~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 13:5: “But I trusted in your steadfast love; my heart shall rejoice in your salvation.”

Let us pray. God, as we journey through life, help us continue to grow and learn in Your love. Be with these Representatives and staff as they strive to discern the best way to live and accomplish what You want for all Your people. Shower Your blessings upon our Nation, State, and all our leaders, that they may work with courage and integrity. Protect our defenders of freedom, at home and abroad, 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 Thursday, June 7, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. KING moved that when the House adjourns, it adjourn in memory of Reverend George Benjamin "Ben" Guy, Jr., of Chester, which was agreed to.

**RATIFICATION OF ACTS**

At 1:57 p.m., on June 12, 2012, the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 261, S. 105) -- Senators Verdin, Leventis and L. Martin: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO CREATE THE AGRITOURISM AND TOURISM‑ORIENTED SIGNAGE PROGRAM, TO DEFINE NECESSARY TERMS, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE’S RURAL CONVENTIONAL HIGHWAYS AND NONINTERSTATE SCENIC BYWAYS LEADING TO AGRITOURISM AND TOURISM‑ORIENTED FACILITIES, TO PROVIDE FOR AN OVERSIGHT COMMITTEE TO APPROVE APPLICATIONS FOR SIGNAGE; TO DIRECT THE DEPARTMENT OF AGRICULTURE AND PARKS, RECREATION AND TOURISM TO DEVELOP LOGOS TO BE UTILIZED FOR THE SIGNAGE; AND BY ADDING SECTION 57‑7‑90 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO CAMP WITHIN THE RIGHT‑OF‑WAY OF A HIGHWAY UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PENALTY.

(R. 262, S. 168) -- Senators Shoopman, Verdin and Leventis: AN ACT TO AMEND SECTION 16‑11‑580, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR CUTTING, REMOVING, OR TRANSPORTING FOREST PRODUCTS WITHOUT THE CONSENT OF THE LANDOWNER, SO AS TO REVISE THE PENALTIES AND PROVIDE GRADUATED PENALTIES FOR FIRST AND SECOND OR SUBSEQUENT OFFENSES BASED ON THE VALUE OF THE FOREST PRODUCTS.

(R. 263, S. 263) -- Senators Knotts and Ford: AN ACT TO AMEND SECTION 56‑5‑2910, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RECKLESS HOMICIDE, SO AS TO PROVIDE THAT THE OFFENSE SHALL BE DESIGNATED AS RECKLESS VEHICULAR HOMICIDE, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 56‑5‑2946, RELATING TO THE REQUIREMENT THAT A PERSON MUST SUBMIT TO CHEMICAL TESTS OF HIS BREATH, BLOOD, OR URINE FOR THE PURPOSE OF DETERMINING WHETHER HE IS UNLAWFULLY OPERATING A VEHICLE, SO AS TO PROVIDE THAT THE OFFICER WHO DIRECTS THAT THE TESTS MUST BE ADMINISTERED DOES NOT HAVE TO HAVE PROBABLE CAUSE TO BELIEVE THAT THE PERSON IS GUILTY OF FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER SUBSTANCE; AND BY ADDING SECTION 56‑5‑2948 SO AS TO PROVIDE THAT WHEN A PERSON IS SUSPECTED OF CAUSING A MOTOR VEHICLE INCIDENT RESULTING IN THE DEATH OF ANOTHER PERSON, THE DRIVER MUST SUBMIT TO FIELD SOBRIETY TESTS IF HE IS PHYSICALLY ABLE TO SUBMIT TO THE TESTS.

(R. 264, S. 300) -- Senators Fair, Hutto, Jackson, Knotts, Rankin and Ford: AN ACT TO AMEND SECTION 63‑19‑1440, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMITMENT OF JUVENILES TO THE DEPARTMENT OF JUVENILE JUSTICE, SO AS TO AUTHORIZE THE DEPARTMENT OF JUVENILE JUSTICE TO ALLOW A JUVENILE WHO IS TEMPORARILY COMMITTED TO ITS CUSTODY, AFTER BEING ADJUDICATED FOR A STATUS OFFENSE, MISDEMEANOR OFFENSE, OR A PROBATION VIOLATION OR CONTEMPT, TO UNDERGO A COMMUNITY EVALUATION WHILE RESIDING IN HIS HOME OR IN HIS HOME COMMUNITY WITH CERTAIN SAFEGUARDS AND EXCEPTIONS; AND BY ADDING SECTION 63-19-1835 SO AS TO PROVIDE THAT THE DEPARTMENT OF JUVENILE JUSTICE MAY GRANT UP TO A TEN-DAY REDUCTION EACH MONTH TO PROBATIONERS AND PAROLEES WHO ARE COMPLIANT WITH THE TERMS OF THEIR SUPERVISION.

(R. 265, S. 580) -- Senator Setzler: AN ACT TO AMEND SECTION 40‑18‑140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 18, TITLE 40 PROVIDING FOR THE LICENSURE AND REGULATION OF PRIVATE SECURITY AND INVESTIGATION AGENCIES, SO AS TO PROVIDE THAT THE CHAPTER DOES NOT APPLY TO A CERTIFIED PUBLIC ACCOUNTANT WHILE IN THE PERFORMANCE OF HIS DUTIES, AND TO PROVIDE THE CHAPTER MUST NOT BE APPLIED TO A PERSON BASED SOLELY ON HIS BEING ENGAGED IN COMPUTER OR DIGITAL FORENSIC SERVICES OR CERTAIN NETWORK OR SYSTEM VULNERABILITY TESTING; AND BY ADDING CHAPTER 84 TO TITLE 40 SO AS TO ENACT THE “COMPUTER AND DIGITAL FORENSICS REGISTRY ACT”, TO PROVIDE DEFINITIONS, TO PROVIDE THE CHIEF OF SLED CERTAIN POWERS AND DUTIES RELATED TO THE PRACTICE OF COMPUTER FORENSICS BUSINESSES INCLUDING THE MAINTENANCE OF A COMPUTER FORENSICS REGISTRY AND TO PROVIDE FOR THE PURPOSE AND FUNDING OF THE REGISTRY, TO REQUIRE A PARTY SEEKING TO OPERATE AS A DIGITAL FORENSICS BUSINESS REGISTER WITH SLED IN A SPECIFIED MANNER, AND TO PROVIDE EXCLUSIONS FROM THE APPLICABILITY OF THE CHAPTER.

(R. 266, S. 741) -- Senator S. Martin: AN ACT TO AMEND SECTION 50‑11‑710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NIGHT HUNTING PROHIBITIONS AND EXCEPTIONS, SO AS TO PROVIDE FOR THE LAWFUL NIGHT HUNTING OF FERAL HOGS AND COYOTES IN SPECIFIC CIRCUMSTANCES, AND TO DEFINE A RELATED TERM, AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND SECTION 50‑11‑740, RELATING TO THE CONFISCATION, FORFEITURE, AND SALE OF PROPERTY USED IN UNLAWFUL HUNTING, SO AS TO INCLUDE TRAILERS AND OTHER MEANS OF CONVEYANCE, AND MAKE APPLICABLE TO VIOLATIONS OF UNLAWFUL NIGHT HUNTING; AND TO AMEND SECTION 50‑16‑70, AS AMENDED, RELATING TO PENALTIES FOR UNLAWFUL IMPORTATION OF WILDLIFE, SO AS TO INCLUDE SUSPENSION OF HUNTING LICENSES AND CONFISCATION, FORFEITURE, AND SALE OF CERTAIN ASSOCIATED PROPERTY, TO PROVIDE EACH UNLAWFULLY IMPORTED ANIMAL CONSTITUTES A SEPARATE OFFENSE, AND TO GIVE EXCLUSIVE JURISDICTION TO THE MAGISTRATES COURT.

(R. 267, S. 947) -- Senators Malloy and Williams: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 49 SO AS TO ESTABLISH THE LAKE PAUL A. WALLACE AUTHORITY TO MANAGE, MAINTAIN, AND OPERATE THE LAKE, TO PROVIDE FOR THE MEMBERSHIP OF THE GOVERNING BODY OF THE AUTHORITY, TO PROVIDE FOR THEIR POWERS AND DUTIES, AND TO PROVIDE FOR RELATED MATTERS.

(R. 268, S. 1007) -- Senator Rose: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57‑3‑755 SO AS TO PROVIDE THE DEPARTMENT OF TRANSPORTATION SHALL MAINTAIN AN ONLINE TRANSACTION REGISTER OF ALL EXPENDED FUNDS IN A SPECIFIC MANNER, TO SPECIFY RELATED INFORMATION THAT MUST BE INCLUDED, TO PROVIDE THE REGISTER BE PROMINENTLY POSTED ON THE INTERNET WEBSITE OF THE DEPARTMENT, AND TO PROVIDE THE DEPARTMENT MAY CONSULT WITH THE COMPTROLLER GENERAL FOR CERTAIN QUESTIONS OR ISSUES CONCERNING THE REGISTER.

(R. 269, S. 1031) -- Senators Lourie, L. Martin, Elliott, Setzler and Alexander: AN ACT TO AMEND SECTION 16‑11‑523, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNLAWFULLY OBTAINING NONFERROUS METALS, SO AS TO REVISE THE DEFINITION OF “NONFERROUS METALS”, AND TO PROVIDE FOR THE REVOCATION OF A PERMIT TO PURCHASE NONFERROUS METALS HELD BY A PERSON WHO VIOLATES THE PROVISIONS OF THIS SECTION; TO AMEND SECTION 16‑17‑680, AS AMENDED, RELATING TO SECONDARY METALS RECYCLERS’ PERMITS TO PURCHASE NONFERROUS METALS AND TRANSPORT AND SELL NONFERROUS METALS, SO AS TO REVISE THE DEFINITIONS OF CERTAIN TERMS, AND TO REVISE THE PROVISIONS THAT REGULATE SECONDARY METALS RECYCLERS WHO PURCHASE NONFERROUS METALS; TO AMEND SECTION 40‑27‑10 AND 40‑27‑20, BOTH RELATING TO REQUIRING A PERSON WHO BUYS JUNK TO KEEP A RECORD OF PERSONS WHO SELL JUNK TO HIM AND KEEP EACH ARTICLE OF JUNK PURCHASED FOR A SEVENTY‑TWO HOUR PERIOD, SO AS TO PROVIDE THAT THESE PROVISIONS APPLY TO JUNK THAT DOES NOT CONSISTS OF NONFERROUS METALS; TO AMEND SECTION 56‑3‑1380, RELATING TO THE RETURN OF THE REGISTRATION CARD, LICENSE PLATE, AND REVALIDATION STICKER TO THE DEPARTMENT OF MOTOR VEHICLES OF A MOTOR VEHICLE THAT HAS BEEN DISMANTLED OR WRECKED, SO AS TO PROVIDE THAT A PERSON WHO DISPOSES OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER CAN SURRENDER THE TITLE CERTIFICATE TO THE DEMOLISHER OR SECONDARY METALS RECYCLER SO THAT THE DEMOLISHER OR SECONDARY METAL RECYCLER CAN SURRENDER THE TITLE CERTIFICATE TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑5‑5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE THAT THE OFFICE OF COURT ADMINISTRATION SHALL DESIGN A UNIFORM MAGISTRATES ORDER OF SALE AND DISTRIBUTE IT TO MAGISTRATES AND PROVIDE THAT THE ORDER OF SALE MUST BE SUFFICIENT TITLE FOR TRANSFERRING A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER; TO REPEAL SECTION 56‑5‑5660 RELATING TO APPLICATIONS FOR AND THE ISSUANCE OF DISPOSAL AUTHORITY CERTIFICATES; TO AMEND SECTION 56‑5‑5670 AND 56‑5‑5945, BOTH AS AMENDED, RELATING TO THE DUTIES THAT A DEMOLISHER WHO PURCHASES OR ACQUIRES CERTAIN VEHICLES OR NONFERROUS METALS MUST PERFORM, SO AS TO PROVIDE DEFINITIONS FOR CERTAIN TERMS, PROVIDE THAT A DEMOLISHER OR SECONDARY METALS RECYCLER MAY NOT DISPOSE OF A VEHICLE WITHOUT RECEIVING A VALID CERTIFICATE OF TITLE, A VALID MAGISTRATES ORDER OF SALE, OR A VALID SHERIFF’S DISPOSAL AUTHORITY CERTIFICATE, TO PROVIDE THE CIRCUMSTANCES IN WHICH A VEHICLE MAY BE DISPOSED OF BY A DEMOLISHER OR SECONDARY METALS RECYCLER WHEN A CERTIFICATE OF TITLE, MAGISTRATES ORDER OF SALE, OR SHERIFF’S DISPOSAL AUTHORITY CERTIFICATE IS NOT AVAILABLE, TO REVISE THE RECORD KEEPING PROVISIONS THAT APPLY TO DEMOLISHERS AND SECONDARY METAL RECYCLERS, TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL CONVENE A WORKING GROUP FOR THE PURPOSE OF ASSISTING IN THE DEVELOPMENT OF FORMS AND REGULATIONS TO IMPLEMENT THE PROVISIONS CONTAINED IN THIS SECTION, AND TO REVISE THE PENALTY FOR A VIOLATION OF THESE PROVISIONS; AND TO AMEND SECTION 56‑19‑480, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS AND MANUFACTURERS SERIAL PLATES OF VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A DEMOLISHER OR SECONDARY METALS RECYCLER, AND TO PROVIDE THAT A PERSON WHO DISPOSES OF A VEHICLE TO A DEMOLISHER OR SECONDARY METALS RECYCLER SHALL PROVIDE THE VEHICLE’S TITLE CERTIFICATE TO THE DEMOLISHER OR SECONDARY METALS RECYCLER SO THAT THEY CAN SURRENDER IT TO THE DEPARTMENT OF MOTOR VEHICLES.

(R. 270, S. 1044) -- Senators Knotts, Cromer and Ford: AN ACT TO AMEND SECTION 38‑59‑250, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE REQUIREMENTS FOR THE INITIATION OF OVERPAYMENT RECOVERY EFFORTS PURSUANT TO THE SOUTH CAROLINA HEALTH CARE FINANCIAL RECOVERY AND PROTECTION ACT, SO AS TO ADD REQUIREMENTS CONCERNING AN APPEAL.

(R. 271, S. 1055) -- Senators McConnell and Ford: AN ACT TO AMEND SECTION 14‑27‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE JUDICIAL COUNCIL, SO AS TO PROVIDE FOR TWO ADDITIONAL MEMBERS OF THE COUNCIL, THE CHIEF JUDGE OF THE SOUTH CAROLINA COURT OF APPEALS AND A PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW, TO CHANGE THE PERSON SERVING FROM THE SOUTH CAROLINA BAR FROM THE PRESIDENT OF THE SOUTH CAROLINA BAR TO ONE PERSON RECOMMENDED BY THE SOUTH CAROLINA BAR, AND TO ADD A MUNICIPAL COURT JUDGE AS A MEMBER IN LIEU OF ONE OF THE TWO MAGISTRATE COURT JUDGES; TO AMEND SECTION 14‑27‑30, AS AMENDED, RELATING TO MEMBERS APPOINTED BY THE CHIEF JUSTICE, SO AS TO PROVIDE FOR THE APPOINTMENT OF TWO SUMMARY COURT JUDGES IN LIEU OF TWO MAGISTRATE COURT JUDGES, AND TO PROVIDE FOR THE APPOINTMENT OF ONE PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW; AND TO AMEND SECTION 14‑27‑40, AS AMENDED, RELATING TO THE TERMS OF SERVICE, SO AS TO PROVIDE THAT THE CHIEF JUDGE SERVES DURING THE TERM OF HIS OFFICE, THE PERSON RECOMMENDED BY THE SOUTH CAROLINA BAR AND APPOINTED BY THE CHIEF JUSTICE SERVES COTERMINOUS WITH THE TERM OF THE PRESIDENT OF THE SOUTH CAROLINA BAR WHO RECOMMENDED HIS APPOINTMENT, AND THE PERSON RECOMMENDED BY THE CHARLESTON SCHOOL OF LAW SERVES FOR A FOUR‑YEAR TERM.

(R. 272, S. 1087) -- Senators Jackson, Cromer, Grooms, Ford, Scott, Elliott, Setzler, Land, Pinckney, Anderson, Ryberg, Matthews, Rankin and Verdin: AN ACT TO AMEND SECTION 50‑9‑730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABILITY OF THE DEPARTMENT OF NATURAL RESOURCES TO DESIGNATE “FREE FISHING DAYS” AND SANCTION FISHING EVENTS EXEMPT FROM FISHING LICENSE REQUIREMENTS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE DEPARTMENT TO DESIGNATE “FREE FISHING DAYS”, TO DESIGNATE JULY FOURTH AND NATIONAL MEMORIAL DAY AS DAYS WHEN A RESIDENT IS NOT REQUIRED TO POSSESS A LICENSE OR PERMIT FOR FRESHWATER RECREATIONAL FISHING, TO LIMIT DEPARTMENT‑SANCTIONED EVENTS THAT ARE EXEMPT FROM FISHING LICENSE REQUIREMENTS TO FRESHWATER EVENTS, AND TO EXEMPT CERTAIN COMMERCIAL FISHERMEN FROM THE PROVISIONS OF THIS SECTION; TO AMEND SECTION 50‑1‑160, RELATING TO THE RELEASE OF SEIZED PROPERTY TO AN INNOCENT OWNER BY THE DEPARTMENT, SO AS TO CLARIFY APPLICATION OF SECTION TO PROPERTY SEIZED FOR A VIOLATION OF TITLE 50; AND TO AMEND SECTION 50‑9‑410, AS AMENDED, RELATING TO CIRCUMSTANCES IN WHICH A COMMERCIAL FISHING LICENSE IS REQUIRED, SO AS TO MODIFY SPECIFICS PERTAINING TO TROTLINES, TAGS, AND HOOKS.

(R. 273, S. 1099) -- Senator Fair: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑19‑650 SO AS TO PROVIDE THAT MEMBERS OF THE BOARD OF JUVENILE PAROLE SHALL RECEIVE COMPENSATION IN AN AMOUNT PROVIDED BY THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS ACT; AND TO AMEND SECTION 24‑21‑55, RELATING TO A HEARING FEE FOR THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO INSTEAD PROVIDE FOR COMPENSATION TO BE RECEIVED IN AN AMOUNT PROVIDED BY THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS ACT.

