved that a copy of this resolution be forwarded to Sertoma.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1414 -- Senator Thomas: A CONCURRENT RESOLUTION TO RECOGNIZE THE MONTH OF APRIL 2012 AS "ZERO TOLERANCE FOR LITTER MONTH" IN SOUTH CAROLINA, AND TO ASK ALL OF OUR CITIZENS AND LAW ENFORCEMENT OFFICERS TO WORK TOGETHER THIS MONTH AND THROUGHOUT THE YEAR FOR A CLEANER COMMUNITY, THUS PRESERVING THE NATURAL BEAUTY OF OUR COMMUNITY, OUR STATE, AND OUR COUNTRY.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1466 -- Senator Ryberg: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2012 AS "SHAKEN BABY SYNDROME AWARENESS WEEK" TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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

**INTRODUCTION OF BILLS**

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

H. 5155 -- Rep. Horne: A BILL TO AMEND SECTION 40-13-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF COSMETOLOGY, SO AS TO REQUIRE THAT AN ESTHETICIAN AND NAIL TECHNICIAN APPOINTED TO THE BOARD MUST HAVE AT LEAST FIVE YEARS OF PRACTICE EXPERIENCE IN HIS FIELD.

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

S. 1122 -- Senator Gregory: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE AND RENAME CERTAIN PRECINCTS AND REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

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

S. 1319 -- Senators L. Martin, Matthews, Hayes and Ford: A BILL TO AMEND ARTICLE 11, CHAPTER 75, TITLE 38 OF THE 1976 CODE, BY ADDING SECTION 38-75-1010, TO PROVIDE THAT A TITLE INSURER MAY ISSUE CLOSING OR SETTLEMENT INSURANCE, TO PROVIDE FOR LOSS AGAINST WHICH THIS INSURANCE MAY INDEMNIFY AN INSURED, AND TO PROVIDE THAT A PREMIUM CHARGED PURSUANT TO THIS SECTION MUST BE APPROVED BY THE DEPARTMENT AND MUST NOT BE SUBJECT TO ANY AGREEMENT REQUIRING A DIVISION OF FEES OR PREMIUMS COLLECTED ON BEHALF OF THE TITLE INSURER.

Referred to Committee on Labor, Commerce and Industry

S. 1321 -- Senators Malloy, McConnell, Knotts and Ford: A BILL TO AMEND THE "OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT OF 2010", CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16-11-110, RELATING TO ARSON, SO AS TO RESTRUCTURE THE DEGREES OF ARSON; BY AMENDING SECTION 16-23-500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM OR AMMUNITION BY A PERSON CONVICTED OF A VIOLENT CRIME CLASSIFIED AS A FELONY, SO AS TO PROVIDE THAT IT IS A VIOLATION OF PROBATION, PAROLE, COMMUNITY SUPERVISION, OR ANY OTHER SUPERVISION PROGRAM OPERATED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES FOR AN OFFENDER TO PURCHASE OR POSSESS A FIREARM, AMMUNITION, OR ANY OTHER DANGEROUS WEAPON; BY AMENDING SECTION 22-3-560, RELATING TO THE ABILITY OF MAGISTRATES TO PUNISH BREACHES OF THE PEACE, SO AS TO PROVIDE THAT MAGISTRATES MAY PUNISH BREACHES OF THE PEACE BY A FINE NOT EXCEEDING FIVE HUNDRED DOLLARS OR IMPRISONMENT FOR A TERM NOT EXCEEDING THIRTY DAYS, OR BOTH; BY AMENDING SECTION 22-5-920, RELATING TO THE EXPUNGEMENT OF YOUTHFUL OFFENDERS' RECORDS, SO AS TO PROVIDE THAT EXPUNGEMENT DOES NOT APPLY TO OFFENSES IN WHICH REGISTRATION ON THE SEXUAL OFFENDER REGISTRY IS REQUIRED, EXCEPT IN CASES IN WHICH A DETERMINATION IS MADE BY THE SENTENCING COURT THAT THE SEXUAL CONDUCT WITH A VICTIM OF AT LEAST FOURTEEN YEARS OF AGE WAS CONSENSUAL; BY AMENDING SECTION 24-19-10, RELATING TO THE DEFINITION OF A "YOUTHFUL OFFENDER", SO AS TO PROVIDE THAT IF THE OFFENDER COMMITTED BURGLARY IN THE SECOND DEGREE PURSUANT TO SECTION 16-11-312(B), THE OFFENDER MUST RECEIVE AND SERVE A MINIMUM SENTENCE OF AT LEAST THREE YEARS, NO PART OF WHICH MAY BE SUSPENDED, AND THE PERSON IS NOT ELIGIBLE FOR CONDITIONAL RELEASE UNTIL THE PERSON HAS SERVED THE THREE-YEAR MINIMUM SENTENCE; BY AMENDING SECTION 24-21-5 AND SECTION 24-21-100, RELATING TO ADMINISTRATIVE MONITORING BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THE PROCEDURES THE DEPARTMENT SHALL FOLLOW WHEN NOTIFYING PERSONS UNDER ADMINISTRATIVE MONITORING; BY AMENDING SECTION 24-21-280, RELATING TO COMPLIANCE CREDITS OF PERSONS UNDER THE SUPERVISION OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THAT AN INDIVIDUAL MAY EARN UP TO TWENTY DAYS OF COMPLIANCE CREDITS FOR EACH THIRTY-DAY PERIOD IN WHICH THE DEPARTMENT DETERMINES THAT THE INDIVIDUAL HAS SUBSTANTIALLY FULFILLED ALL OF THE CONDITIONS OF SUPERVISION; BY AMENDING SECTION 44-53-370 AND SECTION 44-53-375, RELATING TO CONTROLLED SUBSTANCE OFFENSES, SO AS TO REMOVE CERTAIN PROVISIONS PERTAINING TO PRIOR AND SUBSEQUENT CONTROLLED SUBSTANCE CONVICTIONS; BY AMENDING SECTION 44-53-470, RELATING TO WHEN A CONTROLLED SUBSTANCE OFFENSE IS CONSIDERED A SECOND OR SUBSEQUENT OFFENSE, SO AS TO PROVIDE THAT A CONVICTION FOR TRAFFICKING IN CONTROLLED SUBSTANCES MUST BE CONSIDERED A PRIOR OFFENSE FOR PURPOSES OF ANY CONTROLLED SUBSTANCE PROSECUTION; BY AMENDING SECTION 56-1-396, RELATING TO THE DRIVER’S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO PROVIDE THAT QUALIFYING SUSPENSIONS DO NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56-5-2990 OR SECTION 56-5-2945, AND DO NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56-1-460, IF THE PERSON DRIVES A MOTOR VEHICLE WHEN THE PERSON'S LICENSE HAS BEEN SUSPENDED OR REVOKED PURSUANT TO SECTION 56-5-2990 OR SECTION 56-5-2945; AND BY AMENDING SECTION 56-1-460, RELATING TO THE OFFENSE OF DRIVING UNDER SUSPENSION, SO AS TO PROVIDE THAT FOR A THIRD OR SUBSEQUENT OFFENSE, THE PERSON MUST BE FINED ONE THOUSAND DOLLARS, AND IMPRISONED FOR UP TO NINETY DAYS OR CONFINED TO THE PERSON'S PLACE OF RESIDENCE PURSUANT TO THE HOME DETENTION ACT FOR UP TO NINETY DAYS.

Referred to Committee on Judiciary

S. 1328 -- Senator Verdin: A BILL TO AMEND ARTICLE 11, CHAPTER 9, TITLE 48 OF THE 1976 CODE, RELATING TO SOIL AND WATER CONSERVATION DISTRICT COMMISSIONERS AND THE POWERS OF THE COMMISSIONERS AND THE DISTRICTS, BY ADDING SECTION 48-9-1330 TO PROVIDE FOR AN EXEMPTION FOR APPOINTED COMMISSIONERS FROM FINANCIAL DISCLOSURE REQUIREMENTS CONTAINED IN ARTICLE 11, CHAPTER 13, TITLE 8.

Referred to Committee on Judiciary

S. 1340 -- Senators Malloy and Knotts: A BILL TO AMEND SECTION 41-15-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMEDIES OF EMPLOYEES ALLEGING DISCRIMINATION, SO AS TO PROVIDE PROCEDURES THE DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL FOLLOW UPON RECEIPT OF A COMPLAINT ALLEGING SUCH DISCRIMINATION.

Referred to Committee on Labor, Commerce and Industry

S. 1392 -- Senators Campbell and Ford: A BILL TO AMEND SECTION 34-13-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TOTAL LIABILITIES OF ANY ONE BORROWER TO A BANK, SO AS TO DEFINE "TOTAL LIABILITIES" WHICH SHALL INCLUDE "DERIVATIVE TRANSACTIONS" AND TO ALSO DEFINE "DERIVATIVE TRANSACTIONS" FOR THIS PURPOSE; AND TO AMEND SECTION 34-13-70, RELATING TO THE MAXIMUM AMOUNT OF LOANS BY A STATE BANK TO A BORROWER, SO AS TO DEFINE "LOAN" WHICH SHALL INCLUDE "DERIVATIVE TRANSACTIONS", AND TO ALSO DEFINE "DERIVATIVE TRANSACTIONS" FOR THIS PURPOSE.

Referred to Committee on Labor, Commerce and Industry

S. 1413 -- Senator Peeler: A BILL TO AMEND ACT 587 OF 1992, AS AMENDED, RELATING TO CHEROKEE COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF CHEROKEE COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

S. 1419 -- Senators Thomas, Ford and Hayes: A BILL TO AMEND CHAPTER 45, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE BROKERS AND SURPLUS LINES INSURANCE, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE REVENUE COLLECTED FROM THE BROKER'S PREMIUM TAX RATE MUST BE CREDITED TO A SPECIAL EARMARKED FUND, TO PROVIDE THE MANNER IN WHICH THE FUND MAY BE USED AND DISBURSED, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS OF BROKER RECORDS, TO ALLOW THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THE CHAPTER, TO PROVIDE THE MANNER IN WHICH THE NONADMITTED AND REINSURANCE REFORM ACT OF 2010 MAY BE IMPLEMENTED; AND TO AMEND SECTION 38-7-160, RELATING TO MUNICIPAL LICENSE FEES AND TAXES, SO AS TO DISALLOW A MUNICIPALITY FROM CHARGING AN ADDITIONAL LICENSE FEE OR TAX BASED UPON A PERCENTAGE OF PREMIUMS FOR PURPOSES OF SURPLUS LINES INSURANCE.

Referred to Committee on Labor, Commerce and Industry

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

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

|  |  |
| --- | --- |
| Jackie Hayes | Andy Patrick |
| James Merrill | Carl Anderson |
| James E. Smith | William Bowers |
| Bakari Sellers | Mia Butler Garrick |
| Richard "Rick" Quinn | Joseph Neal |
| Anne Parks | Lewis E. Pinson |
| David Mack  H. B. “Boyd” Brown | Grady Brown  Tracy Edge |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. VICK a leave of absence for the day.

