~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 109:26: “Help me, O Lord my God. Save me in accordance with your love.”

Let us pray. Almighty God, You have created us for a purpose. Allow these men and women who serve here to recognize their purpose in life, to serve You and their fellow human beings. You have called each to do their duty to this State. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

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

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 372:

S. 372 -- Senators Hayes and Ford: A BILL TO AMEND SECTION 62-2-207, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DETERMINATION OF AN ELECTIVE SHARE OF A SPOUSE, SO AS TO CLARIFY THAT AN INTEREST AS A BENEFICIARY IN A TESTAMENTARY TRUST OR IN PROPERTY PASSING TO AN INTER VIVOS TRUST THROUGH THE DECEDENT'S WILL IS A BENEFICIAL INTEREST CHARGEABLE TO THE ELECTIVE SHARE; AND TO AMEND SECTION 62-7-401, AS AMENDED, RELATING TO CREATION OF A TRUST, SO AS TO PROVIDE FOR THE INCLUSION OF A SURVIVING SPOUSE'S BENEFICIAL INTERESTS IN TRUST PROPERTY IN CALCULATING THE ELECTIVE SHARE.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 12, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 728:

S. 728 -- Senators Hayes, Fair and Ford: A BILL TO AMEND SECTION 12-65-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENTITLEMENT TO TAX CREDITS UNDER THE TEXTILES COMMUNITIES REVITALIZATION ACT, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF SPECIFIC REQUIREMENTS FOR TEXTILE MILL SITES ACQUIRED BEFORE AND AFTER 2007, TO REVISE THE ALLOWABLE AMOUNT OF THE CREDITS IN CERTAIN INSTANCES, TO PROVIDE THAT THE TAX CREDITS ALLOWED INCLUDE CREDITS AGAINST INSURANCE PREMIUM TAXES, TO MAKE A TECHNICAL CORRECTION, AND TO FURTHER PROVIDE FOR THE MANNER IN WHICH THESE CREDITS ARE VESTED IN A TAXPAYER AND MAY BE ALLOCATED TO PARTNERS OR MEMBERS; BY ADDING SECTION 12-65-50 SO AS TO PROVIDE TRANSITION RULES APPLICABLE TO SPECIFIC MILL SITES; AND BY ADDING SECTION 12-65-60 SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY CERTIFICATION PROCESS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**REPORTS OF STANDING COMMITTEE**

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

H. 4829 -- Rep. G. A. Brown: A BILL TO AMEND SECTION 39-5-38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DECEPTIVE OR MISLEADING ADVERTISEMENT OF A LIVE MUSICAL PERFORMANCE, SO AS TO DEFINE A SOUND RECORDING, AND TO PROVIDE CERTAIN EXEMPTIONS, REMEDIES, AND A FINE.

Ordered for consideration tomorrow.

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

S. 1025 -- Senator Cromer: A BILL TO AMEND SECTION 38-73-737 OF THE 1976 CODE, RELATING TO DRIVER TRAINING COURSE CREDIT TOWARD LIABILITY AND COLLISION INSURANCE COVERAGE, TO REDUCE THE INITIAL COURSE FROM EIGHT TO SIX HOURS, TO ALLOW FOR A FOUR HOUR REFRESHER COURSE EVERY THREE YEARS, AND TO ALLOW THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS FOR FIFTY-FIVE YEARS AND OLDER DRIVER SAFETY INTERNET COURSES.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4975 -- Reps. Hutto, 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, 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 AUTHORIZE THE SOUTH CAROLINA STUDENT LEGISLATURE TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES ON WEDNESDAY THROUGH SATURDAY, OCTOBER 13 THROUGH OCTOBER 16, 2010, PROVIDED THE HOUSE IS NOT IN SESSION, AND TO PROVIDE FOR THE USE OF THE HOUSE CHAMBER ON ALTERNATE DATES AND TIMES AS MAY BE SELECTED BY THE SPEAKER IF THE HOUSE IS IN SESSION ON THESE DATES.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4976 -- Reps. Hutto, 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, 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 CHARLESTON COUNTY SHERIFF'S DEPUTY JEFFREY DEGROW, UPON RECEIVING THE AWARD OF VALOR, AND TO COMMEND HIM FOR HIS SERVICE TO THE CITIZENS OF OUR STATE AND FOR HIS BRAVERY IN THE LINE OF DUTY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4977 -- Rep. Spires: A HOUSE RESOLUTION TO HONOR THE REVEREND TERRY C. WILDER, PASTOR OF SWANSEA FIRST BAPTIST CHURCH, FOR HIS TWENTY YEARS OF MINISTRY TO HIS CONGREGATION AND COMMUNITY AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4978 -- Rep. J. E. Smith: A HOUSE RESOLUTION TO COMMEND DR. GEORGE SCOUTEN, ENGLISH TEACHER AT HEATHWOOD HALL EPISCOPAL SCHOOL IN RICHLAND COUNTY, FOR HIS COMMITMENT TO PROVIDING QUALITY EDUCATION FOR THE CHILDREN OF SOUTH CAROLINA, AND TO CONGRATULATE HIM UPON BEING NAMED THE 2010 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION UPPER SCHOOL TEACHER OF THE YEAR.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Kelly | Kennedy |
| King | Knight | Limehouse |
| Littlejohn | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Skelton | D. C. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Vick | Weeks |
| 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 Thursday, May 13.

|  |  |
| --- | --- |
| Paul Agnew | William Bowers |
| Boyd Brown | Jeffrey D. Duncan |
| Anton J. Gunn | Chris Hart |
| Leon Howard | Dwight Loftis |
| Denny Neilson | Timothy E. Scott |
| Bakari Sellers | Gary Simrill |
| Leon Stavrinakis | William R. "Bill" Whitmire |
| Thad Viers | Douglas Jennings |
| Terry Alexander | Jerry Govan |
| G. Murrell Smith | Jackson "Seth" Whipper |
| Harold Mitchell |  |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HALEY a leave of absence for the day due to a prior speaking engagement.

**STATEMENT OF ATTENDANCE**

Rep. RUTHERFORD signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, May 12.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Al Pakalnis of Columbia was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Reps. D. C. MOSS and V. S. MOSS presented to the House the Gaffney High School "Indians" Boys Varsity Basketball Team, the 2010 Class AAAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. HORNE, HARRELL, KNIGHT and A. D. YOUNG presented to the House the Pinewood Preparatory School Varsity Golf Team, the South Carolina Independent School Association, the Class AAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. HORNE, HARRELL, KNIGHT and A. D. YOUNG presented to the House the Pinewood Preparatory School Speed and Strength Team, the South Carolina Independent School Association, the Class AAA Champions, their coaches and other school officials.

