~~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 Ecclesiastes 12:13: “Fear God, and keep his commandments; for that is the whole duty of everyone.”

Let us pray. Almighty God, source of all wisdom and blessing, descend on this Assembly today. Grant Your will upon these Representatives, that they will, to the best of their ability, do what is required of them. Direct them to discern the best way to obtain the goal set before them. Bless our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear our prayer, O Lord. Amen.

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

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

**MOTION ADOPTED**

Rep. G. M. SMITH moved that when the House adjourns, it adjourn in memory of W. Burke Watson of Sumter, which was agreed to.

**REPORT OF STANDING COMMITTEE**

Rep. D. C. MOSS, from the York Delegation, submitted a favorable report on:

S. 1022 -- Senators Hayes, Mulvaney and Peeler: A BILL TO AMEND ACT 959 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE YORK COUNTY NATURAL GAS AUTHORITY, SO AS TO ALLOW IT TO CONNECT TO ANY SOURCE OF NATURAL GAS AND TO INCREASE ITS POWERS TO ALLOW, AMONG OTHER THINGS, THE PURCHASE AND SALE OF THE TOWN OF BLACKSBURG'S NATURAL GAS SYSTEM.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4349 -- Reps. Gilliard, Alexander, Allen, Allison, Anderson, Harvin, Hayes, King, Mack, Mitchell, Parker, Bowen, Branham, Gunn, Hodges, Hosey, Knight, Littlejohn, Stavrinakis and Williams: A CONCURRENT RESOLUTION TO URGE OUR FEDERAL, STATE, AND LOCAL GOVERNMENTS, ALONG WITH CHURCHES AND NEIGHBORHOOD ASSOCIATIONS, TO STEP UP THEIR EFFORTS TO ASSIST THE HOMELESS IN LIGHT OF THE NATION'S ECONOMIC DOWNTURN, ADVERSE WEATHER CONDITIONS, AND AN INCREASE IN THE HOMELESS POPULATION.

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

**INTRODUCTION OF BILLS**

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

H. 4350 -- Reps. Limehouse, Sottile, Gilliard and Mack: A BILL TO AMEND SECTION 40-29-340, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRITERIA REQUIRED FOR A MANUFACTURED HOME, SO AS TO PROVIDE THAT FOR A SALE OF A PREVIOUSLY OWNED MANUFACTURED HOME, THE BUYER MUST CERTIFY HE HAS DETERMINED AT LEAST TWO FUNCTIONING SMOKE DETECTORS ARE IN THE HOME.

Referred to Committee on Labor, Commerce and Industry

H. 4351 -- Rep. Hodges: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 13-1-1780 SO AS TO STATE THAT IT IS THE POLICY OF THIS STATE TO PROMOTE THE CREATION AND GROWTH OF MICROBUSINESSES IN THIS STATE, PARTICULARLY THROUGH THE ESTABLISHMENT OF PROGRAMS DESIGNED TO MAKE AVAILABLE START-UP CAPITAL TO PROSPECTIVE MICROBUSINESSES, AND TO DEFINE A MICROBUSINESS OR MICROENTERPRISE AS A SOLE PROPRIETORSHIP, PARTNERSHIP, OR CORPORATION THAT HAS FEWER THAN FIVE EMPLOYEES AND GENERALLY LACKS ACCESS TO CONVENTIONAL LOANS, EQUITY, OR OTHER BANKING SERVICES.

Referred to Committee on Ways and Means

H. 4352 -- Rep. Hodges: A JOINT RESOLUTION TO ESTABLISH A STUDY COMMITTEE TO REVIEW, STUDY, AND MAKE RECOMMENDATIONS CONCERNING THE NEED TO FOSTER THE DEVELOPMENT OF MICROENTERPRISES IN THIS STATE, TO PROVIDE FOR THE STUDY COMMITTEE'S MEMBERSHIP, AND TO REQUIRE THE STUDY COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY NO LATER THAN JANUARY 20, 2011, AT WHICH TIME THE STUDY COMMITTEE IS ABOLISHED.