**STATEMENT OF ATTENDANCE**

Reps. AGNEW and EDGE signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Thursday, April 19.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Alexander Ramsay of Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3274 |
| Date: | ADD: |
| 04/24/12 | WHIPPER and R. L. BROWN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4640 |
| Date: | ADD: |
| 04/24/12 | BOWERS, WHIPPER and R. L. BROWN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4626 |
| Date: | ADD: |
| 04/24/12 | GILLIARD, JEFFERSON and MCLEOD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4697 |
| Date: | ADD: |
| 04/24/12 | WHIPPER and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4802 |
| Date: | ADD: |
| 04/24/12 | ANDERSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4944 |
| Date: | ADD: |
| 04/24/12 | WHIPPER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5025 |
| Date: | ADD: |
| 04/24/12 | GILLIARD |

RECORD FOR VOTING

During my excused leave on Thursday, April 19, the House voted on the following Bills and Joint Resolutions. If I had been present, I would have voted on each as follows:

S. 1269-Yea S. 872-Yea

H. 5063-Yea H. 5025-Yea

H. 4054-Yea H. 4128-Yea

H. 4200-Yea H. 3757-Yea

H. 4705-Yea

Rep. Todd Atwater

**H. 5146--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5146 -- Reps. Long and Norman: A BILL TO AMEND ACT 270 OF 1981, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF FORT MILL SCHOOL DISTRICT NO. 4 IN YORK COUNTY, SO AS TO PROVIDE FOR THE EXPIRATION DATE OF THE TERMS OF CERTAIN MEMBERS OF THE BOARD IN ORDER TO HAVE ALL MEMBERS OF THE BOARD ELECTED IN NOVEMBER OF EVEN-NUMBERED YEARS.

The yeas and nays were taken resulting as follows:

Yeas 62; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Bannister | Barfield |
| Bingham | Bowen | Branham |
| Brantley | Butler Garrick | Chumley |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Hardwick | Harrell |
| Hart | Hearn | Henderson |
| Hixon | Hosey | Huggins |
| Jefferson | Johnson | King |
| Knight | Long | Lowe |
| Lucas | McCoy | McEachern |
| D. C. Moss | V. S. Moss | Nanney |
| J. M. Neal | Neilson | Norman |
| Parker | Patrick | Pope |
| Putnam | Ryan | Sabb |
| Sandifer | Skelton | G. M. Smith |
| J. R. Smith | Southard | Spires |
| Stringer | Tallon | Thayer |
| Whitmire | Willis |  |

**Total--62**

Those who voted in the negative are:

**Total--0**

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

**SENT TO THE SENATE**

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

H. 4054 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-36 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT MIGRATORY WATERFOWL ON LAKE KEOWEE WITHIN TWO HUNDRED YARDS OF A DWELLING, AND TO PROVIDE A PENALTY.

**H. 5025--RECONSIDERED**

The motion of Rep. SKELTON to reconsider the vote whereby the following Bill was given second reading was taken up:

H. 5025 -- Reps. Govan, Cobb-Hunter, King, Limehouse, J. H. Neal, Ott, R. L. Brown, Ways and Means and Gilliard: A BILL TO AMEND SECTION 59-127-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO REVISE THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH MEMBERS OF THE BOARD ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT AND THREE ALUMNI MEMBERS, AND TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS, INCLUDING A PROVISION THAT THE TERMS OF ALL PRESENTLY ELECTED MEMBERS OF THE BOARD SHALL EXPIRE ON JUNE 30, 2012, AT WHICH TIME THEIR SUCCESSORS ELECTED AS PROVIDED BY THIS SECTION SHALL TAKE OFFICE.

Rep. GOVAN spoke against the motion to reconsider.

Rep. GOVAN moved to table the motion to reconsider, which was rejected.

By a division vote of 66 to 4, the motion to reconsider was adopted.

**H. 4243--DEBATE ADJOURNED**

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

H. 4243 -- Reps. Quinn, Bingham, Toole, Huggins, Atwater and McLeod: A BILL TO AMEND SECTION 7-27-365, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND ELECTIONS COMMISSION FOR LEXINGTON COUNTY, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM NINE TO ELEVEN MEMBERS.

**H. 4687--DEBATE ADJOURNED**

Rep. KING moved to adjourn debate upon the following Bill, which was adopted:

H. 4687 -- Reps. King, Parks, Butler Garrick, J. E. Smith and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-74 SO AS TO REQUIRE DEATH CERTIFICATES TO BE ELECTRONICALLY TRANSMITTED AMONG ALL PARTIES REQUIRED TO COMPLETE THE DEATH CERTIFICATE; TO REQUIRE ELECTRONIC FILING OF THE DEATH CERTIFICATE WITH THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE THAT REQUIRED SIGNATURES MUST BE PROVIDED ELECTRONICALLY; AND TO DEFINE "ELECTRONIC SIGNATURE".

**S. 1213--DEBATE ADJOURNED**

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

S. 1213 -- Senators Alexander, L. Martin, Scott, Knotts, Peeler, Cromer, Setzler, Leventis, Hayes, Nicholson, Ryberg and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 2 SO AS TO ESTABLISH THE STATE OF SOUTH CAROLINA MEDAL OF VALOR TO RECOGNIZE SOUTH CAROLINIANS, OR INDIVIDUALS WITH CERTAIN TIES TO SOUTH CAROLINA, WHO WERE KILLED IN ACTION WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES OF AMERICA; TO PROVIDE FOR THE SOUTH CAROLINA MEDAL OF VALOR ROLL; AND TO ESTABLISH THE SOUTH CAROLINA MEDAL OF VALOR AWARD CRITERIA.

**H. 5025--DEBATE ADJOURNED**

The following Bill was taken up:

H. 5025 -- Reps. Govan, Cobb-Hunter, King, Limehouse, J. H. Neal, Ott, R. L. Brown, Ways and Means and Gilliard: A BILL TO AMEND SECTION 59-127-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO REVISE THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH MEMBERS OF THE BOARD ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT AND THREE ALUMNI MEMBERS, AND TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS, INCLUDING A PROVISION THAT THE TERMS OF ALL PRESENTLY ELECTED MEMBERS OF THE BOARD SHALL EXPIRE ON JUNE 30, 2012, AT WHICH TIME THEIR SUCCESSORS ELECTED AS PROVIDED BY THIS SECTION SHALL TAKE OFFICE.

Rep. SKELTON moved to adjourn debate on the Bill until Wednesday, April 25, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 4943--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4943 -- Reps. Lowe, Crawford, Erickson, Patrick, Brannon, Ott, Bowers, G. A. Brown, Clemmons, Cole, Frye, Merrill, Pitts, Spires, Tallon, White, Knight and G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-715 SO AS TO PROVIDE FOR THE HUNTING OF COYOTES, ARMADILLOS, AND FERAL HOGS ON PRIVATE PROPERTY DURING NIGHTTIME HOURS.

Rep. LOWE proposed the following Amendment No. 3 to H. 4943 (COUNCIL\GGS\22363ZW12), which was adopted:

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

/ SECTION 1. Article 4, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑715. Notwithstanding another provision of law, on private property, the landowner, or his lessee or agent with written permission, a valid hunting license, and the landowner’s contact information in his possession, may take coyotes, armadillos, and feral hogs during the nighttime hours from one hour after official sunset on the last day of February to one hour before official sunrise the first day of July of that same year. The method of such taking shall be with any legal firearm or arrow shooting device and may be with or without the aid of bait, electronic calls, artificial light, infrared, thermal or laser sighting devices, night vision devices, or any device aiding the identification or targeting of species. All center fire rifles must be fired from an elevated position at least ten feet from the ground when hunting between the hours of one hour after sunset until one hour before sunrise.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. LOWE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Hamilton | Hardwick |
| Harrell | Hayes | Hearn |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | Murphy | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | 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 |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--97**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Gilliard |  |  |

**Total--1**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on other legislative business during the vote on H. 4943. If I had been present, I would have voted in favor of the Bill, as amended.

Rep. Elizabeth Munnerlyn

**H. 4626--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4626 -- Reps. White, Whipper, R. L. Brown, Gilliard, Jefferson and McLeod: A BILL TO AMEND SECTION 11-11-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, ESTABLISHING THE SMOKING PREVENTION AND CESSATION TRUST FUND AND THE SOUTH CAROLINA MEDICAID FUND TO RECEIVE REVENUES OF THE TWO AND ONE-HALF CENT SURTAX IMPOSED ON THE SALE OF EACH CIGARETTE, SO AS ESTABLISH THE BREAST CANCER AND COLORECTAL CANCER SCREENING AND TREATMENT TRUST FUND TO WHICH MUST BE DEPOSITED ANNUALLY TWO AND ONE-HALF MILLION DOLLARS IN CIGARETTE SURTAX REVENUES WHICH MUST BE USED BY THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR THE SOLE PURPOSE OF ESTABLISHING A STATEWIDE BREAST CANCER AND COLORECTRAL CANCER SCREENING AND TREATMENT PROGRAM; AND TO AMEND SECTION 12-21-625, RELATING TO THE IMPOSITION OF THE CIGARETTE SURTAX AND THE USE OF THE REVENUES OF THE TAX, SO AS TO PROVIDE THAT TWO AND ONE-HALF MILLION DOLLARS ANNUALLY OF THE SURTAX REVENUE MUST BE CREDITED TO THE BREAST CANCER AND COLORECTAL CANCER SCREENING AND TREATMENT TRUST FUND AND TO REDUCE FROM FIVE MILLION DOLLARS TO TWO AND ONE-HALF MILLION DOLLARS ANNUALLY THE SURTAX REVENUE THAT MUST BE CREDITED TO THE SMOKING PREVENTION AND CESSATION TRUST FUND.

Rep. BATTLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; 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 | Brantley |
| R. L. Brown | Butler Garrick | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Patrick | Pinson |
| Pitts | Pope | Putnam |
| Quinn | Ryan | 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 | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

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

**H. 4640--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4640 -- Reps. Anthony, Bingham, Ott, Harrell, White, Bowers, Whipper and R. L. Brown: A BILL TO AMEND SECTION 11-35-1524, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESIDENT VENDOR PREFERENCES UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO REVISE THE RESIDENT VENDOR PREFERENCES AND THE MANNER AND PROCEDURES UNDER WHICH THEY ARE COMPUTED.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 4640 (COUNCIL\DKA\4046SD12), which was adopted:

Amend the bill, as and if amended, Section 11‑35‑1524, as contained in SECTION 1, beginning on page 1, by striking subsection (A) in its entirety and inserting:

/ (A) For purposes of this section:

(1) ‘End product’ means the tangible product described in the solicitation including all component parts and in final form and ready for the state’s intended use.

(2) ‘Grown’ means to produce, cultivate, raise, or harvest timber, agricultural produce, or livestock on the land, or to cultivate, raise, catch, or harvest products or food from the water which results in an end product that is locally derived from the product cultivated, raised, caught, or harvested.

(3) ‘Labor cost’ means salary and fringe benefits.

(4) ‘Made’ means to assemble, fabricate, or process component parts into an end product, the value of which, assembly, fabrication, or processing is a substantial portion of the price of the end product.

(5) ‘Manufactured’ means to make or process raw materials into an end product.

(6) ‘Office’ means a nonmobile place for the regular transaction of business or performance of a particular service which has been operated as such by the bidder for at least one year before the bid opening and during that year the place has been staffed for at least fifty weeks by at least two employees for at least thirty‑five hours a week each.

(7) ‘Services’ means services as defined by Section 11‑35‑310(29) and also includes services as defined in Section 11‑35‑310(1)(d).