**ORDERED TO THIRD READING**

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

H. 4966 -- Rep. Funderburk: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF KERSHAW COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF THE SCHOOL DISTRICT WITHIN ITS CONSTITUTIONAL DEBT LIMIT, IN ONE OR MORE SERIES, IN A TOTAL AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS, TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE SCHOOL DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

**H. 4966--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FUNDERBURK, with unanimous consent, it was ordered that H. 4966 be read the third time tomorrow.

**SENT TO THE SENATE**

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

H. 4888 -- Reps. Duncan, Ott, Forrester and Mitchell: A JOINT RESOLUTION TO ADOPT THE PROPOSED "TAILORING RULE" OF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY IN SOUTH CAROLINA UPON ITS ADOPTION BY THE EPA IN ORDER TO GIVE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL SUFFICIENT TIME TO PROMULGATE APPROPRIATE REGULATIONS REGARDING GREENHOUSE GASES.

H. 4280 -- Reps. M. A. Pitts, Toole, Parks, Vick, Pinson, Huggins, Duncan, Jennings, Rice, Hiott, Agnew, J. E. Smith, J. R. Smith, Millwood, Anthony, Simrill, Nanney, Hardwick, Govan, Bingham, Littlejohn, Bannister, Harrell, Hearn, G. R. Smith, Clemmons, Anderson, Limehouse, D. C. Moss, V. S. Moss, Parker, Howard, Gambrell, Allison, Horne, Sottile, Bedingfield, Long, Spires, Hamilton, T. R. Young, Delleney, J. M. Neal, Williams, Kennedy, Lowe, Stavrinakis, Knight, Crawford, Daning, Bowen, Thompson, G. A. Brown, King, Lucas, Herbkersman, Wylie, Stewart, Branham, Ott, Hayes, Battle, Miller, Harvin, H. B. Brown, Hosey, Chalk, McEachern, Hodges, Gunn, J. H. Neal, Cobb-Hunter, Jefferson, Cato and Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SOUTH CAROLINA HIGHWAY PATROL-RETIRED LICENSE PLATES.

H. 4918 -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO INFECTIOUS WASTE MANAGEMENT REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4107, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 4765 -- Rep. Herbkersman: A BILL TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT WHEN A GOLF CART OWNER'S RESIDENCE IS LOCATED WITHIN A GATED COMMUNITY THE TWO-MILE LIMIT WITHIN WHICH A GOLF CART OWNER MAY OPERATE HIS GOLF CART MUST BE MEASURED FROM THE COMMUNITY'S PRIMARY ENTRANCE AND NOT FROM THE OWNER'S RESIDENCE.

H. 4802 -- Rep. J. E. Smith: A BILL TO AMEND SECTION 25-1-1150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VACANCIES IN THE POSITION OF CHIEF OF STAFF, HEADQUARTERS, SOUTH CAROLINA AIR NATIONAL GUARD, SO AS TO FURTHER PROVIDE FOR THE QUALIFICATIONS OF THE OFFICER PROMOTED TO FILL THE VACANCY.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

S. 932 -- Senators L. Martin and Campsen: A BILL TO AMEND SECTION 50-16-25 OF THE 1976 CODE, RELATING TO THE RELEASE OF PIGS FOR HUNTING PURPOSES, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS, BUY, SELL, OFFER FOR SALE, TRANSFER, RELEASE, OR TRANSPORT FOR THE PURPOSE OF RELEASE A MEMBER OF THE SUIDAE FAMILY FOR HUNTING OR TO SUPPLEMENT A FREE ROAMING POPULATION, TO PROVIDE THAT IT IS UNLAWFUL TO REMOVE A LIVE HOG FROM A TRAP OR FROM THE WOODS, FIELDS, OR MARSHES OF THIS STATE, AND TO CLARIFY THAT THIS SECTION DOES NOT APPLY TO ACCEPTED FARMING PRACTICES RELATED TO MEMBERS OF THE SUIDAE FAMILY.

S. 1261 -- Senator Cromer: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CUTTING OF TIMBER ON LANDS HELD BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE TECHNICAL CORRECTIONS; TO DELETE OBSOLETE REFERENCES; TO REQUIRE THE DEPARTMENT TO COORDINATE THE CUTTING AND SALE OF SUCH TIMBER WITH THE STATE FORESTER, RATHER THAN TO SUBMIT THE MATTER TO THE STATE FORESTER FOR APPROVAL; TO PROVIDE THAT LAND OWNED BY THE DEPARTMENT THAT WAS PREVIOUSLY USED FOR AGRICULTURE OR MANAGED FOREST LAND MUST BE MANAGED TO PROVIDE OPTIMUM FISH AND WILDLIFE HABITAT AND TIMBER PRODUCTION; TO REVISE PROCEDURES FOR ADVERTISING FOR BIDS ON THE TIMBER; TO PROVIDE PROCEDURES FOR THE HARVEST AND SALE OF TIMBER IF AN EMERGENCY OR NATURAL DISASTER OCCURS NECESSITATING IMMEDIATE HARVESTING OF TIMBER; TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT, RATHER THAN THE BOARD, TO EXECUTE DEEDS AND CONTRACTS REQUIRED IN CARRYING OUT THIS ARTICLE; AND TO PROVIDE THAT, UNLESS OTHERWISE PROVIDED FOR, THE PROCEEDS OF THESE TIMBER SALES MUST CONTINUE TO BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND.

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 1356 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO SOUTH CAROLINA VIRTUAL SCHOOL PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4116, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 1204 -- Senator Leatherman: A BILL TO AMEND SECTION 48-5-50 OF THE 1976 CODE, RELATING TO USES OF THE CLEAN WATER FUND, TO ALLOW ANY USE PRESCRIBED BY ANY FEDERAL LAW GOVERNING OR APPROPRIATING FUNDS FOR THE CLEAN WATER FUND; AND TO AMEND SECTION 48-5-55, RELATING TO USES OF THE DRINKING WATER FUND, TO ALLOW ANY USE PRESCRIBED BY ANY FEDERAL LAW GOVERNING OR APPROPRIATING FUNDS FOR THE DRINKING WATER FUND.

**S. 906--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, May 18, which was adopted:

S. 906 -- Senators Leatherman, Land, Coleman and Elliott: A BILL TO AMEND SECTION 9-8-50 OF THE 1976 CODE, RELATING TO SERVICE CREDIT IN THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, TO PROVIDE THAT A MEMBER UPON TERMINATION WHO DOES NOT QUALIFY FOR A MONTHLY BENEFIT MAY TRANSFER HIS SERVICE CREDIT TO THE SOUTH CAROLINA RETIREMENT SYSTEM, AND TO CLARIFY PROVISIONS RELATED TO THE TRANSFER OF EARNED SERVICE CREDIT IN RETIREMENT PLANS ADMINISTERED BY THE SOUTH CAROLINA RETIREMENT SYSTEMS.

