~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 9:00 a.m.

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

Our thought for today is from Job 38:41: “Who provides for the raven its prey, when its young ones cry to God, and wander about for lack of food?”

Let us pray. Almighty God, when the world seems to be falling apart, help us remember that You reign over all. May what these Representatives do here be for the good of all Your people. Help them discern what is the right decision for all of us at this time. Continue to lead them with Your powerful hand. 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. Touch our wounded warriors and heal them. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. GAMBRELL moved that when the House adjourns, it adjourn in memory of Joshua Smith of Honea Path, which was agreed to.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Kelly | Kennedy | King |
| Kirsh | Knight | 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 | Norman | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Viers | Weeks | Whipper |
| 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 Wednesday, June 16.

|  |  |
| --- | --- |
| William Bowers | Boyd Brown |
| Chris Hart | Denny Neilson |
| Todd Rutherford | Michael Thompson |
| Ted Vick | Brian White |
| Bakari Sellers | Douglas Jennings |
| Leon Howard | James E. Stewart |
| Paul Agnew | H. B. "Chip" Limehouse |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BATTLE a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. DUNCAN a leave of absence for the week.

STATEMENT FOR THE JOURNAL

As I am in a Runoff for my bid to be the next U.S. Congressman from the 3rd Congressional District of South Carolina, I am unable to attend the special Legislative Session of the General Assembly. At a critical time in American history, I feel that it is important that I continue to work hard to win this race and take my strong fiscal conservative approach to Washington. Having voted against the budget I would have voted today to sustain the Governor's vetoes just as I have historically done.

Rep. Jeff Duncan

**STATEMENT BY REP. OWENS**

Rep. OWENS made a statement relative to Rep. RICE'S service in the House.

**STATEMENT BY REP. RICE**

Rep. RICE made a statement relative to his service in the House.

**H. 3746, R. 315--VETO RECONSIDERED**

Rep. HARRISON moved to reconsider the vote whereby the Veto was sustained on the following Bill:

(R. 315) H. 3746 -- Reps. Clemmons and Viers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST NOTIFY THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY NOON ON THE DAY OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION, AND TO PROVIDE REQUIREMENTS FOR PETITION CANDIDATES IN SPECIAL ELECTIONS; TO AMEND SECTION 7-11-80, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO FURTHER PROVIDE FOR THE CONTENTS OF THE NOMINATING PETITION AND WHEN THE PETITION MAY BE CIRCULATED AND SIGNED; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO PROVIDE FURTHER CRITERIA FOR A REGISTRATION BOARD TO FOLLOW WHEN VERIFYING SIGNATURES ON A PETITION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION UNDER CERTAIN CONDITIONS, AND TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH A PROCESS TO VALIDATE SIGNATURES ON A PETITION; BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY CONCERNING A NOMINATING PETITION MAY BE APPEALED TO THE STATE ELECTION COMMISSION UNDER THE PROCEDURES SET OUT IN THIS SECTION; TO AMEND SECTION 7-11-15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN THE GENERAL ELECTION, SO AS TO REVISE THE TIME WHEN STATEMENTS OF INTENTION OF CANDIDACY MUST BE FILED AND WHEN REPORTS OF THESE STATEMENTS MUST BE MADE OR WHEN THESE STATEMENTS MUST BE FILED WITH ADDITIONAL ENTITIES; AND TO AMEND SECTION 7-13-45, AS AMENDED, RELATING TO DUTIES OF A COUNTY CHAIRMAN IN GENERAL ELECTION YEARS, SO AS TO FURTHER PROVIDE FOR THESE DUTIES INCLUDING REQUIREMENTS FOR PLACING LEGAL ADVERTISEMENTS AND WEBSITE NOTICES CONTAINING SPECIFIED INFORMATION REGARDING THE ELECTION.

Rep. GUNN moved to table the motion to reconsider.

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

Yeas 33; Nays 69

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Ballentine |
| Bowers | Brantley | G. A. Brown |
| R. L. Brown | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Haley | Hiott |
| Hodges | Hutto | Jefferson |
| King | Kirsh | Mack |
| McLeod | Millwood | Mitchell |
| J. H. Neal | Parks | Rutherford |
| Skelton | J. E. Smith | Stavrinakis |
| Weeks | Whipper | Williams |

**Total--33**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Horne |
| Hosey | Huggins | Kelly |
| Knight | Littlejohn | Loftis |
| Lowe | Lucas | McEachern |
| Merrill | Miller | D. C. Moss |
| V. S. Moss | Nanney | J. M. Neal |
| Norman | Ott | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--69**

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

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

**R. 315, H. 3746--GOVERNOR'S VETO SUSTAINED**

The Veto on the following Act was taken up:

(R. 315) H. 3746 -- Reps. Clemmons and Viers: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST NOTIFY THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY NOON ON THE DAY OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION, AND TO PROVIDE REQUIREMENTS FOR PETITION CANDIDATES IN SPECIAL ELECTIONS; TO AMEND SECTION 7-11-80, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO FURTHER PROVIDE FOR THE CONTENTS OF THE NOMINATING PETITION AND WHEN THE PETITION MAY BE CIRCULATED AND SIGNED; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO PROVIDE FURTHER CRITERIA FOR A REGISTRATION BOARD TO FOLLOW WHEN VERIFYING SIGNATURES ON A PETITION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION UNDER CERTAIN CONDITIONS, AND TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH A PROCESS TO VALIDATE SIGNATURES ON A PETITION; BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY CONCERNING A NOMINATING PETITION MAY BE APPEALED TO THE STATE ELECTION COMMISSION UNDER THE PROCEDURES SET OUT IN THIS SECTION; TO AMEND SECTION 7-11-15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN THE GENERAL ELECTION, SO AS TO REVISE THE TIME WHEN STATEMENTS OF INTENTION OF CANDIDACY MUST BE FILED AND WHEN REPORTS OF THESE STATEMENTS MUST BE MADE OR WHEN THESE STATEMENTS MUST BE FILED WITH ADDITIONAL ENTITIES; AND TO AMEND SECTION 7-13-45, AS AMENDED, RELATING TO DUTIES OF A COUNTY CHAIRMAN IN GENERAL ELECTION YEARS, SO AS TO FURTHER PROVIDE FOR THESE DUTIES INCLUDING REQUIREMENTS FOR PLACING LEGAL ADVERTISEMENTS AND WEBSITE NOTICES CONTAINING SPECIFIED INFORMATION REGARDING THE ELECTION.

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 60; Nays 43

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | G. A. Brown | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Horne | Kelly |
| Knight | Littlejohn | Lowe |
| Lucas | Merrill | Miller |
| D. C. Moss | V. S. Moss | Nanney |
| J. M. Neal | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | D. C. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Ballentine | Bowers | Brantley |
| R. L. Brown | Cobb-Hunter | Dillard |
| Frye | Funderburk | Gilliard |
| Govan | Gunn | Haley |
| Harvin | Hiott | Hodges |
| Hosey | Huggins | Hutto |
| Jefferson | Kennedy | King |
| Kirsh | Long | Mack |
| McEachern | McLeod | Millwood |
| Mitchell | J. H. Neal | Neilson |
| Norman | Parks | Rutherford |
| Simrill | Skelton | J. E. Smith |
| Stavrinakis | Viers | Weeks |
| Willis |  |  |

**Total--43**

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

**R. 227, S. 1190--VETO RECONSIDERED**

The noted motion of Rep. Jennings to reconsider the vote whereby the Veto was sustained on S. 1190, R. 227 was taken up.

Rep. BALES moved to table the motion to reconsider, which was not agreed to by a division vote of 28 to 55.

The question then recurred to the motion to reconsider.

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

Yeas 85; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Hosey |
| Huggins | Hutto | Jennings |
| Knight | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| Owens | Parker | Parks |
| Pinson | Rice | Rutherford |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Viers | Weeks |
| Whipper | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--85**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anthony | Bales |
| G. A. Brown | Crawford | Gambrell |
| Harvin | Hayes | Hodges |
| Howard | Kelly | Kennedy |
| King | Kirsh | McEachern |
| McLeod | J. M. Neal | Norman |
| D. C. Smith |  |  |

**Total--19**

So, the motion to reconsider was agreed to.

**R. 227, S. 1190--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 227) S. 1190 -- Senator Leatherman: A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

Rep. BALES spoke in favor of the Veto.

Rep. J. E. SMITH spoke against 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 76; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Ballentine | Bannister | Barfield |
| Bingham | Bowen | Brady |
| Branham | Brantley | R. L. Brown |
| Cato | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| Forrester | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hearn |
| Hiott | Horne | Hosey |
| Huggins | Hutto | Jennings |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| Owens | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--76**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Bedingfield | Bowers |
| G. A. Brown | Crawford | Gambrell |
| Gilliard | Harvin | Hayes |
| Hodges | Howard | King |
| Littlejohn | McLeod | Millwood |
| J. M. Neal | Neilson | Norman |
| Parker | Parks | Pinson |
| Rutherford | D. C. Smith | Viers |

**Total--27**

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

**R. 227, S. 1190--MOTION TO RECONSIDER TABLED**

Rep. J. E. SMITH moved to reconsider the vote whereby the Veto on the following Bill was overridden:

(R. 227) S. 1190 -- Senator Leatherman: A JOINT RESOLUTION TO MAKE CERTAIN FINDINGS BY THE GENERAL ASSEMBLY IN REGARD TO THE SETTLEMENT OF LITIGATION INVOLVING A SITE ACQUIRED BY THE STATE OF SOUTH CAROLINA IN RICHLAND COUNTY FOR THE PROPOSED STATE FARMERS' MARKET, AND TO CONFIRM AND VALIDATE THE USE OF SPECIFIC TRACTS OF LAND RECEIVED BY THE SOUTH CAROLINA RESEARCH AUTHORITY, AND RICHLAND COUNTY AS PART OF THE SETTLEMENT, AND THE USE OF CERTAIN REVENUES TO MEET OBLIGATIONS CONTINUING UNDER THE SETTLEMENT.

Rep. J. E. SMITH moved to table the motion to reconsider, which was agreed to.