~~(8)~~ ~~‘South Carolina end product’ means an end product made, manufactured, or grown in South Carolina.~~

~~(9)~~ ~~‘United States end product’ means an end product made, manufactured, or grown in the United States of America.~~ /

Amend further, Section 11‑35‑1524, page 6, after line 25, by adding a new subsection to read:

/ (F) Subject to the preference limits contained in this section, the preference for all applicable preferences shall be applied to the total value of the contract price for the solicitation and not to incremental portions thereof. /

Renumber sections to conform.

Amend title to conform.

Rep. BATTLE explained the amendment.

The amendment was then adopted.

Rep. G. R. SMITH proposed the following Amendment No. 2 to H. 4640 (COUNCIL\DKA\4062SD12):

Amend the bill, as and if amended, Section 11‑35‑1524 of the 1976 Code, as contained in SECTION 1, by adding a new subsection (G) to read:

/ (G) If a bidder is determined to be the lowest bidder on a solicitation through the application of the preferences provided in this section, but would not have been the lowest bidder except for the application of these preferences, that bidder in order to be awarded the bid must agree in his responsive bid or thereafter after the opening of the bids to adjust his bid price without the application of any preferences to meet the lowest price received from any other bidders in response to the solicitation who did not receive any preferences under this section. The requirements and provisions of this subsection must be clearly stated in the solicitation available to all bidders. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

Reps. YOUNG, SKELTON, HAYES, PARKER, BRANTLEY, ERICKSON, THAYER, BANNISTER, TAYLOR, CROSBY, J. R. SMITH, BRANNON, BALES, SANDIFER, BEDINGFIELD and BATTLE requested debate on the Bill.

**H. 4802--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4802 -- Reps. J. E. Smith, Quinn, Munnerlyn, Williams, Jefferson, Johnson, McEachern, Brannon, Dillard, McLeod, Stavrinakis, Sellers, Sabb, Brady, Ott, Vick, H. B. Brown, Branham, Bingham, Bowers, Cobb-Hunter, Erickson, Harrison, Hart, Hayes, Herbkersman, Merrill, J. H. Neal, Pitts, G. M. Smith, Whipper and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 12 SO AS TO ENACT THE "SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT" WHICH PROVIDES THAT A TAXPAYER MAKING INVESTMENTS OF A CERTAIN SIZE IN REHABILITATING AN ABANDONED BUILDING MAY AT HIS OPTION RECEIVE SPECIFIED INCOME TAX CREDITS OR CREDITS AGAINST THE PROPERTY TAX LIABILITY.

Rep. BATTLE explained the Bill.

Reps. BEDINGFIELD, LOFTIS, HAMILTON, BARFIELD, BOWEN, THAYER, MCCOY, CORBIN, CRAWFORD, TALLON, CHUMLEY and BALLENTINE requested debate on the Bill.

**S. 6--DEBATE ADJOURNED**

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

S. 6 -- Senators Leatherman, McGill, Rose, McConnell, Campsen, Fair, Setzler, Alexander and Rankin: A BILL TO RATIFY AN AMENDMENT TO SECTION 36(A), ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND, TO INCREASE FROM THREE TO FIVE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND; AND TO RATIFY AN AMENDMENT TO SECTION 36(B) OF ARTICLE III, RELATING TO THE CAPITAL RESERVE FUND, TO PROVIDE THAT MONIES IN THE CAPITAL RESERVE FUND, IN ANY YEAR THE GENERAL RESERVE FUND DOES NOT HAVE THE REQUIRED PERCENTAGE OF GENERAL FUND REVENUE, FIRST MUST BE USED TO FULLY REPLENISH THE APPLICABLE PERCENTAGE AMOUNT IN THE GENERAL RESERVE FUND BEFORE BEING USED FOR OTHER AUTHORIZED PURPOSES WHICH DO NOT INCLUDE OFFSETTING MIDYEAR BUDGET REDUCTIONS.

**H. 4957--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 4957 -- Reps. Allison, White, Parker and Forrester: A JOINT RESOLUTION TO PROVIDE THAT IN 2013 AND 2014, THE ANNUAL FEE FOR THE AUTOMOBILE MANUFACTURER STANDARD LICENSE PLATE FOR VEHICLES IN THE MANUFACTURER'S EMPLOYEE BENEFIT PROGRAM AND FOR THE TESTING, DISTRIBUTION, EVALUATION, AND PROMOTION OF ITS VEHICLES IS SEVEN HUNDRED TWO DOLLARS, TO PROVIDE THAT TWENTY DOLLARS OF EACH FEE IS CREDITED TO THE GENERAL FUND OF THE STATE AND THE BALANCE TO LOCAL GOVERNMENTS, AND TO PROVIDE THAT THE ENTIRE FEE AMOUNT BE CREDITED TO THE GENERAL FUND OF THE STATE FOR NONRESIDENT PARTICIPANTS IN THE EMPLOYEE BENEFIT PROGRAM.

Rep. ALLISON explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

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

**Total--106**

Those who voted in the negative are:

**Total--0**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4687--DEBATE ADJOURNED**

Rep. HART moved to adjourn debate upon the following Bill, which was adopted:

H. 4687 -- Reps. King, Parks, Butler Garrick, J. E. Smith and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-74 SO AS TO REQUIRE DEATH CERTIFICATES TO BE ELECTRONICALLY TRANSMITTED AMONG ALL PARTIES REQUIRED TO COMPLETE THE DEATH CERTIFICATE; TO REQUIRE ELECTRONIC FILING OF THE DEATH CERTIFICATE WITH THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE THAT REQUIRED SIGNATURES MUST BE PROVIDED ELECTRONICALLY; AND TO DEFINE "ELECTRONIC SIGNATURE".

**H. 4997--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4997 -- Reps. Stringer, Bingham, Harrell, Norman, Clemmons, Quinn, Ballentine, Spires, Brannon, McCoy, Ryan, Patrick, Bedingfield, Parker, Taylor, Brady, Murphy, Bowen, Hearn, Nanney, Sottile, Loftis, Lowe, J. R. Smith, Allison, Atwater, Bannister, Chumley, Crosby, Daning, Delleney, Erickson, Hamilton, Hardwick, Henderson, Herbkersman, Hixon, Horne, Limehouse, Long, Merrill, D. C. Moss, V. S. Moss, Owens, Pinson, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Willis, Young and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-511 SO AS TO ELIMINATE THE FOUR, FIVE, AND SIX PERCENT INCOME BRACKETS AND INSTEAD TAX THOSE INCOMES AT THREE PERCENT.

Reps. OTT, COBB-HUNTER, CRAWFORD, LOWE, STRINGER, G. R. SMITH, CLEMMONS, WEEKS, CORBIN, ANDERSON, GILLIARD, BEDINGFIELD, R. L. BROWN, HOSEY, J. R. SMITH, JEFFERSON, WILLIAMS, PARKER, NEILSON, ALLISON, BRANTLEY, ERICKSON and FORRESTER requested debate on the Bill.

**H. 4996--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4996 -- Reps. Stringer, Bingham, Harrell, White, McCoy, Norman, Clemmons, Quinn, Ballentine, Ryan, Brannon, Bedingfield, Spires, Thayer, Parker, Taylor, Daning, Hearn, J. R. Smith, Patrick, Murphy, Bowen, Lowe, Nanney, Hiott, Sottile, Loftis, Allison, Atwater, Bannister, Chumley, Crosby, Delleney, Erickson, Hamilton, Hardwick, Henderson, Herbkersman, Hixon, Horne, Limehouse, Long, Merrill, D. C. Moss, V. S. Moss, Owens, Pinson, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Willis, Young and Forrester: A BILL TO AMEND SECTION 12-6-545, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO REDUCE THE TAX RATE FROM FIVE PERCENT TO THREE PERCENT.

Reps. OTT, STRINGER, G. R. SMITH, J. R. SMITH, CORBIN, WEEKS, LOFTIS, HAMILTON, BEDINGFIELD, NANNEY, HENDERSON, ANDERSON, MCCOY, HOSEY, GILLIARD, R. L. BROWN, COBB-HUNTER, JEFFERSON, PARKER, WILLIAMS, ALLISON, NEILSON, BRANTLEY, FORRESTER, CRAWFORD, MCEACHERN and KNIGHT requested debate on the Bill.

**H. 4821--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4821 -- Reps. G. M. Smith, Pitts, Murphy, Horne, Hearn, McCoy, Stavrinakis, Bannister and Harrison: A BILL TO AMEND SECTION 8-21-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COURT FEES AND COSTS, SO AS TO PROVIDE FOR THE FILING OF COURT DOCUMENTS BY ELECTRONIC MEANS FROM AN INTEGRATED ELECTRONIC FILING (E-FILING) SYSTEM AND TO PROVIDE THAT FEES GENERATED FROM E-FILING ARE TO BE USED IN SUPPORT OF COURT TECHNOLOGY.

Rep. HARRISON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

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

**Total--109**

Those who voted in the negative are:

**Total--0**

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

**H. 5051--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 5051 -- Reps. Limehouse, Barfield, Tribble, Sabb, Hosey, Southard, J. H. Neal, Crawford, Parker, Brantley, Neilson, Erickson, Clemmons, Hearn, Hardwick, Loftis, Murphy, Ryan, McCoy, Anderson, Butler Garrick, Whitmire, Williams, Sottile, Alexander, Allen, Bowen, Pinson, Brannon, Johnson, Huggins, Spires, Sellers, Agnew, Anthony, Atwater, Bales, Bannister, Battle, Bedingfield, Bingham, Bowers, Branham, G. A. Brown, H. B. Brown, R. L. Brown, Chumley, Clyburn, Cobb-Hunter, Cole, Corbin, Crosby, Daning, Delleney, Dillard, Edge, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Harrell, Harrison, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Howard, Jefferson, King, Long, Lowe, Lucas, Mack, McEachern, McLeod, D. C. Moss, V. S. Moss, Munnerlyn, J. M. Neal, Norman, Ott, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Rutherford, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Stavrinakis, Stringer, Tallon, Taylor, Toole, Vick, Weeks, Whipper, White and Willis: A BILL TO AMEND SECTION 59-103-15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO HIGHER EDUCATION MISSION AND GOALS FOR ALL PUBLIC HIGHER EDUCATION INSTITUTIONS IN THIS STATE, SO AS TO INCLUDE IN THE MISSION OF FOUR YEAR COLLEGES AND UNIVERSITIES UNIQUE DOCTORAL DEGREE PROGRAMS THAT ARE NOT DUPLICATIVE OF ANY RESEARCH UNIVERSITY DOCTORAL PROGRAMS IN THAT REGION, AND TO DEFINE "THAT REGION".

The Education and Public Works Committee proposed the following Amendment No. 1 to H. 5051 (COUNCIL\BBM\10609HTC12):

Amend the bill, as and if amended, by striking Section 59‑103‑15(B)(2), as contained in SECTION 1, beginning on page 1, and inserting:

/ (2) Four‑year colleges and universities

(a) college‑level baccalaureate education and selected master’s degrees which lead to employment or continued education~~, or both, except for doctoral degrees currently being offered~~;

(b) highly focused doctoral degrees offered that:

(i) are not unnecessarily duplicative of any university doctoral program;

(ii) reflect the unique research expertise of a cadre of faculty in the discipline sufficient to sustain doctoral level research at the four‑year institution; and

(iii) meet the needs of the State;

~~(b)~~(c) limited and specialized research;

~~(c)~~(d) public service to the State and the local community; /

Renumber sections to conform.