Referred to Committee on Ways and Means

H. 4364 -- Reps. Wylie, Nanney, Barfield, Duncan, Owens, Rice, Stringer and Umphlett: A BILL TO AMEND SECTION 56-5-1210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF A DRIVER WHO IS INVOLVED IN AN ACCIDENT, SO AS TO INCREASE THE EXISTING PENALTIES, TO PROVIDE PENALTIES FOR PERSONS WHO VIOLATE THIS SECTION WHILE DRIVING A VEHICLE WITHOUT A DRIVER'S LICENSE OR A SUSPENDED DRIVER'S LICENSE, AND TO PROVIDE THAT AN ILLEGAL ALIEN WHO VIOLATES THIS SECTION MUST BE RELEASED INTO THE CUSTODY OF THE UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE ONCE HE COMPLETES HIS SENTENCE.

Referred to Committee on Judiciary

H. 4365 -- Rep. Barfield: A BILL TO AMEND SECTION 40-29-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT OF A LICENSE TO SELL MANUFACTURED HOUSING, SO AS TO PROVIDE AN EXCEPTION FOR LICENSED REALTORS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-29-200, AS AMENDED, RELATING TO REQUIREMENTS FOR A MANUFACTURED HOUSING SALES LICENSE, SO AS TO PROVIDE A LICENSE IS NOT REQUIRED FOR A LICENSED REAL ESTATE BROKER SELLING A NEW OR USED MANUFACTURED HOME IN CONJUNCTION WITH THE SALE OF REAL ESTATE WHERE THE HOUSING IS LOCATED OR TO BE LOCATED; AND TO AMEND SECTION 40-57-135, AS AMENDED, RELATING TO CERTAIN RIGHTS AND RESPONSIBILITIES OF A LICENSED REALTOR, SO AS TO PROVIDE A LICENSED REALTOR MAY SELL A MANUFACTURED HOME UNDER CERTAIN CIRCUMSTANCES IF HE COMPLETES TRAINING AND EXAMINATION REQUIREMENTS FOR A MANUFACTURED LICENSE, AND TO PROVIDE THIS TRAINING MAY SATISFY HIS CONTINUING EDUCATION REQUIREMENTS.

Referred to Committee on Labor, Commerce and Industry

S. 963 -- Senators Knotts, Cromer, Courson and Setzler: A BILL TO AMEND SECTION 7-7-380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF LEXINGTON COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

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

S. 1022 -- Senators Hayes, Mulvaney and Peeler: A BILL TO AMEND ACT 959 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE YORK COUNTY NATURAL GAS AUTHORITY, SO AS TO ALLOW IT TO CONNECT TO ANY SOURCE OF NATURAL GAS AND TO INCREASE ITS POWERS TO ALLOW, AMONG OTHER THINGS, THE PURCHASE AND SALE OF THE TOWN OF BLACKSBURG'S NATURAL GAS SYSTEM.

Referred to York Delegation

S. 1027 -- Senator McGill: A BILL TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, BY ADDING SECTION 50-11-770 TO ENACT THE "RENEGADE HUNTER ACT", TO PROHIBIT USING DOGS TO HUNT ON PROPERTY WITHOUT PERMISSION OF THE LANDOWNER, AND TO PROVIDE APPROPRIATE PENALTIES.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**HOUSE RESOLUTION**

On motion of Rep. SKELTON, with unanimous consent, the following was taken up for immediate consideration:

H. 4353 -- Rep. Skelton: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE D. W. DANIEL HIGH SCHOOL GIRLS VOLLEYBALL TEAM, COACHES, AND SCHOOL OFFICIALS OF PICKENS COUNTY, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4354 -- Rep. Hayes: A HOUSE RESOLUTION TO CONGRATULATE THE DILLON CHRISTIAN SCHOOL FOOTBALL TEAM FOR ITS IMPRESSIVE SEASON AND FOR WINNING THE 2009 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS A STATE CHAMPIONSHIP TITLE, AND TO RECOGNIZE THE TEAM'S STELLAR PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4355 -- Reps. Skelton, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE D. W. DANIEL HIGH SCHOOL GIRLS VOLLEYBALL TEAM OF PICKENS COUNTY FOR A WINNING SEASON, AND TO CONGRATULATE THE PLAYERS, COACHES, AND SCHOOL OFFICIALS FOR GARNERING THE 2009 CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

On motion of Rep. HAYES, with unanimous consent, the following was taken up for immediate consideration:

H. 4356 -- Rep. Hayes: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE DILLON CHRISTIAN SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2009 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4357 -- Rep. Millwood: A CONCURRENT RESOLUTION TO CONGRATULATE MR. DEAN JONES, CHESNEE HIGH SCHOOL HEAD BASEBALL COACH, ON BEING NAMED 2008-2009 NATIONAL BASEBALL COACH OF THE YEAR BY THE NATIONAL FEDERATION OF STATE HIGH SCHOOL ASSOCIATIONS.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4358 -- Reps. Herbkersman, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO MEMORIALIZE CONGRESS TO URGE FAIR TREATMENT OF OUR UNITED STATES NAVY SEALS IN ALL MATTERS MILITARY AND CIVIL, AND TO URGE A GENERAL SHOWING OF SUPPORT FOR OUR NATION'S ARMED FORCES.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4359 -- Reps. Gambrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JOE FRANK PINSON OF ANDERSON COUNTY, AND TO EXPRESS APPRECIATION FOR HIS MANY CONTRIBUTIONS TO THE WELL-BEING OF THE CITIZENS OF OUR GREAT STATE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4360 -- Reps. Gambrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE JANICE LORRAINE POOLE WOOD AND JACK "BUDDY" HILTON WOOD, JR., OF ANDERSON COUNTY FOR THEIR SACRIFICIAL SERVICE ON BEHALF OF THE FARM BUREAU, AND TO CONGRATULATE THEM ON BEING PRESENTED THE FARM BUREAU'S 2009 DISTINGUISHED SERVICE AWARD.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4361 -- Reps. Sellers and Scott: A CONCURRENT RESOLUTION TO EXPRESS SINCERE SYMPATHY FOR THE PEOPLE OF HAITI IN THE DEVASTATION AND LOSS OF LIFE FROM THE RECENT CATASTROPHIC EARTHQUAKE THERE, AND TO SEEK ENCOURAGEMENT FROM ALL SOUTH CAROLINIANS TO ASSIST IN THE RESCUE AND REBUILDING OF THAT NATION.

The Concurrent Resolution was ordered placed on the calendar without reference.

**HOUSE RESOLUTION**

The following was introduced:

H. 4362 -- Reps. Hosey, Sellers, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE WILLISTON-ELKO HIGH SCHOOL FOOTBALL TEAM FOR AN UNDEFEATED SEASON, AND TO CONGRATULATE THE PLAYERS, COACHES, AND SCHOOL OFFICIALS FOR CAPTURING THE 2009 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

On motion of Rep. HOSEY, with unanimous consent, the following was taken up for immediate consideration:

H. 4363 -- Reps. Hosey, Sellers, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE WILLISTON-ELKO HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS OF BARNWELL COUNTY, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON AN OUTSTANDING UNDEFEATED SEASON AND FOR CAPTURING THE 2009 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4366 -- Reps. Horne and Funderburk: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MS. SARAH LEVERETTE OF COLUMBIA FOR HER LEADERSHIP AND ACHIEVEMENTS AS ATTORNEY, EDUCATOR, AND VOLUNTEER, TO CONGRATULATE HER ON THE OCCASION OF HER NINETIETH BIRTHDAY, AND TO WISH HER MUCH HAPPINESS IN THE COMING YEARS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4367 -- Reps. Horne, A. D. Young and Knight: A HOUSE RESOLUTION TO HONOR THE LATE JOHN M. TUPPER, SR., FORMER COMMISSIONER OF PUBLIC WORKS FOR SUMMERVILLE, FOR HIS MANY YEARS OF SERVICE TO HIS COMMUNITY, AND TO RECOGNIZE THE DEDICATION OF THE JOHN M. TUPPER, SR., ROTARY CENTENNIAL PARK IN SUMMERVILLE, TO TAKE PLACE JANUARY 25, 2010.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Kelly | Kennedy | King |
| Kirsh | Knight | Littlejohn |
| Loftis | Long | Lowe |
| McEachern | McLeod | Merrill |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**STATEMENT OF ATTENDANCE**

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

|  |  |
| --- | --- |
| Denny Neilson | James Lucas |
| Todd Rutherford | Jackson "Seth" Whipper |