**H. 3845--POINT OF ORDER**

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

H. 3845 -- Reps. T. R. Young, Allen and Kelly: A BILL TO AMEND SECTION 22-3-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**RECURRENCE TO THE MORNING HOUR**

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5100 -- Reps. Barfield, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, 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, 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 THE COASTAL CAROLINA UNIVERSITY BASEBALL TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2010 BIG SOUTH TOURNAMENT CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5101 -- Reps. Ott, Bingham, Toole, Spires, Frye, Huggins, Haley, Ballentine, McLeod, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Bannister, Barfield, Battle, Bedingfield, 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, Funderburk, Gambrell, Gilliard, Govan, Gunn, 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, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, 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, Stavrinakis, Stewart, Stringer, Thompson, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF JOHN DOUGLAS PETREY OF WEST COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5102 -- Reps. Limehouse, 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, 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 MEMORIALIZING THE PRESIDENT OF THE UNITED STATES TO WAIVE PROVISIONS OF THE "JONES ACT" THAT RESTRICT THE ACCEPTANCE OF OFFERS OF ASSISTANCE FROM FOREIGN-BUILT AND FOREIGN-CREWED VESSELS IN CONDUCTING OIL CLEANUP OPERATIONS IN THE GULF OF MEXICO.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5103 -- Reps. Erickson, 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, 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 RECOGNIZE AND HONOR CAPTAIN GEORGE R. HULL, UNITED STATES NAVY, UPON THE OCCASION OF HIS RETIREMENT, AND TO COMMEND HIM FOR HIS YEARS OF FAITHFUL SERVICE IN THE UNITED STATES ARMED FORCES.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5104 -- Reps. G. A. Brown, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, 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, 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 OLIVIA T. DAVIS OF LEE COUNTY UPON THE OCCASION OF HER EIGHTIETH BIRTHDAY, AND TO COMMEND HER FOR A LIFETIME OF SERVICE TO HER FAMILY AND TO HER GOD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5105 -- Rep. Clyburn: A HOUSE RESOLUTION TO CONGRATULATE EUNICE THERESA INEZ SHERARD STEPHENS OF AIKEN COUNTY ON HER ONE HUNDREDTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 5106 -- Rep. Clyburn: A HOUSE RESOLUTION TO DECLARE JUNE 19, 2010, "JUNETEENTH CELEBRATION OF FREEDOM DAY" IN SOUTH CAROLINA, A DAY OF REFLECTION AND COMMEMORATION OF THE FREEDOM OF AFRICAN AMERICANS AND THEIR CONTRIBUTIONS TO THIS COUNTRY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5107 -- Reps. Rutherford, Bales, Ballentine, Brady, Gunn, Harrison, Hart, Howard, McEachern, J. H. Neal, J. E. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, 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, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Haley, Hamilton, Hardwick, Harrell, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. 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 REMEMBER THE LATE ELLIOTT ERNEST FRANKS III OF COLUMBIA, FORMER PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE SOUTH CAROLINA JOB-ECONOMIC DEVELOPMENT AUTHORITY, ON THE OCCASION OF THE UNVEILING OF THE SIGN ANNOUNCING THE INTERCHANGE ON HIGHWAY 277 AT SUNSET BOULEVARD AND BELTLINE BOULEVARD IN COLUMBIA AS BEING NAMED IN HIS HONOR.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5108 -- Rep. R. L. Brown: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MARGUERITE SMALLS MIDDLETON OF DORCHESTER COUNTY, UPON THE OCCASION OF HER RETIREMENT, AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5109 -- Rep. Allen: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. RONALD D. BARTON OF GREENVILLE COUNTY UPON THE OCCASION OF CELEBRATING TWENTY YEARS AS THE MINISTER OF SHADY OAK BAPTIST CHURCH, AND TO CONGRATULATE HIM FOR HIS FAITHFUL SERVICE TO HIS CONGREGATION, COMMUNITY, AND GOD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5110 -- Rep. McLeod: A HOUSE RESOLUTION RECOGNIZING AND HONORING NICHOLAS HERBEMONT (1771-1839), A NATIVE OF THE CHAMPAGNE DISTRICT OF FRANCE, WHO ARRIVED IN SOUTH CAROLINA IN 1807 AND BECAME A VISIONARY VITICULTURALIST KNOWN AS THE FATHER OF AMERICA'S COMMERCIAL VINEYARD AND WINE PRODUCING INDUSTRY, WHILE CONCURRENTLY SERVING AS THE FIRST PROFESSOR OF FRENCH AT SOUTH CAROLINA COLLEGE DURING THE PERIOD 1807-1839.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5111 -- Rep. Anderson: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR LEITHA ANDERSON MANIGAULT, A LIFELONG RESIDENT OF GEORGETOWN COUNTY, UPON THE OCCASION OF HER SEVENTIETH BIRTHDAY, AND TO COMMEND HER FOR A LIFETIME OF SERVICE TO HER FAMILY AND TO HER GOD.

The Resolution was adopted.

**H. 4478--CONFERENCE REPORT ADOPTED**

**H. 4478--Conference Report**

The General Assembly, Columbia, S.C., June 15, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4478 ‑‑ Reps. Harrell, Cato, Cooper, Duncan, Harrison, Owens, Sandifer, White, Bingham, Barfield, D.C. Moss, Horne, Skelton, V.S. Moss, Bannister, Whitmire, Toole, J.R. Smith, Merrill, Hamilton, Thompson, Bedingfield, Stewart, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Battle, Bowen, Bowers, Brady, Branham, Brantley, G.A. Brown, Chalk, Clemmons, Clyburn, Cole, Crawford, Daning, Delleney, Dillard, Erickson, Forrester, Gambrell, Govan, Hardwick, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Hutto, Hosey, Jefferson, Kelly, Huggins, Kennedy, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Mack, McEachern, Miller, Millwood, Nanney, J.M. Neal, Norman, Ott, Parker, Parks, Pinson, M.A. Pitts, Rice, Scott, Simrill, D.C. Smith, G.M. Smith, G.R. Smith, J.E. Smith, Sottile, Spires, Stavrinakis, Stringer, Umphlett, Vick, Viers, Weeks, Willis, Wylie, A.D. Young, T.R. Young, Mitchell, Lucas and Jennings: A BILL TO ENACT THE “SOUTH CAROLINA ECONOMIC DEVELOPMENT COMPETITIVENESS ACT OF 2010” INCLUDING PROVISIONS TO AMEND SECTION 2‑75‑30, AS AMENDED, RELATING TO RESEARCH CENTERS OF EXCELLENCE MATCHING ENDOWMENTS, SO AS TO FURTHER PROVIDE FOR THE PROCESS AND PROCEDURES FOR AWARDING ENDOWMENTS AND FOR THE APPLICABILITY OF MATCHING REQUIREMENTS; TO AMEND SECTION 2‑75‑50, AS AMENDED, RELATING TO APPLICATION REQUIREMENTS FOR AN AWARD FROM THE CENTERS OF EXCELLENCE MATCHING ENDOWMENT, SO AS TO CLARIFY WHAT THE CONTENTS OF AN APPLICATION TO THE REVIEW BOARD MUST CONTAIN; TO AMEND SECTION 4‑12‑30, AS AMENDED, RELATING TO FEES IN LIEU OF TAXES, SO AS TO INCREASE THE NUMBER OF YEARS A FEE IS AVAILABLE AND TO DELETE A PROVISION THAT REQUIRES THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED FOR THE FIRST YEAR OF THE FEE TO REMAIN THE FAIR MARKET VALUE OF THE REAL PROPERTY FOR THE LIFE OF THE FEE; TO AMEND SECTION 4‑29‑67, AS AMENDED, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE, AND TO DELETE A PROVISION REQUIRING THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED FOR THE FIRST YEAR OF THE FEE TO REMAIN THE FAIR MARKET VALUE OF THE PROPERTY FOR THE LIFE OF THE FEE; TO AMEND SECTION 4‑29‑68, AS AMENDED, RELATING TO SPECIAL SOURCE REVENUE BONDS WHICH MAY BE ISSUED BASED ON THE RECEIPT OF CERTAIN REVENUES, SO AS TO SPECIFY THAT ONE OF THE PURPOSES FOR THE ISSUANCE OF THESE BONDS IS TO PAY FOR THE COST OF PERSONAL PROPERTY INCLUDING MACHINERY AND EQUIPMENT; BY ADDING CHAPTER 18 TO TITLE 11 SO AS TO ESTABLISH MECHANISMS AND PROCEDURES FOR THE ALLOCATION, REALLOCATION, AND ISSUANCE OF FEDERAL RECOVERY ZONE BONDS; TO AMEND SECTION 4‑29‑10, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF “PROJECT” TO INCLUDE RECOVERY ZONE PROPERTY AS DEFINED BY FEDERAL LAW; TO AMEND SECTION 12‑6‑530, RELATING TO THE CORPORATE INCOME TAX, SO AS TO REDUCE THE RATE OF THE CORPORATE INCOME TAX FROM FIVE PERCENT ANNUALLY TO ZERO BEGINNING IN 2011 OVER A TEN‑YEAR PERIOD IN INTERVALS OF ONE‑HALF PERCENT PER YEAR; TO AMEND SECTION 12‑6‑3360, AS AMENDED, RELATING TO JOB TAX CREDITS, SO AS TO REVISE THE DESIGNATION TERMINOLOGY FOR COUNTIES COMING WITHIN SPECIFIC CLASSIFICATIONS, TO FURTHER PROVIDE FOR THE CRITERIA FOR DETERMINING HOW COUNTIES FALL WITHIN CERTAIN TIERS, AND TO REVISE SPECIFIC TERMS OR DEFINITIONS USED FOR PURPOSES OF THIS SECTION; TO AMEND SECTION 12‑6‑3375, AS AMENDED, RELATING TO TAX CREDITS FOR PORT CARGO VOLUME INCREASES, SO AS TO REVISE THE MANNER IN WHICH TAX CREDIT ALLOCATIONS ARE DETERMINED AND THE AMOUNT OF THE CREDITS WHICH MAY BE ALLOCATED TO A QUALIFYING TAXPAYER; TO AMEND SECTION 12‑10‑30, AS AMENDED, RELATING TO DEFINITIONS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO REVISE THE DEFINITIONS OF “EMPLOYEE” AND “PROJECT”; TO AMEND SECTION 12‑10‑50, AS AMENDED, RELATING TO QUALIFICATIONS FOR BENEFITS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO REVISE THESE QUALIFICATIONS AND TO FURTHER PROVIDE FOR WHAT A BUSINESS MUST DO TO MEET THESE QUALIFICATIONS; TO AMEND SECTION 12‑10‑60, AS AMENDED, RELATING TO REVITALIZATION AGREEMENTS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO FURTHER PROVIDE FOR THE TERMS, CONDITIONS, AND APPLICATION OF THESE REVITALIZATION AGREEMENTS, PROVIDE FOR WHEN SUCH AN AGREEMENT MUST BE EXECUTED, AND PERMIT THE ASSIGNMENT OF ENTERPRISE PROGRAM BENEFITS UNDER CERTAIN CONDITIONS; TO AMEND SECTION 12‑10‑80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO EXPAND ELIGIBLE EXPENDITURES WHICH QUALIFY FOR THE CREDIT, TO CAP THE AMOUNT OF THE CREDITS PER JOB PER YEAR, TO REVISE CERTAIN TERMINOLOGY TO CONFORM TO EARLIER CHANGES HEREIN, TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN THESE CREDITS MAY BE CLAIMED AND THE MANNER OF THE DETERMINATION OF CERTAIN FACTORS NECESSARY TO QUALIFY FOR THE CREDITS, AND TO PROVIDE FOR THE SUSPENSION OF THE CREDITS UNDER CERTAIN CONDITIONS AND FOR WHEN THE CREDITS MAY BE CLAIMED; TO AMEND SECTION 12‑10‑85, AS AMENDED, RELATING TO THE PURPOSE AND USE OF STATE RURAL INFRASTRUCTURE FUNDS, SO AS TO REVISE THE PURPOSES FOR WHICH THESE FUNDS MAY BE USED AND THEIR AVAILABILITY; TO AMEND SECTION 12‑14‑20, RELATING TO THE PURPOSES OF THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THESE PURPOSES; TO AMEND SECTION 12‑14‑60, AS AMENDED, RELATING TO INVESTMENT TAX CREDITS UNDER THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THE AMOUNT OF THE CREDITS, THE QUALIFYING CRITERIA FOR THE CREDITS, AND FOR THE APPLICABILITY OF CERTAIN PROVISIONS TO THESE CREDITS; TO AMEND SECTION 12‑15‑10, RELATING TO THE CITATION OF THE SOUTH CAROLINA LIFE SCIENCES ACT, SO AS TO CHANGE THE CITATION; TO AMEND SECTION 12‑15‑20, RELATING TO DEFINITIONS UNDER THE RENAMED LIFE SCIENCES AND RENEWABLE ENERGY MANUFACTURING ACT, SO AS TO DEFINE THE TERM “RENEWABLE ENERGY MANUFACTURING FACILITY”; TO AMEND SECTION 12‑15‑30, RELATING TO QUALIFICATIONS OF CERTAIN EXPENSES UNDER THE ENTERPRISE ZONE ACT, PROCEDURES FOR WAIVERS, AND THE DURATION OF THESE PROVISIONS, SO AS TO EXPAND THE TYPES OF FACILITIES THAT QUALIFY AND THE DURATION OF THESE PROVISIONS; TO AMEND SECTION 12‑15‑40, RELATING TO INCOME TAX ALLOCATION AND APPORTIONMENT AGREEMENTS BETWEEN THE DEPARTMENT OF REVENUE AND TAXPAYERS ESTABLISHING A LIFE SCIENCES FACILITY, SO AS TO EXPAND THE TYPES OF FACILITIES TO WHICH THIS PROVISION APPLIES; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO CREDITS AGAINST ITS CORPORATE LICENSE TAX LIABILITY FOR A COMPANY WHO PAYS CASH FOR INFRASTRUCTURE FOR AN ELIGIBLE PROJECT, SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY FOR THE CREDIT UNDER CERTAIN CIRCUMSTANCES OR THE CONTINUATION OF THE CREDIT; TO AMEND SECTION 12‑28‑2910, AS AMENDED, RELATING TO THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO AUTHORIZE THE COUNCIL TO EXPEND CERTAIN FUNDS FOR SPECIFIED PURPOSES UNDER SPECIFIED CONDITIONS; TO AMEND SECTION 12‑37‑930, RELATING TO VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES AND DEPRECIATION ALLOWANCES FOR MANUFACTURERS, MACHINERY, AND EQUIPMENT, SO AS TO INCLUDE MACHINERY AND EQUIPMENT OF A RENEWABLE ENERGY MANUFACTURING FACILITY WITHIN THE DEPRECIATION ALLOWANCES ALLOWED FOR MACHINERY AND EQUIPMENT OF A LIFE SCIENCES FACILITY, AND TO DEFINE WHAT IS A QUALIFYING FACILITY; TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO CLASSIFICATION OF REAL PROPERTY FOR AD VALOREM TAX PURPOSES, SO AS TO PROVIDE THAT REAL PROPERTY OWNED BY OR LEASED TO A MANUFACTURER AND USED PRIMARILY RATHER THAN EXCLUSIVELY FOR WAREHOUSING AND WHOLESALE DISTRIBUTION IS NOT CONSIDERED USED BY THE MANUFACTURER IN THE CONDUCT OF ITS BUSINESS FOR PROPERTY TAX CLASSIFICATION PURPOSES; TO AMEND SECTION 12‑44‑30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 12‑44‑40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY; TO AMEND SECTION 12‑44‑50, AS AMENDED, RELATING TO THE REQUIREMENT OF A FEE AGREEMENT UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO DELETE A PROVISION THAT REQUIRES THE FAIR MARKET VALUE OF THE PROPERTY ESTABLISHED FOR THE FIRST YEAR OF THE FEE TO REMAIN THE FAIR MARKET VALUE OF THE PROPERTY FOR THE LIFE OF THE FEE; TO AMEND SECTION 12‑44‑130, AS AMENDED, RELATING TO MINIMUM INVESTMENTS TO QUALIFY FOR A FEE AND OTHER REQUIREMENTS, SO AS TO CORRECT A REFERENCE; AND TO REPEAL SECTION 12‑6‑3450 RELATING TO AN INCOME TAX CREDIT FOR PERSONS TERMINATED FROM EMPLOYMENT AS A RESULT OF THE CLOSING OR REALIGNMENT OF A FEDERAL MILITARY INSTALLATION, SECTION 12‑10‑88 RELATING TO REDEVELOPMENT FEES IN REGARD TO CLOSED OR REALIGNED MILITARY INSTALLATIONS, SECTIONS 12‑14‑30, 12‑14‑40, 12‑14‑50, AND 12‑14‑70 RELATING TO ECONOMIC IMPACT ZONES AND ALLOWABLE DEDUCTIONS AGAINST SOUTH CAROLINA TAXABLE INCOME IN REGARD TO THESE ECONOMIC IMPACT ZONES.