**H. 4837--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4837 -- Reps. J. E. Smith, Miller and McLeod: A BILL TO AMEND SECTION 12-21-3940, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BINGO LICENSE REQUIRED FOR NONPROFIT ORGANIZATIONS, SO AS TO ELIMINATE THE PROHIBITION ON ISSUING SUCH A LICENSE TO A NONPROFIT ORGANIZATION THAT IS A NONPUBLIC, LIMITED MEMBERSHIP ORGANIZATION ESTABLISHED FOR SOCIAL, BENEVOLENT, PATRIOTIC, RECREATIONAL, OR FRATERNAL PURPOSES WHICH HOLDS A LICENSE TO SELL ALCOHOLIC LIQUORS BY THE DRINK.

Reps. J. E. SMITH, MILLER and MCLEOD proposed the following Amendment No. 2 (COUNCIL\SWB\8075BH10), which was adopted:

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

/ SECTION 1. Section 12‑21‑3940(D) of the 1976 Code, as added by Act 172 of 2004, is amended to read:

 ~~“(D) A license must not be issued for conducting a game of bingo at an establishment holding a license pursuant to the provisions of Section 61‑6‑1820.”~~

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

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH spoke in favor of the amendment.

The amendment was then adopted.

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

**H. 4837--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. J. E. SMITH, with unanimous consent, it was ordered that H. 4837 be read the third time tomorrow.

**S. 405--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Tuesday, May 18, which was adopted:

S. 405 -- Senator Cleary: A BILL TO AMEND SECTION 12-37-220 OF THE 1976 CODE, RELATING TO PROPERTY TAX EXEMPTIONS, TO CLARIFY THAT A WATERCRAFT AND ITS MOTOR MAY NOT RECEIVE A FORTY-TWO AND 75/100 PERCENT EXEMPTION IF THE BOAT OR WATERCRAFT IS CLASSIFIED AS A PRIMARY OR SECONDARY RESIDENCE FOR PROPERTY TAX PURPOSES; TO AMEND SECTION 12-37-224, RELATING TO BOATS AS A PRIMARY OR SECONDARY RESIDENCE, TO PROVIDE THAT A BOAT OR WATERCRAFT THAT CONTAINS A COOKING AREA WITH AN ONBOARD POWER SOURCE, A TOILET WITH EXTERIOR EVACUATION, AND A SLEEPING QUARTER, SHALL BE CONSIDERED A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF AD VALOREM PROPERTY TAXATION IN THIS STATE; AND TO AMEND SECTION 12-37-714, RELATING TO BOATS WITH A SITUS IN THIS STATE, TO PROVIDE THAT UPON AN ORDINANCE PASSED BY THE LOCAL GOVERNING BODY, A COUNTY MAY SUBJECT A BOAT, INCLUDING ITS MOTOR IF THE MOTOR IS SEPARATELY TAXED, TO PROPERTY TAX IF IT IS WITHIN THIS STATE FOR NINETY DAYS IN THE AGGREGATE, REGARDLESS OF THE NUMBER OF CONSECUTIVE DAYS.

**S. 1363--DEBATE ADJOURNED**

The following Bill was taken up:

S. 1363 -- Senators Hayes, Setzler and Courson: A BILL TO AMEND SECTION 59-26-85 OF THE 1976 CODE, RELATING TO THE INCREASE PAY FOR TEACHERS CERTIFIED BY THE NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS, TO PROVIDE THAT TEACHERS RECEIVING CERTIFICATION PRIOR TO JULY 1, 2010, SHALL RECEIVE AN INCREASE IN PAY FOR THE LIFE OF THE CERTIFICATION, TO PROVIDE THAT TEACHERS RECEIVING CERTIFICATION ON OR AFTER JULY 1, 2010, ONLY SHALL RECEIVE AN INCREASE IN PAY FOR THE INITIAL TEN YEARS OF THE CERTIFICATION, AND TO PROVIDE THAT ONLY TEACHERS WHO APPLY FOR CERTIFICATION PRIOR TO JULY 1, 2010, MAY RECEIVE A LOAN FOR THE APPLICATION FEE.

Rep. EDGE proposed the following Amendment No. 1 (COUNCIL\BBM\9780BH10), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Chapter 26, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑26‑88. Beginning with the 2010‑2011 school year, if funding is available, the Department of Education shall pay a yearly bonus of three thousand dollars to a certified speech‑language pathologist. A certified speech language pathologist must hold a South Carolina teaching certification as a speech‑language therapist, be a full time employee of a South Carolina school district at the time of receiving the bonus, and must not be receiving a salary supplement as a result of holding a National Board for Professional Teaching Standards certification. The speech language pathologist must not be considered a service contractor with the public school district.” /

Renumber sections to conform.

Amend title to conform.

Rep. EDGE spoke in favor of the amendment.

Rep. COOPER spoke against the amendment.

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

Rep. COOPER moved to adjourn debate on the Bill until Tuesday, May 18, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

Rep. COOPER moved that the House recur to the Morning Hour, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 4979 -- Reps. Huggins, 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, 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 CONGRATULATE MR. TONY L. CHAPMAN, UPON THE OCCASION OF HIS RETIREMENT FROM THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4980 -- Reps. Hutto, Stavrinakis, 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, 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, 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 JAMES ISLAND CHARTER HIGH SCHOOL FOR ITS COMMITMENT TO EXCELLENCE, AND TO CONGRATULATE THE STUDENTS, FACULTY, ADMINISTRATORS, AND STAFF FOR RECEIVING THE ACT/SAT PERFORMANCE IMPROVEMENT AWARD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4981 -- Rep. Bowers: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LIFE AND PUBLIC SERVICE OF THE LATE HONORABLE RANDOLPH "BUSTER" MURDAUGH, JR., SOLICITOR OF THE FOURTEENTH JUDICIAL CIRCUIT FROM 1940 TO 1986, AND DISTINGUISHED SON OF SOUTH CAROLINA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4982 -- Reps. Huggins, 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, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SCOTTY GRIFFIN FOR HIS DISTINGUISHED SERVICE AS PRESIDENT OF ST. ANDREWS ROTARY CLUB OF COLUMBIA FOR 2009-2010.

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

**R. 192, H. 3161--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 12, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

 I hereby veto and return without my approval H. 3161, R. 192, which raises fees imposed on litigants to file lawsuits, motions, and appeals in order to increase funding for the Judicial Branch.

 I have great respect for Chief Justice Toal personally and professionally and sympathize with the untenable responsibility she has of managing the Judicial Branch with a significant lack of resources. Still, there is something fundamentally wrong when the Judiciary must depend upon increased fees on the courts’ users for its existence. Unfortunately, this outcome was entirely predictable and indeed largely preventable.