**Total Present--117**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BRADY a leave of absence for the day due to emergency dental work.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. LIMEHOUSE a leave of absence for the day due to a family member’s medical procedure.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Leo Walker of Columbia, was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3047 |
| Date: | ADD: |
| 01/19/10 | STEWART |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4198 |
| Date: | ADD: |
| 01/19/10 | T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4232 |
| Date: | ADD: |
| 01/19/10 | T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4251 |
| Date: | ADD: |
| 01/19/10 | T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4269 |
| Date: | ADD: |
| 01/19/10 | BINGHAM, MERRILL, TOOLE, R. L. BROWN and T. R. YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4280 |
| Date: | ADD: |
| 01/19/10 | PARKS, PINSON and VICK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4310 |
| Date: | ADD: |
| 01/19/10 | EDGE |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4329 |
| Date: | REMOVE: |
| 01/19/10 | ALLISON and WYLIE |

**ORDERED TO THIRD READING**

The following Bills were taken up, read the second time, and ordered to a third reading:

H. 4169 -- Rep. Battle: A BILL TO AMEND ACT 607 OF 1986, AS AMENDED, RELATING TO THE ELECTIONS OF MEMBERS OF THE MARION COUNTY BOARD OF EDUCATION, SO AS TO PROVIDE THAT A PERSON DESIRING TO QUALIFY AS A CANDIDATE SHALL FILE WRITTEN NOTICE OF CANDIDACY AT LEAST SIXTY DAYS BEFORE THE DATE SET FOR THE ELECTION BUT NOT EARLIER THAN NINETY DAYS BEFORE THE ELECTION, TO PROVIDE THAT THE COUNTY COMMISSIONERS OF ELECTION SHALL PUBLISH NOTICES OF THE ELECTION AS PROVIDED IN SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND TO PROVIDE THE NONPARTISAN PLURALITY METHOD AS CODIFIED IN SECTION 5-15-61, CODE OF LAWS OF SOUTH CAROLINA, 1976, BE REQUIRED TO DETERMINE THE OUTCOME OF THE ELECTION INSTEAD OF PURSUANT TO ACT 81 OF 1977.

H. 4302 -- Rep. Funderburk: A BILL TO AMEND SECTION 22-2-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COUNTY JURY AREA DESIGNATIONS FOR USE IN MAGISTRATES COURTS, SO AS TO REVISE THE JURY AREAS FOR KERSHAW COUNTY TO PROVIDE FOR ONE JURY AREA COUNTYWIDE.

Rep. FUNDERBURK explained the Bill.

S. 654 -- Senators Mulvaney and Sheheen: A BILL TO AMEND SECTION 30-5-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PERFORMANCE OF THE REGISTER OF DEEDS' DUTIES BY THE CLERK OF COURT IN CERTAIN COUNTIES, SO AS TO PROVIDE LANCASTER COUNTY HAS A SEPARATE CLERK OF COURT AND REGISTER OF DEEDS; TO AMEND SECTION 30-5-12, AS AMENDED, RELATING TO THE APPOINTMENT OF THE REGISTER OF DEEDS IN CERTAIN COUNTIES, SO AS TO PROVIDE THE GOVERNING BODY OF LANCASTER COUNTY SHALL APPOINT THE REGISTER OF DEEDS FOR LANCASTER COUNTY; AND TO REPEAL ACT 454 OF 2000 RELATING TO THE TRANSFER OF THE DUTIES OF THE REGISTER OF DEEDS IN LANCASTER COUNTY TO THE RECORDS MANAGEMENT DIRECTOR OF LANCASTER COUNTY.

**H. 4342--TABLED**

The following Bill was taken up:

H. 4342 -- Reps. Simrill, Kirsh, Delleney, Norman and D. C. Moss: A BILL TO AMEND ACT 959 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE YORK COUNTY NATURAL GAS AUTHORITY, SO AS TO INCREASE ITS POWERS TO ALLOW, AMONG OTHER THINGS, THE ACQUISITION OF THE TOWN OF BLACKSBURG'S NATURAL GAS SYSTEM AND TO CHANGE REFERENCES FROM THE SOUTH CAROLINA PIPELINE COMPANY TO THE CAROLINA GAS TRANSMISSION CORPORATION.

Rep. KIRSH moved to table the Bill, which was agreed to.