(R. 274, S. 1125) -- Senators Bright, Bryant, S. Martin, Thomas, Gregory, Knotts, Campbell, Rose, Cromer, Fair, Campsen, Grooms, Peeler and Shoopman: AN ACT TO AMEND SECTION 41‑35‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO PROVIDE DISCHARGE FOR MISCONDUCT AS A BASIS FOR DISQUALIFICATION, TO SUBJECT A PERSON DISCHARGED FOR MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, TO DELETE OBSOLETE PROVISIONS RELATED TO DISCHARGE FOR CAUSE, TO SUBJECT A PERSON DISCHARGED FOR CAUSE OTHER THAN MISCONDUCT TO A PERIOD OF INELIGIBILITY FOR BENEFITS AND A SUBSEQUENT PERIOD OF REDUCED BENEFITS, AND TO PROVIDE DISCHARGE FOR CERTAIN SUBSTANDARD PERFORMANCE IS NOT A BASIS FOR DISQUALIFICATION FROM BENEFITS UNDER THIS SECTION; TO AMEND SECTION 41‑35‑130, AS AMENDED, RELATING TO BENEFIT PAYMENTS NOT CHARGEABLE TO A FORMER EMPLOYER, SO AS PROVIDE A BENEFIT PAID TO A CLAIMANT MAY NOT BE CHARGED TO AN EMPLOYER WHO IS SUBJECT TO THE PAYMENT OF CONTRIBUTIONS IF THE CLAIMANT WAS DISCHARGED BY HIS MOST RECENT BONA FIDE EMPLOYER FOR MISCONDUCT OF CLAIMANT CONNECTED TO HIS EMPLOYMENT, AND TO DEFINE TERMINOLOGY; AND TO AMEND SECTION 41‑41‑40, AS AMENDED, RELATING TO RECOVERY OF BENEFITS BY A PERSON NOT ENTITLED TO BENEFITS, SO AS TO PROVIDE UPON DETERMINATION BY THE DEPARTMENT OF A FRAUDULENT OVERPAYMENT, THE EMPLOYER WHOSE ACCOUNT WAS DEBITED FOR THE OVERPAYMENT MUST BE CREDITED THE AMOUNT OF THE OVERPAYMENT, SUBJECT TO CERTAIN EXCEPTIONS.

(R. 275, S. 1167) -- Senator Lourie: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 31‑6‑85 SO AS TO ALLOW A MUNICIPALITY AND ONE OR MORE TAXING DISTRICTS TO PROVIDE BY INTERGOVERNMENTAL AGREEMENT FOR PARTIAL OR MODIFIED PARTICIPATION IN A REDEVELOPMENT PROJECT; TO AMEND SECTION 31‑6‑80, RELATING TO APPROVAL OF A REDEVELOPMENT PLAN FOR PURPOSES OF THE TAX INCREMENT FINANCING LAW, SO AS TO CLARIFY AN AMENDMENT TO THE TAX INCREMENT FINANCING LAW; AND TO AMEND SECTION 4‑10‑310, AS AMENDED, RELATING TO THE IMPOSITION OF THE CAPITAL PROJECTS SALES TAX ACT, SO AS TO PROVIDE THAT THE LIMITATION APPLICABLE TO THE NUMBER OF CERTAIN LOCAL SALES AND USE TAXES THAT MAY BE IMPOSED IN A COUNTY AREA DOES NOT APPLY IN A COUNTY AREA IN WHICH, AS OF JULY 1, 2012, THERE WAS IMPOSED PURSUANT TO A LOCAL ACT OF THE GENERAL ASSEMBLY A LOCAL SALES AND USE TAX, THE REVENUES OF WHICH MUST BE USED TO OFFSET THE COSTS OF SCHOOL CONSTRUCTION, OTHER SCHOOL PURPOSES, OR OTHER GOVERNMENTAL EXPENSES, OR ANY COMBINATION OF THESE USES.

(R. 276, S. 1220) -- Senators Campbell, Hayes and Ford: AN ACT TO AMEND SECTION 48‑2‑50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES IMPOSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR CERTAIN ENVIRONMENTAL PROGRAMS, INCLUDING THE SURFACE WATER WITHDRAWAL PROGRAM, WHICH ARE DEPOSITED INTO THE ENVIRONMENTAL PROTECTION FUND FOR ADMINISTRATION OF THESE PROGRAMS, SO AS TO ENUMERATE THE FEES FOR SURFACE WATER WITHDRAWAL APPLICATIONS AND PERMITS THAT WOULD OTHERWISE HAVE BEEN REPEALED JANUARY 1, 2013; BY ADDING SECTION 49‑4‑175 SO AS TO REIMPOSE THE FEES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY CHARGE FOR SURFACE WATER WITHDRAWAL AND APPLICATIONS AND PERMITS AND TO PROVIDE THAT THE DEPARTMENT SHALL RETAIN THESE FEES TO IMPLEMENT AND OPERATE THE SURFACE WATER WITHDRAWAL PROGRAM; AND TO AMEND ACT 247 OF 2010, BY REPEALING PROVISIONS THAT PROSPECTIVELY REPEAL THE IMPOSITION OF SURFACE WATER WITHDRAWAL PERMIT FEES.

(R. 277, S. 1231) -- Senator Gregory: AN ACT TO AMEND SECTION 50‑1‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATIONS OF BIRDS, ANIMALS, AND FISH, SO AS TO ADD COBIA RACHYCENTRON CANADUM TO THE SALTWATER GAMEFISH CLASSIFICATION; TO AMEND SECTION 50‑5‑1700, RELATING TO THE CRIMINAL OFFENSES OF SELLING, PURCHASING, TRADING, BARTERING, TAKING, AND POSSESSING SALTWATER GAMEFISH, SO AS TO ALSO CREATE SUCH CRIMINAL OFFENSES FOR COBIA; TO AMEND SECTION 50‑5‑32, RELATING TO CLOSING SALTWATER FISHING SEASONS, AREAS, OR ACTIVITIES IN AN EMERGENCY AND PROCEDURES FOR SUCH CLOSING, SO AS TO REVISE THE DEFINITION OF “EMERGENCY” AND TO PROVIDE THAT IT IS A CRIMINAL OFFENSE TO POSSESS SPECIFIED SALTWATER FISH IN AN EMERGENCY AND TO ELIMINATE THE OFFENSE OF TAKING OR ATTEMPTING TO TAKE SALTWATER FISH IN AN EMERGENCY; TO AMEND SECTION 50‑5‑1506, RELATING TO SEASONS, TIMES, METHODS, EQUIPMENT, SIZE LIMITS, AND TAKE LIMITS IN COMMERCIAL FISHING FOR SHAD IN SPECIFIED WATERS OF THE STATE, SO AS TO ADD, DELETE, AND REVISE CERTAIN OF THESE WATERS OF THE STATE AND TO REVISE SEASONS, TIMES, METHODS AND EQUIPMENT, AND SIZE AND TAKE LIMITS.

(R. 278, S. 1269) -- Senators Peeler and Alexander: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE THE RIGHTS OF A PHARMACY WHEN UNDERGOING AN AUDIT CONDUCTED BY A MANAGED CARE COMPANY, INSURANCE COMPANY, THIRD‑PARTY PAYER, OR AN ENTITY RESPONSIBLE FOR PAYMENT OF CLAIMS FOR HEALTH CARE SERVICES; TO REQUIRE THE AUDITING ENTITY TO ESTABLISH AN APPEALS PROCESS; TO PROVIDE FOR THE RECOUPMENT OF FUNDS UNDER CERTAIN CIRCUMSTANCES; AND TO EXEMPT SPECIFIC AUDITS, REVIEWS, AND INVESTIGATIONS.

(R. 279, S. 1354) -- Senators Bryant, Thomas, Ford and L. Martin: AN ACT TO AMEND SECTION 35‑1‑604, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SECURITIES VIOLATIONS, TO REQUIRE A COPY OF ALL FINAL CEASE AND DESIST ORDERS ISSUED BY THE SECURITIES COMMISSIONER BE FORWARDED TO THE DEPARTMENT OF REVENUE AND SECRETARY OF STATE, AND TO PROVIDE THAT ALL CEASE AND DESIST ORDERS ISSUED BY THE COMMISSIONER ARE PUBLIC DOCUMENTS SUBJECT TO THE FREEDOM OF INFORMATION ACT, AND TO REQUIRE PUBLICATION OF ALL SUCH ORDER ON THE ATTORNEY GENERAL’S WEBSITE.

(R. 280, S. 1375) -- Senators Campsen, Hutto and Ford: AN ACT TO AMEND SECTION 56‑5‑3860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION OF ANIMALS AND CERTAIN VEHICLES ON FREEWAYS, SO AS TO PROVIDE FOR AN EXEMPTION FOR BICYCLES AND PEDESTRIANS THAT MAY TRAVEL ALONG NONINTERSTATE FREEWAYS UNDER CERTAIN CIRCUMSTANCES.

(R. 281, S. 1417) -- Senator Land: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “SOUTH CAROLINA TENNIS PATRONS FOUNDATION” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2320, RELATING TO THE ISSUANCE OF MOTOR VEHICLE DEALER AND DEMONSTRATION LICENSE PLATES, SO AS TO PROVIDE THAT THE UNITED SERVICE ORGANIZATION SOUTH CAROLINA AND THE AMERICAN RED CROSS MAY BE ISSUED A LICENSE PLATE TO BE USED ON VEHICLES LOANED OR RENTED TO EITHER ENTITY FOR A FEE AND TO PROVIDE FOR THE DISTRIBUTION OF THE FEE; BY ADDING ARTICLE 109 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “TREE MY DOG” SPECIAL LICENSE PLATES; BY ADDING ARTICLE 110 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “UNITED STATES NAVY CHIEF PETTY OFFICER” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7360, AS AMENDED, RELATING TO THE ISSUANCE OF “KOREAN WAR VETERANS” SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THIS SPECIAL LICENSE PLATE MAY BE ISSUED TO A VETERAN WHO SERVED ON ACTIVE DUTY DURING THE KOREAN WAR; TO AMEND SECTION 56‑3‑9910, AS AMENDED, RELATING TO “GOLD STAR FAMILY” SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT THE LICENSE PLATE SHALL CONTAIN LETTERS OR NUMBERS, OR BOTH REQUESTED BY THE APPLICANT; BY ADDING ARTICLE 111 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF “UNITED STATES MARINE CORPS” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑8800, AS AMENDED, RELATING TO “WORLD WAR II VETERANS” SPECIAL LICENSE PLATES, SO AS TO PROVIDE THAT A PERSON WHO QUALIFIES TO OBTAIN THIS LICENSE PLATE AND A HANDICAPPED PLACARD SHALL HAVE ISSUED TO HIM THIS LICENSE PLATE WITH THE INTERNATIONAL SYMBOL OF ACCESS INCLUDED ON IT.

(R. 282, S. 1555) -- Senators Knotts, Setzler and Massey: AN ACT TO AMEND SECTION 7‑7‑380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE THE NAMES OF CERTAIN PRECINCTS, 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.

(R. 283, H. 3028) -- Reps. Clemmons, Taylor, Clyburn and Long: AN ACT TO AMEND SECTION 59‑26‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUCTION, ANNUAL, AND CONTINUING CONTRACTS FOR TEACHERS, SO AS TO INCREASE THE INDUCTION CONTRACT PERIOD FROM ONE YEAR TO THREE YEARS, AND FURTHER PROVIDE FOR PROVISIONS OF LAW PERTAINING TO TEACHER CONTRACTS AND EMPLOYMENT.

(R. 284, H. 3127) -- Reps. Rutherford, G.R. Smith, Clyburn, Weeks, Whipper and R.L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑21‑1010 SO AS TO PERMIT A PERSON WHO APPLIES FOR A PARDON FOR CERTAIN OFFENSES TO REQUEST THE BOARD OF PAROLES AND PARDONS RECOMMEND THE EXPUNGEMENT OF CRIMINAL RECORDS, TO ALLOW RETROACTIVE APPLICATION OF THE STATUTE, TO PROVIDE AN EXCEPTION FOR PERSONS PARDONED FOR A VIOLENT CRIME, TO PROVIDE AN APPLICATION FEE, AND TO PROVIDE A PROCEDURE BY WHICH CRIMINAL RECORDS MAY BE EXPUNGED AND A NONPUBLIC RECORD MAINTAINED.

(R. 285, H. 3433) -- Reps. Herbkersman and Patrick: AN ACT TO AMEND SECTION 7‑7‑110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BEAUFORT COUNTY, SO AS TO REVIEW AND RENAME CERTAIN VOTING PRECINCTS OF BEAUFORT COUNTY AND TO REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

(R. 286, H. 3506) -- Reps. Loftis, Allison, J.R. Smith, White, Bowen, Ott, Cobb‑Hunter, Pitts and Henderson: AN ACT TO AMEND SECTION 12‑14‑80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INVESTMENT TAX CREDIT FOR MANUFACTURING AND PRODUCTIVE EQUIPMENT, SO AS TO EXPAND THE CREDIT TO CERTAIN ACTIVITIES WHERE THE TAXPAYER COMMITS TO EMPLOYING ONE THOUSAND TWO HUNDRED FULL‑TIME EMPLOYEES IN THIS STATE AND COMMITS TO INVEST FOUR HUNDRED MILLION DOLLARS IN CAPITAL INVESTMENT IN THIS STATE, TO DEFINE TERMS, AND TO SET FORTH THE PROCESS BY WHICH A TAXPAYER QUALIFIES FOR THE CREDIT AND THE PROCESS BY WHICH THE AMOUNT OF THE CREDIT IS DETERMINED; AND BY ADDING SECTION 12‑54‑87 SO AS TO PROVIDE THAT FOR PURPOSES OF DISCOUNTS ALLOWED FOR TIMELY FILING OF RETURNS, IF THE DEPARTMENT OF REVENUE WAIVES ALL PENALTIES FOR LATE FILING DUE TO REASONABLE CAUSE, THE DISCOUNT MUST BE ALLOWED.

(R. 287, H. 3527) -- Reps. Gilliard, McEachern, Spires, Butler Garrick, King, Jefferson, Sabb, Munnerlyn, V.S. Moss, Cobb‑Hunter, Herbkersman, Willis, Harrell, Pope, D.C. Moss, Norman, Hearn, Horne, Murphy, Bikas, Viers, Whipper and R.L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24‑3‑970 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR AN INMATE INCARCERATED IN A STATE DEPARTMENT OF CORRECTIONS FACILITY, OR A PERSON ACTING ON BEHALF OF OR ENABLING SUCH AN INMATE, TO USE AN INTERNET‑BASED SOCIAL NETWORKING WEBSITE TO HARASS, INTIMIDATE, OR CONTACT A CRIME VICTIM AND TO PROVIDE PENALTIES.

(R. 288, H. 3667) -- Rep. Bannister: AN ACT TO AMEND SECTION 16‑3‑655, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES, SO AS TO CREATE THE OFFENSE OF CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE WHEN THE ACTOR IS OVER THE AGE OF FOURTEEN AND COMMITS CERTAIN ACTS WITH A CHILD UNDER THE AGE OF SIXTEEN, TO PROVIDE AN EXCEPTION FOR CERTAIN CONSENSUAL CONDUCT, AND TO PROVIDE A PENALTY; TO AMEND SECTION 16‑1‑60, AS AMENDED, RELATING TO VIOLENT CRIMES, TO AMEND SECTION 17‑22‑90, AS AMENDED, RELATING TO AGREEMENTS REQUIRED OF OFFENDERS IN PRETRIAL INTERVENTION PROGRAMS, TO AMEND SECTION 19‑11‑30, AS AMENDED, RELATING TO THE COMPETENCY OF THE HUSBAND OR WIFE OF A PARTY AS A WITNESS, TO AMEND SECTION 23‑3‑430, AS AMENDED, RELATING TO THE SEX OFFENDER REGISTRY, TO AMEND SECTION 23‑3‑490, AS AMENDED, RELATING TO PUBLIC INSPECTION OF THE SEX OFFENDER REGISTRY, TO AMEND SECTION 23‑3‑540, AS AMENDED, RELATING TO ELECTRONIC MONITORING OF PERSONS CONVICTED OF CERTAIN CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES, TO AMEND SECTION 24‑3‑20, AS AMENDED, RELATING TO CUSTODY OF PERSONS CONVICTED OF CERTAIN CRIMES, TO AMEND SECTION 24‑13‑710, AS AMENDED, RELATING TO THE SUPERVISED FURLOUGH PROGRAM, TO AMEND SECTION 24‑19‑10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF CORRECTION AND TREATMENT OF YOUTHFUL OFFENDERS, TO AMEND SECTION 44‑48‑30, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE SEXUALLY VIOLENT PREDATOR ACT, TO AMEND SECTION 44‑53‑370, AS AMENDED, RELATING TO PENALTIES FOR CERTAIN DRUG OFFENSES, AND TO AMEND SECTION 63‑7‑2360, RELATING TO PLACEMENT OF MINOR SEX OFFENDERS PURSUANT TO THE CHILDREN’S CODE, ALL SO AS TO MAKE CONFORMING AMENDMENTS TO REFERENCE APPROPRIATE CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES AND TO DELETE REFERENCES TO THE FORMER LEWD ACT UPON A CHILD UNDER THE AGE OF SIXTEEN; AND TO REPEAL SECTION 16‑15‑140 RELATING TO COMMITTING OR ATTEMPTING TO COMMIT A LEWD ACT UPON A CHILD UNDER THE AGE OF SIXTEEN.

(R. 289, H. 3676) -- Reps. J.E. Smith, Clemmons, Dillard, Herbkersman, Limehouse, Mitchell and Whipper: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 23 TO TITLE 31 SO AS TO ENACT THE “SOUTH CAROLINA COMMUNITY LAND TRUST ACT OF 2012”, TO DEFINE TERMS, MAKE FINDINGS, TO PROVIDE THAT THE PURPOSE OF A COMMUNITY LAND TRUST IS TO HOLD LEGAL AND EQUITABLE TITLE TO LAND TO THEN LEASE THE LAND TO PROMOTE AFFORDABILITY, TO PROVIDE THE MANNER IN WHICH COMMUNITY LAND TRUSTS ARE FUNDED, AND TO PROVIDE THE PROCESS BY WHICH COMMUNITY LAND TRUSTS OPERATE.

(R. 290, H. 3730) -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑9‑450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO, FOR A COMMERCIAL PURPOSE, SELL OR TAKE FUR BEARING ANIMALS BY ANY MEANS AND OF ALL PERSONS WHO TRAP SUCH ANIMALS, TO PROVIDE EXCEPTIONS, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50‑11‑40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50‑11‑1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50‑11‑2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FUR BEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS “FUR BEARING ANIMAL” AND “COMMERCIAL PURPOSES”, AND TO PROVIDE DEFINITIONS FOR THE TERMS “OWNER” AND “AGENT”; TO AMEND SECTION 50‑11‑2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES OR CLARIFY CERTAIN REQUIREMENTS; TO AMEND SECTION 50‑11‑2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS, INCLUDING CERTAIN BODY GRIPPING TRAPS; TO AMEND SECTION 50‑11‑2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER’S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS UNDER CERTAIN CONDITIONS; TO AMEND SECTION 50‑11‑2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO FURTHER PROVIDE FOR THE TYPES OF TRAPS THAT ARE ALLOWED AND THEIR USES; TO AMEND SECTION 50‑11‑2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR’S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FUR BEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50‑11‑2640, RELATING TO PENALTIES FOR IMPORTING FOXES AND COYOTES, SO AS TO PROVIDE THAT EACH ANIMAL TAKEN OR POSSESSED IN VIOLATION OF THE SECTION IS A SEPARATE OFFENSE; TO AMEND SECTION 50‑9‑350, RELATING TO APPRENTICE LICENSES, SO AS TO PERMIT APPRENTICE LICENSE HOLDERS TO OBTAIN OTHER HUNTING PERMITS AND TAGS; TO AMEND SECTION 50‑11‑2570, RELATING TO THE ISSUANCE OF SPECIAL PERMITS TO CAPTURE DESTRUCTIVE ANIMALS, SO AS TO FURTHER PROVIDE FOR THE PURPOSE AND REASONS FOR THE PERMITS; TO PROVIDE THE CIRCUMSTANCES WHEN A NONRESIDENT MAY OBTAIN A LIFETIME COMBINATION LICENSE; AND TO REPEAL SECTIONS 50‑11‑1060, 50‑11‑1070, 50‑11‑2420, AND 50‑11‑2575 RELATING TO, RESPECTIVELY, THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, THE KILLING OF BOBCATS, AND THE SPECIAL PERMITS FOR USE OF BEAVER SNARES.