 Our administration has consistently warned, particularly during good budget times, that failure to plan for the inevitable tough budget times would lead to this predicament. We were clear during the times when our state’s budget grew by 40 percent from FY 2004 to FY 2008 that the rate of government growth was unsustainable. Our calls for caution were not only ignored, but also ridiculed. I was called “chicken little” for imploring the General Assembly to slow the rapid increase in the state’s general fund budget and to set aside more money for a rainy day. As well, we often argued against the practice of across-the-board cuts for the very reason that not all government agencies are equally vital in their mission to state government. Across-the-board cuts also unfairly punish agencies that have been run efficiently and have been the best stewards of taxpayer funds during the good economic times. The Judicial Department, along with the Department of Corrections and the Department of Commerce, are prime examples of agencies that have been run efficiently only to be punished with harsh budget cuts when state resources dwindle.

 For example, we understand that the Judicial Department has had to expend resources from its base budget on extensive renovations to both the Calhoun Building and the Supreme Court Building. These expenditures should not have been funded from the agency’s base budget, but rather should be paid for by the General Assembly with a special line item for these capital improvement projects. Going forward, one possible solution for helping the Court System weather the bad economic times would be to forgive the over $1 million annual rent payments the agency makes to the Budget and Control Board. We do not believe it is wise to effectively raise taxes and fees to cover budget shortfalls for core governmental agencies like the Judicial Branch and the Administrative Law Court. At the start of the next legislative session, policymakers will begin debating a “stimulus” free budget that is more than $1 billion less than the proposed budget for next fiscal year. It is simply not going to be sustainable to rely on fee increases to cover the budget shortfalls. The FY 2010-11 Appropriations Act, recently passed by the Senate, increased fees by almost $45 million.

 We have long advocated that spending should be prioritized to maintain essential programs. That is even more important in the downward revenue cycle we are experiencing right now. Cutting non-essential activities and implementing other cost-saving measures is a much sounder option for fully funding the Judiciary rather than raising fees. For example, eliminating state funding for the Arts Commission and the State Museum for FY 2010-11, lower priorities than our court system, would generate nearly $6 million that could be used to fund the judiciary. Additionally, we believe it makes more sense to take the $4.6 million increase in the Senate’s budget and direct those recurring dollars to the Judicial Department. These measures, combined with some efficient proposals such as merging Corrections and the Department of Probation, Pardon, and Parole, would provide more than the $16.5 million that this bill is expected to generate.

 This legislation will raise fees beyond that of our neighboring states. If enacted, South Carolina will double its civil action court filing fee from $150 to $300, significantly higher than the Georgia and North Carolina fees of $110.50 and $127 respectively. Also, our motion fee in civil and family court will triple from $25 to $75, where Georgia and North Carolina do not even have a state motion fee. In fact, of all states, we will be tied for the 8th highest filing fee for civil actions and the 10th highest filing fee for motions if this bill is enacted. By comparison, we rank 40th in median family income, and we are raising fees beyond the reach of the average family in South Carolina and much greater than that of our neighbors.

 Finally, this “backdoor tax increase” raises the bar for access to justice to our courts for lower income citizens. All South Carolinians benefit from an efficient and accessible court system, and we should all bear the cost associated with maintaining that system. We should not disproportionately impose higher costs on those who access the system now. Otherwise, the end result could well be a two-tiered system of justice in our State for those who can afford to pay getting greater access than those who cannot. We believe this outcome is simply unacceptable. Our courthouse doors must remain open to all citizens, and we all need to work with Chief Justice Toal to make sure that this happens by providing a sustainable budget to the Judicial Branch that is not funded by fee increases.

 For these reasons, we are therefore vetoing H. 3161, R. 192.

Sincerely,

Mark Sanford

Governor

Received as information.

**R. 192, H. 3161--GOVERNOR'S VETO SUSTAINED**

The Veto on the following Act was taken up:

(R192) H. 3161 -- Rep. Harrison: AN ACT TO AMEND SECTION 1-23-660, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFICE OF MOTOR VEHICLE HEARINGS WITHIN THE ADMINISTRATIVE LAW COURT, SO AS TO REQUIRE THE OFFICE OF MOTOR VEHICLE HEARINGS TO EMPLOY CERTAIN PROFESSIONAL AND SUPPORT STAFF; TO AMEND SECTION 56-5-2952, AS AMENDED, RELATING TO THE FILING FEE TO REQUEST AN ADMINISTRATIVE HEARING, SO AS TO INCREASE THE FILING FEE FROM ONE HUNDRED FIFTY TO TWO HUNDRED FIFTY DOLLARS AND PROVIDE FOR THE DISTRIBUTION OF THE FILING FEE FUNDS COLLECTED; TO AMEND SECTION 8-21-320, AS AMENDED, RELATING TO COMMON PLEAS AND FAMILY COURT MOTION FEES, SO AS TO INCREASE THE MOTION FEE FROM TWENTY-FIVE TO SEVENTY-FIVE DOLLARS FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 14-1-204, AS AMENDED, RELATING TO COURT FILING FEES COLLECTED BY CLERKS OF COURT, REGISTERS OF DEEDS, OR COUNTY TREASURERS, SO AS TO IMPOSE FEES FOR A CERTAIN PERIOD OF TIME IN FAMILY COURT AND OTHER FEES IN OTHER COURTS OF RECORD, PROVIDE EXCEPTIONS, AND PROVIDE FOR THE DISTRIBUTION OF THE FEES COLLECTED; AND TO AMEND SECTION 22-3-340, AS AMENDED, RELATING TO ASSESSMENTS ON FILINGS IN MAGISTRATES COURT, SO AS TO INCREASE THE ASSESSMENT FROM TWENTY-FIVE TO FIFTY DOLLARS ON SUMMONS AND COMPLAINT FILINGS AND FROM TEN TO TWENTY DOLLARS ON CIVIL FILINGS IN MAGISTRATES COURT.

Rep. OTT spoke in favor of the Veto.

Rep. BEDINGFIELD spoke in favor of the Veto.

Rep. HART spoke against the Veto.

Rep. GUNN spoke in favor of the Veto.

Rep. CLEMMONS spoke against the Veto.

Rep. BARFIELD spoke against the Veto.

Rep. G. A. BROWN spoke in favor of the Veto.

Rep. SKELTON spoke against the Veto.

Rep. J. E. SMITH spoke against the Veto.

Rep. KENNEDY spoke in favor of the Veto.

Rep. BARFIELD spoke against the Veto.

Rep. JENNINGS spoke against the Veto.

Rep. HARRISON spoke against the Veto.

Rep. OTT spoke in favor of the Veto.