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

That the same do pass with the following amendments:

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

/ SECTION 1. This act is known and may be cited as the “South Carolina Economic Development Competitiveness Act of 2010”.

SECTION 2. A. Section 4‑12‑30(B)(4)(b) of the 1976 Code, as last amended by Act 399 of 2000, is further amended to read:

“(b) If the project consists of a manufacturing, research and development, corporate office, or distribution facility, as those terms are defined in Section 12‑6‑3360(M), each sponsor or sponsor affiliate is not required to invest the minimum investment required by subsection (B)(3), if the total investment in the project exceeds ~~ten~~ five million dollars.”

B. This provision takes effect for fee‑in‑lieu agreements executed after January 1, 2011, provided that a county may amend existing fee‑in‑lieu agreements at any time prior to the expiration of the fee to incorporate the amendment to Section 4‑12‑30(B)(4)(b) as contained in subsection A.

SECTION 3. A. Section 4‑12‑30(C)(4) of the 1976 Code, as last amended by Act 116 of 2007, is further amended to read:

“(4) The annual fee provided by subsection (D)(2) is available for no more than ~~twenty~~ thirty years for an applicable piece of property. The sponsor may apply to the county prior to the end of the ~~twenty‑year~~ thirty‑year period for an extension of the fee period for up to ten years. The county council of the county shall approve an extension by resolution upon a finding of substantial public benefit. A copy of the resolution shall be delivered to the department within thirty days of the date the resolution was adopted. For projects completed and placed in service during more than one year, each year’s investment may be subject to the fee in subsection (D)(2) for ~~twenty~~ thirty years or, if extended as provided in this subsection up to ~~thirty~~ forty years, for an aggregate fee period of up to ~~forty~~ fiftyyears. For those sponsors qualifying under subsection (D)(4), the annual fee is available for no more than ~~thirty~~ forty years for an applicable piece of property and for those projects placed in service in more than one year the annual fee is available for an aggregate fee period of up to ~~forty‑three~~ fifty‑three years, or for those sponsors qualifying pursuant to subsection (C)(3), ~~forty‑five~~ fifty‑five years.”

B. This provision takes effect for fee‑in‑lieu agreements executed after January 1, 2011, provided that a county may amend existing fee‑in‑lieu agreements at any time prior to the expiration of the fee to incorporate the amendment to Section 4‑12‑30(C)(4) as contained in subsection A.

SECTION 4. A Section 4‑12‑30(D)(2)(a)(i) of the 1976 Code, as last amended by Act 69 of 2003, is further amended to read:

“(i) for real property, using the original income tax basis for South Carolina income tax purposes without regard to depreciation, if real property is constructed for the fee or is purchased in an arm’s length transaction; otherwise, the property must be reported at its fair market value for ad valorem property tax purposes as determined by appraisal. The fair market value estimate established for the first year of the fee remains the fair market value of the real property for the life of the fee. The county and the sponsor or sponsor affiliate may instead provide in the fee agreement or any amendment thereto that any real property subject to the fee shall be reported at its fair market value for ad valorem property taxes as determined by the department’s appraisal as if such property were not subject to the fee; provided, the department may not undertake such an appraisal more than once every five years; and”

B. This SECTION shall take effect in each county in the first property tax year in which a countywide reassessment program is implemented after December 31, 2010.

SECTION 5. Section 4‑12‑30(J)(1)(b) of the 1976 Code, as last amended by Act 69 of 2003, is further amended to read:

“(b) property which has been subject to South Carolina property taxes, but which has never been placed in service in South Carolina, or which was placed in service in South Carolina pursuant to an inducement agreement or other preliminary approval by the county prior to execution of the lease agreement pursuant to subsection (C)(1), may qualify for the fee.”

SECTION 6. A. Section 4‑29‑67 of the 1976 Code, as last amended by Act 352 of 2008, is further amended to read:

“Section 4‑29‑67. (A)(1) As used in this section:

(a) ‘Department’ means the South Carolina Department of Revenue.

(b) ‘Lease agreement’ means an agreement between the county and a sponsor leasing the property at the project from the county to a sponsor.

(c) ‘Project’ means land, buildings, and other improvements on the land including water, sewage treatment and disposal facilities, air pollution control facilities, and all other machinery apparatus, equipment, office facilities, and furnishings which are considered necessary, suitable, or useful by a sponsor. ‘Project’ also may consist of or include aircraft hangered or utilizing an airport in a county so long as the county expressly consents to its inclusion. Aircraft previously subject to taxation in South Carolina qualify pursuant to this provision.

(d) ‘Qualified nuclear plant facility’ means a nuclear electric power generating plant regulated by the Nuclear Regulatory Commission and includes all real and personal property incorporated into or associated with the facility located or to be located within this State with a total minimum level of investment of one billion dollars.

(~~d~~e) ‘Sponsor’ means one or more entities which sign the inducement agreement with the county and also includes a sponsor affiliate unless the context clearly indicates otherwise.

(~~e~~f) ‘Sponsor affiliate’ means an entity that joins with, or is an affiliate of, a sponsor and that participates in the investment in, or financing of, a project.

(2) Notwithstanding the provisions of Section 4‑29‑60, and notwithstanding that the sponsor does not request the county to issue bonds to finance the property, the county and a sponsor may enter into an inducement agreement that provides for a fee in lieu of taxes as provided in this section for certain property, title to which is held by the county and which is leased to a sponsor.

(B) For property to qualify for the fee as provided in subsection (D)(2):

(1) Title to the property must be held by the county. In the case of a project located in an industrial development park as defined in Section 4‑1‑170, title may be held by more than one county, if each county is a member of the industrial development park. Real property transferred to the county through a lease agreement must include a legal description and plat of the real property. Property titled in the name of a county pursuant to this section is considered privately owned for purposes of Section 58‑3‑240.