(R. 291, H. 3747) -- Rep. Cooper: AN ACT TO AMEND SECTION 12‑36‑2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT INJECTABLE MEDICATIONS AND INJECTABLE BIOLOGICS SO LONG AS THE MEDICATION OR BIOLOGIC IS ADMINISTERED BY OR PURSUANT TO THE SUPERVISION OF A PHYSICIAN IN AN OFFICE WHICH IS UNDER THE SUPERVISION OF A PHYSICIAN, OR IN A CENTER FOR MEDICARE OR MEDICAID SERVICES (CMS) CERTIFIED KIDNEY DIALYSIS FACILITY, AND TO DEFINE “BIOLOGICS” FOR THE PURPOSES OF THE EXEMPTION.

(R. 292, H. 3757) -- Reps. Hardwick, Hearn, Mitchell, Long, Erickson, Brady, Butler Garrick, Funderburk, Munnerlyn, Knight, Dillard, Cobb‑Hunter, Parks, Huggins, Allison, Tallon, Brannon, Atwater, Whipper, Patrick and J.R. Smith: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 3, TITLE 16 SO AS TO DEFINE NECESSARY TERMS; TO PROVIDE FOR CERTAIN TRAFFICKING IN PERSONS OFFENSES, PROVIDE PENALTIES, AND PROVIDE FOR STATE GRAND JURY PROSECUTION UNDER CERTAIN CIRCUMSTANCES; TO PROVIDE FOR CRIMINAL LIABILITY OF BUSINESS ENTITIES; TO PROVIDE RESTITUTION FOR VICTIMS OF TRAFFICKING IN PERSONS OFFENSES; TO ESTABLISH AN INTERAGENCY TASK FORCE TO DEVELOP AND IMPLEMENT A PLAN FOR THE PREVENTION OF TRAFFICKING IN PERSONS; TO ALLOW CIVIL ACTIONS BY VICTIMS OF TRAFFICKING IN PERSONS; TO PROVIDE CERTAIN PROTECTIONS FOR VICTIMS OF TRAFFICKING IN PERSONS PURSUANT TO THE VICTIMS’ BILL OF RIGHTS AND OTHER RELEVANT STATUTORY PROVISIONS; TO CREATE THE OFFENSE OF MALICIOUSLY OR WITH CRIMINAL NEGLIGENCE PUBLISHING, DISSEMINATING, OR OTHERWISE DISCLOSING THE LOCATION OF A TRAFFICKING IN PERSONS VICTIM, A TRAFFICKING SHELTER, OR A DOMESTIC VIOLENCE SHELTER AND TO PROVIDE A PENALTY; AND TO PROVIDE FOR THE FORFEITURE OF MONIES AND PROPERTY USED IN VIOLATION OF A TRAFFICKING IN PERSONS OFFENSE; AND TO REPEAL SECTION 16‑3‑930 RELATING TO TRAFFICKING IN PERSONS FOR FORCED LABOR OR SERVICES.

(R. 293, H. 3918) -- Rep. White: AN ACT TO AMEND CHAPTER 1, TITLE 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT OF COMMERCE, SO AS TO PROVIDE DEFINITIONS FOR VARIOUS TERMS, TO MOVE THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE DIVISION OF AERONAUTICS TO THE SOUTH CAROLINA BUDGET AND CONTROL BOARD, TO PROVIDE THAT ALL FEES AND FINES ASSESSED BY THE DIVISION MUST BE DEPOSITED INTO THE STATE AVIATION FUND, TO REVISE CERTAIN PROVISIONS RELATING TO THE OPERATION OF INTRASTATE SCHEDULED AIRLINE SERVICE, COUNTY AVIATION COMMISSIONS, THE USE OF STATE‑OWNED AIRCRAFT, AND THE USE OF ALCOHOLIC BEVERAGES BY FLIGHT CREW MEMBERS, TO MAKE TECHNICAL CHANGES, AND TO REVISE CERTAIN PENALTIES; TO AMEND CHAPTER 3, TITLE 55, RELATING TO THE UNIFORM STATE LAWS FOR AERONAUTICS, SO AS TO MAKE TECHNICAL CHANGES, REVISE CERTAIN PROVISIONS RELATING TO THE DEFINITION OF VARIOUS FORMS OF AIRCRAFT, THE OWNERSHIP OF AIRSPACE, THE LANDING OF AN AIRCRAFT ON LANDS OR WATERS, TO PROVIDE THAT IT IS ILLEGAL TO POINT, AIM, OR DISCHARGE A LASER DEVICE AT CERTAIN AIRCRAFT, AND PROVIDE PENALTIES; TO AMEND CHAPTER 5, TITLE 55, RELATING TO THE UNIFORM STATE AERONAUTICAL REGULATORY LAW, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT CONTAINS VARIOUS TERMS AND THEIR DEFINITIONS, TO DELETE THE PROVISION THAT REQUIRES THE STATE BUDGET AND CONTROL BOARD TO PROVIDE OFFICES FOR THE DIVISION OF AERONAUTICS, TO DELETE THE PROVISION THAT REQUIRES THE DIVISION OF AERONAUTICS TO FURNISH COUNTY AUDITORS A LIST OF ALL AIRCRAFT REGISTERED IN THEIR COUNTY, TO REVISE THE DIVISION’S RESPONSIBILITIES RELATING TO ITS REGULATION OF CERTAIN AIR NAVIGATION AND AIRPORT FACILITIES, THE CONSTRUCTION OF AIRPORTS, THE REPORTS IT FILES WITH THE FEDERAL AVIATION ADMINISTRATION, AND THE OPERATION OF THE DIVISION, TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS CHAPTER, AND TO REVISE PROVISIONS RELATING TO THE USE OF MONIES CONTAINED IN THE STATE AVIATION FUND; TO AMEND CHAPTER 9, TITLE 55, RELATING TO THE UNIFORM SOUTH CAROLINA AIRPORTS ACT, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS CHAPTER ALSO APPLIES TO COUNTIES, AIRPORT COMMISSIONS, AND SPECIAL PURPOSE DISTRICTS, TO DELETE OBSOLETE TERMS, TO REVISE THE PROJECTS THAT MAY BE FUNDED FROM MONIES CONTAINED IN AIRPORT FACILITIES ACCOUNTS, AND TO PROVIDE FOR THE TERM “AIRPORT HAZARD” AND TO PROVIDE ITS DEFINITION AND THE REGULATION OF AN AIRPORT HAZARD; TO AMEND CHAPTER 11, TITLE 55, RELATING TO THE CREATION AND OPERATION OF CERTAIN AIRPORTS WITHIN THE STATE, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THE DIVISION OF AERONAUTICS IS TRANSFERRED FROM THE DEPARTMENT OF COMMERCE TO THE STATE BUDGET AND CONTROL BOARD, TO DELETE CERTAIN OBSOLETE TERMS, TO REVISE THE PROCESS FOR THE MAKING OF CERTAIN CONTRACTS FOR THE CONSTRUCTION, ERECTION, MAINTENANCE, AND REPAIR OF CERTAIN AIRPORT FACILITIES, TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN AIRPORT FACILITIES, TO REVISE CERTAIN PENALTIES, TO REVISE THE DEFINITION OF A “QUORUM” FOR A CERTAIN AIRPORT COMMISSION, TO EXPAND THE AUTHORITY OF CERTAIN AIRPORT COMMISSIONS TO ADOPT RULES AND PROMULGATE REGULATIONS, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN CERTAIN ACTIVITIES UPON CERTAIN AIRPORT PROPERTIES, TO DELETE THE TERM “SECRETARY” AND ITS DEFINITION, AND REPLACE IT WITH THE TERM “EXECUTIVE DIRECTOR” AND ITS DEFINITION AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 13, TITLE 55, RELATING TO THE PROTECTION OF AIRPORTS AND AIRPORT PROPERTIES, SO AS TO PROVIDE THAT THE DIVISION OF AERONAUTICS SHALL CREATE MAPS OF THE STATE’S PUBLIC USE AIRPORTS AND DISTRIBUTE THEM TO VARIOUS LOCAL GOVERNMENTAL AGENCIES FOR VARIOUS PURPOSES, TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY ASSIST WITH THE PROTECTION OF AREAS THAT POSE HAZARDS TO AIR TRAFFIC, AND TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS CHAPTER; TO AMEND CHAPTER 15, TITLE 55, RELATING TO RELOCATION ASSISTANCE, SO AS TO DELETE THE TERM “DEPARTMENT OF COMMERCE” AND REPLACE IT WITH THE TERM “BUDGET AND CONTROL BOARD”, AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 17, TITLE 55, RELATING TO REGIONAL AIRPORT DISTRICTS, SO AS TO REVISE THE PROVISION THAT REVISES THE TYPE OF AIR CARRIERS REGULATED BY THIS CHAPTER, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 13‑1‑20, RELATING TO CERTAIN RESPONSIBILITIES OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE ITS RESPONSIBILITY TO DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 13‑1‑30, AS AMENDED, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF COMMERCE, SO AS TO REVISE THE PROVISIONS RELATING TO THE DIVISION OF AERONAUTICS; TO AMEND SECTION 13‑1‑1050, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO PROVIDE FOR THE APPOINTMENT OF A MEMBER OF THE COMMISSION FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 13‑1‑1000, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT IT IS NO LONGER A DIVISION OF THE DEPARTMENT OF COMMERCE, BUT A DIVISION OF THE BUDGET AND CONTROL BOARD; TO AMEND SECTION 13-1-1010, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT THE COMMISSIONS DUTIES AND RESPONSIBILITIES ARE TRANSFERRED FROM THE DEPARTMENT OF COMMERCE TO THE BUDGET AND CONTROL BOARD; AND TO REPEAL CHAPTER 8, TITLE 55 RELATING TO THE UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT.

(R. 294, H. 3986) -- Reps. Hayes and Bingham: A JOINT RESOLUTION TO PROVIDE THAT, UNTIL DECEMBER 31, 2012, A SCHOOL DISTRICT MAY APPLY FOR AND RECEIVE ITS ALLOTTED SHARE OF EIA SCHOOL BUILDING FUNDS UNDER SECTION 59‑21‑430, CODE OF LAWS OF SOUTH CAROLINA, 1976, FOR FISCAL YEAR 2011‑2012 UNDER THE TERMS AND CONDITIONS APPLICABLE TO ALL SCHOOL DISTRICTS.

(R. 295, H. 4042) -- Reps. Harrison, Brady, Pinson, H.B. Brown, Munnerlyn, Viers, Horne and Hardwick: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑57‑75 SO AS TO PROVIDE FOR PROCEDURES THAT MUST BE FOLLOWED WHEN AN INSURED HAS SUFFERED DAMAGE TO VEHICLE GLASS, TO PROHIBIT AN INSURER FROM REQUIRING VEHICLE GLASS REPAIR WORK TO BE DONE BY A PARTICULAR PROVIDER, TO PROVIDE CERTAIN DISCLOSURES, AND TO PROVIDE PROCEDURES WHEN AN INSURED CHOOSES A PROVIDER WHO IS NOT A MEMBER OF THE INSURER’S OR THIRD PARTY ADMINISTRATOR’S PREFERRED PROVIDER LIST, TO PROVIDE THAT A VEHICLE GLASS REPAIR OR REPLACEMENT FACILITY IS PROHIBITED FROM THREATENING AN INSURER TO FILE A CLAIM OR FROM ENGAGING IN AN OTHERWISE UNFAIR OR DECEPTIVE PRACTICE, TO PROVIDE EXCEPTIONS, AND TO PROVIDE THAT VIOLATIONS OF THIS SECTION ARE SUBJECT THE PROVISIONS OF THE SOUTH CAROLINA INSURANCE UNFAIR CLAIM PRACTICES ACT; AND BY ADDING SECTION 39‑5‑180 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO SELLS, REPAIRS, OR REPLACES VEHICLE GLASS TO SUBMIT FALSE CLAIMS OR MAKE OTHER MATERIAL MISREPRESENTATIONS, AMONG OTHER THINGS, REGARDING VEHICLE GLASS REPAIRS.

(R. 296, H. 4082) -- Reps. Vick, Edge, Hiott, Hayes, R.L. Brown, Jefferson, Bowers, Anthony, Skelton, Williams, McLeod, G.M. Smith, Weeks, Gilliard, Agnew, Horne, Funderburk, Tribble, Pinson, Clemmons and Neilson: AN ACT TO AMEND SECTION 38‑7‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT BEGINNING JULY 1, 2013, THROUGH JUNE 30, 2017, 2.25 PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT.

(R. 297, H. 4093) -- Reps. Pope, Sottile, Simrill, Hosey, Williams, Atwater, Quinn, Toole, Huggins, Brannon, Knight, Gambrell, Clyburn, McCoy, Gilliard, Owens, Merrill, Norman, Crawford, Bowers, Murphy, Bedingfield, Bowen, Branham, Chumley, Clemmons, Delleney, Hamilton, Hodges, Loftis, Lowe, D.C. Moss, V.S. Moss, Nanney, J.M. Neal, Ott, Ryan, G.M. Smith, G.R. Smith, J.R. Smith, Spires, Tallon, Taylor, Whitmire, Willis, Neilson and Harrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑713A SO AS TO DESIGNATE THE HONOR AND REMEMBER FLAG AS THE OFFICIAL STATE EMBLEM OF THE SERVICE AND SACRIFICE BY THOSE IN THE UNITED STATES ARMED FORCES WHO HAVE GIVEN THEIR LIVES IN THE LINE OF DUTY.

(R. 298, H. 4473) -- Reps. Limehouse, Brady and Neilson: AN ACT TO AMEND SECTION 63-7-2340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINGERPRINT REVIEWS OF POTENTIAL FOSTER PARENTS, SO AS TO PROVIDE THAT A PERSON WHO IS APPLYING FOR APPROVAL FOR ADOPTION PLACEMENT MUST ALSO UNDERGO A FINGERPRINT REVIEW; TO AMEND SECTION 63-7-2345, RELATING TO PAYMENT OF COSTS TO THE FEDERAL BUREAU OF INVESTIGATION FOR FINGERPRINT REVIEWS, SO AS TO PROVIDE THAT THE DEPARTMENT OF SOCIAL SERVICES MAY USE FUNDS APPROPRIATED FOR FOSTER CARE TO PAY FOR FINGERPRINT REVIEWS CONDUCTED BY THE FEDERAL BUREAU OF INVESTIGATION FOR FOSTER CARE FAMILIES RECRUITED AND SELECTED AS POTENTIAL FOSTER CARE AND ADOPTIVE FAMILIES FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES; TO AMEND SECTION 63‑7‑2350, RELATING TO RESTRICTIONS ON FOSTER CARE PLACEMENTS, SO AS TO RESTRICT THE PLACEMENT OF A CHILD IN FOSTER CARE OR FOR ADOPTION PLACEMENT WITH A PERSON WHO HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO CERTAIN OFFENSES OR IF A PERSON RESIDING IN THE HOME WHO IS EIGHTEEN YEARS OF AGE OR OLDER HAS BEEN CONVICTED OF OR PLED GUILTY OR NOLO CONTENDERE TO CERTAIN OFFENSES.

(R. 299, H. 4497) -- Reps. Sellers, Johnson, Brady, Gilliard, Jefferson and Knight: AN ACT 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 MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL PROGRAM RELATED TO THIS VACCINATION OFFERING WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE “CERVICAL CANCER VACCINATION SERIES”, AND TO MAKE IMPLEMENTATION OF VACCINE PROVISION AND INFORMATIONAL PROGRAM CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

(R. 300, H. 4513) -- Rep. Harrison: AN ACT TO AMEND SECTION 43‑35‑310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE MEMBERSHIP AND MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 43‑35‑330, RELATING TO THE DUTIES OF THE ADULT PROTECTION COORDINATING COUNCIL, SO AS TO REVISE THE DUTIES OF THE COUNCIL AND ADD THE REQUIREMENT THAT THE COUNCIL ANNUALLY PREPARE AND DISTRIBUTE TO THE MEMBERSHIP, VARIOUS MEMBERS OF THE GENERAL ASSEMBLY, AND OTHER INTERESTED PARTIES A REPORT OF THE COUNCIL’S ACTIVITIES AND ACCOMPLISHMENTS FOR THE CALENDAR YEAR AND TO REQUIRE THE REPORT TO BE PUBLISHED ON THE DEPARTMENT OF HEALTH AND HUMAN SERVICES’ WEBSITE.

(R. 301, H. 4614) -- Reps. Pitts, Lucas, Hearn, Brannon, Weeks, Spires, Loftis and Clemmons: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT‑ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING “JOINT CUSTODY” AND “SOLE CUSTODY”, REQUIRING EACH PARENT TO PREPARE AND SUBMIT A PARENTING PLAN OR TO JOINTLY SUBMIT A PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS, AND PROVIDING THAT THE SOUTH CAROLINA SUPREME COURT SHALL DEVELOP RULES AND FORMS FOR IMPLEMENTATION OF THE PARENTING PLAN; TO REQUIRE THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, TO REQUIRE THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, AS WELL AS ALL CUSTODY OPTIONS, STATING IN ITS FINAL ORDER THE REASONING FOR ITS CUSTODY DETERMINATION, AND TO ALLOW THE COURT TO ALLOCATE PARENTING TIME REGARDLESS OF THE CUSTODY DETERMINATION; TO PROVIDE MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER AND TO PROVIDE FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD; TO PROVIDE THAT IF A COURT DETERMINES IN ITS ORDER THAT TELEPHONIC AND ELECTRONIC COMMUNICATIONS WITH THE PARENT IS IN THE BEST INTEREST OF THE CHILD, EACH PARENT SHOULD FACILITATE OPPORTUNITIES PROVIDING FOR SUCH COMMUNICATIONS; TO PROVIDE THAT REGARDLESS OF CUSTODY ARRANGEMENTS AND UNLESS OTHERWISE PROHIBITED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL ACCESS AND RIGHTS TO OBTAIN ALL EDUCATIONAL AND MEDICAL RECORDS OF THEIR CHILDREN AND TO PARTICIPATE IN THEIR CHILDREN’S SCHOOL AND EXTRACURRICULAR ACTIVITIES; AND TO CREATE THE SOUTH CAROLINA FAMILY COURT STUDY COMMITTEE TO STUDY THE FEASIBILITY OF TRACKING THE OUTCOME OF CONTESTED CUSTODY PROCEEDINGS AND TO PROVIDE FOR ITS MEMBERSHIP, STAFFING, AND REPORTING.