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

Yeas 58; Nays 51

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Bales |
| Bannister | Barfield | Battle |
| Bingham | Bowers | Brady |
| H. B. Brown | Chalk | Clemmons |
| Cole | Cooper | Delleney |
| Edge | Funderburk | Gambrell |
| Hardwick | Harrell | Hart |
| Hayes | Hearn | Herbkersman |
| Hiott | Horne | Hutto |
| Jennings | Kelly | Limehouse |
| Littlejohn | Loftis | Lucas |
| Miller | D. C. Moss | V. S. Moss |
| J. M. Neal | Owens | Pinson |
| M. A. Pitts | Rutherford | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Spires | Stavrinakis | Stringer |
| Umphlett | Viers | Weeks |
| Whipper | Whitmire | Wylie |
| T. R. Young |  |  |

**Total--58**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bedingfield | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Cobb-Hunter | Crawford |
| Daning | Dillard | Duncan |
| Erickson | Forrester | Frye |
| Gilliard | Govan | Gunn |
| Hamilton | Harrison | Harvin |
| Hodges | Hosey | Howard |
| Jefferson | Kennedy | King |
| Long | Mack | McEachern |
| McLeod | Millwood | Mitchell |
| Nanney | J. H. Neal | Norman |
| Ott | Parker | Parks |
| Rice | Scott | G. R. Smith |
| Stewart | Thompson | Toole |
| Vick | Williams | Willis |

**Total--51**

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

**R. 200, H. 4347--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 12, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

 I am hereby vetoing and returning without my approval H. 4347, R. 200, which transfers the responsibility for giving final approval of legislative fiscal impact statements from the Board of Economic Advisors to the Chief Economist.

 This administration has consistently advocated financial accountability, and on this front we believe H. 4347 is a step in the wrong direction. Currently, South Carolina law requires that the four-member Board of Economic Advisors (BEA) certify revenue impact statements. The BEA’s memberships consists of the Director of the Department of Revenue and three appointed members – one member appointed each by the Chairman of the Senate Finance Committee, the Chairman of House Ways and Means Committee, and the Governor.

 In contrast to the BEA, the Chief Economist is merely an employee selected by the Director of the Budget and Control Board (Board), which is effectively controlled by the legislative body. Aside from the financial pitfalls that could come in time with the future legislative bodies “creating” greater revenue by way of rationales at critical budget points, we cannot support the idea of giving a single person, especially this Chief Economist, responsibility for certifying fiscal impact statements on state legislation. This is particularly the case when that employee is insulated from taxpayer accountability by at least two layers of government bureaucracy.

 Time after time the current Chief Economist, Mr. Gillespie, makes incorrect revenue projections – misleading not only the General Assembly but the citizens of South Carolina. In late 2007, near the beginning of the housing market decline, the Chief Economist was shockingly optimistic about our state’s economic future despite national economists’ expectations to the contrary. As early as February 2008, I publicly expressed our administration’s disagreement with the Chief Economist’s predictions of the depth and severity of the housing crisis and the effect it would have on South Carolina. Nonetheless, several times in 2008 the Chief Economist made statements like “[the economic] slump will be short-lived” and that the economic indicators at the time “do not say we’re falling into a hole.” Time has proven these statements to be disastrously wrong.

 Since then, the Chief Economist has continued to report wildly inaccurate revenue projections that have necessitated additional expense to the State in the form of an emergency legislative session. Within a month of the end of last year’s legislative session, the faulty economic projections caused the state’s budget to be $320 million dollars out of balance. Even with a correct understanding of the state’s resources, it is difficult to create a comprehensive state spending plan. We believe that giving the Chief Economist sole responsibility for estimating a bill’s fiscal impact will further complicate an already difficult process given the Chief Economist’s historically poor performance. It also once again moves us further from the goal of checks and balances within state government.

 For these reasons, I am vetoing and returning without my approval H. 4347, R. 200.

Sincerely,

Mark Sanford

Governor

Received as information.

**R. 202, H. 4511--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 12, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

 I am vetoing and returning without my approval H. 4511, R. 202, which creates the South Carolina Rural Infrastructure Authority. I am vetoing this legislation because it creates a new government entity to perform functions the Department of Commerce (Commerce) currently performs.

 H. 4511 creates the seven-member South Carolina Rural Infrastructure Authority (SCRIA) to distribute grants to entities in rural parts of the State for infrastructure projects like road or sewer construction and repair. We are well aware of the impact that functioning, critical infrastructure has on our state’s economic development potential – particularly in rural parts of South Carolina. Commerce has worked hard to recruit jobs to these rural counties. In fact, of the nearly 20,000 new jobs created in South Carolina in 2009, 28 percent of those jobs and 30 percent of the projects went to rural areas where only 21.8 percent of the workforce resides. This administration has been an active proponent, through Commerce, of rural infrastructure projects. What we *do* oppose, however, is the creation of a new state entity that merely duplicates existing state programs.

 Currently, Commerce’s Rural Infrastructure Fund provides financing for infrastructure projects and other activities to counties in the state's rural areas. These funds may go toward traditional infrastructure projects like a water treatment facility or bridge repair project, or for job creation and product development. Commerce gives priority in funding for distressed counties, and then distributes funds after receiving approval from the Coordinating Council for Economic Development based on its strategic development plan. Because Commerce oversees the Rural Infrastructure Fund, Commerce can coordinate Rural Infrastructure Fund financing with the agency’s various other economic development efforts to ensure the funds are used as effectively as possible. In fact, Commerce’s Rural Infrastructure Fund supported projects in counties represented by eleven of the bill’s sponsors, representing over $20.45 million in grants in the last five years for local projects including road construction, bridge maintenance, industrial park development, and business site preparation. As recently as 2008, there were 2,308 people in South Carolina working on community and rural development projects, with a combined program budget of over $1 billion in federal, state, and other funds. The Budget and Control Board also operates a similar program, but on a smaller scale. We also believe this program should be consolidated with Commerce’s efforts.

 Ultimately, we cannot support H. 4511 because it duplicates what we already do. It would create yet another government agency and spread already scarce state resources even thinner. This is particularly troubling given that, next fiscal year, the General Assembly will be forced to cut nearly $1.2 billion from the state budget – much of it from core areas of government like education and law enforcement. We have seen no evidence that Commerce is unable to fill local needs relating to financing infrastructure projects let alone enough evidence to justify creating a new state entity. Additionally, H. 4511 restricts the SCRIA’s scope of authority to funding construction or repair of actual infrastructure, but would not allow the kinds of economic development projects of which Commerce’s Rural Infrastructure Fund is capable.

 In past legislative budgets, we have consistently vetoed appropriations for the Budget and Control Board’s Rural Infrastructure Bank on the grounds that it is redundant of Commerce’s program, and we believe that Commerce should coordinate all of the state’s economic development efforts. In addition, there are myriad other programs at the federal and state level related to rural economic grants, like the $21 million Community Development Block Grants program. Based on the results we’ve seen, Commerce is more than capable of coordinating and encouraging economic development in rural areas; therefore, we see no reason to create a duplicative government agency that will consume valuable state resources.