(2) The project must be located in a single county or an industrial development park as defined in Section 4‑1‑170. A project located on a contiguous tract of land in more than one county, but not in an industrial development park, may qualify for the fee if:

(a) the counties agree on the terms of the fee and the distribution of the fee payment;

(b) the minimum millage rate is provided for in the agreement; and

(c) all the counties are parties to all agreements establishing the terms of the fee.

(3) The minimum level of investment in the project must be at least forty‑five million dollars and must be invested within the time period provided in subsection (C). If a county has an average annual unemployment rate of at least twice the state average during the last twenty‑four months based on data available on the most recent November first, the minimum level of investment is one million dollars. The department shall designate these reduced investment counties by December thirty‑first of each year using data from the South Carolina Employment Security Commission and the United States Department of Commerce. The designations are effective for a sponsor whose inducement agreement is signed in the calendar year following the county designation. Investments may include amounts expended by a sponsor or sponsor affiliate as a nonresponsible party in a voluntary cleanup contract on the property at the project pursuant to Article 7, Chapter 56, ~~of~~ Title 44, the Brownfields Voluntary Cleanup Program, if the Department of Health and Environmental Control certifies completion of the cleanup. If the amounts under the Brownfields Voluntary Cleanup Program equal at least one million dollars, the investment threshold requirement of this section is met.

(4)(a) A sponsor and a sponsor affiliate may qualify for the fee if each sponsor and sponsor affiliate invests the minimum level of investment at the project. If the project consists of a manufacturing, research and development, corporate office, or distribution facility as those terms are defined in Section 12‑6‑3360(~~M~~L) and including a qualified nuclear plant facility as defined in subsection (A)(1)(d), each sponsor or sponsor affiliate is not required to invest the minimum investment required by subsection (B)(3) if the total investment at the project exceeds forty‑five million dollars.

(b)(i) Investments by sponsor affiliates within the time periods provided in subsection (C)(1) and (2) qualify for the fee regardless of whether or not the sponsor affiliate was part of the inducement agreement, so long as sponsor affiliates are approved specifically by the county and agree to be bound by agreements with the county relating to the fee; except that sponsor affiliates are not bound by agreements, or portions of agreements, to the extent those agreements do not affect the county. The investments pursuant to this subsection must be at the same project. The inducement agreement or the lease agreement may provide for a process for approval of sponsor affiliates.

(ii) The department must be notified in writing of all sponsor affiliates that have investments subject to the fee on or before ninety days after the end of the calendar year during which the project or pertinent phase of the project is placed in service. The department may extend this period upon written request. Failure to meet this notice requirement does not affect adversely the fee, but a penalty of up to ten thousand dollars a month or portion of a month with the total penalty not to exceed one hundred twenty thousand dollars may be assessed by the department for late notification.

(iii) A. Except as provided in subsection (D)(4) if, at any time, a sponsor no longer has the minimum level of investment as provided in subsection (B)(3), that sponsor no longer qualifies for the fee.”

B. Except as provided in subsection (Q), if a sponsor qualifies for the fee pursuant to subsection (D)(4), the sponsor must maintain the applicable level of investment, without regard to depreciation, and any applicable job requirements provided in (D)(4). If the sponsor fails to maintain the applicable investment or any job requirements provided in (D)(4), it no longer qualifies for the fee.

C. Except as provided in subsection (Q), if an inducement agreement or a lease agreement provides for an investment above the minimum investment provided in subsection (B)(3), and the sponsor fails to maintain the investment provided for in the agreement, the sponsor no longer qualifies for the fee.

(C)(1) Except as provided in subsection (W)(1), from the end of the property tax year in which the sponsor and the county execute an inducement agreement, the sponsor has five years in which to enter into an initial lease agreement with the county.

(2)(a) From the end of the property tax year in which the sponsor and the county execute the initial lease agreement, the sponsor has five years in which to complete its investment for purposes of qualifying for this section. If the sponsor does not anticipate completing the project within five years, the sponsor may apply to the county before the end of the five‑year period for making the investment for an extension of time to complete the project. If the county agrees to grant the extension, it must be in writing, and a copy must be delivered to the department within thirty days of the date the extension was granted. The extension may not exceed five years. If a project receives an extension of less than five years, the sponsor may apply to the county before the end of the extension period for an additional extension of time to complete the project for an aggregate extension of not more than five years. Unless approved as part of the original lease documentation, the county council of the county may approve any extension by resolution, a copy of which must be delivered to the department within thirty days of the date the resolution was adopted.

(b) An extension of the five‑year period in which to meet the minimum level of investment is not allowed. If the minimum level of investment is not met within five years, all property covered by the lease agreement or agreements reverts retroactively to the payments required by Section 4‑29‑60. The difference between the fee actually paid by the sponsor and the payment due pursuant to Section 4‑29‑60 is subject to interest, as provided in Section 12‑54‑25(D). To the extent necessary to determine if a sponsor or sponsor affiliate has met its investment requirements, any statute of limitation that might apply pursuant to Section 12‑54‑85 is suspended for all sponsors and sponsor affiliates and the department or the county may seek to collect any amounts that may be due pursuant to this section.

(c) Unless property qualifies as replacement property pursuant to a contract provision enacted pursuant to subsection (F)(2), property placed in service after the five‑year period, or the ten‑year period in the case of a project which has received an extension, is not part of the fee agreement pursuant to subsection (D)(2) and is subject to the payments required by Section 4‑29‑60 if the county has title to the property or ad valorem property taxes, if the sponsor has title to the property.

(d) For purposes of those businesses qualifying under subsection (D)(4), the five‑year period referred to in this subsection is eight years. For those sponsors which, after qualifying pursuant to subsection (D)(4), have more than five hundred million dollars in capital invested in this State and employ more than one thousand people in this State, the five‑year period referred to in this subsection is ten years, and the ten‑year period is fifteen years.

(3) The annual fee provided by subsection (D)(2) is available for no more than ~~twenty~~ thirty years for an applicable piece of property. The sponsor may apply to the county prior to the end of the ~~twenty‑year~~ thirty‑year period for an extension of the fee period for up to ten years. The county council of the county may approve an extension by resolution upon a finding of substantial public benefit. A copy of the resolution shall be delivered to the department within thirty days of the date the resolution was adopted. For projects which are completed and placed in service during more than one year, each year’s investment may be subject to the fee in subsection (D)(2) for ~~twenty~~ thirty years or, if extended as provided in this subsection, up to ~~thirty~~ forty years, for an aggregate maximum fee period of up to ~~forty~~ fifty years. For those sponsors qualifying under subsection (D)(4), the annual fee is available for no more than ~~thirty~~ forty years for an applicable piece of property and for those projects placed in service in more than one year, the annual fee is available for an aggregate fee period of up to ~~forty‑three~~ fifty‑three years or, for those sponsors qualifying pursuant to item (2)(d), ~~forty‑five~~ fifty‑five years.

(4) During the time period allowed to meet the minimum investment level, the investor annually must inform the appropriate county official of the total amount invested.

(D) The inducement agreement must provide for fee payments, to the extent applicable, as follows:

(1)(a) Any property is subject to an annual fee payment as provided in Section 4‑29‑60 before being placed in service.

(b) Any undeveloped land is subject to an annual fee payment as provided in Section 4‑29‑60 before being developed and placed in service. The time during which fee payments are made pursuant to Section 4‑29‑60 is not considered part of the maximum periods provided in subsection (C)(2) and (3), and a lease is not an “initial lease agreement” for purposes of this section until the first day of the calendar year for which a fee payment is due pursuant to subsection (D)(2) in connection with the lease.

(2) After property qualifying pursuant to subsection (B) is placed in service, an annual fee payment, determined in accordance with one of the following, is due:

(a) an annual payment in an amount not less than the property taxes that would be due on the project if it were taxable, but using:

(i) an assessment ratio of at least six percent, or four percent for those projects qualifying pursuant to subsection (D)(4);

(ii) a fixed millage rate as provided in subsection (G); and

(iii) a fair market value estimate determined by the department as follows:

A. for real property, using the original income tax basis for South Carolina income tax purposes without regard to depreciation. If real property is constructed for the fee or is purchased in an arms‑length transaction, using the original tax basis, otherwise the property must be reported at its fair market value for ad valorem property tax purposes as determined by appraisal. The fair market value established for the first year of the fee remains the fair market value for the life of the fee. The county and the sponsor or sponsor affiliate may instead provide in the fee agreement or any amendment thereto that any real property subject to the fee shall be reported at its fair market value for ad valorem property taxes as determined by the department’s appraisal as if such property were not subject to the fee; provided, the department may not undertake such an appraisal more than once every five years; and

B. for personal property, using the original tax basis for South Carolina income tax purposes, less depreciation allowable for property tax purposes; except that the sponsor is not entitled to any extraordinary obsolescence;

(b) an annual payment based on an alternative arrangement yielding a net present value of the sum of the fees for the life of the agreement not less than the net present value of the fee schedule as calculated pursuant to subsection (D)(2)(a). Net present value calculations performed pursuant to this subsection must use a discount rate equivalent to the yield in effect for new or existing United States Treasury bonds of similar maturity as published during the month in which the inducement agreement is executed. If no yield is available for the month in which the inducement agreement is executed, the last published yield for the appropriate maturity must be used. If there are no bonds of appropriate maturity available, bonds of different maturities may be averaged to obtain the appropriate maturity; or

(c) an annual payment as provided in subsection (D)(2)(a), except that every fifth year the applicable millage rate may increase or decrease in step with the average actual millage rate applicable in the district where the project is located based on the preceding five‑year period.

(3) At the conclusion of the payments determined pursuant to items (1) and (2) of this subsection the annual fee payment is equal to the taxes due on the project as if it were taxable. When the property is no longer subject to the fee pursuant to subsection (D)(2), the fee or property taxes must be assessed:

(a) with respect to real property, based on the fair market value as of the latest reassessment date for similar taxable property; and

(b) with respect to personal property, based on the then‑depreciated value applicable to the property under the fee, and after that continuing with the South Carolina property tax depreciation schedule.

(4)(a) The assessment ratio may not be lower than four percent:

(i) in the case of a single sponsor investing at least one hundred fifty million dollars and which is creating at least one hundred twenty‑five new full‑time jobs at the project;

(ii) in the case of a single sponsor investing at least four hundred million dollars in this State;

(iii) in the case of a project that satisfies the requirements of Section 11‑41‑30(2)(a), and for which the Secretary of Commerce has delivered certification pursuant to Section 11‑41‑70(2)(a).

For purposes of this item, if a single sponsor enters into a financing arrangement of the type described in Section 4‑29‑67(O)(2), the investment in or financing of the property by a developer, lessor, financing entity, or other third party in accordance with this arrangement is considered investment by the sponsor. Investment by a related person to the sponsor, as described in Section 12‑10‑80(D)(2), is considered investment by the sponsor.

(b) The new full‑time jobs requirement of this item does not apply in the case of a business that paid more than fifty percent of all property taxes actually collected in the county for more than the twenty‑five years ending on the date of the lease agreement.