(R. 302, H. 4665) -- Reps. Hixon, Clyburn, J.R. Smith, Spires, Taylor and Young: AN ACT TO AMEND ACT 571 OF 1967, AS AMENDED, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, THE BOUNDARIES OF WHICH PURSUANT TO THIS ACT INCLUDE AREAS IN EDGEFIELD AND AIKEN COUNTIES, SO AS TO REVISE THE MANNER IN WHICH MEMBERS OF THE GOVERNING BODY OF THE AUTHORITY SHALL BE APPOINTED AND FROM WHAT AREAS.

(R. 303, H. 4699) -- Reps. Bannister, Harrison, Horne, Sellers, Hearn, Young, H.B. Brown, J.E. Smith, Brannon, Stavrinakis, Funderburk, Allen, Weeks, Munnerlyn and McLeod: AN ACT TO AMEND SECTION 14‑5‑610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DIVISION OF THE STATE INTO SIXTEEN JUDICIAL CIRCUITS AND ADDITIONAL AT‑LARGE CIRCUIT JUDGES, SO AS TO INCREASE THE NUMBER OF AT‑LARGE CIRCUIT COURT JUDGES FROM THIRTEEN TO SIXTEEN; AND TO AMEND SECTION 63‑3‑40, RELATING TO FAMILY COURT JUDGES ELECTED FROM EACH JUDICIAL CIRCUIT, SO AS TO ADD SIX ADDITIONAL FAMILY COURT JUDGES WHO SHALL BE AT LARGE AND MUST BE ELECTED WITHOUT REGARD TO THEIR COUNTY OR CIRCUIT OF RESIDENCE.

(R. 304, H. 4738) -- Reps. Govan and Hearn: AN ACT TO AMEND SECTION 20‑3‑170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY DUE TO CHANGED CIRCUMSTANCES, INCLUDING CHANGE IN FINANCIAL ABILITY, SO AS TO PROVIDE THAT UPON THE MOTION OF A PARTY, RETIREMENT BY A SUPPORTING SPOUSE IS SUFFICIENT GROUNDS FOR A HEARING TO DETERMINE WHETHER RETIREMENT CONSTITUTES A CHANGE IN CIRCUMSTANCES AND TO PROVIDE FACTORS THE COURT SHALL CONSIDER IN MAKING SUCH A DETERMINATION.

(R. 305, H. 4763) -- Reps. Sandifer, King, Butler Garrick and Parks: AN ACT TO AMEND SECTION 32‑7‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO PRENEED FUNERAL CONTRACTS, SO AS TO ADD CERTAIN DEFINITIONS AND REVISE OTHER DEFINITIONS; TO AMEND SECTION 32‑7‑35, RELATING TO THE TRANSFER OF PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE REQUIREMENTS FOR THE TRANSFER OF CONTRACTS “AT PRENEED” AND “AT NEED”; TO AMEND SECTION 32‑7‑50, AS AMENDED, RELATING TO PRENEED FUNERAL CONTRACT LICENSES, SO AS TO FURTHER PROVIDE FOR THE AMOUNT OF APPLICATION AND APPLICATION RENEWAL LICENSE FEES, FOR THE TERM OF THE LICENSE AND FOR THE USE OF LICENSE RENEWAL FEES; TO AMEND SECTION 32‑7‑60, AS AMENDED, RELATING TO THE PRENEED FUNERAL LOSS REIMBURSEMENT FUND, SO AS TO DELETE THE LIMITATION ON THE MAXIMUM AMOUNT OF THE FUND; AND TO AMEND SECTION 32‑7‑100, AS AMENDED, RELATING TO UNLAWFUL VIOLATIONS OF LAW PERTAINING TO PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS BASED ON THE AMOUNT OF MONEY OBTAINED OR SOUGHT TO BE OBTAINED WITH CERTAIN OFFENSES DECLARED TO BE MISDEMEANORS AND CERTAIN OFFENSES DECLARED TO BE FELONIES, AND TO PROVIDE FOR OTHER AUTHORIZED ACTIONS FOR VIOLATIONS OF THIS CHAPTER.

(R. 306, H. 4766) -- Reps. Stringer, Weeks and Funderburk: AN ACT 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.

(R. 307, H. 4786) -- Reps. Sandifer and D.C. Moss: AN ACT TO AMEND SECTION 41‑35‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PAYMENT OF UNEMPLOYMENT BENEFITS BASED ON CERTAIN SERVICES IN SCHOOLS OR INSTITUTIONS OF HIGHER EDUCATION, SO AS TO INCLUDE SERVICES PROVIDED BY SUBSTITUTE TEACHERS UNDER CERTAIN CIRCUMSTANCES.

(R. 308, H. 4798) -- Reps. McLeod and Bowers: AN ACT TO AMEND SECTION 5‑7‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRIAL OF A PERSON IN A MUNICIPAL COURT, SO AS TO NO LONGER PROVIDE THAT A MAYOR MAY CONDUCT A MUNICIPAL TRIAL, TO PROVIDE THAT A MUNICIPAL JUDGE MUST CONDUCT A SPEEDY TRIAL OF PERSONS ARRESTED AND INCARCERATED, AND TO REVISE THE PERIOD OF TIME THAT A PERSON MUST BE TRIED AFTER THE DATE OF HIS ARREST.

(R. 309, H. 4824) -- Rep. Rutherford: A JOINT RESOLUTION TO PROVIDE THAT THE DRIVER’S LICENSE OF A PERSON IS REINSTATED ON THIS ACT’S EFFECTIVE DATE IF THE PERSON’S DRIVER’S LICENSE WAS SUSPENDED PURSUANT TO FORMER SECTION 56‑1‑745 OF THE 1976 CODE DUE TO A CONTROLLED SUBSTANCE VIOLATION AND CHARGED PRIOR TO APRIL 12, 2011, AND CONVICTED ON OR AFTER APRIL 12, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST NOT REIMBURSE SUCH PERSON WHOSE DRIVER’S LICENSE SUSPENSION ENDED AND WHO PAID A REINSTATEMENT FEE BEFORE THIS ACT’S EFFECTIVE DATE.

(R. 310, H. 4888) -- Reps. Thayer, Owens, Daning, Brannon, Erickson, Whitmire, Atwater, R.L. Brown, Gambrell, J.M. Neal, Putnam and Willis: AN ACT TO AMEND SECTION 38‑73‑470, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISPOSITION OF THE UNINSURED MOTORIST FUND, SO AS TO PROVIDE THAT THE PORTION OF THE FUND THAT WAS FORMERLY PAID TO THE DEPARTMENT OF PUBLIC SAFETY MUST BE PAID TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑1‑286, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE OR PERMIT OF CERTAIN PERSONS WHO DRIVE A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE PORTION OF THE FEE TO OBTAIN A TEMPORARY ALCOHOL LICENSE THAT WAS FORMERLY RETAINED BY THE DEPARTMENT OF PUBLIC SAFETY MUST BE DISTRIBUTED TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑3‑3910, RELATING TO THE ISSUANCE OF “SHAG” SPECIAL LICENSE PLATES, SO AS TO REVISE THE BIENNIAL PERIOD IN WHICH THE LICENSE PLATE MUST BE ISSUED OR REVALIDATED; TO AMEND SECTION 56‑3‑5200, RELATING TO “SOUTH CAROLINA: FIRST IN GOLF” SPECIAL LICENSE PLATES, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE WHEN A DRIVER REFUSES TO SUBMIT TO TESTS TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56‑10‑552, RELATING TO THE UNINSURED ENFORCEMENT FUND, SO AS TO PROVIDE THAT THIS FUND WHICH WAS FORMERLY DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY MUST NOW BE DIRECTED TO THE DIRECTOR OF THE DEPARTMENT OF MOTOR VEHICLES AND USED BY BOTH THE DEPARTMENT OF MOTOR VEHICLES AND THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 56‑15‑420, RELATING TO THE PROMULGATION OF CERTAIN REGULATIONS BY THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO PROVIDE THAT THESE REGULATIONS NOW SHALL BE PROMULGATED BY THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑19‑240, AS AMENDED, RELATING TO THE APPLICATION FOR A CERTIFICATE OF TITLE AND ITS CONTENTS, SO AS TO PROVIDE THAT THE OWNER OF A BONA FIDE LEASING COMPANY IS NOT REQUIRED TO SUPPLY A SOUTH CAROLINA PHYSICAL ADDRESS OF ITS BUSINESS OPERATIONS ON ITS APPLICATION FOR A CERTIFICATE OF TITLE AND TO PROVIDE THAT VEHICLES THAT ARE PURCHASED FOR PRIMARY OPERATION IN ANOTHER STATE OR A FOREIGN JURISDICTION CANNOT BE TITLED AND REGISTERED IN THIS STATE; TO PROVIDE FOR THE REVERSAL OF CERTAIN CONVICTIONS FOR CONTROLLED SUBSTANCE VIOLATIONS PURSUANT TO FORMER SECTION 56‑1‑745; TO AMEND SECTION 56‑2‑100, RELATING TO CONDITIONS GOVERNING THE OPERATION OF LOW SPEED VEHICLES, SO AS TO PROVIDE THAT A LOW SPEED VEHICLE MAY BE OPERATED ON ANY HIGHWAY FOR WHICH THE POSTED SPEED LIMIT IS THIRTY‑FIVE MILES AN HOUR OR LESS; TO REPEAL ARTICLE 60, CHAPTER 3, TITLE 56 RELATING TO THE ISSUANCE OF “SHRINERS” SPECIAL LICENSE PLATES; BY ADDING SECTION 56‑19‑495 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL CONVENE A WORKING GROUP FOR THE PURPOSE OF ASSISTING IN THE DEVELOPMENT OF A PROCESS TO BE USED FOR THE TITLING OF CERTAIN VEHICLES.

(R. 311, H. 4945) -- Reps. Funderburk, Harrison, Brantley, McLeod, Butler Garrick, Munnerlyn, Taylor, J.H. Neal, Dillard, Bannister, G.R. Smith, Bowers, Cobb‑Hunter, Delleney, Hixon, Long, Pope and Young: AN ACT TO AMEND SECTION 7‑5‑170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NECESSITY OF WRITTEN VOTER REGISTRATION APPLICATIONS, SO AS TO PERMIT ELECTRONIC APPLICATIONS; BY ADDING SECTION 7‑5‑185 SO AS TO AUTHORIZE A PERSON TO REGISTER TO VOTE ELECTRONICALLY ON THE STATE ELECTION COMMISSION’S INTERNET WEBSITE, TO PROVIDE A PROCEDURE FOR ELECTRONIC REGISTRATIONS, AND TO AUTHORIZE THE STATE ELECTION COMMISSION TO PROMULGATE REGULATIONS TO EFFECTUATE ELECTRONIC REGISTRATIONS; BY ADDING SECTION 7‑5‑186 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AND MAINTAIN A STATEWIDE VOTER REGISTRATION DATABASE, TO REQUIRE CERTAIN STATE AGENCIES TO PROVIDE REQUESTED INFORMATION TO THE STATE ELECTION COMMISSION, AND TO ALLOW THE STATE ELECTION COMMISSION TO ENTER INTO AGREEMENTS WITH OTHER STATES OR GROUPS OF STATES IN ORDER TO MAINTAIN THE STATEWIDE VOTER REGISTRATION DATABASE; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO THE DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE ESTABLISHMENT AND MAINTENANCE OF A STATEWIDE VOTER REGISTRATION DATABASE; TO AMEND SECTION 7‑3‑30, AS AMENDED, RELATING TO THE NOTICE OF DELETION OF AN ELECTOR’S NAME FROM THE ROSTER OF ELECTORS, SO AS TO CLARIFY THE REASONS FOR DELETION AND TO PROVIDE THAT THE EXECUTIVE DIRECTOR SHALL RESTORE AN ELECTOR’S NAME TO THE ROSTER IF INSTRUCTED TO DO SO BY THE COUNTY BOARD OF REGISTRATION; TO AMEND SECTION 7‑3‑40, AS AMENDED, RELATING TO REPORTS FURNISHED BY THE BUREAU OF VITAL STATISTICS, SO AS TO PROVIDE THAT THESE REPORTS MUST BE PROVIDED AT NO CHARGE; AND BY ADDING SECTION 7‑3‑70 SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO FURNISH CERTAIN MONTHLY REPORTS TO THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION AT NO CHARGE.

(R. 312, H. 5098) -- Reps. Hixon, Clyburn, Harrison, Taylor and Young: AN ACT 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, AND TO PROVIDE FOR THE PROCEDURES AND REQUIREMENTS PERTAINING TO THE CONDUCT OF THESE REFERENDUMS.

**HOUSE RESOLUTION**

The following was introduced:

H. 5404 -- Rep. Harrison: A HOUSE RESOLUTION TO RECOGNIZE AND WELCOME THE LIGON FAMILY MEMBERS TO CHARLESTON, SOUTH CAROLINA, FOR THE LIGON FAMILY AND KINSMEN ASSOCIATION REUNION AND TO WELCOME THEIR HONORED GUEST, LADY ROSALIND MORRISON OF MADRESFIELD COURT, ENGLAND.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5405 -- Reps. Herbkersman, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, 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 COMMEND THE HONORABLE CURTIS BRANTLEY OF JASPER COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, during the past six years, the Honorable Curtis Brantley of Jasper County has served well the people of House District Number 122, which includes Jasper County and parts of Hampton and Beaufort counties, and the members of the House of Representatives are grateful for his commitment to serve and to lead; and

Whereas, in 1969, Curtis Brantley graduated from North Carolina A&T State University with a bachelor of science, and he attended Syracuse University and Cornell University in 1972 and New York University from 1973 to 1975 and earned a master’s degree from Elmira College; and

Whereas, he married his beloved wife, Doris Fagan Brantley, and together they reared one fine child, Kendrick; and

Whereas, from 1969 to 1975, he served as a teacher at Elmira Free Academy and he taught at Elmira Correctional Facilities from 1970 to 1975 before returning to Ridgeland where he served as principal of Ridgeland High School from 1975 to 1986; and

Whereas, Representative Brantley served as director of operations for Jasper County School District from 1986 to 1988 and earned a doctorate of education from South Carolina State University in 1988; and

Whereas, for one year he served as the assistant principal of West Hardeeville Elementary School and then as its principal from 1989 to 1997; and

Whereas, he served another year as principal of Ridgeland Middle School before becoming the superintendent of Jasper County School District from 1998 to 2000; and

Whereas, since 1990, he has served as an adjunct college professor, and he is the former president of the Rotary Club and of Citizens Organized for Public Service (COPS) and the former chairman of the Coastal Empire Mental Health Board; and

Whereas, a 32nd Degree Mason, he is a member of the Prince Hall Masons, and he is a faithful member of Antioch Baptist Church; and

Whereas, during his tenure in the House, he served on the Medical, Military, Public and Municipal Affairs Committee and provided practical and thoughtful insight to this chamber concerning the needs of students and education in the Palmetto State; and

Whereas, the members of the South Carolina House of Representatives will miss their faithful friend and colleague, Curtis Brantley, and thank him for his leadership in the House of Representatives. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the HonorableCurtis Brantley of Jasper County for his loyal service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be forwarded to the Honorable Curtis Brantley.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5406 -- Reps. Allison, Agnew, Alexander, Allen, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, 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 COMMEND THE HONORABLE STEVE PARKER OF SPARTANBURG COUNTY FOR HIS DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF HIS CONSTITUENTS AND THE CITIZENS OF SOUTH CAROLINA AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the Honorable Steve Parker of Spartanburg County has served the people of House District Number 37 and the citizens of South Carolina well during the past four years, and the members of the House of Representatives are grateful for his dedicated service and leadership; and

Whereas, born in Mississippi in 1951, Steve Parker is the son of the late Luther and Gracie Schrimpshire Parker, and he earned a bachelor’s degree from Newberry College in 1973, a master of arts in teaching from Converse College in 1975, and a degree as an education specialist from the University of South Carolina in 1978; and

Whereas, in 1976, he married his beloved wife, Rita Kay Hammett, and together they reared two fine children, Christy and Kevin; and

Whereas, actively involved in his community, he was a charter member of the Boiling Springs Kiwanis Club, founder of Boiling Springs Helping Hands Club, and cofounder of the SOLVE (Save Our Local Voice in Education) Committee to Stop School District Consolidation; and

Whereas, a member of Boiling Springs First Baptist Church, he is the owner of Steve Parker Painting and Sealcoating; and

Whereas, before joining the House of Representatives, he served as a school board member for Spartanburg School District Two and as a Spartanburg County councilman; and

Whereas, during his tenure in the House, he served on the Labor, Commerce and Industry Committee and as first vice chair of the Operations and Management Committee, providing practical and thoughtful insight to this chamber concerning the needs of business and education; and

Whereas, the members of the South Carolina House of Representatives will miss their faithful friend and colleague, Steve Parker, and thank him for his leadership in the House of Representatives. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize and commend the HonorableSteve Parker of Spartanburg County for his dedicated service in the House of Representatives on behalf of his constituents and the citizens of South Carolina and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the HonorableSteve Parker.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5407 -- Reps. Lucas, 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, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, 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 COMMEND THE HONORABLE DENNY WOODALL NEILSON FOR HER COMMITTED SERVICE TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND THE CITIZENS OF DISTRICT 56 IN CHESTERFIELD AND DARLINGTON COUNTIES AND TO WISH HER CONTENTMENT AND SUCCESS IN ALL HER FUTURE ENDEAVORS.