 For these reasons, I am vetoing and returning without my approval H. 4511, R. 202.

Sincerely,

Mark Sanford

Governor

Received as information.

**R. 203, H. 4607--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 12, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

 I am vetoing and returning without my approval H. 4607, R. 203, which unduly interferes with the business relationships between automobile retailers and consumers.

 Our administration has consistently pointed to the fact that government mandates on the private sector have a cost both in the commercial marketplace and on individual liberty. We believe that only in the event of a compelling societal need should the State use force to compel private action. We realize the need for the State to ensure that businesses do not make false or deceptive advertisements in an attempt to take advantage of consumers, but we believe H. 4607 goes well beyond merely ensuring consumers are aware of the details of their business transactions by restricting a car dealers’ ability to promote their products in the manner they wish. This notion of “as they wish” rather than “as prescribed by law” is a linchpin of economic freedom vital to a vibrant and creative commercial marketplace.

 H. 4607 requires several things of automobile retailers. The Bill requires that when retailers advertise their products, print advertisements must be of a certain length and font size, and broadcast advertisements must be made at a particular volume and pace. For the law to dictate the voice cadence of a car advertisement is ridiculous. Additionally, the Bill dictates to retailers how they may calculate discounts and sales prices. Should we do this next for every advertisement for clothes, CDs, DVDs, or wigs? With all due respect to the General Assembly, we believe it would be more prudent to leave the details of how an automobile retailer promotes its products to the retailer’s discretion.

 South Carolina’s existing consumer protection laws, not to mention several federal laws, prohibit businesses from making advertisements that are false, deceptive, or misleading. We believe existing laws provide sufficient protection for consumers, and we would prefer that the State not intrude further into these private business transactions.

 For these reasons, I am vetoing and returning without my approval H. 4607, R. 203.

Sincerely,

Mark Sanford

Governor

Received as information.

**MESSAGE FROM THE SENATE**

Columbia, S.C., May 13, 2010

Mr. Speaker and Members of the House:

 The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 1:02 p.m. today, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. RUTHERFORD the invitation was accepted.

**H. 3298--AMENDED AND INTERRUPTED DEBATE**

The following Bill was taken up:

H. 3298 -- Reps. Sellers, Bedingfield, Nanney, Cato, Delleney, Kelly, Pinson, E. H. Pitts, M. A. Pitts, Parker and Millwood: A BILL TO AMEND SECTION 16-23-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CARRYING OF A HANDGUN, SO AS TO PROVIDE THAT A PERSON MAY LAWFULLY STOW A HANDGUN UNDER THE SEAT OF A VEHICLE.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\SWB\8087CM10), which was adopted:

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

/ SECTION 1. Section 16‑23‑20(9)(a) of the 1976 Code, as last amended by Act 28 of 2007, is further amended to read:

 “(a) secured in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance. If the person has been issued a concealed weapons permit pursuant to Article 4, Chapter 31 of Title 23, then the person also may secure his weapon under a seat in a vehicle; or”

SECTION 2. Section 16‑23‑10(10) of the 1976 Code, as added by Act 294 of 2004, is amended to read:

 “(10) ‘Luggage compartment’ means the trunk of a motor vehicle which has a trunk; however, with respect to a motor vehicle which does not have a trunk, the term ‘luggage compartment’ refers to the area of the motor vehicle in which the manufacturer designed that luggage be carried or to the area of the motor vehicle in which luggage is customarily carried. In a station wagon, van, hatchback vehicle, truck, or sport utility vehicle, the term ‘luggage compartment’ refers to the area behind~~, but not under,~~ the rearmost seat. ~~In a truck, the term ‘luggage compartment’ refers to the area behind the rearmost seat, but not under the front seat.~~”

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

Rep. G. R. SMITH proposed the following Amendment No. 2 (COUNCIL\SWB\8107CM10):

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 2

Transportation and Storage of Firearms in a Locked Vehicle

 Section 23‑31‑50. No property owner, tenant, public or private employer, or person or business in legal possession or control of real property, or agent for any of them, may establish a policy or rule that prohibits any person not otherwise prohibited by law from transporting or storing firearms, or both in a locked or attended vehicle on such property, nor may they post any sign stating such policy or rule. Any policy, rule or sign in violation of this section shall be a nullity, unenforceable, and without legal effect. Nothing in this law shall be interpreted to expand any existing duty, or create any additional duty, on the part of a property owner, tenant, public or private employer, or person or business in legal possession or control of real property, or agent for any of them.” /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

Rep. COOPER moved that the House adjourn pending ratification of Acts.

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

Yeas 62; Nays 50

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | H. B. Brown | Chalk |
| Clemmons | Cole | Cooper |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Gambrell | Gilliard | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hiott |
| Horne | Howard | Hutto |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lucas |
| Miller | D. C. Moss | Nanney |
| Owens | Parker | Pinson |
| M. A. Pitts | Sandifer | Skelton |
| D. C. Smith | G. M. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stringer |
| Umphlett | Viers | Weeks |
| Whipper | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--62**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Branham |
| Brantley | R. L. Brown | Cato |
| Clyburn | Cobb-Hunter | Crawford |
| Duncan | Frye | Funderburk |
| Govan | Gunn | Hart |
| Harvin | Hodges | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Lowe | Mack |
| McEachern | McLeod | Millwood |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Parks | Rice | Rutherford |
| Scott | Sellers | Simrill |
| G. R. Smith | J. E. Smith | Spires |
| Stewart | Thompson | Toole |
| Vick | Williams |  |

**Total--50**

So, the motion to adjourn was agreed to.

Further proceedings were interrupted by adjournment, the pending question being consideration of Amendments to H. 3298.

**MOTION NOTED**

Rep. HAMILTON moved to reconsider the vote whereby the veto on R. 192, H. 3161 was sustained and the motion was noted.

**RATIFICATION OF ACTS**

At 1:02 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

 (R206, S. 328) -- Senators Verdin, Grooms, Campbell, Bright, Bryant and Campsen: AN ACT TO AMEND SECTION 47‑5‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INOCULATING PETS AGAINST RABIES, SO AS TO PROVIDE THAT THESE INOCULATIONS MUST BE ADMINISTERED BY A LICENSED VETERINARIAN OR SOMEONE UNDER THE DIRECT SUPERVISION OF A LICENSED VETERINARIAN.