(c) In an instance in which the governing body of a county has provided, by contractual agreement, for a change in fee in lieu of taxes arrangements conditioned on a future legislative enactment, a new enactment does not bind the original parties to the agreement unless the change is ratified by the governing body of the county.

(5) Notwithstanding the use of the term ‘assessment ratio’, a sponsor qualifying for the fee may negotiate an inducement agreement with a county using differing assessment ratios for different assessment years or levels of investment covered by the inducement agreement. The lowest assessment ratio allowed is the lowest ratio for which the sponsor may qualify under this section.

(E) Calculations pursuant to subsection (D)(2) must be made on the basis that the property, if taxable, is allowed all applicable property tax exemptions except the exemption allowed pursuant to Section 3(g) of Article X of the Constitution of this State and the exemptions allowed pursuant to Section 12‑37‑220(B)(32) and (34).

(F) With regard to calculation of the fee provided in subsection (D)(2), the inducement agreement may provide for the disposal of property and the replacement of property subject to the fee as follows:

(1) If a sponsor disposes of property subject to the fee, the fee must be reduced by the amount of the fee applicable to that property. Property is disposed of only when it is scrapped or sold or removed from the project. If it is removed from the project, it becomes subject to ad valorem property taxes to the extent it remains in the State. If the sponsor used any method to compute the fee other than that provided in subsection (D)(2)(a), the fee on the property which was disposed of must be recomputed in accordance with subsection (D)(2)(a) and to the extent the amount that would have been paid pursuant to subsection (D)(2)(a) exceeds the fee actually paid by the sponsor, the sponsor must pay the difference with the next fee payment due after the property is disposed of. If the sponsor used the method provided in subsection (D)(2)(c), the millage rate provided in subsection (D)(2)(c) must be used to calculate the amount which would have been paid pursuant to subsection (D)(2)(a). If there is no provision in the agreement dealing with the disposal of property in accordance with this subsection, the fee remains fixed and no adjustment to the fee is allowed for disposed property.

(2) Property placed in service as a replacement for property that is subject to the fee payment may become part of the fee payment as provided in this item:

(a) Replacement property may have a function that differs from the property it is replacing. Replacement property is considered to replace the oldest real or personal property subject to the fee and disposed of in the same property tax year as the replacement property is placed in service. Replacement property qualifies for fee treatment provided in subsection (D)(2) only up to the original income tax basis of fee property it replaces. More than one piece of replacement property may replace a single piece of fee property. To the extent that the income tax basis of the replacement property exceeds the original income tax basis of the property it replaces, the excess amount is subject to payments as provided in Section 4‑29‑60. Replacement property is entitled to the fee payment for the period of time remaining on the twenty‑year fee period for the property it replaces.

(b) The new replacement property that qualifies for the fee provided in subsection (D)(2) is recorded using its income tax basis, and the fee is calculated using the millage rate and assessment ratio provided on the original fee property. The fee payment for replacement property must be based on subsection (D)(2)(a) or (c) if the investor originally used that method, without regard to present value.

(c) To qualify as replacement property, title to the replacement property must be held by the county.

(d) If there is no provision in the inducement agreement dealing with replacement property, any property placed in service after the time period allowed for investments as provided by subsection (C)(2), is subject to the payments required by Section 4‑29‑60 if the county has title to the property or ad valorem property taxes, if the sponsor has title to the property.

(G)(1) The county and the sponsor may enter into a millage rate agreement to establish the millage rate for purposes of calculating payments pursuant to subsection (D)(2)(a) and the first five years pursuant to subsection (D)(2)(c). This millage rate agreement may be executed at any time up to and including, but not later than, the date of the initial lease agreement. This millage rate agreement may be a separate agreement or may be made a part of either the inducement agreement or the initial lease agreement.

(2) The millage rate established pursuant to item (1) of this subsection must be no lower than the cumulative property tax millage rate levied by or on behalf of all taxing entities within which the project is to be located on either:

(a) June thirtieth of the year preceding the year in which the millage rate agreement is executed or the initial lease agreement is executed if no millage rate agreement is executed; or

(b) June thirtieth of the year in which the millage rate agreement is executed if a millage rate agreement is not executed the lease agreement is deemed to be the millage rate agreement for purposes of this item.

(H)(1) Upon agreement of the parties, and except as provided in subsection (H)(2), an inducement agreement, a millage rate agreement, or both, may be amended or terminated and replaced with regard to all matters including, but not limited to, the addition or removal of sponsors or sponsor affiliates.

(2) An amendment or a replacement of an inducement agreement or millage rate agreement may not be used to lower the millage rate, discount rate, assessment ratio, or, except as provided in Sections 4‑29‑67(C)(2) and (C)(4) increase the term of the agreement; except that an existing inducement agreement that has not been implemented by the execution and delivery of a millage rate agreement or a lease agreement may be amended up to the date of execution and delivery of a millage rate agreement or a lease agreement in the discretion of the governing body.

(I) Investment expenditures incurred by a sponsor in connection with the project, or relevant phase of a project, for a project completed and placed in service in more than one year, qualify as expenditures subject to the fee in subsection (D)(2), so long as these expenditures are incurred before the end of the applicable five‑year, eight‑year, ten‑year, or fifteen‑year period referenced in subsection (C)(2) or (3). An inducement agreement must be executed within two years after the date the county adopts an inducement resolution; otherwise, only investment expenditures made or incurred by a sponsor after the date of the inducement agreement in connection with a project qualify as expenditures subject to the fee in subsection (D)(2).

(J) Subject to subsection (K), project expenditures incurred within the applicable time period provided in subsection (I) by an entity whose investments are not computed at the level of investment for purposes of subsection (B) or (C) qualify as investment expenditures subject to the fee in subsection (D)(2) if the:

(a) expenditures are part of the original cost of property that is transferred, within the applicable time period provided in subsection (I) to one or more other investors or investor affiliates whose investments are being computed at the level of investment for purposes of subsection (B) or (C);

(b) property would have qualified for the fee in subsection (D)(2) if it had been initially acquired by the sponsor instead of the transferor entity;

(c) the income tax basis of the property immediately before the transfer equal the income tax basis of the property immediately after the transfer; except that, to the extent income tax basis of the property immediately after the transfer unintentionally exceeds the income tax basis of the property immediately before the transfer, the excess is subject to payments pursuant to Section 4‑29‑60;

(d) the county agrees to an inclusion in the fee of the property described in subsection (J)(1).

(K)(1) Property previously subject to property taxes in South Carolina does not qualify for the fee except as provided in this subsection:

(a) land, excluding improvements on it, on which a new project is located may qualify for the fee even if it has previously been subject to South Carolina property taxes;

(b) property that has been subject previously to South Carolina property taxes, but has never been placed in service in South Carolina, or which was placed in service in South Carolina pursuant to an inducement agreement or other preliminary approval by the county prior to execution of the lease agreement pursuant to subsection (C)(1), may qualify for the fee; and

(c) property placed in service in South Carolina and subject to South Carolina property taxes that is purchased in a transaction other than between any of the entities specified in Section 267(b) of the Internal Revenue Code, as defined pursuant to Chapter 6, ~~of~~ Title 12 as of the time of the transfer, may qualify for the fee if the sponsor invests at least an additional forty‑five million dollars in the project.

(2) Repairs, alterations, or modifications to real or personal property which are not subject to a fee are not eligible for a fee, even if they are capitalized expenditures, except for modifications to existing real property improvements constituting an expansion of the improvements.

(L)(1) For a project not located in an industrial development park as defined in Section 4‑1‑170, distribution of the fee in lieu of taxes on the project must be made in the same manner and proportion that the millage levied for school and other purposes would be distributed if the property were taxable but without regard to exemptions otherwise available to a project pursuant to Section 12‑37‑220 for that year.

(2) For a project located in an industrial development park as defined in Section 4‑1‑170, distribution of the fee in lieu of taxes on the project must be made in the manner provided for by the agreement establishing the industrial development park.

(3) A county or municipality or special purpose district that receives and retains revenues from a payment in lieu of taxes may use a portion of this revenue for the purposes outlined in Section 4‑29‑68 without the requirement of issuing special source revenue bonds or the requirements of Section 4‑29‑68(A)(4) by providing a credit against or payment derived from the fee due from the sponsor.

(4) Misallocations of the distribution of the fee in lieu of taxes on the project pursuant to this chapter may be corrected by adjusting later distributions, but these adjustments must be made in the same fiscal year as the misallocations. To the extent distributions are made improperly in prior years, a claim for adjustment must be made within one year of the distribution.

(M) As a directly foreseeable result of negotiating the fee, gross revenue of a school district in which a project is located in any year a fee negotiated pursuant to this section is paid may not be less than gross revenues of the district in the year before the first year for which a fee in lieu of taxes is paid. In negotiating the fee, the parties shall assume that the formulas for the distribution of state aid at the time of the execution of the inducement agreement must remain unchanged for the duration of the lease agreement.

(N) Projects on which a fee in lieu of taxes is paid pursuant to this section are considered taxable property at the level of the negotiated payments for purposes of bonded indebtedness pursuant to Sections 14 and 15 of Article X of the Constitution of this State, and for purposes of computing the index of taxpaying ability pursuant to Section 59‑20‑20(3). However, for a project located in an industrial development park as defined in Section 4‑1‑170, projects are considered taxable property in the manner provided in Section 4‑1‑170 for purposes of bonded indebtedness pursuant to Sections 14 and 15 of Article X of the Constitution of this State, and for purposes of computing the index of taxpaying ability pursuant to Section 59‑20‑20(3). Provided, however, that the computation of bonded indebtedness limitation is subject to the requirements of Section 4‑29‑68(E).

(O)(1) An interest in an inducement agreement, millage rate agreement, and lease agreement, and property to which these agreements relate, may be transferred to another entity at any time. Notwithstanding another provision of this chapter, an equity interest in a sponsor or sponsor affiliate may be transferred to another entity or person at any time. To the extent an agreement is transferred, the transferee assumes the current basis the sponsor has in the property subject to the fee for purposes of calculating the fee.

(2) A sponsor or county may enter into a lending, financing, security, lease, or similar arrangement, or succession of such arrangements, with a financing entity, concerning all or part of a project including, without limitation, a sale‑leaseback arrangement, equipment lease build‑to‑suit‑lease, synthetic lease, Nordic lease, defeased tax benefit, transfer lease, assignment, sublease, or similar arrangement, or succession of such arrangements, with one or more financing entities, concerning all or part of a project, regardless of the identity of the income tax owner of the property which is subject to the fee payment pursuant to subsection (D)(2). Even though income tax basis is changed for income tax purposes, neither the original transfer to the financing entity nor the later transfer from the financing entity back to the original sponsor pursuant to terms in the sale‑leaseback agreement, affects the amount of the fee due.

(3) A transfer undertaken with respect to other projects to effect a financing authorized by subsection (O) must meet the following requirements:

(a) The department and the county shall receive written notification, within sixty days after the transfer, of the identity of each transferee and other information required by the department with the appropriate returns. Failure to meet this notice requirement does not affect adversely the fee, but a penalty up to ten thousand dollars a year or portion of a year up to a maximum penalty of fifty thousand dollars may be assessed by the department for late notification.