Whereas, for twenty‑nine years, the Honorable Denny Woodall Neilson has represented the citizens of House District 56 in Chesterfield and Darlington counties with faithfulness in the House of Representatives of this great State; and

Whereas, a district technology student job placement coordinator, Denny Woodall Neilson studied at Anderson Junior College and Coker College, where she earned her bachelor’s degree. She completed her master’s degree at Winthrop University, followed by studies at the University of South Carolina and Nova University. She also holds an honorary doctorate from Francis Marion University; and

Whereas, during her years in the House of Representatives, Denny Neilson has proven her worth as a member of the Rules Committee and Ways and Means Committee, which she serves as secretary/treasurer. In addition, she is former chair of the Joint Legislative Committee on Aging and House Ethics Committee; and

Whereas, no member of the House can forget the terrible automobile accident some years ago where she suffered severe and traumatic injuries requiring an extended period of convalescence, and the courage it took to recover from these injuries. Her return to the House after the accident was one of the greatest joys, as a body, the House has ever experienced; and

Whereas, Representative Neilson believes in giving back to her community and over the years has demonstrated her conviction in service to various organizations. Present or past positions include service as a member of Darlington City Council, Darlington County Council on Aging, South Carolina Health Coordinating Council, Governor’s School for Science and Math Board of Trustees, Darlington Chamber of Commerce Board of Directors, Darlington Pilot Club (president), Darlington County Education Association, National Association of Accredited Talent and Beauty Judges (president), South Carolina Baptist Ministries on Aging Board of Trustees, and Darlington Free Medical Board; and

Whereas, for her many years of service to her community and State, she has received numerous awards, among them the South Carolina Education Association Human Relations Award, South Carolina Distinguished Teacher‑Citizen Award, Young Farmers of America Service Award, and South Carolina Association of School Administrators Career and Technology Leadership Award. She also has been named Darlington Business and Professional Women’s Association Woman of the Year, South Carolina Federation of Older Americans Association Legislator of the Year, Greater Darlington Chamber of Commerce Citizen of the Year; and

Whereas, married to David S. Neilson, she and her husband draw strength from their faith, nourished by worship at Central Baptist Church. She is a lady of grace, dignity, and charm whose presence and counsel will be deeply missed in the Halls of the House; and

Whereas, on the occasion of her departure from the House of Representatives, her House colleagues, grateful for Denny Neilson’s dedicated service to this body and the people of District 56, extend heartiest good wishes for much fulfillment in the new challenges she looks forward to in the days ahead. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend the Honorable Denny Woodall Neilson for her committed service to the South Carolina House of Representatives and the citizens of District 56 in Chesterfield and Darlington counties and wish her contentment and success in all her future endeavors.

Be it further resolved that a copy of this resolution be presented to our distinguished colleague, the Honorable Denny Woodall Neilson.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5408 -- Reps. Alexander, Agnew, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JAMES EDWARD LLOYD OF THE MONTFORD POINT MARINES AND TO EXPRESS THE PROFOUND APPRECIATION OF A GRATEFUL STATE AND NATION FOR HIS SACRIFICE AND SERVICE DURING WORLD WAR II AND FOR HIS CONTRIBUTIONS TO THE DESEGREGATION OF THE UNITED STATES MARINE CORPS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5409 -- Reps. G. R. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, 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, 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 BECKY WALTON, PUBLIC INFORMATION DIRECTOR FOR THE SOUTH CAROLINA DEPARTMENT OF AGRICULTURE, UPON THE OCCASION OF HER RETIREMENT AFTER THIRTY-THREE YEARS OF OUTSTANDING SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| 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 |
| 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 |
| Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, June 19.

|  |  |
| --- | --- |
| Grady Brown | Chris Hart |
| H. B. "Chip" Limehouse | Jackie Hayes |
| Nathan Ballentine | Tracy Edge |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. William D. Anderson of Columbia was the Doctor of the Day for the General Assembly.

**H. 5393--SENT TO THE SENATE**

The following Bill was taken up:

H. 5393 -- Rep. Herbkersman: A BILL TO PROVIDE THAT A GOLF CART MAY BE OPERATED AT NIGHT ALONG AN AUTHORIZED ROADWAY WITHIN BEAUFORT COUNTY AS LONG AS IT HAS PROPER HEADLIGHTS AND IS INSURED.

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

Yeas 81; Nays 5

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Battle |
| Bingham | Bowen | Bowers |
| Brady | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cole | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Funderburk |
| Gambrell | Hamilton | Hardwick |
| Harrell | Hearn | Henderson |
| Herbkersman | Hodges | Hosey |
| Jefferson | Johnson | King |
| Limehouse | Loftis | Long |
| Lucas | McEachern | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Owens | Parker | Patrick |
| Pinson | Pope | Putnam |
| Quinn | Rutherford | Ryan |
| Sandifer | Simrill | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Thayer |
| Tribble | Vick | Weeks |
| White | Williams | Willis |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bedingfield | Frye |
| Pitts | Young |  |

**Total--5**

The Bill was read the third time and ordered sent to the Senate.

**H. 5389--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5389 -- Rep. McLeod: A BILL TO PROVIDE THAT A GOLF CART MAY BE OPERATED AT NIGHT ALONG AN AUTHORIZED ROADWAY WITHIN NEWBERRY COUNTY AS LONG AS IT HAS PROPER HEADLIGHTS AND IS INSURED.

The yeas and nays were taken resulting as follows:

Yeas 63; Nays 22

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Battle | Bowen | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Clemmons | Clyburn | Cole |
| Corbin | Crosby | Delleney |
| Dillard | Erickson | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Herbkersman | Hodges | Hosey |
| Jefferson | King | Knight |
| Long | Lucas | Mack |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| J. H. Neal | J. M. Neal | Ott |
| Parker | Patrick | Pinson |
| Sabb | G. M. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Thayer | Tribble |
| Vick | White | Williams |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bedingfield |
| Bingham | Chumley | Frye |
| Henderson | Hixon | Loftis |
| Lowe | Norman | Pitts |
| Pope | Putnam | Quinn |
| Sandifer | Simrill | J. R. Smith |
| Tallon | Whitmire | Willis |
| Young |  |  |

**Total--22**

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

**H. 5390--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5390 -- Rep. Corbin: A BILL TO PROVIDE THAT A GOLF CART MAY BE OPERATED AT NIGHT ALONG AN AUTHORIZED ROADWAY WITHIN GREENVILLE COUNTY AS LONG AS IT HAS PROPER HEADLIGHTS AND IS INSURED.

The yeas and nays were taken resulting as follows:

Yeas 55; Nays 21

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bannister | Barfield | Battle |
| Bowen | Bowers | Brady |
| Branham | Butler Garrick | Clemmons |
| Cole | Corbin | Crosby |
| Delleney | Dillard | Gambrell |
| Govan | Hamilton | Harrell |
| Hearn | Hosey | Jefferson |
| King | Knight | Limehouse |
| Long | Lucas | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Parker |
| Patrick | Pinson | Quinn |
| Rutherford | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Stringer | Tribble | Vick |
| Weeks | White | Williams |
| Willis |  |  |

**Total--55**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bedingfield |
| Bingham | Chumley | Forrester |
| Frye | Henderson | Hixon |
| Loftis | Lowe | Norman |
| Pope | Putnam | Sandifer |
| Simrill | Southard | Tallon |
| Thayer | Whitmire | Young |

**Total--21**

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

**S. 1137--CONFERENCE REPORT ADOPTED**

**CONFERENCE REPORT**

S. 1137

The General Assembly, Columbia, S.C., June 18, 2012

The COMMITTEE OF CONFERENCE, to whom was referred (Doc Name COUNCIL\DKA\4172SD12.DOCX):

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED EMERGENCY.

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

That the same do pass with the following amendments: (Reference is to Printer’s Version 5/30/12--H.)

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

/ SECTION 1. This act may be cited as the “Architects’ and Engineers’ Volunteer Act”.

SECTION 2. Chapter 3, Title 40 of the 1976 Code is amended by adding:

“Section 40‑3‑325. A licensed architect under the provisions of this chapter is immune from liability for volunteer architectural services provided during an emergency in the same manner as a licensed engineer is immune for volunteer engineering services as provided in Section 40‑22‑295. This section does not provide immunity from liability for persons merely registered in this state pursuant to Section 40‑3‑260.”

SECTION 3. Chapter 22, Title 40 of the 1976 Code is amended by adding:

“Section 40‑22‑295. (A) A licensed engineer who voluntarily, without compensation, provides structural, electrical, mechanical, or other engineering services at the scene of a declared national or state emergency, at the request of the Governor, is not liable for any personal injury, wrongful death, property damage, or other loss caused by the licensed engineer’s acts, errors, or omissions in performing the engineering services for a structure, building, piping, or other engineered system, either publicly or privately owned. Immunity from liability under this section is only effective as to services rendered during the thirty days following the event that gave rise to the declared state of emergency.

(B)(1) Any licensed engineer appointed pursuant to this section must not be held liable for any civil damages as a result of the providing of requested engineering services unless the damages result from providing, or failing to provide engineering services if the consequences of the services provided are proven by a preponderance of the evidence to be the result of gross negligence or recklessness.

(2) This section applies if the engineer does not receive payment other than as allowed in Section 8‑25‑40 for the appointed services and prescribed duties. However, if the engineer is an employee of the State, the engineer may continue to receive compensation from his employer.

(C) This section does not provide immunity from liability to persons providing services pursuant to Section 40‑22‑75.”

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

Amend title to read:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40‑3‑325 AND 40‑22‑295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE. /

Sen. Glenn G. Reese Rep. William E. "Bill" Sandifer

Sen. Kevin L. Bryant Rep. Carl L. Anderson

Sen. Phillip W. Shoopman Rep. Kenneth A. Bingham

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

Rep. SANDIFER explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| 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 | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Gambrell |
| Gilliard | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Long | Lowe |
| Lucas | McCoy | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| 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 |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**S. 1088--CONFERENCE REPORT ADOPTED**

**CONFERENCE REPORT**

S. 1088

The General Assembly, Columbia, S.C., June 5, 2012

The COMMITTEE OF CONFERENCE, to whom was referred (L:\S-JUD\AMEND\CRJUD1088.DOC):

S. 1088 -- Senator McConnell: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN'S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY SECTION 1-13-40(B), SECTION 1-31-10, SECTION 8-13-310, SECTION 58-3-20, SECTION 58-31-20, SECTION 63-11-700, SECTION 63-11-920, AND SECTION 63-19-610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO INCLUDE THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

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

That the same do pass with the following amendments: (Reference is to Printer’s Version 6/5/12--S.)

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

/ SECTION 1. Section 1‑13‑40(b) of the 1976 Code is amended to read:

“(b) The commission shall consist of ~~fifteen members, with two members~~ a member from each congressional district appointed by the Governor, with the advice and consent of the Senate, and ~~three~~ two members at large appointed by the Governor. ~~The first appointed members from the first and second congressional districts and one at large member shall serve until June, 1984. The first appointed members from the third and fourth congressional districts and one at large member shall serve until June, 1985.~~ ~~Thereafter all~~ Each member~~s~~ shall serve for a term of three years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired term.”

SECTION 2. Section 1‑15‑10 of the 1976 Code, as last amended by Act 249 of 2008, is further amended to read:

“Section 1‑15‑10. There is hereby created a Commission on Women to be composed of ~~fifteen~~ sixteen members appointed by the Governor with the advice and consent of the Senate from among persons with a competency in the area of public affairs and women’s activities. One member must be appointed from each congressional district and the remaining members from the State at large. The commission ~~shall~~must be under and a part of the Office of the Governor. Members of the commission shall serve for terms of four years and until their successors are appointed and qualify, except of those members first appointed after the expansion of the commission to fifteen members, two members shall serve a term of one year, two members shall serve a term of two years, two members shall serve a term of three years, and two members shall serve a term of four years. Members appointed prior to and after the expansion of the commission to fifteen members ~~shall~~must be designated by the Governor as being appointed to serve either from a particular congressional district or at large. The member first appointed from the Seventh Congressional District after the expansion of the commission to sixteen members shall serve a four-year term. Vacancies ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. No member ~~shall~~must be eligible to serve more than two consecutive terms.”

SECTION 3. Section 1‑31‑10 of the 1976 Code is amended to read:

“Section 1‑31‑10 . There is created a State Commission for Minority Affairs consisting of nine members and the Governor ex officio. The Governor must appoint one person from each of the ~~six~~ congressional districts of the State and ~~three~~ two persons from the State at large upon the advice and consent of the Senate. The Governor shall designate the chairman. The members serve for a term of four years and until their successors are appointed and qualify. A vacancy must be filled in the same manner as original appointment for the remainder of the unexpired term. A majority of the members of the commission must be African American.”

SECTION 4. Section 6‑19‑30 of the 1976 Code is amended to read:

“Section 6‑19‑30. The fund for such grants shall be from either revenue-sharing trust funds or from general appropriations to the Department of Health and Environmental Control, which shall administer such grants for intermission to public water supply authorities or districts, sewer authorities or districts, water and sewer authorities, rural community water or sewer systems, nonprofit corporations or municipal sewer systems to which the grant is made. The Governor, with the advice and consent of the Senate, shall appoint an advisory committee composed of ~~six~~ seven members, one from each congressional district of the State. In addition an employee of the Department of Health and Environmental Control, designated by the commissioner thereof, shall serve ex officio as a member of the committee. The Governor may invite any director or his representative from any agency providing water and sewer funds to serve as an advisory nonvoting member to the committee. ~~Of those initially appointed by the Governor and serving on April 1, 1975, the members representing the third and sixth districts shall serve until June 30, 1977, the members representing the second and fourth districts shall serve until June 30, 1978, and the members representing the first and fifth districts shall serve until June 30, 1979. Thereafter all~~ All members shall be appointed for terms of three years. In the event of a vacancy a successor shall be appointed for the unexpired term in the manner of original appointment. The advisory committee shall meet as soon after its appointment as may be practicable and shall organize by electing a chairman, vice‑chairman, secretary, and such other officers as it may deem desirable. The advisory committee shall select the projects to be funded in accordance with Section 6‑19‑40. Funds may also be expended from gifts or grants from any source which are made available for the purpose of carrying out the provisions of this chapter. Appropriations made to the fund but not expended at the end of the fiscal year for which appropriated shall not revert to the general fund but shall accrue to the credit of the fund. Grants shall be made only for water supply and waste water facilities projects on which construction was not commenced before April 1, 1974.”

SECTION 5. Section 8‑13‑310(B) of the 1976 Code is amended to read as follows:

“(B) There is created the State Ethics Commission composed of nine members appointed by the Governor, upon the advice and consent of the General Assembly. One member shall represent each of the ~~six~~ seven congressional districts, and ~~three~~ two members must be appointed from the State at large. No member of the General Assembly or other public official shall be eligible to serve on the State Ethics Commission. The Governor shall make the appointments based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the commission is representative of all citizens of the State of South Carolina.”

SECTION 6. Section 13‑1‑1050(B) of the 1976 Code is amended to read:

“(B) The terms of the initial members of the commission appointed from congressional district are as follows:

(1) commission members appointed to represent congressional district one and two, two years;

(2) commission members appointed to represent congressional district three, ~~and~~ four, and seven, three years;

(3) commission members appointed to represent congressional district five and six, four years.”

SECTION 7. Section 13‑17‑40 (A) of the 1976 Code is amended to read:

“(A)(1) The SCRA shall consist of a board of twenty‑four trustees that includes the following ex officio members: President of the Council of Private Colleges of South Carolina, Chairman of the South Carolina Commission on Higher Education, President of Clemson University, President of the Medical University of South Carolina, President of South Carolina State College, President of the University of South Carolina, Director of Savannah River National Laboratory, President of Francis Marion University, Chairman of the State Board for Technical and Comprehensive Education, Governor of South Carolina or his designee, Chairman of the House Ways and Means ~~Committee’s~~ Committee or his designee, Chairman of the Senate Finance ~~Committee’ s~~ Committee or his designee, and the Secretary of Commerce or his designee.

(2) The Governor shall name the chairman who must not be a public official and who serves at the pleasure of the Governor. The remaining ten trustees must be elected by the board of trustees from a list of nominees submitted by an ad hoc committee named by the chairman and composed of the members serving as elected trustees. ~~The original elected trustees must be the same members serving as elected trustees on the board on January 1, 2005.~~ Each of the Congressional Districts of South Carolina ~~has~~ must have at least one of the ten trustees.

(3) Terms of elected trustees are for four years, and half expire every two years. An elected trustee may not serve more than two consecutive four‑year elected terms. Vacancies must be filled for the unexpired term in the manner of original appointment. A vacancy occurs upon the expiration of the term of service, death, resignation, disqualification, or removal of a trustee.”

SECTION 8. Section 24‑21‑10(B) of the 1976 Code is amended to read:

“(B) The Board of Probation, Parole and Pardon Services is composed of seven members. The terms of office of the members are for six years. ~~Six~~ Each of the seven members must be appointed from each of the congressional districts ~~and one member must be appointed at large~~. ~~The at‑large~~ At least one appointee shall have at least five years of work or volunteer experience in one or more of the following fields: parole, probation, corrections, criminal justice, law, law enforcement, psychology, psychiatry, sociology, or social work. Vacancies must be filled by gubernatorial appointment with the advice and consent of the Senate for the unexpired term. If a vacancy occurs during a recess of the Senate, the Governor may fill the vacancy by appointment for the unexpired term pending the consent of the Senate, provided the appointment is received for confirmation on the first day of the Senate’s next meeting following the vacancy. A chairman must be elected annually by a majority of the membership of the board. The chairman may serve consecutive terms.”

SECTION 9. Section 25‑19‑10 of the 1976 Code is amended to read:

“Section 25‑19‑10. There is established a Prisoner of War Commission in South Carolina composed of one member from each congressional district and one member from the State at large, to be appointed by the Governor with the advice and consent of a majority ~~of the members~~ of the Senate members representing the congressional district involved and a majority ~~of the members~~ of the House of Representatives members representing the congressional district involved. A chairman must be elected annually by the commission from its membership. All members must be former prisoners of war. The South Carolina Department of the American Ex‑Prisoners of War may submit to the Governor names and biographical data on former prisoners of war willing and able to serve. Their terms are for four years and until their successors are appointed and qualify~~, except that the initial members from the first, third, and fifth congressional districts shall serve for terms of two years~~. Vacancies must be filled by the Governor for the remainder of an unexpired term.”

SECTION 10. Section 40‑57‑40(A) of the 1976 Code is amended to read:

“(A) The South Carolina Real Estate Commission consists of ~~nine~~ ten members elected or appointed as follows:

(1) ~~Six~~ seven members who are professionally engaged in the active practice of real estate, one elected from each of the ~~six~~ seven congressional districts by a majority of house members and senators, representing the house and senate districts located within each of the congressional districts~~.~~;

(2) ~~Two~~ two members representing the public who are not professionally engaged in the practice of real estate, each appointed by the Governor with the advice and consent of the Senate~~.~~;

(3) ~~The eight~~ the nine elected and appointed members shall elect from the State at large~~,~~ one additional member who must be in the active practice of real estate.”

SECTION 11. Section 40‑59‑10(A) of the 1976 Code is amended to read:

“(A) There is created the South Carolina Residential Builders Commission which must be composed of ~~seven~~ eight persons who shall have been residents of the State for at least five years and two of whom must be consumers not engaged in the business of residential building, four of whom have been actively engaged in residential building for a period of at least five years before the date of their appointment, and who must be recommended to the Governor by the South Carolina Home Builders Association and one of whom has been actively engaged in residential specialty contracting for a period of at least five years before the date of appointment. One member must be appointed from each congressional district, and one must be appointed from the State at large. Members of the commission must be appointed by the Governor with the advice and consent of the Senate for a term of four years or until their successors are appointed and qualify. A vacancy occurring by reason of death, resignation, removal for cause, or otherwise must be filled for the remainder of the unexpired term in the manner of the original appointment. The Governor may remove any member of the commission in accordance with Section 1‑3‑240.”