Amend title to conform.

Rep. BARFIELD explained the amendment.

Reps. BEDINGFIELD, OWENS, CLEMMONS, BARFIELD, J. R. SMITH, SKELTON, R. L. BROWN, WHIPPER, HOSEY, LIMEHOUSE, PUTNAM, HIXON, THAYER, BOWEN, G. R. SMITH, DILLARD, ALLEN, MERRILL, SELLERS, SABB, ALLISON, TALLON, BRANTLEY, HERBKERSMAN, PATRICK and BRANNON requested debate on the Bill.

**S. 1031--DEBATE ADJOURNED**

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

S. 1031 -- Senators Lourie, L. Martin, Elliott, Setzler and Alexander: A BILL TO AMEND SECTION 56-5-5660(E)(1) OF THE 1976 CODE, RELATING TO THE APPLICATION FOR AND ISSUANCE OF DISPOSAL AUTHORITY CERTIFICATES, TO INCREASE THE AGE OF A VEHICLE THAT MAY BE DISPOSED OF BY A DEMOLISHER WITHOUT A CERTIFICATE OF TITLE OR OTHER NOTICE REQUIREMENTS FROM EIGHT TO FIFTEEN YEARS; TO AMEND SECTION 56-5-5670(A), RELATING TO DUTIES OF DEMOLISHERS PRIOR TO DEMOLISHING A VEHICLE ABANDONED ON A HIGHWAY, TO ESTABLISH A FIFTEEN DAY WAITING PERIOD BEFORE A DEMOLISHER MAY WRECK, DISMANTLE, OR DEMOLISH A VEHICLE UNLESS THE DEMOLISHER IS PROVIDED WITH A CERTIFICATE OF TITLE, AN AUCTION SALES RECEIPT, A DISPOSAL AUTHORITY CERTIFICATE, OR AN AFFIDAVIT OF PROOF OF LAWFUL POSSESSION; TO AMEND SECTION 56-5-5670(D), RELATING TO PENALTIES FOR DEMOLISHERS THAT BREACH DUTIES ESTABLISHED IN THIS SECTION, TO INCREASE PENALTIES FOR VIOLATIONS OF SECTION 56-5-5670; TO AMEND ARTICLE 39, CHAPTER 5, TITLE 56, RELATING TO THE DISPOSITION OF ABANDONED MOTOR VEHICLES ON HIGHWAYS, BY ADDING SECTION 56-5-5680 TO PROVIDE FOR AN AFFIDAVIT OF LAWFUL POSSESSION THAT A DEMOLISHER MAY ACCEPT IN LIEU OF A CERTIFICATE OF TITLE, AN AUCTION SALES RECEIPT, OR A DISPOSAL AUTHORITY CERTIFICATE, TO PROVIDE FOR THE CONTENTS OF THE AFFIDAVIT, TO PROVIDE THAT IT IS A FELONY TO KNOWINGLY PROVIDE FALSE INFORMATION IN THE AFFIDAVIT, TO REQUIRE A DEMOLISHER ACCEPTING AN AFFIDAVIT TO TRANSMIT THE INFORMATION CONTAINED IN THE AFFIDAVIT TO THE DEPARTMENT OF MOTOR VEHICLES, TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO REPORT THE INFORMATION TRANSMITTED BY THE DEMOLISHER TO THE NATIONAL MOTOR VEHICLE TITLE INFORMATION SYSTEM, AND TO PRESCRIBE THE APPROPRIATE USES OF THE INFORMATION; TO AMEND SECTION 56-5-5945, RELATING TO DUTIES OF DEMOLISHERS PRIOR TO DEMOLISHING AN ABANDONED OR DERELICT MOTOR VEHICLE FOUND ON PRIVATE PROPERTY, TO ESTABLISH A FIFTEEN DAY WAITING PERIOD BEFORE A DEMOLISHER MAY WRECK, DISMANTLE, OR DEMOLISH AN ABANDONED VEHICLE UNLESS THE DEMOLISHER IS PROVIDED WITH A CERTIFICATE OF TITLE, A SALES RECEIPT ISSUED PURSUANT TO SECTION 56-5-5850, OR AN AFFIDAVIT OF PROOF OF LAWFUL POSSESSION, AND TO INCREASE PENALTIES FOR VIOLATIONS OF SECTION 56-5-5945; AND TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO ESTABLISH A MECHANISM FOR THE ELECTRONIC TRANSMISSION OF THE INFORMATION REQUIRED UNDER THIS ACT AT NO CHARGE TO THE DEMOLISHER SUBMITTING THE INFORMATION.

**H. 3710--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3710 -- Reps. J. E. Smith, Hayes, D. C. Moss and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-1-77 SO AS TO PROVIDE A BOARD OR COMMISSION THAT REGULATES THE LICENSURE OF A PROFESSION OR OCCUPATION UNDER TITLE 40 MAY ISSUE A TEMPORARY LICENSE FOR A PROFESSION OR OCCUPATION IT REGULATES TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE REQUIREMENTS FOR OBTAINING THIS LICENSE, AND TO PROVIDE TIME LIMITS ON THE VALIDITY OF THIS LICENSE.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 to H. 3710 (COUNCIL\AGM\ 19556AB12):

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

/ SECTION 1. Article 1, Chapter 1, Title 40 of the 1976 Code is amended by adding:

“Section 40‑1‑77. (A) A board or commission that regulates the licensure of a profession or occupation under Title 40 may issue a temporary professional license for a profession or occupation it regulates to the spouse of an active duty member of the United States Armed Forces if the member is assigned to a duty station in this State pursuant to the official active duty military orders of the member.

(B)(1) A person seeking a temporary professional license under subsection (A) shall submit an application to the board or commission from which it is seeking the temporary license on forms the board or commission shall create and provide. In addition to general personal information about the applicant, the application must include proof that the:

(a) applicant is married to a member of the United States Armed Forces who is on active duty;

(b) applicant holds a valid license issued by another state, the District of Columbia, a possession or territory of the United States, or a foreign jurisdiction for the profession for which temporary licensure is sought;

(c) applicant holds the license in subitem (b) in ‘good standing’ as evidenced by a certificate of good standing from the state, possession or territory of the United States, or foreign jurisdiction that issued the license;

(d) applicant is not the subject of any pending actions concerning his license in the state, possession or territory of the United States, or foreign jurisdiction that issued the license;

(e)(i) applicant submitted at his expense to a fingerprint‑based background check conducted by the State Law Enforcement Division to determine if the applicant has a criminal history in this State and a fingerprint‑based background check conducted by the Federal Bureau of Investigation to determine if the person has other criminal history, and the official results of these checks must be provided to the board or commission to which application for temporary licensure is made; and

(ii) the provisions of this subitem only apply if a similar background check is required to obtain ordinary licensure in the profession or occupation for which temporary licensure is sought by the applicant; and

(f) spouse of the applicant is assigned to a duty station in this State pursuant to the official active duty military orders of the member.

(C) A temporary license issued under this section expires six months from the date of issue and may not be renewed.

(D) To be eligible for a temporary license under subsection (A), an applicant must speak the English language as a native language or demonstrate an effective proficiency of the English language in the manner prescribed by and to the satisfaction of the board.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Reps. LOWE, CRAWFORD, SOUTHARD, TOOLE, ATWATER, FRYE, BEDINGFIELD, THAYER, LONG and PUTNAM requested debate on the Bill.

**H. 3987--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3987 -- Reps. Nanney, Brantley, Spires, Loftis, J. R. Smith, Stringer, Corbin, G. R. Smith, Clemmons, Crawford, Hamilton, Long, D. C. Moss, Simrill and Weeks: A BILL TO AMEND SECTION 63-17-2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES REQUIRED TO PROVIDE INFORMATION TO THE DEPARTMENT OF SOCIAL SERVICES FOR THE PURPOSE OF ESTABLISHING, MODIFYING, AND ENFORCING CHILD SUPPORT OBLIGATIONS, SO AS TO ALSO REQUIRE THESE ENTITIES TO PROVIDE THIS INFORMATION TO CLERKS OF COURT FOR THE SAME PURPOSE IN CASES NOT BEING ADMINISTERED PURSUANT TO TITLE IV-D OF THE SOCIAL SECURITY ACT BY THE DEPARTMENT OF SOCIAL SERVICES.

Rep. QUINN explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Delleney | Dillard |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | 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 |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--106**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3987. If I had been present, I would have voted in favor of the Bill.

Rep. Shannon Erickson

**H. 4766--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4766 -- Reps. Stringer and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 33 SO AS TO ENACT THE "SOUTH CAROLINA BENEFIT CORPORATION ACT" WHICH PERMITS A CORPORATION TO ELECT AS A CORPORATE PURPOSE THE PROVIDING OF CERTAIN PUBLIC BENEFITS WITHOUT SUBJECTING THE CORPORATION OR ITS DIRECTORS TO LIABILITY OR DERIVATIVE SUIT EXCEPT FOR SPECIFIED REASONS.

Reps. OTT, COBB-HUNTER, JEFFERSON, SABB, NEILSON, BALES, WILLIAMS, BRANTLEY, J. H. NEAL, STRINGER, R. L. BROWN, WHIPPER, GILLIARD, ANDERSON, HOSEY, BRANNON, CORBIN, HIXON, J. R. SMITH, CLEMMONS, WEEKS, G. R. SMITH, HENDERSON, BOWEN, CLYBURN, KING and ALLISON requested debate on the Bill.

**H. 4758--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4758 -- Reps. Johnson, Brantley, Sabb, Govan, Brannon, Munnerlyn, Anthony, Edge, Pope, Simrill, Whipper and Weeks: A BILL TO AMEND SECTION 14-7-110 AND SECTION 14-7-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY COMMISSIONERS FOR THE PURPOSE OF THE SUMMONING OF JURORS IN CIRCUIT COURT AND THE USE OF A COMPUTER FOR THE DRAWING AND SUMMONING OF JURORS IN CIRCUIT COURT, RESPECTIVELY, BOTH SO AS TO DELETE REFERENCES TO JURY COMMISSIONERS AND ALLOW THE CLERK OF COURT OR THE DEPUTY CLERK TO PERFORM THE FUNCTION OF DRAWING AND SUMMONING JURORS.

Rep. COLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Hosey |
| Howard | Jefferson | Johnson |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McEachern | 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 |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--107**

Those who voted in the negative are:

**Total--0**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

**REPORT OF STANDING COMMITTEE**

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

H. 5154 -- Reps. Norman and J. M. Neal: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 215 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH THE FAIRFIELD/CHESTER COUNTY LINE TO ITS INTERSECTION WITH COOL BRANCH ROAD (S-20-50) "SCHP PATROLMAN RALPH W. MCCRACKEN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "SCHP PATROLMAN RALPH W. MCCRACKEN MEMORIAL HIGHWAY".