(b) If the financing entity is the income tax owner of property, either the financing entity is primarily liable for the fee as to that portion of the project to which the transfer relates with the sponsor remaining secondarily liable for the payment of the fee or the sponsor agrees to be primarily liable for the payment of the fee as to that portion of the project to which the transfer relates.

(4) A sponsor may transfer an inducement agreement, millage rate agreement, lease agreement, or the assets subject to the lease agreement, if it obtains the prior approval, or subsequent ratification, of the county with which it entered into the original agreement. The county’s prior approval or subsequent ratification may be evidenced by any one of the following, in the absolute and sole discretion of the county providing the approval or ratification: (i) a letter or other writing executed by an authorized county representative as designated in the respective inducement, millage rate, or lease agreement; (ii) a resolution passed by the county council; or (iii) an ordinance passed by the county council following three readings and a public hearing. That approval is not required in connection with transfers to sponsor affiliates or other financing‑related transfers.

(P) An inducement agreement, a millage rate agreement, or a lease agreement, or the rights of a sponsor or sponsor affiliate pursuant to that agreement including, without limitation, the availability of the subsection (D)(2) fee, may not be affected adversely if the bonds issued pursuant to that agreement are purchased by one or more of the entities that are or become sponsor or sponsor affiliates.

(Q) Except as provided in subsection (B)(4)(a), if a sponsor fails to make the minimum investment required by subsection (D)(2) or an investment under subsection (D)(4) if applicable, within the time provided in subsection (C)(2), then the sponsor is entitled to the benefits of Chapter 12 of this title if and to the extent allowed pursuant to an applicable agreement between the sponsor and the county, and if the requirements of subsection (B)(4)(a) are satisfied. Otherwise, the fee provided in subsection (D)(2) or (D)(4) is no longer available and the sponsor must make the payments due pursuant to Section 4‑29‑60 for the remainder of the lease period.

(R) The minimum amount of the initial investment provided in subsection (B)(3) of this section may not be reduced except by a special vote which, for purposes of this section, means an affirmative vote in each branch of the General Assembly by two‑thirds of the members present and voting, but not less than three‑fifths of the total membership in each branch.

(S)(1) The sponsor shall file the returns, contracts, and other information that may be required by the department.

(2) Fee payments, and returns showing investments and calculating fee payments, are due at the same time as property tax payments and property tax returns would be due if the property were owned by the sponsor obligated to make the fee payments and file such returns.

(3) Failure to make a timely fee payment and file required returns results in penalties being assessed as if the payment or return were a property tax payment or return.

(4) The department may issue rulings and promulgate regulations necessary or appropriate to carry out the purpose of this section.

(5) The provisions of Chapters 4 and 54, ~~of~~ Title 12, applicable to property taxes, apply to this section, and, for purposes of that application, the fee is considered a property tax. Sections 12‑54‑20, 12‑54‑80, and 12‑54‑155 do not apply to this section.

(6) Within thirty days of the date of execution of an inducement or lease agreement, a copy of the agreement must be filed with the department and the county auditor and the county assessor for every county in which the project is located. If the project is located in an industrial development park, the agreements must be filed with the auditors and assessors for all counties participating in the industrial development park.

(7) The department, for good cause, may allow additional time for filing of returns required under this section. The request for an extension may be granted only if the request is filed with the department on or before the date the return is due. However, the extension must not exceed sixty days from the date the return is due. The department shall develop applicable forms and procedures for handling and processing extension requests. An extension may not be granted to a sponsor who has been granted an extension for a previous period and has not fulfilled the requirements of the previous period.

(8) To the extent a form or return is filed with the department, the sponsor must file a copy of the form or return with the county auditor, assessor, and treasurer of the county or counties in which the project is physically located. To the extent requested, the county auditor of the county in which the project is physically located shall make these forms and returns available to any county auditor of a county participating in an industrial development park in which the project is located.

(T) Except as otherwise expressly provided in subsection (C)(2), a loss of fee benefits pursuant to this section is prospective only from the date of noncompliance and, subject to subsection (Q), only with respect to that portion of the project to which the noncompliance relates; except that the loss of fee benefits may not result in the recovery from the sponsor of fee payments for more than:

(1) three years from the date a return concerning the fee is filed for the time period during which the noncompliance occurs. A showing of bad faith noncompliance increases the three‑year period to a ten‑year period; or

(2) ten years if a return is not filed for the time period during which the noncompliance occurs.

(U) Section 4‑29‑65 does not apply to this section. All references in this section to taxes mean South Carolina taxes unless otherwise expressly stated.

(V)(1) Notwithstanding another provision of this section, in the case of a project consisting of a qualified recycling facility, the annual fee is available for no more than thirty years, and for those projects constructed or placed in service during a period of more than one year, the annual fee is available for a maximum of forty years.

(2) Notwithstanding another provision of this section, for a qualified recycling facility, the assessment ratio must be at least three percent.

(3) Any machinery and equipment foundations, port facilities, or railroad track systems used, or to be used, for a qualified recycling facility is considered tangible personal property.

(4) Notwithstanding subsections (F) and (I) of this section, the total costs of all investments made for a qualified recycling facility are eligible for fee payments as provided in this section.

(5) For purposes of fees that may be due on undeveloped property for which title has been transferred to the county by or for the owner or operator of a qualified recycling facility, the assessment ratio is three percent.

(6) Notwithstanding subsection (D)(2)(b) of this section, in the case of a qualified recycling facility, net present value calculations performed pursuant to that subsection must use a discount rate equivalent to the yield in effect for new or existing United States Treasury bonds of similar maturity as published on any day selected by the sponsor during the year in which assets are placed into service or in which the inducement agreement is executed.

(7) As used in this subsection, ‘qualified recycling facility’ and ‘investment’ have the meaning provided in Section 12‑7‑1275(A).

(W)(1) Notwithstanding subsection (C)(1), in the case of a qualified nuclear plant facility, the sponsor has five years from the end of the calendar year in which the Nuclear Regulatory Commission grants the sponsor a combined license to construct and operate a nuclear power plant to enter into an initial lease agreement with the county but in no event more than fifteen years from the latter of the adoption of an inducement resolution or execution of an inducement agreement by the county.

(2) Notwithstanding subsection (C)(2)(d), in the case of a qualified nuclear plant facility, the sponsor has fifteen years from the end of the calendar year in which the initial lease agreement is executed to meet the minimum investment and fifteen years from the end of the calendar year in which the first piece of property is placed into service to complete the project.

(~~W~~X)(1) All agreements entered into pursuant to this section must include as the first portion of the document a recapitulation of the remaining contents of the document which includes, but is not limited to, the following:

(a) the legal name of each party to the agreement;

(b) the county and street address of the project and property to be subject to the agreement;

(c) the minimum investment agreed upon;

(d) the length and term of the agreement;

(e) the assessment ratio applicable for each year of the agreement;

(f) the millage rate applicable for each year of the agreement;

(g) a schedule showing the amount of the fee and its calculation for each year of the agreement;

(h) a schedule showing the amount to be distributed annually to each of the affected taxing entities;

(i) a statement answering the following questions:

(i) Is the project to be located in a multi‑county park formed pursuant to Chapter 29, ~~of~~ Title 4?;

(ii) Is disposal of property subject to the fee allowed?;

(iii) Will special source revenue bonds be issued or credits for infrastructure investment be allowed in connection with this project?;

(iv) Will payment amounts be modified using a net present value calculation?; and

(v) Do replacement property provisions apply?;

(j) any other feature or aspect of the agreement which may affect the calculation of subitems (g) and (h) of this item;

(k) a description of the effect upon the schedules required by subitems (g) and (h) of this item of any feature covered by subitems (i) and (j) not reflected in the schedules for subitems (g) and (h);

(l) which party or parties to the agreement are responsible for updating any information contained in the summary document.

(2) The auditor shall prepare a bill for each installment of the fee according to the schedule set forth in subitem (1)(g) or as modified pursuant to subitem (1)(j), (k), or (l) and that payment must be distributed to the affected taxing entities according to the schedule in subitem (1)(g) or as modified pursuant to subitem (1)(j), (k), or (l).

(3) The county and the sponsor and sponsor affiliates may agree to waive any or all of the items described in this subsection.”

B. The provisions of this section take effect upon approval by the Governor except that the provisions of Section 4‑29‑67(C)(3) take effect January 1, 2011, provided that a county may amend an existing fee‑in‑lieu agreement at any time prior to the expiration of the fee to incorporate the amendments to Section 4‑29‑67(C)(3) as contained in subsection A. Also, except that Section 4‑29‑67(D) shall take effect in each county in the first property tax year in which a countywide reassessment program is implemented after December 31, 2010.

SECTION 7. Section 4‑29‑68(A)(2) of the 1976 Code, as last amended by Act 116 of 2007, is further amended to read:

“(2)(i) The bonds are issued for the purpose of paying the cost of designing, acquiring, constructing, improving, or expanding (a) the infrastructure serving the issuer or the project, (b) for improved or unimproved real estate and personal property including machinery and equipment used in the operation of a manufacturing or commercial enterprise, or (c) aircraft which qualifies as a project pursuant to Section 12‑44‑30(16), which property is determined by the issuer to enhance the economic development of the issuer. Costs of issuance of the bonds also may be paid from bond proceeds. Bonds issued pursuant to this section to finance the acquisition of real or personal property may be additionally secured by a mortgage of that real or personal property.

(ii) To the extent that the bonds or any credit or offset against a fee in lieu of taxes that is allowed in lieu of the issuance of the bonds, is used as payment for personal property, including machinery and equipment, and the personal property is removed from the project at any time during the life of the fee, the amount of the fee in lieu of taxes due on the personal property for the year in which the personal property was removed from the project also shall be due for the two years immediately following the removal. The amounts will be remitted by the Department to the county in which the project is located.

(a) To the extent that any payment amounts were used for both real property and personal property or infrastructure and personal property, all amounts will be presumed to have been first used for personal property.

(b) If personal property is removed from the project but is replaced with qualifying replacement property, then the personal property will not be considered to have been removed from the property.”

SECTION 8. A. Section 12‑44‑30 of the 1976 Code, as last amended by Act 352 of 2008, is further amended to read:

“Section 12‑44‑30. As used in this chapter:

(1) ‘Alternative payment method’ means fee payments as provided in Section 12‑44‑50(A)(3).

(2) ‘Commencement date’ means the last day of the property tax year during which economic development property is placed in service, except that this date must not be later than the last day of the property tax year which is three years from the year in which the county and the sponsor enter into a fee agreement. The commencement date for an economic development project as defined in subsection (17) is the last day of the first property tax year in which economic development property is placed in service.

(3) ‘County’ means the county or counties in which the project is proposed to be located. A project may be located in more than one county, subject to the provisions of Section 12‑44‑40(~~G~~H).