SECTION 12. Section 40‑69‑10(A) of the 1976 Code is amended to read:

“(A) There is created the State Board of Veterinary Medical Examiners to be composed of ~~nine~~ ten members, one of whom must be a consumer member from the State at large, one of whom must be a licensed veterinary technician practicing in this State, one of whom must be a veterinarian from the State at large, and ~~six~~ seven of whom must be veterinarians representing each of the ~~six~~ seven congressional districts. Each veterinarian and veterinary technician must be a resident of the State, licensed by the State, and currently practicing with at least five years of clinical experience. Each veterinarian representing a congressional district must reside in the district that he represents. The consumer member must be a resident of this State. The terms of the members are for six years and until their successors are appointed and qualify. The chairman may ~~only~~ vote only in the case of a tie vote by the board.”

SECTION 13. Section 40‑81‑50(A) of the 1976 Code is amended to read:

“(A) There is created the State Athletic Commission consisting of ~~eight~~ nine members appointed by the Governor with the advice and consent of the Senate to regulate boxing, kickboxing, wrestling, mixed martial arts, and other combative sports in this State. One member must be appointed from each congressional district of the State and two from the State at large. One of the at‑large appointments shall be a physician licensed and in good standing in the State. The terms of the members are for four years and until their successors are appointed and qualified. Vacancies must be filled by the Governor for the remainder of an unexpired term. The commissioners of the State Athletic Commission may not have any financial interest, direct or indirect, in the promotion, management, or result of any boxing, kickboxing, mixed martial arts, or wrestling event or exhibition.”

SECTION 14. Section 41‑43‑30 of the 1976 Code is amended to read:

“Section 41‑43‑30. There is created the South Carolina Jobs‑Economic Development Authority, a public body corporate and politic and an agency of the State, with the responsibility of effecting the public purposes of this act. The authority is governed by a Board of Directors (board) which consists of ~~nine~~ ten members.”

SECTION 15. Section 43‑25‑10 of the 1976 Code is amended to read:

“Section 43‑25‑10. There is ~~hereby~~ created the South Carolina Commission for the Blind. The Commission shall consist of seven members, one from each of the ~~six~~ seven Congressional Districts ~~and one from the State at large~~, of whom three shall have a visual acuity not to exceed 20/200. The Governor shall, with the advice and consent of the Senate, appoint the members of the Commission for terms of four years and until their successors are appointed and qualify. All vacancies ~~shall~~ must be filled in the manner of the original appointment for the unexpired portion of the term only. The members of the Commission shall elect one of its members as chairman for a term of two years or until his successor has been elected. The chairman shall preside at the regular meetings of the Commission to be held at least once each month. The chairman may call a meeting when he ~~deems~~ considers it necessary to be held at a time to be determined by the Commission. The Commission shall appoint a commissioner and ~~such~~ other officers as ~~it deems~~ the Commission considers necessary, none of whom ~~shall~~ may be a member of the Commission, and shall fix the compensation and prescribe the duties of ~~such~~ these appointees. The members of the Commission shall receive no salary but ~~shall~~ must be allowed the usual mileage, subsistence, and per diem as authorized by law for commissions, committees, and boards.”

SECTION 16. Section 43‑31‑40 of the 1976 Code is amended to read:

“Section 43‑31‑40. The Governor shall appoint a State Agency of Vocational Rehabilitation to be composed of seven members, ~~which~~ and this Agency shall provide for the administration of this chapter. The members of the Agency shall consist of one member from each congressional district ~~and one member at large~~. The Governor, upon the advice and consent of the Senate, shall appoint the members. The members ~~first appointed having been designated by the Governor to serve for terms of one, two, three, four, five, six and seven years respectively, each member of the Agency thereafter shall be appointed for~~ shall serve a term of seven years. The terms of office ~~shall~~ must always remain staggered so that the term of one member ~~shall expire~~ expires every year with appointments to fill unexpired terms caused by death, resignation, or disability.”

SECTION 17. Section 48‑4‑30 of the 1976 Code is amended to read:

“Section 48‑4‑30. (A) The department shall be governed by a board consisting of ~~seven~~ non‑salaried board members to be appointed and constituted in a manner provided by law. ~~Board members of the former Department of Wildlife and Marine Resources shall serve as board members for the Department of Natural Resources until their terms expire and their successors are appointed and qualify.~~ The Governor shall appoint one member to serve as chairman, upon the advice and consent of the Senate. The appointment to chairman is subject to the advice and consent of the Senate, even if the person appointed to serve as chairman is already a current member of the board.

(B) All board members shall be appointed by the Governor with the advice and consent of the Senate. One member shall be appointed from each congressional district of the ~~state and one shall be appointed from the state at‑large~~ State.

(C) Notwithstanding subsection (B), membership on the board shall also include the at‑large board member serving on the board on March 1, 2012. The at‑large board member may continue to serve on the board until that board member’s term expires, he is removed from the board as provided by law, or he resigns from the board. At the expiration of the at‑large board member’s term, or upon his removal from or resignation from the board, the provisions of this subsection no longer apply to the composition of the membership of the board.

(D) In making appointments, race, gender, and other demographic factors should be considered to assure nondiscrimination, inclusion, and representation to the greatest extent possible of all segments of the population of the State; however, consideration of these factors in making an appointment in no way creates a cause of action or basis for an employee grievance for a person appointed or for a person who fails to be appointed. Board members must possess sound moral character, superior knowledge in the fields of wildlife, marine, and natural resource management, and proven administrative ability.

(E) The Governor may remove any board member pursuant to the provisions of Section 1‑3‑240.

(F) Terms of the members shall be for four years and until their successors are appointed and qualify. If a vacancy occurs when the General Assembly is not in session, it must be filled by the Governor’s appointment for the unexpired term, subject to confirmation by the Senate at the next session of the General Assembly.

(G) Each board member, within thirty days after notice of appointment and before taking office, shall take and file with the Secretary of State the oath of office prescribed by the State Constitution. ~~One of the members of the board shall be designated by the Governor to serve as chairman.~~

(H) Notwithstanding subsection (E), the terms of members representing congressional districts serving on the board on March 1, 2012, shall terminate on the dates provided in this subsection. The terms of the members representing the Fourth and the Sixth Congressional Districts shall expire July 1, 2012. The terms of the members representing the First, Second, Third, and Fifth Congressional Districts shall expire on July 1, 2014.

(I) Notwithstanding subsection (E), the initial term of the member representing the Seventh Congressional District shall expire July 1, 2016.”

SECTION 18. Section 48‑39‑40(A) of the 1976 Code is amended to read:

“(A) On July 1, 1994, there is created the Coastal Zone Management Appellate Panel which consists of ~~fourteen~~ fifteen members, which shall act as an advisory council to the Department of Health and Environmental Control. The members of the panel shall be constituted as follows: eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; ~~six~~ seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote. The panel shall elect a chairman, ~~vice‑chairman~~ vice chairman, and other officers it considers necessary.”

SECTION 19. Section 48‑39‑45(A) of the 1976 Code is amended to read:

“(A)(1) On July 1, 2010, there is created the Coastal Zone Management Advisory Council that consists of ~~fourteen~~ fifteen members, which shall act as an advisory council to the department’s Office of Ocean and Coastal Resources Management.

(2) The members of the council must be constituted as follows:

(a) eight members, one from each coastal zone county, to be elected by a majority vote of the members of the House of Representatives and a majority vote of the Senate members representing the county from three nominees submitted by the governing body of each coastal zone county, each House or Senate member to have one vote; and

(b) ~~six~~ seven members, one from each of the congressional districts of the State, to be elected by a majority vote of the members of the House of Representatives and the Senate representing the counties in that district, each House or Senate member to have one vote.

(3) The council shall elect a chairman, vice chairman, and other officers it considers necessary.”

SECTION 20. Section 48‑59‑40 (A) of the 1976 Code is amended to read:

“(A) There is established the South Carolina Conservation Bank. The bank is governed by a ~~twelve~~ fourteen-member board selected as follows:

(1) the Chairman of the Board for the Department of Natural Resources, the Chairman of the South Carolina Forestry Commission, and the Director of the South Carolina Department of Parks, Recreation and Tourism, all of whom shall serve ex officio and without voting privileges;

(2) three members appointed by the Governor from the State at large;

(3) ~~three~~ four members appointed by the Speaker of the House of Representatives, one each from the third, fourth, and sixth congressional districts and one member from the State at large; and

(4) ~~three~~ four members appointed by the President *Pro Tempore* of the Senate, one each from the first, second, ~~and~~ fifth, and seventh congressional districts.”

SECTION 21. Section 51‑13‑1720 of the 1976 Code is amended to read:

“Section 51‑13‑1720. The Authority ~~shall~~must be governed by a board of regents consisting of ~~nine~~ten members, as follows:

(a) The resident Senator for Colleton County shall serve ex officio;

(b) The Representative in whose district the present Village of Jacksonborough is ~~situate~~ located shall serve ex officio;

(c) Four members resident in Colleton County appointed by the Governor upon recommendation of the Colleton County Legislative Delegation;

(d) One member resident in the First or Second Congressional District appointed by the Governor with the advice and consent of the Senate;

(e) One member resident in the Third or Fourth Congressional District appointed by the Governor with the advice and consent of the Senate;

(f) One member resident in the Fifth or Sixth Congressional District appointed by the Governor with the advice and consent of the Senate~~.~~;

(g) One member resident in the Seventh Congressional District appointed by the Governor with the advice and consent of the Senate.

The terms of the members ~~shall~~must be for four years and until their successors are appointed and qualify except that those originally appointed to the board of regents, four shall serve two years and three shall serve for four years. The length of such terms ~~shall~~must be determined by lot. In the case of ~~any~~ a vacancy, the vacancy ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. The board of regents, upon being appointed, shall meet and elect a chairman and ~~such~~ other officers ~~as~~ it ~~deems~~considers necessary from its membership.”

SECTION 22. Section 51‑17‑50 of the 1976 Code is further amended to read:

“Section 51‑17‑50. The Heritage Trust Advisory Board is hereby created to assist the board of the department in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of ~~seventeen~~ eighteen members who ~~shall~~must be chosen as follows and shall elect from its membership a chairman:

~~1.~~(1) From the general public, ~~six~~ seven persons, one from each congressional district within the State, who ~~shall~~ must be appointed by the Governor and serve for a term of six years. Of these six, four persons ~~shall~~must be from the scientific community who are recognized and qualified experts in the ecology of natural areas, and two persons ~~shall~~must be from the cultural community who are recognized and qualified experts in the history and archeology of the State. The term ‘expert’ does not of necessity denote a professional but one learned and interested in the field.

~~2.~~(2) From state government, the following persons or their designees:

~~A.~~(a) ~~The~~the Chairman of the board of the Department of Natural Resources;

~~B.~~(b) ~~The~~the Director of the Department of Natural Resources;

~~C.~~(c) ~~The~~the Director of the South Carolina Department of Park, Recreation and Tourism;

~~D.~~(d) ~~The~~the Director of the Land Resources Conservation Districts Division of the Department of Natural Resources;

~~E.~~(e) ~~The~~the Director of the South Carolina Department of Archives and History;

~~F.~~(f) ~~The~~the State Forester;

~~G.~~(g) ~~The~~the State Archeologist;

~~H.~~(h) ~~The~~the Director of the State Museum; and

~~I.~~(i) ~~The~~the Secretary of Commerce.

~~Provided, however, of the initial appointees under this section, that of the six persons appointed under Item 1 above, two shall serve for a term of two years, two for a term of four years, and two for a term of six years.~~”

SECTION 23. Section 51‑18‑60 of the 1976 Code is amended to read:

“Section 51‑18‑60. The War Between the States Heritage Trust Advisory Board is ~~hereby~~ created to assist the commission in carrying out its duties and responsibilities under this chapter. The advisory board shall consist of ~~eleven~~ thirteen members who ~~shall~~must be chosen as follows and shall elect from its membership a chairman:

(1) From the general public, ~~six~~ eight persons, one from each congressional district within the State and one at large, who ~~shall~~must be appointed by the Governor and serve for a term of six years. These persons ~~shall~~must be residents of the State who are recognized experts in the history and archeology of the State who have demonstrated an interest in historical, cultural, and natural preservation of historical sites and who have a background in South Carolina history and/or African‑American history and/or Confederate history. The term ‘expert’ does not of necessity denote a professional but one learned and interested in the field.

(2) From state government, the following persons or their designees:

(a) the chairman of the board of the Department of Natural Resources;

(b) the director of the South Carolina Department of Parks, Recreation and Tourism;

(c) the chairman of the board of the Department of Archives and History;

(d) the chairman of the board of the State Museum Commission; and

(e) the curator or director of the South Carolina Confederate Relic Room and Military Museum.

~~Provided, however, of the initial appointees under this section, that of the six persons appointed under item (1) above, two shall serve for a term of two years, two for a term of four years, and two for a term of six years.~~”

SECTION 24. Section 51‑22‑30(A) of the 1976 Code, as added by Act 145 of 1995, is amended to read:

“(A) There is created a ~~fifteen member~~ seventeen-member board of directors, ~~thirteen~~ fifteen of which ~~shall~~must be appointed by the Governor. The Governor shall appoint two board members from each congressional district and one board member from the State at large, who shall serve as the chairman. ~~Six board members shall be appointed for two‑year terms, and seven board members shall be appointed for four‑year terms. Subsequent to the initial two‑year terms, all~~ All terms ~~shall be~~ are for four years~~,~~ and members shall serve until their successors are appointed and qualify. In addition, notwithstanding the provisions of Section 8‑13‑770, the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee, or their designees, shall serve as members of the board. The Governor must exercise due diligence in appointing a chairman and board members with backgrounds and experience in conservation, preservation, or recreation, or a combination ~~thereof~~ of those backgrounds.”

SECTION 25. Section 58-3-20 of the 1976 Code is amended to read:

“Section 58‑3‑20. (A) The commission is composed of seven members to be elected by the General Assembly in the manner prescribed by this chapter. ~~For any term beginning after June 30, 2006, each~~  Each member must have:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face‑to‑face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; and

(2) a background of substantial duration and an expertise in at least one of the following:

(a) energy issues;

(b) telecommunications issues;

(c) consumer protection and advocacy issues;

(d) water and wastewater issues;

(e) finance, economics, and statistics;

(f) accounting;

(g) engineering; or

(h) law.

(B) The review committee may find a candidate qualified although the candidate does not have a background of substantial duration and expertise in one of the eight enumerated areas contained in subsection (A)(2) of this section if three‑fourths of the review committee vote to qualify ~~such~~ the candidate and provide written justification of their decision in the report as to the qualifications of the candidates.

(C) The qualification provisions of subsection (A) of this section do not apply to the reelection of ~~any~~ a commissioner elected by the General Assembly on March 3, 2004, so long as there is no break in service.

(D)(1) Beginning in 2004, the members of the Public Service Commission must be elected to staggered terms. In 2004, the members representing the second, fourth, and sixth congressional districts must be elected for terms ending on June 30, 2006, and until their successors are elected and qualify. Thereafter, members representing the second, fourth, and sixth congressional districts must be elected to terms of four years and until their successors are elected and qualify. In 2004, the members representing the first, third, and fifth congressional districts and the State at‑large must be elected for terms ending on June 30, 2008, and until their successors are elected and qualify. Thereafter, members representing the first, third, and fifth congressional districts and the State at‑large must be elected to terms of four years and until their successors are elected and qualify. Notwithstanding the provisions of this section, members representing the first, third, and fifth congressional districts shall serve until the expiration of their terms, and in 2013, members representing the first, third, and fifth congressional districts must be elected for terms ending on June 30, 2016, and until their successors are elected and qualified

(2) In the event there are seven congressional districts, the member elected from the State at large shall serve until the expiration of his term, and in 2013, a member representing the seventh congressional district must be elected for a term ending on June 30, 2016, and until his successor is elected and qualified. Thereafter, the member representing the seventh congressional district must be elected to terms of four years and until his successor is elected and qualified.  Upon the election and qualification of the member representing the seventh congressional district, the at‑large member elected to satisfy the requirements of subsection (E) immediately shall cease to be a member of the commission.

(E) The General Assembly must provide for the election of the seven‑member commission and elect its members based upon the congressional districts established by the General Assembly pursuant to the latest official United States Decennial Census. If the number of congressional districts is less than seven, additional members must be elected at large to provide for a seven‑member commission. In the event the congressional districts established by the General Assembly are under review by a court for compliance with statutory or constitutional requirements, an election scheduled pursuant to this section shall not be held until a final determination is made by the courts regarding the congressional districts. The inability to hold an election due to judicial review of the congressional districts does not constitute a vacancy on the commission and the commissioners serve until their successors are elected and qualify.

(F) The Governor may fill vacancies in the office of commissioner until the successor in the office for a full term or an unexpired term, as applicable, has been elected by the General Assembly. In cases where a vacancy occurs on the commission when the General Assembly is not in session, the Governor may fill the vacancy by an interim appointment. The Governor must report the interim appointment to the General Assembly and must forward a formal appointment at its next ensuing regular session.”

SECTION 26. Section 58-31-20(A) of the 1976 Code is amended to read:

“(A) The Public Service Authority consists of a board of ~~eleven~~ twelve directors who reside in South Carolina and who ~~shall~~ have the qualifications stated in this section, as determined by the State Regulation of Public Utilities Review Committee pursuant to Section 58‑3‑530(14), before being appointed by the Governor with the advice and consent of the Senate as follows: one from each congressional district of the State; one from each of the counties of Horry, Berkeley, and Georgetown who reside in authority territory and are customers of the authority; and two from the State at large, one of whom ~~shall~~must be chairman. Two of the directors ~~shall~~must have substantial work experience within the operations of electric cooperatives or substantial experience on an electric cooperative board, including one of the two who must have substantial experience within the operations or board of a transmission or generation cooperative. ~~but must not~~ A director shall not serve as an employee or board member of an electric cooperative during ~~their~~ his term as a director. Each director shall serve for a term of seven years, except as provided in this section. At the expiration of the term of each director and of each succeeding director, the Governor, ~~must appoint~~ with the advice and consent of the Senate, must appoint a successor, who shall hold office for a term of seven years or until his successor has been appointed and qualified. In the event of a director vacancy due to death, resignation, or otherwise, the Governor must appoint the director’s successor, with the advice and consent of the Senate, and the successor-director shall hold office for the unexpired term. ~~No~~ A director ~~shall~~ may not receive a salary for services as director until the authority is in funds, but each director must be paid his actual expense in the performance of his duties ~~hereunder~~, the actual expense to be advanced from the contingent fund of the Governor until ~~such~~the time ~~as~~ the Public Service Authority is in funds, at which time the contingent fund ~~shall~~must be reimbursed. After the Public Service Authority is in funds, the compensation and expenses of each member of the board ~~shall~~must be paid from ~~such~~ these funds, and the compensation and expenses must be fixed by the advisory board ~~hereinafter~~ established in this section. Members of the board of directors may be removed for cause, ~~as established in~~ pursuant to Section 1‑3‑240(C), by the Governor of the State, the advisory board, or a majority thereof. ~~No~~ A member of the General Assembly of the State of South Carolina ~~shall be~~ is not eligible for appointment as director of the Public Service Authority during the term of his office. No more than two members from the same county ~~shall~~may serve as directors at any time.”