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5161 -- Reps. Horne, Harrell, Knight and Murphy: A HOUSE RESOLUTION TO HONOR THE OPEN GUARD OF THE SUMMERVILLE HIGH SCHOOL COLOR GUARD FOR CAPTURING THE 2012 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION STATE CHAMPIONSHIP TITLE AND TO CONGRATULATE THE TEAM ON ANOTHER SUPERLATIVE SEASON.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5162 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO HONOR AND COMMEND THE GRADUATES OF THE ALLEN UNIVERSITY CLASS OF 1962 UPON THE CELEBRATION OF THEIR GOLDEN ANNIVERSARY OF GRADUATION AND TO CONGRATULATE THEM ON THE MANY SUCCESSES AND ACHIEVEMENTS THAT THEY HAVE EXPERIENCED IN THEIR LIVES AS A RESULT OF THE EXCELLENT EDUCATION THEY RECEIVED FROM ALLEN UNIVERSITY.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5163 -- Rep. Howard: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE, TO RECOGNIZE THE TWELVE YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2012 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS, AND TO DECLARE THURSDAY, APRIL 26, 2012, AS "BOYS AND GIRLS CLUBS DAY" AT THE STATE HOUSE.

Whereas, in every community, boys and girls are left to find their own recreation and companionship in the streets. An increasing number of children are at home with no adult care or supervision. Young people need to know that someone cares about them; and

Whereas, by instilling a sense of competence, usefulness, belonging, and influence, Boys & Girls Clubs offer that vital caring and more in programs and services which promote and enhance the development of boys and girls; and

Whereas, the Boys & Girls Clubs in South Carolina provide programs in character and leadership development, health and life skills, education and career development, sports and recreation, and the arts; and

Whereas, truly the “Positive Place for Kids,” Boys & Girls Clubs provide a safe place to learn and grow while having fun; and

Whereas, currently, eighteen Boys & Girls Club organizations operate ninety club sites in South Carolina, providing services to more than 50,000 youth each year; and

Whereas, the members of the General Assembly are pleased to learn that twelve young people from different Boys & Girls Clubs throughout the Palmetto State have been named 2012 South Carolina Youth of the Year. These youth and their clubs are:

Kaneesha D. Dendy from the Salvation Army Boys & Girls Club of Greenville; Bre’Anna J. Orr from Boys & Girls Clubs of the Lowcountry; Monee’ce Z.M.E.Q. Martin from Boys & Girls Clubs of the Upstate; Lauryssa S. Davis from the JB Charleston Youth Program AB SC; Ayana M. Crawford from Boys & Girls Clubs of the Midlands; Bryanna L. Paulhus from Boys & Girls Club of the Grand Strand; Eboni C. Hinton from the Shaw Air Force Base Youth Center; Ellie Becoat III, from Boys & Girls Clubs of the Pee Dee Area; Gabriel K. Gourdine from the Orangeburg Area Boys & Girls Clubs; Ronniesha M. Addison from the Salvation Army Boys & Girls Club of Sumter; Kimberly B. King from the J. B. Charleston WS Youth Programs; and Michael A. Warner from the USAG Fort Jackson CYS Services; and

Whereas, cognizant that South Carolina’s Boys & Girls Clubs are a sound and prosperous investment in the youth of our State, the South Carolina General Assembly is pleased to recognize and honor each of these twelve outstanding young people upon their receipt of a 2012 Youth of the Year award and to commend and thank the club staff and volunteers for their critical roles in shaping the lives of these youth. Now, therefore,

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

That the members of the General Assembly of the State of South Carolina, by this resolution, commend the Boys & Girls Clubs of South Carolina for their wonderful efforts in helping South Carolina’s youth prepare for a productive life, recognize the twelve young people from various Boys & Girls Clubs throughout the State who have been named 2012 Youth of the Year by the South Carolina Alliance of Boys & Girls Clubs, and declare Thursday, April 26, 2012, as “Boys and Girls Clubs Day” at the State House.

Be it further resolved that a copy of this resolution be forwarded to each of the twelve young people named 2012 Youth of the Year in care of their home clubs.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1480 -- Senators Lourie, Courson, Jackson and Scott: A CONCURRENT RESOLUTION TO RECOGNIZE AND CONGRATULATE THE CARDINAL NEWMAN HIGH SCHOOL MEN'S AND WOMEN'S SOCCER TEAMS UPON WINNING THE 2011 SOUTH CAROLINA INDEPENDENT SCHOOLS ASSOCIATION STATE CHAMPIONSHIP TITLES.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1481 -- Senator Courson: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR DR. WALTER B. EDGAR, DIRECTOR OF THE INSTITUTE FOR SOUTHERN STUDIES AT THE UNIVERSITY OF SOUTH CAROLINA, UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR FORTY YEARS OF DISTINGUISHED SERVICE TO THE CITIZENS OF THIS GREAT STATE, AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

**H. 4687--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4687 -- Reps. King, Parks, Butler Garrick, J. E. Smith and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-74 SO AS TO REQUIRE DEATH CERTIFICATES TO BE ELECTRONICALLY TRANSMITTED AMONG ALL PARTIES REQUIRED TO COMPLETE THE DEATH CERTIFICATE; TO REQUIRE ELECTRONIC FILING OF THE DEATH CERTIFICATE WITH THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE THAT REQUIRED SIGNATURES MUST BE PROVIDED ELECTRONICALLY; AND TO DEFINE "ELECTRONIC SIGNATURE".

The Medical, Military, Public and Municipal Affairs Committee proposed the following Amendment No. 1 to H. 4687 (COUNCIL\NBD\12287AC12), which was adopted:

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

/ SECTION 1. Chapter 63, Title 44 of the 1976 Code is amended by adding:

“Section 44-63-74. (A) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics. Death certificates must be transmitted electronically between the funeral home director and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer than twelve funerals per year are exempt from this requirement.

(B) For purposes of this section, an electronic signature shall be as defined pursuant to the Uniform Electronic Transactions Act, Chapter 6, Title 26.”

SECTION 2. This act takes effect July 1, 2012. /

Renumber sections to conform.

Amend title to conform.

Rep. PARKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

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

**Total--105**

Those who voted in the negative are:

**Total--0**

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

**H. 4516--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4516 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 43-35-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INVESTIGATION OF ABUSE, NEGLECT, AND EXPLOITATION OF VULNERABLE ADULTS IN CERTAIN FACILITIES OPERATED BY THE STATE, SO AS TO PROVIDE THAT NONCRIMINAL REPORTS OF ABUSE, NEGLECT, AND EXPLOITATION OF PERSONS COMMITTED TO THE DEPARTMENT OF MENTAL HEALTH PURSUANT TO THE SEXUALLY VIOLENT PREDATOR ACT MUST BE REFERRED BY THE STATE LAW ENFORCEMENT DIVISION TO THE CLIENT ADVOCACY PROGRAM OF THE DEPARTMENT OF MENTAL HEALTH FOR INVESTIGATION.

Rep. COLE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Ryan |
| 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 | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--105**

Those who voted in the negative are:

**Total--0**

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

**S. 271--DEBATE ADJOURNED**

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

S. 271 -- Senators Cleary, Ford and Knotts: A BILL TO AMEND SECTION 15-41-30 OF THE 1976 CODE, RELATING TO AN INDIVIDUAL RETIREMENT ACCOUNT BEING EXEMPT FROM ATTACHMENT, LEVY, AND SALE, TO DELETE THE PROVISION THAT THE EXEMPTION ONLY APPLIES TO THE EXTENT REASONABLY NECESSARY FOR THE SUPPORT OF THE DEBTOR AND ANY DEPENDENT OF THE DEBTOR AND TO INCREASE THE ALLOWABLE AMOUNTS TO CONFORM TO THOSE ALLOWABLE UNDER FEDERAL BANKRUPTCY LAW.

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

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

**THE HOUSE RESUMES**

At 3:15 p.m. the House resumed, ACTING SPEAKER HIXON in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**OBJECTION TO RECALL**

Rep. BALES asked unanimous consent to recall S. 212 from the Committee on Judiciary.

Rep. STAVRINAKIS objected.

**H. 3209--REQUEST FOR DEBATE WITHDRAWN**

Rep. J. R. SMITH withdrew his request for debate on H. 3209; however, other requests for debate remained on the Bill.

**H. 4128--REQUEST FOR DEBATE WITHDRAWN**

Rep. MCLEOD withdrew his request for debate on H. 4128; however, other requests for debate remained on the Bill.

**H. 4672--REQUESTS FOR DEBATE WITHDRAWN**

Reps. R. L. BROWN, GILLIARD, SABB, WILLIAMS, HOSEY, BALES, BRANTLEY, HART and MCEACHERN withdrew their requests for debate on H. 4672; however, other requests for debate remained on the Bill.

**H. 3209--REQUESTS FOR DEBATE WITHDRAWN**

Reps. JEFFERSON and HIOTT withdrew their requests for debate on the following Bill:

H. 3209 -- Reps. Cobb-Hunter, Long, Brady and Knight: A BILL TO AMEND SECTION 20-4-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET ANIMAL OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS.

**H. 4672--REQUESTS FOR DEBATE WITHDRAWN**

Reps. NEILSON, DANING and BRANNON withdrew their requests for debate on H. 4672; however, other requests for debate remained on the Bill.

**H. 3066--DEBATE ADJOURNED**

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

H. 3066 -- Reps. G. R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G. M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D. C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2011" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, AS AMENDED, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435; 2-13-240, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 10-11-140, 10-11-330; 11-9-610, 11-9-620, 11-9-630, 11-35-3810, AS AMENDED, 11-35-3820, AS AMENDED, 11-35-3830, AS AMENDED, 11-35-3840, AS AMENDED, 13-7-30, AS AMENDED, 13-7-830, AS AMENDED; 44-53-530, AS AMENDED, AND 44-96-140; 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, AND 48-52-460; AND BY ADDING SECTION 1-11-185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

Rep. G. R. SMITH moved to adjourn debate upon the Senate Amendments until Tuesday, May 1, which was agreed to.

**H. 4205--POINT OF ORDER**

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

H. 4205 -- Reps. Funderburk, G. A. Brown and Lucas: A BILL TO AMEND ARTICLE 8, CHAPTER 36, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORPORATIONS NOT FOR PROFIT PROVIDING WATER SERVICE FINANCED BY FEDERAL OR STATE LOANS BEING PERMITTED TO CONVERT TO A PUBLIC SERVICE DISTRICT, BY ADDING SECTION 33-36-1315, SO AS TO PROVIDE FOR ADDITIONAL CONVERSION PROVISIONS, TERMS, AND LIMITATIONS FOR NONPROFIT CORPORATIONS OF A CERTAIN SIZE THAT PROVIDE WATER SERVICE IN TWO OR MORE COUNTIES; AND TO AMEND SECTION 33-36-1330, RELATING TO THE GOVERNING BOARD AND STRUCTURE OF A CORPORATION WHICH HAS BEEN CONVERTED TO A PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE FOR THE GOVERNING STRUCTURE OF A PUBLIC SERVICE DISTRICT OF A CERTAIN SIZE THAT PROVIDES SERVICE IN TWO OR MORE COUNTIES.

**POINT OF ORDER**

Rep. GAMBRELL made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3059--POINT OF ORDER**

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

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.