(4) ‘County council’ means the governing body of the county in which the economic development property is located, except as specifically provided by Section 12‑44‑40(~~G~~H).

(5) ‘Department’ means the South Carolina Department of Revenue.

(6) ‘Economic development property’ means each item of real and tangible personal property comprising a project which satisfies the provisions of Section 12‑44‑40(C) and other requirements of this chapter and is subject to a fee agreement. That property, other than replacement property qualifying under Section 12‑44‑60, must be placed in service by the end of the investment period.

(7) ‘Enhanced investment’ means a project that results in a total investment:

(a) by a single sponsor investing at least one hundred fifty million dollars and creating at least one hundred twenty‑five new full‑time jobs at the project; provided that the new full‑time jobs requirement of this subsection does not apply to a taxpayer who paid more than fifty percent of all property taxes actually collected in the county for more than twenty‑five years, ending on the date of the fee agreement;

(b) by a single sponsor investing at least four hundred million dollars; or

(c) that satisfies the requirements of Section 11‑41‑30(2)(a), and for which the Secretary of Commerce has delivered certification pursuant to Section 11‑41‑70(2)(a).

For purposes of this item, if a single sponsor enters into a financing arrangement of the type described in Section 12‑44‑120(B), the investment in or financing of the property by a developer, lessor, financing entity, or other third party in accordance with this arrangement is considered investment by the sponsor. Investment by a related person to the sponsor, as described in Section 12‑10‑80(D)(2), is considered investment by the sponsor.

(8) ‘Exemption period’ means the period beginning on the first day of the property tax year after the property tax year in which an applicable piece of economic development property is placed in service and ending on the termination date. For projects which are completed and placed in service during more than one year, the exemption period applies to each year’s investment made by a sponsor during the investment period.

(9) ‘Fee’ means the amount paid in lieu of ad valorem property tax as provided in the fee agreement.

(10) ‘Fee agreement’ means an agreement between the sponsor and the county obligating the sponsor to pay fees instead of property taxes during the exemption period for each item of economic development property as more particularly described in Section 12‑44‑40.

(11) ‘Inducement resolution’ means a resolution of the county setting forth the commitment of the county to enter into a fee agreement.

(12) ‘Infrastructure improvement credit’ means a credit against the fee as provided by Section 12‑44‑70.

(13) ‘Investment period’ means the period beginning with the first day that economic development property is purchased or acquired and ending five years after the commencement date; except that for a project with an enhanced investment as described above, the period ends eight years after the commencement date. The minimum investment must be completed within five years of the commencement date. For an enhanced investment, the applicable minimum investment and job requirements under ~~Section 12‑44‑30~~ subsection (7) must be completed within eight years of the commencement date. Investment period means for a qualified nuclear plant facility the period beginning with the first day that economic development property is purchased or acquired and ending ten years after the commencement date. For those sponsors that, after qualifying for the enhanced investment, have more than five hundred million dollars in capital invested in this State and employ more than one thousand people in this State, the investment period ends ten years after the commencement date. If the sponsor does not anticipate completing the project within these periods, the sponsor may apply to the county before the end of the investment period for an extension of time to complete the project. The extension may not exceed five years. If a project receives an extension of less than five years, the sponsor may apply to the county before the end of the extension period for an additional extension of time to complete the project for an aggregate extension of not more than five years. Unless approved as part of the original fee documentation, the county council of the county may approve an extension by resolution, a copy of which must be delivered to the department within thirty days of the date the resolution was adopted. An extension is not allowed for the time period in which the sponsor must meet the minimum investment requirement.

(14) ‘Minimum investment’ means an investment in the project of at least two and one‑half million dollars within the investment period. If a county has an average annual unemployment rate of at least twice the state average during the last twenty‑four month period based on data available on the most recent November first, the minimum investment is one million dollars. The department shall designate these reduced investment counties by December thirty‑first of each year using data from the South Carolina Employment Security Commission and the United States Department of Commerce. The designations are effective for a sponsor whose fee agreement is signed in the calendar year following the county designation. For all purposes of this chapter, the minimum investment may include amounts expended by a sponsor or sponsor affiliate as a nonresponsible party in a voluntary cleanup contract on the property pursuant to Article 7, Chapter 56, ~~of~~ Title 44, the Brownfields Voluntary Cleanup Program, if the Department of Health and Environmental Control certifies completion of the cleanup. If the amounts under the Brownfields Voluntary Cleanup Program equal at least one million dollars, the investment threshold requirement of this chapter is deemed to have been met.

(15) ‘Industrial development park’ means an industrial or business park developed by two or more counties as defined in Section 4‑1‑170.

(16) ‘Project’ means land, buildings, and other improvements on the land, including water, sewage treatment and disposal facilities, air pollution control facilities, and all other machinery, apparatus, equipment, office facilities, and furnishings which are considered necessary, suitable, or useful by a sponsor. “Project” also may consist of or include aircraft hangered or utilizing an airport in a county so long as the county expressly consents to its inclusion. Aircraft previously subject to taxation in South Carolina qualify pursuant to this provision.

(17) ‘Qualified nuclear plant facility’ means a nuclear electric power generating plant regulated by the Nuclear Regulatory Commission and includes all real and personal property incorporated into or associated with the facility located or to be located within this State with a total minimum level of investment of one billion dollars.

(~~17~~18) ‘Replacement property’ means property placed under the fee agreement to replace economic development property previously subject to the fee agreement, as provided in Section 12‑44‑60.

(~~18~~19) ‘Sponsor’ means one or more entities which sign the fee agreement with the county and makes the minimum investment, subject to the provisions of Section 12‑44‑40, each of which makes the minimum investment as provided in ~~Section 12‑44‑30~~ subsection (13) and also includes a sponsor affiliate unless the context clearly indicates otherwise. If a project consists of a manufacturing, research and development, corporate office, or distribution facility, as those terms are defined in Section 12‑6‑3360(M) and including a qualified nuclear plant facility as defined in subsection (17) of this section, each sponsor or sponsor affiliate is not required to invest the minimum investment if the total investment at the project exceeds ~~ten~~ five million dollars.

(~~19~~20) ‘Sponsor affiliate’ means an entity that joins with or is an affiliate of a sponsor and that participates in the investment in, or financing of, a project.

(~~20~~21) ‘Termination date’ means the date that is the last day of a property tax year that is the ~~nineteenth~~ twenty‑ninth year following the first property tax year in which an applicable piece of economic development property is placed in service~~; provided, however, that the~~. A sponsor may apply to the county prior to the termination date for an extension of the termination date beyond the ~~nineteenth~~ twenty‑ninth year up to ten years. The county council of the county shall approve an extension by resolution upon a finding of substantial public benefit. A copy of the resolution must be delivered to the department within thirty days of the date the resolution was adopted. ~~With respect to a fee agreement involving an enhanced investment, the termination date is the last day of a property tax year that is the twenty‑ninth year following the first property tax year in which an applicable piece of economic development property is placed in service.~~ If the fee agreement is terminated in accordance with Section 12‑44‑140, the termination date is the date the agreement is terminated.”

B. The provisions of this section take effect upon approval by the Governor except that the provisions of Section 12‑44‑30(21) take effect January 1, 2011, provided that a county may amend an existing fee‑in‑lieu agreement at any time prior to the expiration of the fee to incorporate the amendments to Section 12‑44‑30(21) as contained in subsection A.

SECTION 9. Section 12‑44‑40 of the 1976 Code, as last amended by Act 116 of 2007, is further amended to read:

“Section 12‑44‑40. (A) To obtain the benefits provided by this chapter, the sponsor and the county must enter into a fee agreement requiring the payment of the fee described in Section 12‑44‑50. The county must adopt an ordinance approving the fee agreement with the sponsor.

(B) If the county and the sponsor enter into a fee agreement, all economic development property is exempt from all ad valorem property taxation for the entire exemption period. Upon termination of the exemption period, the property is subject to property taxation in the manner provided by law, unless the property is otherwise exempt.

(C) Subject to the provisions of subsection (D) and the provisions of Section 12‑44‑110, real or tangible personal property of a sponsor or sponsor affiliate which has been acquired for which expenditures have been incurred by the sponsor or sponsor affiliate and which are used in connection with a project or a portion of a project, qualifies as economic development property, if the expenditures are incurred or the property is acquired before the end of the investment period.

(D) A county has two years from the date it takes action reflecting or identifying the project, or proposed project, to adopt an inducement resolution if the inducement resolution was not the original county action reflecting or identifying the project or proposed project. Otherwise, expenditures incurred before adoption of the inducement resolution do not qualify as economic development property.

(E) If a fee agreement is not executed within five years after action by the county identifying or reflecting the project, the real property or tangible personal property of a sponsor for which expenditures have been incurred by the sponsor with respect to the project does not qualify as economic development property. An action includes an inducement resolution adopted by the county council of the county.

(F) Notwithstanding another provision of this chapter, in the case of a qualified nuclear plant facility, the sponsor has five years from the end of the calendar year in which the Nuclear Regulatory Commission grants the sponsor a combined license to construct and operate a nuclear power plant to enter into a fee agreement with the county but in no event more than fifteen years from the latter of the adoption of an inducement resolution or execution of an inducement agreement by the county.

(~~F~~G) To be eligible to enter into a fee agreement, the sponsor shall commit to a project which meets the minimum investment level and, with respect to applicable enhanced investments, the total applicable investment and the minimum job creation levels required for an enhanced investment.

(~~G~~H) The project must be located in a single county or in an industrial development park. A project located on contiguous tracts of land in more than one county, but not in an industrial development park, may qualify for the fee if:

(1) the counties agree on the terms of the fee and the distribution of the fee payment;

(2) a minimum millage rate is provided for in the agreement; and

(3) all counties are parties to all agreements establishing the terms of the fee.

(~~H~~I)(1) Before undertaking a project, the county council shall find that:

(a) the project is anticipated to benefit the general public welfare of the locality by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;

(b) the project gives rise to no pecuniary liability of the county or incorporated municipality or a charge against its general credit or taxing power; and

(c) the purposes to be accomplished by the project are proper governmental and public purposes and the benefits of the project are greater than the costs.

(2) In making the findings of this subsection, the county council may seek the advice and assistance of the department or the Board of Economic Advisors. The determination and findings must be set forth in an ordinance.

(~~I~~J) If the county council has by contractual agreement provided for a change in fee in lieu of taxes arrangements conditioned on a future legislative enactment, a new enactment does not bind the original parties to the agreement unless the change is ratified by the county council.

(~~J~~K)(1) Upon agreement of the parties, and except as provided in item (2), a fee agreement may be amended or terminated and replaced with regard to all matters, including the addition or removal of sponsors or sponsor affiliates.

(2) An amendment or replacement of a fee agreement must not be used to lower the millage rate, discount rate, assessment ratio, or, except as provided in Sections 12‑44‑30(13) and (~~20~~21), increase the term of the agreement.”