**H. 4310--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4310 -- Reps. Clemmons and Edge: A BILL TO AMEND SECTION 4-10-970, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USES ALLOWED FOR REVENUES OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE, SO AS TO ALLOW AMOUNTS UP TO TWENTY PERCENT OF THE REVENUE TO BE USED FOR PROPERTY TAX RELIEF FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY AND FOR TOURISM-RELATED CAPITAL PROJECTS BEGINNING IN THE SECOND RATHER THAN THE THIRD YEAR OF IMPOSITION OF THE FEE, TO REQUIRE THE AMOUNTS USED FOR THESE PURPOSES TO BE RETAINED BY THE MUNICIPALITY WITH AT LEAST TWENTY PERCENT OF THE AMOUNT RETURNED USED AS A CREDIT AGAINST THE PROPERTY TAX LIABILITY OF OWNER-OCCUPIED RESIDENTIAL PROPERTY AND PROVIDE FOR THE CALCULATION OF THE CREDIT, AND TO PROVIDE FOR THE USE OF CREDITS IN EXCESS OF THE MUNICIPAL PROPERTY TAX LIABILITY.

Rep. CLEMMONS explained the Bill.

Reps. HALEY, OTT, KENNEDY, HART, MCLEOD, DUNCAN, CLEMMONS, JEFFERSON, SKELTON, LITTLEJOHN, R. L. BROWN and TOOLE requested debate on the Bill.

**H. 4239--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4239 -- Reps. Miller, Wylie, J. E. Smith and Anderson: A BILL TO AMEND SECTION 8-21-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SCHEDULE OF FEES AND COSTS COLLECTED BY COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS, SO AS TO WAIVE THE RECORDING FEE OTHERWISE REQUIRED FOR A POWER OF ATTORNEY FILED BY A MEMBER OF ARMED FORCES OF THE UNITED STATES PREPARATORY TO DEPLOYMENT TO A COMBAT ZONE UPON PRESENTATION OF COPIES OF THE DEPLOYMENT ORDER, AND TO DEFINE "COMBAT ZONE".

Rep. MILLER explained the Bill.

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

Yeas 111; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Hart | Harvin | Hayes |
| Hearn | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Kirsh | Knight |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Rutherford | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Thompson |
| Toole | Umphlett | Vick |
| Viers | Weeks | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--111**

Those who voted in the negative are:

**Total--0**

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

**H. 4344--POINT OF ORDER**

The following Bill was taken up:

H. 4344 -- Reps. Herbkersman and Chalk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 10 TO CHAPTER 10, TITLE 4 ENACTING THE "ALTERNATE LOCAL OPTION TOURISM DEVELOPMENT FEE ACT" SO AS TO ALLOW A MUNICIPALITY LOCATED WITHIN A COUNTY IN WHICH AT LEAST FIVE MILLION DOLLARS OF STATE ACCOMMODATIONS TAX REVENUES HAVE BEEN COLLECTED IN A FISCAL YEAR AND COUNTY ANNUAL PER CAPITA PERSONAL INCOME IS AT LEAST FORTY THOUSAND DOLLARS TO IMPOSE A FEE NOT TO EXCEED ONE PERCENT OF AMOUNTS SUBJECT TO TAX PURSUANT TO CHAPTER 36, TITLE 12, THE SOUTH CAROLINA SALES AND USE TAX ACT, FOR NOT MORE THAN TEN YEARS, TO PROVIDE THAT A MUNICIPALITY MAY IMPOSE THE FEE BY ORDINANCE, TO PROVIDE FOR THE ADMINISTRATION OF THE FEE, AND TO PROVIDE USES FOR WHICH THE FEE REVENUE MUST BE APPLIED, INCLUDING TOURISM PROMOTION, PROPERTY TAX CREDITS, AND CAPITAL PROJECTS PROMOTING TOURISM CAUSES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3279--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. T. R. YOUNG moved to adjourn debate on the motion to reconsider the vote whereby the Joint Resolution was rejected until Tuesday, January 26, 2010, which was agreed to by a division vote of 58-5.

**H. 4290--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4290 -- Rep. Kirsh: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE CLARENCE HILL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 23, 2010.

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

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cole |
| Daning | Delleney | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Littlejohn | Long |
| Lucas | McEachern | McLeod |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--104**

Those who voted in the negative are:

**Total--0**

So, the Concurrent Resolution was adopted and sent to the Senate.

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

**ADJOURNMENT**

At 1:08 p.m. the House, in accordance with the motion of Rep. G. M. SMITH, adjourned in memory of W. Burke Watson of Sumter, to meet at 10:00 a.m. tomorrow.

\*\*\*