SECTION 27. Section 59‑26‑50(a) of the 1976 Code is amended to read:

“(a) There is ~~hereby~~ created as an agency of state government the South Carolina Educator Improvement Task Force composed of ~~twelve~~ thirteen members. The State Superintendent of Education with the advice and consent of the State Board of Education shall appoint six members, one of whom may be himself, one of whom ~~shall~~must be a public school teacher and one of whom ~~shall~~must be a public school administrator. The Governor shall appoint ~~six~~ seven members, one from each congressional district and not less than two of whom ~~shall~~must be employed at state institutions of higher education and not less than one of whom is a member of a local school board. ~~The Governor, as soon as possible after all appointments are made, shall designate one of the twelve members of the Task Force to serve as a temporary chairman of the Task Force. The temporary chairman shall serve in that capacity for a period not to exceed six months and a permanent chairman shall then be elected by the membership of the Task Force.~~ ~~Any~~ A vacancy ~~shall~~must be filled in the manner of the original appointment. The members shall receive ~~such~~ per diem, mileage and subsistence as ~~is~~ provided by law for members of state boards, committees and commissions to be paid from funds appropriated for the operation of the State Department of Education. Every consideration ~~shall~~must be given to insure appropriate racial balance in appointments.”

SECTION 28. Section 59‑53‑610 of the 1976 Code is amended to read:

“Section 59‑53‑610. There is created the Denmark Technical College Area Commission which shall serve as the governing body of Denmark Technical College. The commission is a body politic and corporate and consists of eight members who ~~shall~~must be appointed in the manner ~~hereinafter specified~~ pursuant to this section. Two members must be residents of Allendale County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Allendale County. Two members must be residents of Bamberg County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Bamberg County. Two members must be residents of Barnwell County who ~~shall~~must be appointed by the Governor upon the recommendation of a majority of the members of the General Assembly representing Barnwell County. Two members ~~shall~~must be appointed at large without regard to county of residence by the Governor upon the advice and consent of the Senate. In addition, the member of the State Board for Technical and Comprehensive Education from the ~~third~~ sixth congressional district is a member of the commission ex officio. The members of the commission ~~shall~~must be appointed for terms of four years each and until their successors are appointed and qualify, except that the two at-large members shall serve initial terms of one year each, the two members from Allendale County shall serve initial terms of two years each, the two members from Bamberg County shall serve initial terms of three years each, and the two members from Barnwell County shall serve initial terms of four years each.

~~Any~~ A vacancy ~~shall~~must be filled in the manner of the original appointment for the unexpired portion of the term only. As soon as possible after the initial appointments have been made, the commission shall organize by electing one of its members as chairman, one as vice chairman, and one as secretary. The terms of the initial appointees are extended so that all terms expire on the first of July of the appropriate year.”

SECTION 29. Section 63‑11‑700(A) of the 1976 Code is amended to read:

“(A) There is created, as part of the Office of the Governor, the Division for Review of the Foster Care of Children. The division must be supported by a board consisting of seven members, all of whom must be past or present members of local review boards. There must be one member from each congressional district ~~and one member from the State at large~~, all appointed by the Governor with the advice and consent of the Senate.”

SECTION 30. Section 63‑11‑920 of the 1976 Code is amended to read:

“Section 63‑11‑920. There is created the Board of Directors for the Children’s Trust Fund of South Carolina composed of seventeen members appointed by the Governor, ~~eleven~~ ten at large from the State from nominees of the Board of Directors of the Children’s Trust Fund, plus one from each of the state’s congressional districts. Members shall serve for terms of four years and until successors are appointed and qualify. Vacancies for any reason must be filled in the manner of the original appointment for the unexpired term.

Members may be paid per diem, mileage, and subsistence as established by the board not to exceed the amounts provided by law for state boards, committees, and commissions. A complete report of the activities of the trust fund must be made annually to the General Assembly.”

SECTION 31. Section 63‑19‑610(A) of the 1976 Code is amended to read:

“(A) (1) There is created ~~under the~~ ~~Department of Juvenile Justice~~ the Board of Juvenile Parole. The parole board is composed of ~~ten~~ seven members appointed by the Governor with the advice and consent of the Senate. ~~Of these members, one must be appointed from each of the six congressional districts and four members must be appointed from the State at large.~~ In making these appointments, the Governor shall select members who are representative of the racial, gender, and geographical diversity of the State. If a vacancy occurs on the parole board when the Senate is not in session, the Governor may appoint a member to fill the vacancy and the appointee is a de facto member until the Senate acts upon the appointment.

(2) The Department of Juvenile Justice shall continue to provide to the Board of Juvenile Parole the budgetary, fiscal, personnel, and training information resources and other support considered necessary by the parole board to perform its mandated functions.”

SECTION 32. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections on the subject of agencies, boards, commissions, or committees that fall under the jurisdiction of the South Carolina General Assembly, and whose membership is determined by congressional district.

SECTION 33. Due to the congressional redistricting, any person elected or appointed to serve, or serving, as a member of any board, commission, or committee to represent a congressional district, whose residency is transferred to another district by a change in the composition of the district, may serve, or continue to serve, the term of office for which he was elected or appointed; however, the appointing or electing authority shall appoint or elect an additional member on that board, commission, or committee from the district which loses a resident member as a result of the transfer to serve until the term of the transferred member expires. When a vacancy occurs in the district to which a member has been transferred, the vacancy must not be filled until the full term of the transferred member expires. Further, the inability to hold an election or to make an appointment due to judicial review of the congressional districts does not constitute a vacancy.

SECTION 34. This act becomes effective upon approval by the Governor. /

Amend title to conform.

Sen. Luke A. Rankin Rep. James Harrison

Sen. C. Bradley Hutto Rep. James E. Smith, Jr.

Sen. Paul G. Campbell, Jr. Rep Jenny Horne

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

Rep. HARRISON explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parker | Parks | 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 | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--111**

Those who voted in the negative are:

**Total--0**

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

**R. 296, H. 4082--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following veto printed in the Journal:

June 18, 2012

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House,

I am hereby vetoing and returning without my approval R. 296, H.4082, a bill that earmarks 2.25 percent of insurance premium tax receipts for the Forestry Commission’s firefighting efforts and for the replacement of associated equipment. These resources would be diverted from the General Fund from 2013 until 2017.

As was the case this year, my Executive Budget will always focus on the core functions of government. I have supported and will continue to support the Forestry Commission’s firefighting efforts, as evidenced by my Executive Budget’s recommendation that we provide millions in additional support for firefighting staff and equipment.

Given the significant additional support that the Forestry Commission is receiving in both the current and the upcoming year’s budget, **I** am reluctant to go above and beyond this by supporting an additional earmark of insurance premium tax receipts. I am additionally wary of dedicating General Fund revenues to specific uses, since this practice commits us to spending patterns that limit our ability to respond to revenue shortfalls and recessions.

I will continue to fight for our firefighters to have the equipment and resources that they need, but I believe that we should take a fresh look at how we prioritize and fund our essential services each year. I have vetoed this bill because those decisions should not be on autopilot.

My very best,

Nikki R. Haley

Governor

**R. 296, H. 4082--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 296) H. 4082 -- Reps. Vick, Edge, Hiott, Hayes, R. L. Brown, Jefferson, Bowers, Anthony, Skelton, Williams, McLeod, G. M. Smith, Weeks, Gilliard, Agnew, Horne, Funderburk, Tribble, Pinson, Clemmons and Neilson: AN ACT TO AMEND SECTION 38-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT BEGINNING JULY 1, 2013, THROUGH JUNE 30, 2017, 2.25 PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT.

Rep. VICK explained the Veto.

Rep. SIMRILL spoke against the Veto.

The question was put, shall the Act become a part of the law, the Veto of Her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 108; Nays 2

Those who voted in the affirmative are:

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

**Total--108**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman | G. R. Smith |  |

**Total--2**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**R. 296, H. 4082--MOTION TO RECONSIDER TABLED**

Rep. VICK moved to reconsider the vote whereby the Veto on R. 296, H. 4082 was overridden.

Rep. VICK moved to table the motion to reconsider, which was agreed to.

**R. 284, H. 3127--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following veto printed in the Journal:

June 20, 2012

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

506 Blatt Building

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House,

I am vetoing and returning without my approval R. 284, H.3127, a bill that allows individuals convicted of crimes to apply for a recommendation for records expungement from the Board of Probation, Parole and Pardon Services when they apply for pardons. I am vetoing this bill because it does not explicitly require a pardon as a pre-condition for expungement and the list of eligible offenses is overly-broad. By making expungement a seemingly less extreme alternative to pardon, the Board would compromise the public good done by criminal history checks, allowing many to hide their past transgressions.

Even though I understand this bill only allows the Board to recommend expungement to a solicitor, such a recommendation would be weighed heavily and would most likely result in an expungement. As the bill stands, persons convicted of crimes like hit and run, child abandonment, and dealing drugs would have the opportunity to erase their criminal records. The result would be businesses and communities being unfairly deprived of the ability to be informed about the criminal histories of those caring for our children, minding our cash registers, and installing out alarm systems.

Because I am sensitive to the challenges of individuals re-entering our communities after being convicted of a crime, I will work with Representative Rutherford to craft a bill that improves employment opportunities for pardoned individuals without compromising the safety of our communities.

Sincerely,

Nikki R. Haley

Governor

**R. 284, H. 3127--DEBATE INTERRUPTED ON VETO CONSIDERATION**

The Veto on the following Act was taken up:

(R. 284) H. 3127 -- Reps. Rutherford, G. R. Smith, Clyburn, Weeks, Whipper and R. L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-1010 SO AS TO PERMIT A PERSON WHO APPLIES FOR A PARDON FOR CERTAIN OFFENSES TO REQUEST THE BOARD OF PAROLES AND PARDONS RECOMMEND THE EXPUNGEMENT OF CRIMINAL RECORDS, TO ALLOW RETROACTIVE APPLICATION OF THE STATUTE, TO PROVIDE AN EXCEPTION FOR PERSONS PARDONED FOR A VIOLENT CRIME, TO PROVIDE AN APPLICATION FEE, AND TO PROVIDE A PROCEDURE BY WHICH CRIMINAL RECORDS MAY BE EXPUNGED AND A NONPUBLIC RECORD MAINTAINED.

Rep. RUTHERFORD explained the Veto.

Rep. TALLON moved that the House recede until 3:00 p.m., which was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of the Governor's Veto.

**THE HOUSE RESUMES**

At 3:00 p.m. the House resumed, ACTING SPEAKER SOUTHARD in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5410 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 7, 2012, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 19, 2012, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 21, 2012, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN MONDAY, NOVEMBER 12, 2012, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Rep. HARRELL explained the Concurrent Resolution.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McLeod | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | 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 | Tribble |
| Vick | Weeks | Whipper |
| White | Williams | Willis |
| Young |  |  |

**Total--109**

Those who voted in the negative are:

**Total--0**

The Concurrent Resolution was adopted and sent to the Senate.

**SPEAKER IN CHAIR**

**R. 284, H. 3127--GOVERNOR'S VETO SUSTAINED**

Debate was resumed on the Veto on the following Act:

(R. 284) H. 3127 -- Reps. Rutherford, G. R. Smith, Clyburn, Weeks, Whipper and R. L. Brown: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-1010 SO AS TO PERMIT A PERSON WHO APPLIES FOR A PARDON FOR CERTAIN OFFENSES TO REQUEST THE BOARD OF PAROLES AND PARDONS RECOMMEND THE EXPUNGEMENT OF CRIMINAL RECORDS, TO ALLOW RETROACTIVE APPLICATION OF THE STATUTE, TO PROVIDE AN EXCEPTION FOR PERSONS PARDONED FOR A VIOLENT CRIME, TO PROVIDE AN APPLICATION FEE, AND TO PROVIDE A PROCEDURE BY WHICH CRIMINAL RECORDS MAY BE EXPUNGED AND A NONPUBLIC RECORD MAINTAINED.

The question was put, shall the Act become a part of the law, the Veto of Her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 49; Nays 62

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bowers |
| Branham | Brannon | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Delleney |
| Dillard | Funderburk | Gilliard |
| Govan | Hart | Hayes |
| Hearn | Herbkersman | Hodges |
| Hosey | Howard | Jefferson |
| Johnson | King | Knight |
| Mack | McLeod | Munnerlyn |
| J. H. Neal | J. M. Neal | Ott |
| Parker | Parks | Pinson |
| Pitts | Rutherford | Sabb |
| J. E. Smith | Spires | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--49**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bowen | Brady | Butler Garrick |
| Chumley | Clemmons | Cole |
| Corbin | Crosby | Daning |
| Edge | Erickson | Forrester |
| Gambrell | Hamilton | Hardwick |
| Harrell | Henderson | Hiott |
| Hixon | Horne | Huggins |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Norman | Owens |
| Patrick | Pope | Putnam |
| Quinn | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | White | Whitmire |
| Willis | Young |  |

**Total--62**

So, the Veto of the Governor was sustained and a message was ordered sent to the Senate accordingly.

**S. 1229--CONFERENCE REPORT ADOPTED**

**CONFERENCE REPORT**

S. 1229

The General Assembly, Columbia, S.C., June 18, 2012

The COMMITTEE OF CONFERENCE, to whom was referred: (Doc Name COUNCIL\AGM\19740AB12.DOCX):

S. 1229 ‑‑ Senators O’Dell and Ford: A BILL TO AMEND SECTION 38‑47‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSES REQUIRED FOR ADJUSTERS, SO AS TO PROVIDE SPECIFIC EXEMPTIONS FROM LICENSURE, TO DEFINE TERMS, AND TO PROVIDE AN ADJUSTER LICENSED UNDER THIS CHAPTER MUST REVIEW DENIAL OF A CLAIM CONTESTED BY AN INSURED.

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

That the same do pass with the following amendments: (Reference is to Printer’s Version 05/29/12.)

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

/ SECTION 1. Section 38‑47‑10 of the 1976 Code is amended to read:

“Section 38‑47‑10. (A) ~~Every~~ An individual commonly called an adjuster, adjusting losses for an insurer licensed to do business in this State, must be licensed by the director or his designee. These individuals shall apply for a license on a form prescribed by the director or his designee. The director or his designee shall satisfy himself that each applicant for an adjuster’s license is an individual of good moral character, has sufficient knowledge of the insurance business and his duties as an adjuster, has not violated the insurance laws of the State, and is a fit and proper individual for the position. No license may be issued to a nonresident adjuster who resides in a state refusing to license South Carolina adjusters.

(B) The following individuals are exempt from licensure as an adjuster:

(1) ~~Agents~~ A producer licensed under Chapter 43 ~~are~~ is not required to comply with this section.

(2) An individual who, for portable electronics insurance, collects claim information from, or furnishes claim information to, insureds or claimants and who conducts data entry, including entering data into an automated claims adjudication system, provided that no more than twenty‑five such persons are under the supervision of a licensed adjuster or a licensed producer who is otherwise exempt from licensure pursuant to paragraph (1).

(C) For purposes of this section, ‘automated claims adjudication system’ means a preprogrammed computer system designed for the collection, data entry, calculation, and final resolution of portable electronics insurance claims that:

(1) only may be used by a licensed adjuster, licensed producer, or supervised individuals operating pursuant to this paragraph;

(2) must comply with all claims payment requirements of the insurance code; and

(3) must be certified as compliant with this section by a licensed independent adjuster who is an officer of the entity or an affiliate of the entity that employs an individual operating pursuant to this section.

(D) If the insured’s claim is denied and the insured contests the denial, an individual licensed under this section must review the denial with the insured.”

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

Amend title to conform.

Sen. Nikki Giles Setzler Rep. Bill Sandifer

Sen. William Hamilton O’Dell Rep. Joan B. Brady

Sen. Robert Wesley Hayes, Jr. Rep. Jimmy Bales

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

Rep. SANDIFER explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 0

Those who voted in the affirmative are:

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

**Total--111**

Those who voted in the negative are:

**Total--0**

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

**RECURRENCE TO THE MORNING HOUR**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 19, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3124:

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

The Report of the Committee of Conference having been adopted by both Houses ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 19, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 1137:

S. 1137 -- Senator Shoopman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 40-3-325 AND 40-22-295 SO AS TO ENACT THE “ARCHITECTS’ AND ENGINEERS’ VOLUNTEER ACT” WHICH PROVIDES SPECIFIED IMMUNITY FOR A REGISTERED ARCHITECT OR ENGINEER WHO PROVIDES CERTAIN VOLUNTARY ARCHITECTURAL OR ENGINEERING SERVICES AT THE SCENE OF A DECLARED STATE OR NATIONAL EMERGENCY AT THE REQUEST OF THE GOVERNOR, TO PROVIDE EXCEPTIONS TO THIS IMMUNITY, AND TO PROVIDE THE CONDITIONS AND CIRCUMSTANCES UNDER WHICH THIS GRANT OF IMMUNITY IS APPLICABLE.

The Report of the Committee of Conference having been adopted by both Houses ordered that the title be changed to that of an Act, and the Act enrolled for Ratification.

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 19, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 1229:

S. 1229 -- Senators O'Dell and Ford: A BILL TO AMEND SECTION 38-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSES REQUIRED FOR ADJUSTERS, SO AS TO ADD EXEMPTIONS FROM LICENSURE; AND TO AMEND SECTION 38-47-20, RELATING TO RECIPROCAL AGREEMENTS FOR LICENSING NONRESIDENT ADJUSTERS, SO AS TO PROVIDE WHERE A NONRECIPROCAL AGREEMENT EXISTS BETWEEN THIS STATE AND ANOTHER STATE, AN APPLICANT FOR A NONRESIDENT ADJUSTER'S LICENSE WHO HOLDS A LICENSE IN ANOTHER STATE MAY RESIDE IN THE UNITED STATES OR CANADA WITHOUT LOSING THE BENEFITS OF THE RECIPROCAL AGREEMENT IF HE COMPLIES WITH OTHER APPLICABLE LICENSURE REQUIREMENTS.

Very Respectfully,

President

Received as information.

**S. 1229--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 19, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3400:

H. 3400 -- Rep. Weeks: A BILL TO AMEND SECTION 63-3-530, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURISDICTION OF THE FAMILY COURT IN CERTAIN MATTERS, SO AS TO PROVIDE THAT A CHILD SUPPORT OBLIGATION AUTOMATICALLY TERMINATES WHEN THE CHILD TURNS EIGHTEEN OR GRADUATES FROM HIGH SCHOOL, WHICHEVER IS SOONER.

Very Respectfully,

President

Received as information.