**POINT OF ORDER**

Rep. HIOTT made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**H. 3720--POINT OF ORDER**

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

H. 3720 -- Reps. Cooper, Henderson and Patrick: A BILL TO AMEND SECTION 12-6-3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE JOBS TAX CREDIT, SO AS TO REVISE THE REQUIREMENTS OF A QUALIFYING SERVICE-RELATED FACILITY AND A TECHNOLOGY INTENSIVE FACILITY; BY ADDING SECTION 12-6-3411 SO AS TO PROVIDE THAT A CORPORATION ESTABLISHING A NATIONAL CORPORATE HEADQUARTERS OR EXPANDING OR ADDING TO AN EXISTING NATIONAL CORPORATE HEADQUARTERS IN THIS STATE, WHICH IN CONNECTION THEREWITH ADDS AT LEAST FIFTY NEW FULL-TIME JOBS SHALL BE EXEMPT FROM PAYING STATE CORPORATE INCOME TAXES FOR A PERIOD OF TEN YEARS; TO AMEND SECTION 12-20-105, AS AMENDED, RELATING TO TAX CREDITS FOR PROVIDING INFRASTRUCTURE, SO AS TO INCREASE THE MAXIMUM AGGREGATE CREDIT TO FOUR HUNDRED THOUSAND DOLLARS ANNUALLY; TO AMEND SECTIONS 4-12-30, 4-29-67, AND 12-44-90, ALL AS AMENDED, RELATING TO FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT A COUNTY AUDITOR OR COUNTY ASSESSOR MAY REQUEST AND OBTAIN ANY FINANCIAL BOOKS AND RECORDS FROM A SPONSOR THAT SUPPORT THE SPONSOR'S TAX FORM OR RETURN TO VERIFY THE CALCULATIONS OF THE FEE IN LIEU OF TAXES TAX FORM OR RETURN; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT COMPUTERS, COMPUTER EQUIPMENT, COMPUTER HARDWARE AND SOFTWARE PURCHASES FOR A DATACENTER AND ELECTRICITY USED BY A DATACENTER.

**POINT OF ORDER**

Rep. HIOTT made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER sustained the Point of Order.

**S. 1334--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1334 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH BETHEL FOREST ROAD TO ITS INTERSECTION WITH GORDON DRIVE "MELVIN L. CRUM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MELVIN L. CRUM MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5130--DEBATE ADJOURNED**

The following Concurrent Resolution was taken up:

H. 5130 -- Reps. Alexander, Branham and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF TV ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH MCIVER ROAD TO ITS INTERSECTION WITH WILSON ROAD "DR. WILLIAM P. DIGGS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "DR. WILLIAM P. DIGGS ROAD".

Rep. WILLIAMS moved to adjourn debate on the Concurrent Resolution until Wednesday, April 25, which was agreed to.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. J. E. SMITH.

**H. 3788--DEBATE ADJOURNED**

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

H. 3788 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 70 TO TITLE 12 SO AS TO ENACT THE "HERITAGE GOLF PRESERVATION ACT".

**H. 3235--DEBATE ADJOURNED**

Rep. J. R. SMITH moved to adjourn debate upon the following Bill until Thursday, April 26, which was adopted:

H. 3235 -- Reps. Taylor, Young, J. R. Smith, Bikas and Chumley: A BILL TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES AND THE TIME WITHIN WHICH CERTAIN RECORDS MUST BE FURNISHED UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE RECORDS MUST BE FURNISHED AT CURRENT MARKET VALUE TO THE PERSON REQUESTING THE RECORDS, AND TO PROVIDE WHERE A PUBLIC BODY GRANTS A REQUEST FOR RECORDS, IT MUST FURNISH THOSE RECORDS FOR INSPECTION OR COPYING IMMEDIATELY, BUT NO LATER THAN THIRTY DAYS AFTER THE DATE OF THE FORMAL REQUEST.

**H. 4675--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Wednesday, April 25, which was adopted:

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, Willis, Funderburk, Nanney and Quinn: 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.

**H. 4956--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Joint Resolution until Wednesday, April 25, which was adopted:

H. 4956 -- Reps. Putnam, Loftis, Thayer, G. R. Smith, Norman, Quinn, Parker, Long, Brannon, J. R. Smith, Erickson, Hiott, Patrick, Huggins, Southard, Nanney, Whitmire, Tribble, Allison, Atwater, Bannister, Barfield, Bingham, Bowen, Chumley, Clemmons, Corbin, Delleney, Forrester, Frye, Gambrell, Hamilton, Henderson, Herbkersman, Hixon, Lowe, Lucas, D. C. Moss, V. S. Moss, Murphy, Owens, Pinson, Pitts, Sandifer, Simrill, G. M. Smith, Spires, Stringer, Tallon, Taylor, Toole, White and Willis: A JOINT RESOLUTION TO REQUEST THE PRESIDENT OF THE UNITED STATES OF AMERICA, BARACK OBAMA, OPEN OUR ABUNDANT OIL AND NATURAL GAS RESOURCES THROUGHOUT OUR COUNTRY AND ISSUE AN EXECUTIVE ORDER TO THE DEPARTMENT OF INTERIOR TO LIFT THE 2010 BAN ON ALL OFFSHORE DRILLING EXPLORATION WITHIN THE OUTER CONTINENTAL SHELF LANDS, AND TO REQUEST THE PRESIDENT ALSO TO DIRECT THE DEPARTMENT OF ENERGY, ENVIRONMENTAL PROTECTION AGENCY, AND ANY BODY OF THE FEDERAL GOVERNMENT THAT REGULATES OR SIMILARLY IS CONCERNED WITH THE EXPLORATION OF OIL AND NATURAL GAS TO EXPEDITE ALL PERMITTING REQUIREMENTS FOR THE DEVELOPMENT OF THESE ENERGY RESOURCES.

**H. 5098--DEBATE ADJOURNED**

Rep. HIXON moved to adjourn debate upon the following Bill until Wednesday, April 25, which was adopted:

H. 5098 -- Reps. Hixon, Clyburn, Harrison, Taylor and Young: A BILL TO AMEND SECTION 61-6-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY PERMITS FOR THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK IN A COUNTY OR MUNICIPALITY UPON A FAVORABLE REFERENDUM VOTE, SO AS TO FURTHER PROVIDE FOR THOSE ELECTIONS WHICH CONSTITUTE GENERAL ELECTIONS FOR PURPOSES OF THE REFERENDUMS REQUIRED UNDER THIS SECTION.

**H. 4672--DEBATE ADJOURNED**

Rep. HIOTT moved to adjourn debate upon the following Joint Resolution until Wednesday, April 25, which was adopted:

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.

**H. 4128--DEBATE ADJOURNED**

Rep. HIOTT moved to adjourn debate upon the following Bill until Wednesday, April 25, which was adopted:

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

**H. 4640--DEBATE ADJOURNED**

Rep. HIOTT moved to adjourn debate upon the following Bill until Wednesday, April 25, which was adopted:

H. 4640 -- Reps. Anthony, Bingham, Ott, Harrell, White, Bowers, Whipper and R. L. Brown: A BILL TO AMEND SECTION 11-35-1524, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESIDENT VENDOR PREFERENCES UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO REVISE THE RESIDENT VENDOR PREFERENCES AND THE MANNER AND PROCEDURES UNDER WHICH THEY ARE COMPUTED.

**H. 4802--DEBATE ADJOURNED**

Rep. J. E. SMITH moved to adjourn debate upon the following Bill until Wednesday, April 25, which was adopted:

H. 4802 -- Reps. J. E. Smith, Quinn, Munnerlyn, Williams, Jefferson, Johnson, McEachern, Brannon, Dillard, McLeod, Stavrinakis, Sellers, Sabb, Brady, Ott, Vick, H. B. Brown, Branham, Bingham, Bowers, Cobb-Hunter, Erickson, Harrison, Hart, Hayes, Herbkersman, Merrill, J. H. Neal, Pitts, G. M. Smith, Whipper and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 12 SO AS TO ENACT THE "SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT" WHICH PROVIDES THAT A TAXPAYER MAKING INVESTMENTS OF A CERTAIN SIZE IN REHABILITATING AN ABANDONED BUILDING MAY AT HIS OPTION RECEIVE SPECIFIED INCOME TAX CREDITS OR CREDITS AGAINST THE PROPERTY TAX LIABILITY.

**H. 4997--AMENDED AND INTERRUPTED DEBATE**

The following Bill was taken up:

H. 4997 -- Reps. Stringer, Bingham, Harrell, Norman, Clemmons, Quinn, Ballentine, Spires, Brannon, McCoy, Ryan, Patrick, Bedingfield, Parker, Taylor, Brady, Murphy, Bowen, Hearn, Nanney, Sottile, Loftis, Lowe, J. R. Smith, Allison, Atwater, Bannister, Chumley, Crosby, Daning, Delleney, Erickson, Hamilton, Hardwick, Henderson, Herbkersman, Hixon, Horne, Limehouse, Long, Merrill, D. C. Moss, V. S. Moss, Owens, Pinson, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Willis, Young and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-511 SO AS TO ELIMINATE THE FOUR, FIVE, AND SIX PERCENT INCOME BRACKETS AND INSTEAD TAX THOSE INCOMES AT THREE PERCENT.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 4997 (COUNCIL\DKA\4054HTC12), which was tabled:

Amend the bill, as and if amended, by striking Section 12-6-511, as contained in SECTION 1, page 1, and inserting:

/ “Section 12-6-511. Notwithstanding the provisions of Section 12-6-510, for taxable years beginning after 2011, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12‑6‑530 through 12‑6‑550 computed at the following rates with the income brackets indexed in accordance with Section 12‑6‑520:

OVER BUT NOT OVER

$ 0 $ 2,800 0% Times the amount

2,800 14,000 3.75% Times the amount less $105

14,000 7% Times the amount less $560

(B) The department may prescribe tax tables consistent with the rates set pursuant to subsection (A).

(C) Notwithstanding any other provision of law, if a taxpayer’s income bracket required a three percent tax rate in 2011 and the taxpayer would remain in the three percent tax rate in 2012 but for the enactment of this section, the taxpayer shall remain at the three percent tax rate until the taxpayer’s income exceeds $5,600 or until the highest income qualifying for the zero percent tax bracket reaches $5,600, whichever occurs first.” /

Renumber sections to conform.

Amend title to conform.

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

Rep. BINGHAM proposed the following Amendment No. 2 to H. 4997 (COUNCIL\NBD\12348DG12), which was adopted:

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

/ “Section 12‑6‑511. (A) Notwithstanding the provisions of Section 12‑6‑510, for taxable years beginning after 2011, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12‑6‑530 through 12‑6‑550 computed at the following rates with the income brackets indexed in accordance with Section 12‑6‑520:

OVER BUT NOT OVER

$ 0 $ 2,800 0% Times the amount

2,800 14,000 3.75% Times the amount less $105

14,000 7% Times the amount less $560

(B) The department may prescribe tax tables consistent with the rates set pursuant to subsection (A).

(C) Notwithstanding subsection (A), a taxpayer with a South Carolina taxable income of $9,520 or less is not subject to the provisions of this section, but rather is subject to the rates and brackets imposed pursuant to Sections 12‑6‑510 and 12-6-515 until the highest income qualifying for the zero percent tax bracket pursuant to this section has attained $9,520.

(D) The provisions of Sections 12-6-510, as indexed in accordance with Section 12-6-520, and Section 12-6-515 remain in effect until the highest income qualifying for the zero percent tax bracket pursuant to this section reaches $9,520.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. STRINGER explained the amendment.

Rep. OTT spoke against the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 73; Nays 33

Those who voted in the affirmative are:

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

**Total--73**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Bales |
| Battle | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Cobb-Hunter | Dillard |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Johnson | King |
| Knight | Mack | McEachern |
| McLeod | Munnerlyn | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Sabb | Weeks | Williams |

**Total--33**

So, the amendment was adopted.