 (R207, S. 454) -- Senators Peeler and Ford: AN ACT TO AMEND CHAPTER 56, TITLE 40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF PYROTECHNIC REGULATIONS, SO AS TO REVISE THE CHAPTER TITLE, TO PROVIDE STATE POLICY CONCERNING PYROTECHNICS, TO INCREASE THE STATE BOARD OF PYROTECHNIC SAFETY FROM SIX TO SEVEN MEMBERS, TO PROVIDE PROCEDURES FOR FILLING A BOARD SEAT THAT IS VACANT FOR SIXTY DAYS, TO PROVIDE THAT MILEAGE, PER DIEM, AND SUBSISTENCE FOR BOARD MEMBERS MUST BE PAID BY THE BOARD RATHER THAN FROM THE STATE GENERAL FUND, TO PROVIDE THAT THE OFFICE OF STATE FIRE MARSHAL WILL PROVIDE ADMINISTRATIVE SUPPORT TO THE BOARD AND THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, AMONG OTHER FUNCTIONS, WILL PROVIDE ADMINISTRATIVE, FISCAL, INVESTIGATIVE, AND INSPECTION OPERATIONS AND ACTIVITIES OF THE BOARD, TO DEFINE TERMS, TO REQUIRE LICENSURE FOR THE MANUFACTURING, SALE, OR STORAGE OF FIREWORKS AND TO PROVIDE LICENSURE QUALIFICATIONS AND REQUIREMENTS, TO AUTHORIZE THE DEPARTMENT, FIRE CHIEFS, AND LAW ENFORCEMENT OFFICERS TO INVESTIGATE COMPLAINTS AND TAKE NECESSARY ACTION TO MAINTAIN PUBLIC SAFETY, TO PROVIDE GROUNDS FOR DISCIPLINARY ACTION AND SANCTIONS THAT MAY BE IMPOSED, TO PROVIDE PROCEDURES FOR HEARINGS AND APPEALS, TO ESTABLISH REQUIREMENTS FOR FACILITIES FOR THE MANUFACTURING, SALE, OR STORAGE OF FIREWORKS, TO PROVIDE REQUIREMENTS FOR A RETAIL FIREWORKS SALES LICENSE, INCLUDING THE REQUIREMENT TO HAVE LIABILITY INSURANCE, TO REQUIRE A WHOLESALE LICENSE TO STORE DISPLAY FIREWORKS, TO REQUIRE THE REPORTING OF FIRES AND EXPLOSIONS, TO PROVIDE CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS, AND TO FURTHER PROVIDE FOR THE LICENSURE AND REGULATION OF PERSONS MANUFACTURING, SELLING, OR STORING FIREWORKS; AND TO REPEAL SECTIONS 23‑35‑10, 23‑35‑20, 23‑35‑30, 23‑35‑40, 23‑35‑50, 23‑35‑60, 23‑35‑70, 23‑35‑80, 23‑35‑90, 23‑35‑100, 23‑35‑110, 23‑35‑120, 23‑35‑140, AND 23‑35‑160 RELATING TO THE REGULATION, LICENSURE, AND PERMITTING OF FIREWORKS AND EXPLOSIVES.

 (R208, S. 495) -- Senators Massey, Hutto and S. Martin: AN ACT TO AMEND SECTION 50‑11‑2100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FIELD TRIALS, SO AS TO PROVIDE THAT A PARTICIPANT IN A FIELD TRIAL PERMITTED BY THE DEPARTMENT OF NATURAL RESOURCES IS NOT REQUIRED TO OBTAIN A HUNTING LICENSE IF HE IS NOT CARRYING A FIREARM AND GAME IS NOT TAKEN, TO PROVIDE THAT A FIELD TRIAL MAY NOT BE HELD OUTSIDE OF THE REGULAR SEASON EXCEPT AS PERMITTED BY THE DEPARTMENT; AND TO AMEND SECTION 50‑9‑1130, RELATING TO THE DEDUCTION OF ACCUMULATED POINTS FOR CERTAIN VIOLATIONS ASSOCIATED WITH HUNTING AND FISHING PRIVILEGES, SO AS TO PROVIDE THE DEPARTMENT SHALL DEDUCT FOUR ACCUMULATED POINTS FROM A PERSON’S RECORD UPON SHOWING HE SUCCESSFULLY COMPLETED A FIREARM SAFETY PROGRAM ESTABLISHED BY THE DEPARTMENT, TO PROVIDE A PERSON IS NOT ELIGIBLE FOR THIS DEDUCTION IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE THE DEPARTMENT MAY PROMULGATE REGULATIONS TO EFFECTUATE THE PROVISIONS OF THIS SECTION.

 (R209, S. 1024) -- Senators O’Dell, Knotts and Setzler: AN ACT TO AMEND SECTION 12‑37‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO ALLOW THE SURVIVING SPOUSE OF A DECEDENT WHO WAS ELIGIBLE FOR THE EXEMPTION OF THE DWELLING OWNED BY A PERSON WITH CERTAIN SPECIFIC ILLNESSES CAUSING THE SAME AMBULATORY DIFFICULTIES AS PERSONS WITH PARAPARESIS OR HEMIPARESIS.

 (R210, S. 1146) -- Senator Alexander: AN ACT TO AMEND SECTIONS 9‑1‑1770, AS AMENDED, 9‑1‑1775, 9‑8‑110, AS AMENDED, 9‑9‑100, AS AMENDED, 9‑11‑120, AS AMENDED, 9‑11‑125, AND 9‑11‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING RESPECTIVELY TO, AMONG OTHER THINGS, LIFE INSURANCE BENEFITS PAID BENEFICIARIES OF DECEASED RETIREES OF THE SOUTH CAROLINA RETIREMENT SYSTEM, THE SOUTH CAROLINA RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY, THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, AND THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, AND BENEFITS PAID PURSUANT TO THE ACCIDENTAL DEATH BENEFIT PROGRAM OF THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, SO AS TO MAINTAIN COMPLIANCE WITH THE INTERNAL REVENUE CODE OF 1986 BY PROVIDING FOR THESE BENEFITS TO BE PAID IN THE FORM OF DEATH BENEFITS RATHER THAN INSURANCE AND TO CORRECT A REFERENCE.

 (R211, H. 3270) -- Reps. Duncan, Hodges, Allison, Parker, Weeks, Wylie and Whipper: AN ACT TO AMEND SECTION 44‑2‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION OF UNDERGROUND STORAGE TANKS, SO AS TO ESTABLISH NEW ANNUAL RENEWAL FEES THAT WILL BE IN EFFECT FOR THE YEARS 2012 THROUGH 2015 OR UNTIL THE SUPERB ACCOUNT IS CREDITED WITH AN ADDITIONAL THIRTY‑SIX MILLION DOLLARS FROM THE INCREASE IN IT SOURCES OF INCOME, TO REQUIRE THAT THE ADDITIONAL REVENUE GENERATED FROM THE TANK FEE INCREASES BE DEPOSITED INTO THE SUPERB ACCOUNT, TO RESTRICT THE USES FOR THE ADDITIONAL REVENUE, AND TO REVISE THE MAXIMUM AMOUNT THAT MAY BE USED FOR ADMINISTRATIVE PURPOSES.