**H. 3400--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 19, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4008:

H. 4008 -- Reps. Harrison, H. B. Brown, G. R. Smith, Knight, Atwater, Branham, Viers, Bannister, Dillard, Erickson, Hamilton, Hearn, Hosey, Limehouse, D. C. Moss, Patrick, Pinson, Sandifer, G. M. Smith, J. R. Smith, Stringer, Toole, Willis, Bingham and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-7-390 SO AS TO PROVIDE THAT THERE IS NO MONETARY LIABILITY, AND NO CAUSE OF ACTION IS CREATED, BY A HOSPITAL UNDERTAKING OR PERFORMING CERTAIN ACTS IF NOT DONE WITH MALICE; BY ADDING SECTION 44-7-392 SO AS TO PROVIDE THAT CERTAIN HOSPITAL PROCEEDINGS AND DATA, DOCUMENTS, RECORDS, AND INFORMATION RESULTING FROM THESE PROCEEDINGS ARE CONFIDENTIAL AND NOT SUBJECT TO DISCOVERY OR SUBPOENA AND MAY NOT BE USED AS EVIDENCE IN A CIVIL ACTION UNLESS THE HOSPITAL HAS WAIVED CONFIDENTIALITY OR THE DATA, DOCUMENTS, RECORDS, OR INFORMATION ARE OTHERWISE AVAILABLE AND SUBJECT TO DISCOVERY; TO PROVIDE THAT THE OUTCOME OF A PRACTITIONER’S APPLICATION FOR HOSPITAL STAFF MEMBERSHIP OR CLINICAL PRIVILEGES, INCLUDING THE PRIVILEGES REQUESTED OR APPROVED, IS NOT CONFIDENTIAL, THAT THE APPLICATION AND SUPPORTING DOCUMENTS ARE CONFIDENTIAL, AND THAT THE APPLICATION MAY BE OBTAINED FROM THE PHYSICIAN OR FROM THE PRACTICE WHERE THE PHYSICIAN WORKS; TO PROVIDE THAT A PRACTITIONER SUBJECT TO A DISCIPLINARY PROCEEDING MAY RECEIVE DATA, DOCUMENTS, RECORDS, AND INFORMATION RELATING TO THE PRACTITIONER, EVEN IF OTHERWISE CONFIDENTIAL, TO PROVIDE THAT RELEASE OF SUCH DATA, DOCUMENTS, RECORDS, AND INFORMATION IS NOT A WAIVER OF CONFIDENTIALITY, AND TO PROHIBIT DISCLOSURE BY THE PRACTITIONER TO THIRD PARTIES, OTHER THAN COUNSEL; TO PROVIDE THAT DISCLOSURE OF CERTAIN INFORMATION BY A HOSPITAL THROUGH REPORTS TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, THE JOINT COMMISSION, THE BOARD OF MEDICAL EXAMINERS, OR THE NATIONAL PRACTITIONER DATA BANK IS NOT A WAIVER OF A PRIVILEGE OR CONFIDENTIALITY; AND TO PROVIDE THAT AN AFFECTED PERSON MAY FILE AN ACTION TO ASSERT A CLAIM OF CONFIDENTIALITY AND A MOTION TO ENJOIN THE HOSPITAL FROM RELEASING DATA, DOCUMENTS, RECORDS, OR INFORMATION TO THE DEPARTMENT, THE BOARD OF MEDICAL EXAMINERS, THE NATIONAL PRACTITIONER DATA BANK, OR THE JOINT COMMISSION THAT ARE NOT REQUIRED BY LAW TO BE RELEASED AND TO PROVIDE PROCEDURES TO FURTHER ADDRESS SUCH CLAIMS, INCLUDING AN AWARD OF ATTORNEYS FEES WHEN SUCH A CLAIM IS UNREASONABLY ASSERTED; BY ADDING SECTION 44-7-394 SO AS TO PROVIDE PROCEDURES WHEN A CLAIM OF CONFIDENTIALITY IS ASSERTED IN A JUDICIAL PROCEEDING, INCLUDING AN AWARD OF ATTORNEYS FEES WHEN SUCH A CLAIM IS UNREASONABLY ASSERTED; AND TO PROVIDE RESTRICTIONS ON AND PROCEDURES FOR OFFERING TESTIMONY IN A MEDICAL OR HOSPITAL MALPRACTICE CASE BY A PERSON WHO WAS A WITNESS TO THE CARE THAT IS THE SUBJECT OF THE MALPRACTICE CASE; AND TO AMEND SECTION 40-71-10, RELATING TO IMMUNITY FROM LIABILITY FOR MEMBERS OF CERTAIN PROFESSIONAL SOCIETY STANDARDS COMMITTEES, HOSPITAL MEDICAL STAFF COMMITTEES, AND COMMITTEES APPOINTED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO REVIEW PATIENT RECORDS, SO AS TO EXCLUDE FROM IMMUNITY MEMBERS OF A HOSPITAL MEDICAL STAFF COMMITTEE AND TO INCLUDE IMMUNITY FOR MEMBERS OF COMMITTEES APPOINTED BY THE DEPARTMENT OF MENTAL HEALTH TO STUDY PATIENT RECORDS.

Very respectfully,

President

Received as information.

**H. 4008--ORDERED ENROLLED FOR RATIFICATION**

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 19, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 1088:

S. 1088 -- Senators McConnell, Ford and Knotts: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE STATE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE STATE ETHICS COMMISSION, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY, SECTION 1-13-40, SECTION 1-31-10, SECTION 8-13-310, SECTION 58-3-20, SECTION 58-31-20, SECTION 63-11-700, SECTION 63-11-920, AND SECTION 63-19-610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE FOR THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

Very Respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5411 -- Rep. Quinn: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SOUTHEASTERN PIANO FESTIVAL AND TO CONGRATULATE ITS PARTICIPANTS AND ORGANIZERS UPON THEIR TENTH ANNIVERSARY OF CULTURAL SUCCESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5412 -- Reps. Ballentine, Huggins, Quinn, McLeod, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, Merrill, 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, 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 HOWARD S. "BUDDY" PRICE, JR., DIRECTOR OF COMMUNITY SERVICES FOR SCHOOL DISTRICT FIVE OF LEXINGTON AND RICHLAND COUNTIES, ON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF DEDICATED SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN THE YEARS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5413 -- Reps. Stavrinakis, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, 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, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO COMMEMORATE THE COURAGEOUS MEN WHO SERVED IN THE UNITED STATES ARMED FORCES DURING WORLD WAR II AND FOUGHT IN THE INVASION OF NORMANDY, ALSO KNOWN AS "D-DAY", ON JUNE 6, 1944, AND TO THANK THEM FOR THEIR LABORS AND SACRIFICE FOR THE CAUSE OF FREEDOM.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5414 -- Rep. Knight: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF ROSS TYLER REEVES, FIRE CHIEF OF THE CATTLE CREEK VOLUNTEER FIRE DEPARTMENT IN REEVESVILLE AND SUMMERVILLE FIREMAN, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5415 -- Rep. Sabb: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE RUDELL M. GAMBLE, PROBATE JUDGE FOR WILLIAMSBURG COUNTY, UPON THE OCCASION OF HER RETIREMENT FROM THE BENCH, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5416 -- Rep. Sabb: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CAROLYN F. WILLIAMS, CLERK OF COURT OF WILLIAMSBURG COUNTY, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN THIRTY-EIGHT YEARS OF OUTSTANDING SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5417 -- Reps. Erickson, Herbkersman, Patrick, 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, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, 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, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF DR. CHARLES SCHLEY AIMAR, SR., OF BEAUFORT AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5419 -- Rep. Quinn: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT BOBBY E. SHEALY, ARSON UNIT, SOUTH CAROLINA STATE LAW ENFORCEMENT DIVISION, UPON THE OCCASION OF HIS RETIREMENT AND TO WISH HIM MUCH HAPPINESS AND SUCCESS IN THE YEARS AHEAD AFTER THIRTY-SIX YEARS OF SERVICE AND DEVOTION TO THE CITY OF NEWBERRY, STATE FIRE MARSHAL'S OFFICE, SOUTH CAROLINA LAW ENFORCEMENT DIVISION, AND THE CITIZENS OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5420 -- Reps. G. A. Brown, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF WILLIAM DOW WELSH OF SUMTER COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5421 -- Reps. Hamilton, 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, 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 CONCURRENT RESOLUTION TO CONGRATULATE, RECOGNIZE, AND HONOR SOUTH CAROLINA REALTORS ON THE SUCCESS OF ITS PROFESSIONALS IN HELPING ACHIEVE HOMEOWNERSHIP AND MEETING VITAL HOUSING NEEDS IN THIS STATE.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1607 -- Senators Hayes, Leventis, Peeler, Malloy, Cromer, Sheheen, Coleman and Gregory: A CONCURRENT RESOLUTION TO COMMEND SARAH NUCKLES, COMMISSIONER OF THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, FOR HER DISTINGUISHED SERVICE REPRESENTING DISTRICT 5, AND TO WISH HER WELL IN ALL HER FUTURE ENDEAVORS.

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

**INTRODUCTION OF BILL**

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

H. 5418 -- Reps. White, Harrell, Lucas, Bingham, Herbkersman, Limehouse, Merrill, Pitts, Simrill, G. M. Smith, G. R. Smith, Clyburn and Ott: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2012-2013 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT.

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

**H. 4801--FREE CONFERENCE POWERS GRANTED**

Rep. SANDIFER moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 4801 -- Reps. Sandifer, Gambrell, Bowen, Whitmire, Agnew, Thayer, Putnam and White: A BILL TO AMEND SECTION 6-13-230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PIONEER RURAL WATER DISTRICT OF OCONEE AND ANDERSON COUNTIES, SO AS TO REVISE THE QUALIFICATIONS OF PERSONS WHO MAY BE APPOINTED TO THE GOVERNING BOARD OF THE DISTRICT AND THE MANNER OF THEIR APPOINTMENT; AND TO AMEND SECTION 6-13-240, AS AMENDED, RELATING TO THE POWERS AND DUTIES OF THE DISTRICT ACTING THROUGH ITS GOVERNING BOARD, SO AS TO PROVIDE THAT THE DISTRICT MUST NOT CONTRACT FOR OR UNDERTAKE THE CONSTRUCTION OF ANY NEW FRESHWATER TREATMENT FACILITIES UNTIL JANUARY 1, 2016.

The yeas and nays were taken resulting as follows:

Yeas 85; Nays 9

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cole | Crosby |
| Daning | Delleney | Dillard |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | J. M. Neal |
| Owens | Parker | Patrick |
| Pinson | Pitts | Pope |
| Putnam | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Thayer |
| Toole | Tribble | Weeks |
| Whipper | White | Whitmire |
| Willis |  |  |

**Total--85**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Corbin |
| Hamilton | Nanney | Norman |
| Quinn | G. R. Smith | Young |

**Total--9**

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. SANDIFER, GAMBRELL and HAYES to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**R. 239, H. 4886--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following veto printed in the Journal:

June 11, 2012

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House,

I am hereby vetoing and returning without my approval R. 239, H.4886, a Joint Resolution that exempts the students of Fountain Inn Elementary School from making-up a day missed in February due to bat infestation.

The 2011-12 schedule for Greenville County Schools incorporated three make-up days, on March 9, 12 and April 9. I am vetoing this bill because the district’s leadership neglected to use any of these three opportunities to make-up for the lost day, while seeking a waiver pursuant to Section 59-1-425(C).

Although the single school day in question is unlikely to have been pivotal to any individual child’s education, it is inappropriate for school district administrators to ignore the law’s 180-day standard and essentially gamble that they will receive a waiver from the General Assembly before the session concludes. School districts actively seeking a waiver should exhaust any available make-up days, if the waiver has not yet been granted.

For these reasons, I am vetoing and returning without my approval R. 239, H.4486.

My very best,

Nikki R. Haley

Governor

**R. 239, H. 4886--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 239) H. 4886 -- Rep. Willis: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED ON FEBRUARY 17, 2012, BY THE STUDENTS OF FOUNTAIN INN ELEMENTARY SCHOOL OF GREENVILLE COUNTY SCHOOL DISTRICT, WHEN THE SCHOOL WAS CLOSED DUE TO BAT INFESTATION, IS EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Rep. WILLIS explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of Her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 87; Nays 10

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Corbin | Crosby | Delleney |
| Dillard | Forrester | Funderburk |
| Gambrell | Govan | Hamilton |
| Hardwick | Harrell | Hearn |
| Henderson | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Jefferson | Johnson | King |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Owens |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Taylor |
| Thayer | Toole | Tribble |
| Vick | Weeks | Whipper |
| Williams | Willis | Young |

**Total--87**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Cole | Erickson |
| Knight | D. C. Moss | Norman |
| Rutherford | Southard | Tallon |
| Whitmire |  |  |

**Total--10**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**R. 246, H. 5315--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following veto printed in the Journal:

June 11, 2012

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House,

I am hereby vetoing and returning without my approval R. 246, H.5315, a Joint Resolution that exempts the students of Stall High School from making-up two days missed in January due to a gas leak.

The 2011-12 schedule for Charleston County Schools incorporated a June 4 make-up day. I am vetoing this bill because the district’s leadership neglected to use this opportunity to make-up for a portion of the lost time, while seeking a waiver pursuant to Section 59-1-425(C).

Although the two school days in question are unlikely to have been pivotal to any individual child’s education, it is inappropriate for school district administrators to ignore the law’s 180-day standard and essentially gamble that they will receive a waiver from the General Assembly before the session concludes. School districts actively seeking a waiver should exhaust any available make-up days, if the waiver has not yet been granted.

Furthermore, the fact that this Joint Resolution was not introduced in the House of Representatives until May 23 illustrates that districts believe they can railroad these matters through the waning days of a legislative session without giving the General Assembly time to weigh the alternatives.

For these reasons, I am vetoing and returning without my approval R. 246, H.5315.

My very best,

Nikki R. Haley

Governor

**R. 246, H. 5315--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 246) H. 5315 -- Reps. Stavrinakis, Whipper and R. L. Brown: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED DURING THE PERIOD OF JANUARY 3, 2012, THROUGH JANUARY 4, 2012, BY THE STUDENTS OF STALL HIGH SCHOOL IN CHARLESTON COUNTY WHEN THE SCHOOL WAS CLOSED DUE TO A GAS LEAK ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Rep. STAVRINAKIS explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of Her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 101; Nays 4

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cole | Corbin |
| Crosby | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | Johnson |
| King | Limehouse | Loftis |
| Long | Lowe | Mack |
| McCoy | McEachern | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Weeks | Whipper | Williams |
| Willis | Young |  |

**Total--101**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Norman | Rutherford |
| Southard |  |  |

**Total--4**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**R. 233, H. 4033--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following veto printed in the Journal:

June 20, 2012

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

506 Blatt Building

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House:

I am vetoing and returning without my approval R. 233, H.4033, a bill addressing the use of local sales taxes and assessments for capital improvements. I am vetoing this bill because it gives improvement districts the ability to tax more homeowners who have not given their consent.

This bill expands a municipal improvement district’s taxing authority to include not only those properties near a canal, but also properties near waterways connected to a canal. This could lead to higher involuntary assessments for property-owners already subject to them, along with new assessments on property-owners who are not currently subject to these levies.

For these reasons, I am vetoing and returning without my approval R. 233, H.4033.

Sincerely,

Nikki R. Haley

Governor

**R. 233, H. 4033--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 233) H. 4033 -- Reps. Patrick and Loftis: AN ACT TO AMEND SECTION 4-10-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECT SALES TAX ACT, SO AS TO PROVIDE THAT THE AUTHORIZED PROJECTS THAT ARE ALLOWED TO BE FUNDED BY A COUNTY CAPITAL PROJECT SALES TAX INCLUDE DREDGING, DEWATERING, CONSTRUCTION OF SPOIL SITES, AND DISPOSAL OF SPOIL MATERIALS; AND TO AMEND SECTIONS 5-37-40, 5-37-50, AND 5-37-100, ALL AS AMENDED, RELATING TO THE MUNICIPAL IMPROVEMENT ACT, SO AS TO PROVIDE THAT A MUNICIPAL IMPROVEMENT DISTRICT MAY BE CREATED FOR THE SOLE PURPOSE OF THE WIDENING AND DREDGING OF WATERWAYS WITHOUT PRIOR WRITTEN CONSENT OF OWNERS OF OWNER-OCCUPIED RESIDENTIAL PROPERTY AT THE TIME THE IMPROVEMENT DISTRICT IS CREATED.

Rep. EDGE explained the Veto.

Rep. LOWE spoke against the Veto.

The question was put, shall the Item become a part of the law, the veto of Her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 82; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Clemmons |
| Clyburn | Crosby | Daning |
| Delleney | Dillard | Edge |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Hardwick | Harrell | Hart |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Mack |
| McEachern | McLeod | V. S. Moss |
| Munnerlyn | Murphy | J. H. Neal |
| J. M. Neal | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pope | Rutherford |
| Ryan | Sabb | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Taylor | Tribble |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--82**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bedingfield |
| Chumley | Cole | Corbin |
| Hamilton | Henderson | Hixon |
| D. C. Moss | Nanney | Norman |
| Pitts | Putnam | G. R. Smith |
| J. R. Smith | Southard | Stringer |
| Tallon | Thayer | Toole |
| Whitmire | Willis | Young |

**Total--24**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**R. 258, H. 4821--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following veto printed in the Journal:

June 11, 2012

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House,

I am hereby vetoing and returning without my approval R. 258, H.4821, a bill that grants the Judicial Department permission to establish electronic filing fees at any rate it chooses. I am vetoing this bill because I do not believe that any branch of government should be provided with such comprehensive, unilateral authority to impose fees without regulatory or other comparable review.

Sincerely,

Nikki R. Haley

Governor

**R. 258, H. 4821--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 258) H. 4821 -- Reps. G. M. Smith, Pitts, Murphy, Horne, Hearn, McCoy, Stavrinakis, Bannister and Harrison: AN ACT 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. G. M. SMITH explained the Veto.

The question was put, shall the Act become a part of the law, the Veto of Her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 93; Nays 14

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Clemmons | Clyburn | Cole |
| Crosby | Daning | Delleney |
| Dillard | Edge | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Hart | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Limehouse | Loftis | Long |
| Lowe | Mack | McEachern |
| McLeod | V. S. Moss | Munnerlyn |
| Murphy | J. H. Neal | J. M. Neal |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Weeks | Whipper |
| Whitmire | Williams | Young |

**Total--93**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Chumley |
| Corbin | Erickson | Hixon |
| D. C. Moss | Nanney | Norman |
| Parker | Pinson | Southard |
| Stringer | Willis |  |

**Total--14**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

**RECORD FOR VOTING**

I was appointed to the conference committee on H. 3006, and we met at 4:30 p.m., and as a result, I was out of the Chambers during the vote to override or sustain the Governor’s Veto on H. 4821. Had I been present, I would have voted to override the Veto.

Rep. Brian White

**LEAVE OF ABSENCE**

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

**HOUSE TO MEET AT 1:00 P.M. TOMORROW**

Rep. FORRESTER moved that when the House adjourns it adjourn to meet at 1:00 p.m. tomorrow, which was agreed to.

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

**ADJOURNMENT**

At 5:01 p.m. the House, in accordance with the motion of Rep. KING, adjourned in memory of Reverend George Benjamin "Ben" Guy, Jr., of Chester, to meet at 1:00 p.m. tomorrow.

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