Further proceedings were interrupted by a motion to reconsider.

**H. 3066--RECONSIDERED AND DEBATE ADJOURNED**

Rep. G. R. SMITH moved to reconsider the vote whereby debate was adjourned on the following Bill until Tuesday, May 1, which was agreed to:

H. 3066 -- Reps. G. R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G. M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D. C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2011" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, AS AMENDED, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435; 2-13-240, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 10-11-140, 10-11-330; 11-9-610, 11-9-620, 11-9-630, 11-35-3810, AS AMENDED, 11-35-3820, AS AMENDED, 11-35-3830, AS AMENDED, 11-35-3840, AS AMENDED, 13-7-30, AS AMENDED, 13-7-830, AS AMENDED; 44-53-530, AS AMENDED, AND 44-96-140; 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, AND 48-52-460; AND BY ADDING SECTION 1-11-185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

Rep. G. R. SMITH moved to adjourn debate on the Bill until Wednesday, April 25, which was agreed to.

**H. 4997--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

H. 4997 -- Reps. Stringer, Bingham, Harrell, Norman, Clemmons, Quinn, Ballentine, Spires, Brannon, McCoy, Ryan, Patrick, Bedingfield, Parker, Taylor, Brady, Murphy, Bowen, Hearn, Nanney, Sottile, Loftis, Lowe, J. R. Smith, Allison, Atwater, Bannister, Chumley, Crosby, Daning, Delleney, Erickson, Hamilton, Hardwick, Henderson, Herbkersman, Hixon, Horne, Limehouse, Long, Merrill, D. C. Moss, V. S. Moss, Owens, Pinson, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Willis, Young and Forrester: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-511 SO AS TO ELIMINATE THE FOUR, FIVE, AND SIX PERCENT INCOME BRACKETS AND INSTEAD TAX THOSE INCOMES AT THREE PERCENT.

Rep. COBB‑HUNTER proposed the following Amendment No. 3 to H. 4997 (COUNCIL\DKA\4055HTC12), which was tabled:

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

/ SECTION 1. Article 5, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑511. (A) Notwithstanding the provisions of Section 12‑6‑510, for taxable years beginning after 2011, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12‑6‑530 through 12‑6‑550 computed at the following rates with the income brackets indexed in accordance with Section 12‑6‑520:

OVER BUT NOT OVER

$ 0 14,000 3% times the amount

14,000 7% times the amount less $420

(B) The department may prescribe tax tables consistent with the rates set pursuant to subsection (A).”

Section 12‑6‑512. (A) Notwithstanding the provisions of Sections 12‑6‑510 and 12‑6‑511, for taxable years beginning after 2011, for a taxpayer with a taxable income under $11,200, a tax is imposed on the South Carolina taxable income of individuals, estates, and trusts and any other entity except those taxed or exempted from taxation under Sections 12‑6‑530 through 12‑6‑550 computed at the following rates with the income brackets indexed in accordance with Section 12‑6‑520:

OVER BUT NOT OVER

$ 0 2,800 0% times the amount

2,800 5,600 3% times the amount over 2,800

5,600 8,400 4% times the amount over 5,600 plus $84

8,400 11,200 5% times the amount over 8,400 plus $196

(B) The department may prescribe tax tables consistent with the rates set pursuant to subsection (A).

(C) In adjusting the income brackets provided in this section in the manner provided pursuant to Section 12‑6‑520, the department similarly shall adjust the $11,200 taxable income limit provided in subsection (A) of this section.”

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

Renumber sections to conform.

Amend title to conform.

Rep. COBB-HUNTER explained the amendment.

Rep. WHITE moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 70; Nays 35

Those who voted in the affirmative are:

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

**Total--70**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | Johnson |
| King | Mack | McEachern |
| McLeod | Munnerlyn | J. H. Neal |
| Neilson | Ott | Parks |
| Sabb | Stavrinakis | Weeks |
| Whipper | Williams |  |

**Total--35**

So, the amendment was tabled.

Rep. OTT proposed the following Amendment No. 4 to H. 4997 (COUNCIL\GGS\22365ZW12), which was adopted:

Amend the bill, as and if amended, Section 12-6-511, as contained in SECTION 1, page [4997-1], line 31, by striking / 2011 / and inserting / 2012 /

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 3

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Cobb-Hunter | Cole | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | King | Knight |
| 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 | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | Pitts |
| Pope | Putnam | Quinn |
| Ryan | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Weeks |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--104**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| H. B. Brown | Johnson | Sabb |

**Total--3**

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

**H. 4996--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4996 -- Reps. Stringer, Bingham, Harrell, White, McCoy, Norman, Clemmons, Quinn, Ballentine, Ryan, Brannon, Bedingfield, Spires, Thayer, Parker, Taylor, Daning, Hearn, J. R. Smith, Patrick, Murphy, Bowen, Lowe, Nanney, Hiott, Sottile, Loftis, Allison, Atwater, Bannister, Chumley, Crosby, Delleney, Erickson, Hamilton, Hardwick, Henderson, Herbkersman, Hixon, Horne, Limehouse, Long, Merrill, D. C. Moss, V. S. Moss, Owens, Pinson, Pope, Sandifer, Simrill, G. M. Smith, G. R. Smith, Tallon, Willis, Young and Forrester: A BILL TO AMEND SECTION 12-6-545, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INCOME TAX RATES FOR PASS-THROUGH TRADE AND BUSINESS INCOME, SO AS TO REDUCE THE TAX RATE FROM FIVE PERCENT TO THREE PERCENT.

The Ways and Means Committee proposed the following Amendment No. 1 to H. 4996 (COUNCIL\NBD\12280DG12), which was adopted:

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

/ SECTION 1. Section 12‑6‑545(B)(2) of the 1976 Code is amended read:

“(2) The rate of the income tax imposed pursuant to this subsection is:

Taxable Year Beginning in Rate of Tax

2006 6.5 percent

2007 6 percent

2008 5.5 percent

~~after~~ 2008 through 2011 5 percent

2012 4.5 percent

2013 4 percent

2014 3.5 percent

after 2014 3 percent”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. STRINGER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 3

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Cobb-Hunter | Cole | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrison | 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 |
| Ryan | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Weeks |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--104**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| H. B. Brown | Johnson | Sabb |

**Total--3**

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

RECORD FOR VOTING

I missed the vote on H. 4996, because I was involved in other duties presiding over the House of Representatives at the time of the vote. Had I cast my vote, I would have voted in favor of the Bill. I will vote in favor of the Bill on a roll call vote on third reading.

Rep. Robert W. Harrell, Jr.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3274--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3274 -- Reps. Huggins, Atwater, Hamilton, Stringer, Nanney, Henderson, G. R. Smith, Weeks, Clemmons, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-37-5 SO AS TO DEFINE THE TERMS "MALICIOUS PROPERTY DAMAGE" AND "THREAT TO HUMAN LIFE"; TO AMEND SECTION 27-37-30, RELATING TO A RULE TO SHOW CAUSE FOR THE EJECTMENT OF A TENANT, SO AS TO PROVIDE THE RULE MAY BE SERVED BY AFFIXING A COPY OF IT ALONE TO THE MOST CONSPICUOUS PART OF THE PREMISES IF GROUNDS FOR EJECTMENT FOR A RESIDENTIAL RENTAL AGREEMENT ARE CIRCUMSTANCES THAT CONSTITUTE MALICIOUS PROPERTY DAMAGE OR A THREAT TO HUMAN LIFE; TO AMEND SECTION 27-37-40, RELATING TO TENANT EJECTMENT ON FAILURE TO SHOW CAUSE, SO AS TO PROVIDE IF GROUNDS FOR EJECTMENT CONSTITUTE MALICIOUS PROPERTY DAMAGE OR THREAT TO HUMAN LIFE AND TENANT FAILS TO APPEAR AND SHOW CAUSE WITHIN FIVE DAYS, THE MAGISTRATE IMMEDIATELY SHALL ISSUE AN EJECTMENT WARRANT AND TENANT MUST BE EJECTED BY CERTAIN LAW ENFORCEMENT OFFICERS; AND TO AMEND SECTION 27-40-720, RELATING TO LANDLORD REMEDIES FOR TENANT NONCOMPLIANCE AFFECTING HEALTH AND SAFETY, SO AS TO PROVIDE AN EMERGENCY MEANS CIRCUMSTANCES CONSIDERED TO THREATEN SIGNIFICANT PROPERTY DAMAGE OR HUMAN LIFE.

The Judiciary Committee proposed the following Amendment No. 1 to H. 3274 (COUNCIL\AGM\19553AB12), which was adopted:

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

/ SECTION 1. Chapter 37, Title 27 of the 1976 Code is amended by adding:

“Section 27‑37‑45. (A) For purposes of this section:

(1)(a) ‘Malicious damage to property’ means the knowing and deliberate destruction, defacing, damaging, impairment, or removal any part of the premises by the tenant, a member of his household, or his guest. ‘Malicious damage to property’ does not include repairs or improvements to the leased premises.

(b) ‘Malicious damage to property’ does not include damage to the property that occurs as a result of one or more incidents of domestic violence, dating violence, stalking, or sexual assault against the tenant or a member of the tenant’s household.

(2)(a) ‘Significant threat to safety’ means the threat of criminal activity to harm the health and safety of the landlord or his agents, the tenant and members of his household or guests, or other tenants that is caused by a tenant, a member of his household, or his guest, such as:

(i) homicide or physical assault to inflict bodily harm; or

(ii) illegal use of a firearm or other weapon.

(b) ‘Significant threat to safety’ does not include actual or threatened criminal domestic violence toward a tenant or a member of a tenant’s household.

(B) A landlord or his agent must not apply for an ejectment as provided in this section based substantially on the status of the tenant, a member of the tenant’s household, or a guest as a victim of domestic violence, sexual assault, or stalking. Evidence provided to the landlord or his agent or to the magistrate of domestic violence, sexual assault, or stalking may include:

(1) law enforcement, court, or federal agency records or files;

(2) documentation from a domestic violence or sexual assault program; or

(3) documentation from a religious, medical, or other professional.

(C)(1) For residential rental agreements, the tenant may be ejected by the procedures in this section upon application of the landlord or his agent only when the tenant, a member of his household, or a guest causes:

(a) malicious damage to property; or

(b) significant threat to safety.

(2) The landlord or his agent seeking relief under this section must bear the burden of proof by a preponderance of the evidence that the actions of a tenant, a member of the tenant’s household, or a guest meet the definition of ‘malicious damage to property’ or ‘significant threat to safety’.

(D)(1) In an application for an ejectment action brought under this section, the landlord or his agent who initiates the action must file an affidavit stating specific facts and instances to support the action. The fee for initiating this action is as provided in Section 8‑21‑1010(15) and by the magistrate or his clerk must collect this fee.

(2) Within twenty‑four hours after the filing of an application to proceed with an action for ejectment pursuant to this section, the magistrate must review the application and affidavit in an ex parte hearing without giving the defendant notice of the hearing. If the landlord or his agent shows by a preponderance of the evidence sufficient supporting facts in the application and affidavit to meet the requirements of this section, the magistrate shall authorize the action to proceed with service provided in subsection (E).