 (R212, H. 4093) -- Reps. Loftis, Mitchell, H.B. Brown, Bedingfield, Anthony, G.A. Brown, Crawford, Dillard, Harvin, Hiott, Knight, Lowe, J.R. Smith, Toole, D.C. Moss, Sellers, Brady, Funderburk, Hodges, Horne, Gunn, Bowers, Hutto and Stavrinakis: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 60 TO TITLE 48 SO AS TO ENACT THE “SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT”; TO PROVIDE FINDINGS BY THE GENERAL ASSEMBLY; TO PROVIDE DEFINITIONS; TO REQUIRE A CERTAIN LABEL ON A COMPUTER OR TELEVISION DEVICE SOLD BY A MANUFACTURER; TO PROVIDE A COMPUTER MANUFACTURER MAY NOT SELL OR OFFER TO SELL A COVERED COMPUTER DEVICE UNLESS THE MANUFACTURER OFFERS A CERTAIN RECOVERY PROGRAM, AND TO DESCRIBE REQUIREMENTS FOR THIS PROGRAM; TO PROVIDE A TELEVISION MANUFACTURER MAY NOT SELL OR OFFER TO SELL A COVERED TELEVISION DEVICE UNLESS THE MANUFACTURER OFFERS A CERTAIN RECOVERY PROGRAM, AND TO DESCRIBE REQUIREMENTS FOR THIS PROGRAM; TO PROVIDE A COMPUTER OR TELEVISION MANUFACTURER MAY NOT BE LIABLE FOR DAMAGES ARISING FROM INFORMATION STORED ON A COVERED DEVICE COLLECTED FROM A CONSUMER UNDER THE MANUFACTURER’S RECOVERY PROGRAM; TO PROVIDE A RETAILER MAY ONLY SELL A COVERED DEVICE THAT MEETS CERTAIN REQUIREMENTS; TO PROVIDE AFTER JULY 1, 2011, A CONSUMER MAY NOT DISPOSE OF A COVERED DEVICE IN A CERTAIN MANNER; TO PROVIDE AN OWNER OR OPERATOR OF A SOLID WASTE LANDFILL MAY NOT KNOWINGLY ACCEPT COVERED DEVICES, AMONG OTHER THINGS; TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL PROVIDE CERTAIN INFORMATION ABOUT THE DISPOSAL OF COVERED DEVICES; TO PROVIDE THE DEPARTMENT MAY CONDUCT AUDITS AND INSPECTIONS OF A COMPUTER OR TELEVISION MANUFACTURER, RETAILER, OR RECOVERER TO DETERMINE COMPLIANCE WITH THIS CHAPTER; TO EXEMPT FINANCIAL AND PROPRIETARY INFORMATION SUBMITTED TO THE DEPARTMENT PURSUANT TO THIS CHAPTER FROM THE FREEDOM OF INFORMATION ACT; TO REQUIRE THE DEPARTMENT INCLUDE IN ITS ANNUAL SOLID WASTE REPORT INFORMATION PROVIDED BY MANUFACTURERS ON RECOVERY PROGRAMS; TO PROVIDE COVERED DEVICES MUST BE RECOVERED IN A MANNER THAT COMPLIES WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL REQUIREMENTS, AND CERTAIN RESPONSIBLE RECYCLING PRACTICES; AND TO PROVIDE THE DEPARTMENT SHALL PROMULGATE CERTAIN REGULATIONS.

 (R213, H. 4302) -- Rep. Funderburk: AN ACT 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.

 (R214, H. 4352) -- Reps. Hodges and Dillard: 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.

 (R215, H. 4445) -- Reps. Loftis, Norman, Merrill, Hardwick, Erickson, Wylie, Chalk, Stewart, Pinson, Bedingfield, Huggins, Frye, Clemmons, Rice, Parker, G.R. Smith, Lowe, Hiott, Allison, Allen, Anthony, Bales, Ballentine, Bannister, Barfield, Bingham, Bowen, Cato, Cole, Cooper, Crawford, Daning, Delleney, Duncan, Edge, Gambrell, Hamilton, Harrell, Hearn, Horne, Kelly, Limehouse, Littlejohn, Long, Lucas, D.C. Moss, V.S. Moss, Nanney, Owens, M.A. Pitts, Sandifer, Scott, Simrill, D.C. Smith, G.M. Smith, Spires, Stringer, Thompson, Toole, Umphlett, Viers, White, Whitmire, Willis, A.D. Young, T.R. Young and Weeks: A JOINT RESOLUTION TO EXTEND CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE.

 (R216, H. 4807) -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4117, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

 (R217, H. 4885) -- Agriculture, Natural Resources and Environmental Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS OF REAL PROPERTY OWNED AND LEASED BY THE DEPARTMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4110, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

 (R218, H. 4923) -- Reps. Govan, Cobb‑Hunter, Ott and Sellers: AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF ORANGEBURG CONSOLIDATED SCHOOL DISTRICT NO. 4 OF ORANGEBURG COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF THE DISTRICT UP TO ITS CONSTITUTIONAL DEBT LIMIT IN AN AMOUNT NOT TO EXCEED SEVEN HUNDRED FIFTY THOUSAND DOLLARS TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4960 -- Reps. Edge, 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, 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, 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 CONCURRENT RESOLUTION TO HONOR AND COMMEND COMMANDER BOBBY VICK STRICKLAND, SR., OF HORRY COUNTY, UPON THE OCCASION OF HIS RETIREMENT AS A LAW ENFORCEMENT OFFICER FOR THE CITY OF NORTH MYRTLE BEACH, AND TO WISH HIM MUCH SUCCESS IN ALL HIS FUTURE ENDEAVORS.

H. 4961 -- Reps. Agnew, Gambrell, 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 CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND DR. RANDALL T. RUBLE OF ABBEVILLE COUNTY UPON THE OCCASION OF HIS RETIREMENT AS PRESIDENT OF ERSKINE COLLEGE AND THEOLOGICAL SEMINARY, AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

H. 4965 -- Reps. G. M. Smith, Weeks, Harvin, 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, 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. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO HONOR AND REMEMBER THE SUPREME SACRIFICE MADE BY OFFICER FRANK ADDISON FLOYD OF THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES WHILE HE WAS CARRYING OUT HIS DUTIES AS A STATE GAME WARDEN, AND TO EXPRESS TO HIS FAMILY THE DEEPEST APPRECIATION OF A GRATEFUL STATE FOR HIS LIFE, SACRIFICE, AND SERVICE.

**ADJOURNMENT**

At 1:15 p.m. the House in accordance with the motion of Rep. COOPER adjourned to meet at 10:00 a.m. tomorrow.

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