(3) If the magistrate determines that the landlord or his agent initiating the action did so intentionally and in bad faith and without sufficient basis under the requirements of this section, the magistrate may impose a civil penalty of up to five hundred dollars for abuse of the expedited process. This civil penalty must not be recorded as a criminal matter, nor is it subject to assessments.

(E)(1) The copy of the rule to show cause may be served in the same manner as is provided by law for the service of the summons in actions pending in the court of common pleas or magistrates courts of this State or as provided by item (2). A law enforcement officer or constable is responsible only for the attempts at service as provided in this item and item (2)(a).

(2) When service as provided in item (1) has been attempted unsuccessfully two times in the manner described in subitem (a), a copy of the rule may be served by affixing both it and documentation of the two service attempts to the most conspicuous part of the premises and mailing a copy of the rule in the manner described in subitem (b).

(a) Each of the two attempts to serve the defendant must be separated by a minimum of twenty‑four hours and must occur at times of day separated by a minimum of eight hours. The service attempts shall take place after the magistrate authorizes the action to proceed with service as provided in subsection (C)(2). The person attempting to serve the rule must document the date and time of the attempts by affidavit or by certificate in the case of a law enforcement officer. On the first unsuccessful attempt to serve the rule, a copy of the rule must be affixed to the most conspicuous part of the premises and the ten‑day period for the tenant to appear and show cause provided in subsection (E) begins the following day. On the second unsuccessful attempt to serve the rule, the documentation of the two attempts to serve the rule must be attached to the copy of the rule when it is affixed to the most conspicuous part of the premises.

(b) For mailing by ordinary mail to be considered to complete service under this item, it must be accomplished by placing a copy of the rule in an envelope in the presence of the clerk of the magistrates court. The clerk is responsible for verifying that the envelope is addressed to the defendant at the address shown in the rule as the rental premises of the defendant or another address for receipt of mail furnished in writing by the tenant to the landlord, that the envelope contains the necessary documents, and that the clerk has placed the sealed and stamped envelope in the United States mail on the same day that the ex parte hearing described in subsection (C) occurs. The clerk’s verification must be made a part of the record in the case, and service by ordinary mail is not considered complete without the clerk’s verification. A fee as provided for in Section 8‑21‑1010(14) must be collected by the magistrate or his clerk for the verification and mailing in this item.

(3) Mailing of the rule constitutes service when the requirements of subitems (a) and (b) of item (2) have been met. If these requirements have been met, the specified time period for the tenant to show cause why he should not be ejected as provided in subsection (C) begins to run on the day after service of the rule to show cause as provided in item (1) or item (2)(b).

(F) If the tenant fails to appear and show cause within the ten calendar days following the first attempt at service as provided in subsection (E), then the magistrate shall issue a warrant of ejectment and the tenant shall be ejected by his regular or special constable or by the sheriff of the county.

(G) Nothing in this section may be construed to proscribe or limit any other rights a landlord or tenant may have under other statutes or by law.

(H) The provisions of this section shall be strictly construed.”

SECTION 2. Section 8-21-1010(A) of the 1976 Code is amended to read:

“(A) Except as otherwise expressly provided, the following fees and costs must be collected by the magistrates and deposited in the general fund of the county:

(1) for taking civil recognizance, with or without sureties, five dollars;

(2) for granting an order for civil special bail, with or without sureties, five dollars;

(3) for receiving and filing bond in claim and delivery, attachment, five dollars; if justification of sureties required, an additional five dollars;

(4) for administering and certifying oaths or documents in writing, two dollars;

(5) for issuing any prerogative writ, five dollars;

(6) in all civil actions, for issuing a summons and a copy for defendant, and for giving judgment with or without a hearing, forty‑five dollars;

(7) for issuing execution and renewal thereof, ten dollars;

(8) for making up, certifying, and forwarding a transcript of record and judgment in a case for purpose of appeal, ten dollars;

(9) for proceedings by a landlord or lessor against a tenant or lessee, including notices to quit, eviction orders, or recovery of rents, twenty dollars;

(10) for proceedings on a coroner's inquest, as prescribed by law, ten dollars, if inquest is demanded by a party other than the State or county or authorized officer of either;

(11) for proceeding on estrays, including judgment for possession, sale, or damages, ten dollars;

(12) for qualifying appraisers to set off homestead or qualifying sureties on a bond posted in a case, including bail bonds, five dollars;

(13) for each tax execution collected, five dollars; ~~and~~

(14) for filing or issuing any other paper not provided for in this section, five dollars; and

(15) for filing an application for an expedited ejectment as provided in Section 27-27-45(C)(1), fifty dollars.”

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

Renumber sections to conform.

Amend title to conform.

Rep. COLE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Knight | 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 | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--107**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Gilliard |  |  |

**Total--1**

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

**S. 391--REQUESTS FOR DEBATE AND DEBATE ADJOURNED**

The following Bill was taken up:

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7-13-350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

Reps. CLEMMONS, WEEKS and WHITE requested debate on the Bill.

Rep. WEEKS moved to adjourn debate on the Bill until Tuesday, May 1, which was agreed to.

**H. 5104--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5104 -- Reps. McLeod and Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO REQUIRE ALL TESTIMONY GIVEN TO A COMMITTEE OR SUBCOMMITTEE OF THE GENERAL ASSEMBLY MUST BE UNDER OATH AND TO CREATE THE OFFENSES OF CONTEMPT OF THE GENERAL ASSEMBLY AND CRIMINAL CONTEMPT AND PROVIDE A PENALTY FOR A VIOLATION.

Rep. HARRISON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | 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 | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--109**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| H. B. Brown |  |  |

**Total--1**

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

**S. 391--RECONSIDERED, OBJECTIONS AND**

**REQUESTS FOR DEBATE**

Rep. CLEMMONS moved to reconsider the vote whereby debate was adjourned on the following Bill until Tuesday, May 1:

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7-13-350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

Rep. WEEKS moved to table the motion to reconsider.

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

Yeas 34; Nays 72

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Cobb-Hunter | Dillard | Gilliard |
| Hodges | Hosey | Jefferson |
| Johnson | King | Knight |
| McEachern | McLeod | Munnerlyn |
| J. H. Neal | J. M. Neal | Ott |
| Parks | Sabb | Sellers |
| Stavrinakis | Weeks | Whipper |
| Williams |  |  |

**Total--34**

Those who voted in the negative are:

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

**Total--72**

So, the House refused to table the motion to reconsider.

The question then recurred to the motion to reconsider, which was agreed to.

Reps. SELLERS and KING objected to the Bill.

Reps. LOFTIS, CORBIN, BARFIELD, DILLARD, NANNEY, SANDIFER, HAMILTON, HARDWICK, HEARN, GILLIARD, STAVRINAKIS, HAYES, BRANHAM, HOSEY, G. A. BROWN, ANDERSON, WHIPPER, JEFFERSON, WILLIAMS, BRANTLEY, J. H. NEAL, BINGHAM, MCEACHERN and GOVAN requested debate on the Bill.

**H. 4497--DEBATE ADJOURNED**

Rep. SELLERS moved to adjourn debate upon the following Bill until Wednesday, April 25, which was adopted:

H. 4497 -- Reps. Sellers, Johnson, Brady, Gilliard and Jefferson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-187 SO AS TO ENACT THE "CERVICAL CANCER PREVENTION ACT"; TO PROVIDE THAT BEGINNING WITH THE 2012-2013 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SHALL OFFER AS AN OPTION THE CERVICAL CANCER VACCINE SERIES TO FEMALE STUDENTS ENROLLING IN THE SEVENTH GRADE; TO PROVIDE THE STUDENT MAY ONLY RECEIVE THESE VACCINATIONS AT THE OPTION OF THE PARENT OR GUARDIAN OF THE CHILD; TO PROVIDE A PROCEDURE THROUGH WHICH A PARENT OR GUARDIAN MAY EXERCISE THE OPTION FOR THEIR CHILD TO RECEIVE THESE VACCINATIONS; TO REQUIRE A RELATED EDUCATION PROGRAM; AND TO PROVIDE THAT IMPLEMENTATION OF THIS SECTION IS CONTINGENT UPON STATE AND FEDERAL FUNDING.

**S. 1316--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1316 -- Senator L. Martin: A BILL TO AMEND SECTION 7-7-450, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN PICKENS COUNTY, SO AS TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Battle | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Forrester | Gambrell | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Horne |
| Hosey | Howard | Huggins |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Norman |
| Owens | Parker | Parks |
| Patrick | Pinson | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Weeks | White |
| Whitmire | Willis | Young |

**Total--93**

Those who voted in the negative are:

**Total--0**

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

**H. 5138--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 5138 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4279, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. SPIRES explained the Joint Resolution.

Rep. TALLON moved to adjourn debate on the Joint Resolution until Wednesday, April 25, which was agreed to.

**H. 5139--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5139 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO EXAMINATIONS; REEXAMINATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4278, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. SPIRES moved to recommit the Joint Resolution to the Committee on Medical, Military, Public and Municipal Affairs, which was agreed to.

**H. 5140--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5140 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO DISAPPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO BOARD OF COSMETOLOGY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4218, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. SPIRES moved to recommit the Joint Resolution to the Committee on Medical, Military, Public and Municipal Affairs, which was agreed to.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5160 -- Reps. Young, Clyburn, Hixon, J. R. Smith, Spires, Taylor, 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, 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, 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, Sottile, Southard, Stavrinakis, Stringer, Tallon, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams and Willis: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE IN THE LINE OF DUTY BY MASTER CORPORAL SANDRA ELIZABETH "SANDY" ROGERS, AND TO EXPRESS TO HER FAMILY THE PROFOUND APPRECIATION OF A GRATEFUL STATE FOR HER LIFE, SACRIFICE, AND SERVICE.

H. 5162 -- Rep. Clyburn: A CONCURRENT RESOLUTION TO HONOR AND COMMEND THE GRADUATES OF THE ALLEN UNIVERSITY CLASS OF 1962 UPON THE CELEBRATION OF THEIR GOLDEN ANNIVERSARY OF GRADUATION AND TO CONGRATULATE THEM ON THE MANY SUCCESSES AND ACHIEVEMENTS THAT THEY HAVE EXPERIENCED IN THEIR LIVES AS A RESULT OF THE EXCELLENT EDUCATION THEY RECEIVED FROM ALLEN UNIVERSITY.

H. 5163 -- Rep. Howard: A CONCURRENT RESOLUTION TO COMMEND THE BOYS & GIRLS CLUBS OF SOUTH CAROLINA FOR THEIR WONDERFUL EFFORTS IN HELPING SOUTH CAROLINA'S YOUTH PREPARE FOR A PRODUCTIVE LIFE, TO RECOGNIZE THE TWELVE YOUNG PEOPLE FROM DIFFERENT BOYS & GIRLS CLUBS THROUGHOUT THE STATE WHO HAVE BEEN NAMED 2012 YOUTH OF THE YEAR BY THE SOUTH CAROLINA ALLIANCE OF BOYS & GIRLS CLUBS, AND TO DECLARE THURSDAY, APRIL 26, 2012, AS "BOYS AND GIRLS CLUBS DAY" AT THE STATE HOUSE.

**ADJOURNMENT**

At 5:26 p.m. the House, in accordance with the motion of Rep. GAMBRELL, adjourned in memory of Betty Hopkins of Simpsonville, to meet at 10:00 a.m. tomorrow.

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