SECTION 10. A. Section 12‑44‑50(A)(1)(c)(i) of the 1976 Code, as last amended by Act 69 of 2003, is further amended to read:

“(i) if real property is constructed for the fee or is purchased in an arm’s length transaction, the fair market value of real property is determined by using the original income tax basis for South Carolina income tax purposes without regard to depreciation, otherwise the property must be reported at its fair market value for ad valorem property taxes as determined by appraisal. The fair market value estimate established for the first year of the fee remains the fair market value of the real property for the life of the fee. The county and the sponsor or sponsor affiliate may instead provide in the fee agreement or any amendment thereto that any real property subject to the fee shall be reported at its fair market value for ad valorem property taxes as determined by appraisal as if such property were not subject to the fee; provided, the department may not undertake such an appraisal more than once every five years;”

B. This SECTION shall take effect in each county in the first property tax year in which a countywide reassessment program is implemented after December 31, 2010.

SECTION 11. Section 12‑44‑110(2) of the 1976 Code, as last amended by Act 69 of 2003, is further amended to read:

“(2) property which has been subject to property taxes in this State, but which has never been placed in service in this State, or which was placed in service in this State pursuant to an inducement agreement or other preliminary approval by the county prior to execution of the fee agreement pursuant to Section 12‑44‑40(E), may qualify as economic development property;”

SECTION 12. Section 12‑44‑130(A) of the 1976 Code, as last amended by Act 384 of 2006, is further amended to read:

“(A) Except as otherwise provided in Section 12‑44‑30(~~18~~19), to be eligible for the fee, a sponsor and each sponsor affiliate must invest the minimum investment as defined in Section 12‑44‑30(14). For an enhanced investment pursuant to Section 12‑44‑30(7), a single sponsor must make the investment, unless otherwise provided in that section. The county and the sponsors who are part of the fee agreement may agree that investments by other sponsor affiliates within the investment period qualify for the fee regardless of whether the sponsor affiliate was part of the fee agreement, except that each new sponsor affiliate must invest at least the minimum investment or the enhanced investment if applicable in the project, unless the project is a manufacturing, research and development corporate office, or distribution facility as provided in Section 12‑44‑30(~~18~~19). To qualify for the fee, the sponsor affiliates must be approved specifically by the county and must agree to be bound by agreements with the county relating to the fee. These sponsor affiliates are not bound by agreements, or portions of agreements, to the extent the agreements do not affect the county. The investments pursuant to this subsection must be at the sponsor’s project. The fee agreement may provide for a process for approval of sponsor affiliates.”

SECTION 13. Section 12‑43‑220(a)(4) of the 1976 Code, as last amended by Act 313 of 2008, is further amended to read:

“(4) Real property owned by or leased to a manufacturer and used ~~exclusively~~ primarily for warehousing and wholesale distribution is not considered used by a manufacturer in the conduct of the business of the manufacturer for purposes of classification of property pursuant to ~~this item~~ subsection (a). For purposes of this item, the real property owned by or leased to a manufacturer and used primarily for warehousing and wholesale distribution must not be physically attached to the manufacturing plant unless the warehousing and wholesale distribution area is separated by a permanent wall.”

SECTION 14. Section 12‑10‑85 of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“Section 12‑10‑85. (A) Funds received by the department for the State Rural Infrastructure Fund must be deposited in the State Rural Infrastructure Fund of the Council. The fund must be administered by the council for the purpose of providing financial assistance to local governments for infrastructure and other economic development activities including, but not limited to:

(1) training costs and facilities;

(2) improvements to regionally planned public and private water and sewer systems;

(3) improvements to both public and private electricity, natural gas, and telecommunications systems including, but not limited to, an electric cooperative, electrical utility, or electric supplier described in Chapter 27 ~~of~~, Title 58; ~~or~~

(4) fixed transportation facilities including highway, rail, water, and air~~.~~;

(5) site preparation;

(6) acquiring or improving real property; and

(7) relocation expenses, but only for those employees to whom the company is paying gross wages at least two times the lower of the per capita income for either the state or the county in which the project is located.

The council may retain up to five percent of the revenue received for the State Rural Infrastructure Fund for administrative, reporting, establishment of grant guidelines, review of grant applications, and other statutory obligations.

(B) Rural Infrastructure Fund grants must be available to benefit counties or municipalities designated as ‘~~distressed~~ Tier IV’ or ‘~~least developed~~ Tier III’ as defined in Section 12‑6‑3360 according to guidelines established by the council, except that up to twenty‑five percent of the funds annually available in excess of ten million dollars must be set aside for grants to areas of ~~‘underdeveloped, ‘moderately developed, and ‘developed’~~ ‘Tier II’ and ‘Tier I’ counties. A governing body of ~~an ‘underdeveloped’, ‘moderately developed’, or ‘developed’~~ a ‘Tier II’ or ‘Tier I’ county must apply to the council for these set‑aside grants stating the reasons that certain areas of the county qualify for these grants because the conditions in that area of the county are comparable to those conditions qualifying a county as ~~‘distressed’ or ‘least developed’~~ ‘Tier IV’ or ‘Tier III’.

(C) For purposes of this section, ‘local government’ means a county, municipality, or group of counties organized pursuant to Section 4‑9‑20(a), (b), (c), or (d).

(D) The council shall submit a report to the Governor and General Assembly by March fifteenth covering activities for the prior calendar year.

(E) The department shall retain unexpended or uncommitted funds at the close of the state’s fiscal year of the State and expend the funds in subsequent fiscal years for like purposes.”

SECTION 15. A. Title 11 of the 1976 Code is amended by adding:

“CHAPTER 18

South Carolina Volume Cap Allocation Act

Section 11‑18‑5. This chapter shall be known as the ‘South Carolina Volume Cap Allocation Act’.

Section 11‑18‑10. The General Assembly finds and determines that:

(a) Sections 1400U‑2 and 1400U‑3 of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111‑5.123 Stat. 115 (2009) (codified at Section 1400U‑2 and ‑3 of the Internal Revenue Code) (‘ARRA’) added two new types of bonds as recovery zone bonds:

(1) a new type of exempt facility bonds called ‘recovery zone facility bonds’ to be used to finance construction, renovation, and equipping of recovery zone property for use in any trade or business in a recovery zone, all as defined in ARRA; and

(2) a new type of governmental bond called ‘recovery zone economic development bonds.’

(b) The provisions of ARRA provide a formula for allocation of authority to issue recovery zone facility bonds and recovery zone economic development bonds to the states and by the states to the counties and large municipalities within the states. The United States Department of the Treasury, Internal Revenue Service provided for recovery zone bond volume cap allocations in IRS Notice 2009‑50 and provided calculations for individual counties and large municipalities on that same date. The notice made specific provision for reallocation of the volume cap allocations that are waived or deemed waived by a county or municipality by giving the state in which such county or municipality is located the authority to reallocate the waived volume cap in any reasonable manner as it shall determine in good faith in its discretion.

(c) Section 1112 of ARRA amended Section 54D(d) of the Internal Revenue Code to increase the volume cap authorization for qualified energy conservation bonds, which were created by Section 301(a) of Tax Extenders and Alternative Minimum Tax Relief Act of 2008, Pub. L. 110‑343.122 Stat. 1365 (2008). The United States Department of the Treasury, Internal Revenue Service provided for qualified energy conservation bond volume cap allocations to the states in IRS Notice 2009‑29 and authorized the states to allocate such volume cap allocations.

(d) Because of several factors, including the relatively small amounts of some of the allocations, limitations on legal borrowing capacity affecting counties and large municipalities and the lack of access to borrowing by possible beneficiaries of the bonds described above, very little of the allocations of bonds described herein have been utilized in connection with the issuance of these bonds in South Carolina.

(e) These bonds are a valuable resource to South Carolina in its efforts to revitalize its economy and to provide additional employment, all to the promotion of the health and welfare of the citizens of South Carolina.

(f) Because recovery zone bonds must be issued before January 1, 2011, it is in the best interests of the State to provide a procedure for determining as to when counties or large municipalities have waived their allocations of these bonds and to provide for the reallocation of such waived allocations.

(g) Recovery zone facility bonds are bonds with substantially all of the proceeds of which are used for ‘recovery zone property, as defined in the ARRA. The definition of ‘recovery zone property’ includes facilities that may not currently be authorized under the State’s private activity bond enabling statutes. These projects will provide much needed employment, thus it is the best interest of the health and welfare of the citizens of the State to provide authorization for bonds to finance recovery zone property.

(h) The purposes of this chapter is to provide the procedures for the reallocation of recovery zone bonds as well as provide the authorization for the allocation of Qualified Energy Conservation Bonds and Other Federal Bonds as defined below.

Section 11‑18‑20. (a) ‘ARRA bonds’ mean:

(1) recovery zone bonds authorized under Section 1401 of ARRA; and

(2) Qualified Energy Conservation Bonds authorized under Section 301(a) of Tax Extenders and Alternative Minimum Tax Relief Act of 2008, Pub. L. 110‑343, 122 Stat. 1365 (2008) as amended by Section 112 of ARRA.

(b) ‘Board’ means the South Carolina Budget and Control Board.

(c) ‘Code’ means the Internal Revenue Code of 1986, as amended.

(d) ‘Local Government’ means each county and municipality that received an allocation of Volume Cap pursuant to the Code and IRS Notice 2009‑50.

(e) ‘Other federal bonds’ mean any such bond, whether tax–exempt, taxable or tax credit, created after the date hereof whereby a volume cap limitation is proscribed under the Code.

(f) ‘Qualified energy conservation bond’ means the term as defined in Section 54D(a) of the Code.

(g) ‘Recovery zone’ means the term as defined in Section 1400U‑1(b) of the Code.

(h) ‘Recovery zone economic development bond’ means the term as defined in Section 1400U‑2 of the Code.

(i) ‘Recovery zone facility bond’ means the term as defined in Section1400U‑3 of the Code.

(j) ‘State’ means the State of South Carolina.

(k) ‘Volume Cap’ means the amount or other limitation of ARRA Bonds allocated to each state and to counties and large municipalities within each state in accordance with Section 1400U‑1(a)(4) of the Code, with respect to Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds, Section 54D(e)(1) of the Code, with respect to Qualified Energy Conservation Bonds, and any other section of the Code which imposes a volume cap limitation on any other Federal Bonds.

Section 11‑18‑30. For any Volume Cap allocation of Qualified Energy Conservation Bonds and any other Volume Cap allocation for Other Federal Bonds, which has not been or shall not be further suballocated by the Code, the Internal Revenue Service or the United States Department of the Treasury, the board is authorized to suballocate such Volume Cap allocation.

Section 11‑18‑40. (A) In accordance with the provisions of this chapter, the board shall establish a method for determining when a Local Government has waived all or part of its Volume Cap allocation and shall manage the reallocation of such Volume Cap. All allocations and reallocations made pursuant to this chapter shall be made by the board with the advice and recommendation of an advisory committee which the board may from time to time appoint and which shall be comprised of members who are, in the sole determination of the board, familiar with the subject matter germane to the specific federal bond program.

(B) When appropriate, the board shall provide written notice of Volume Cap allocations of ARRA Bonds and Other Federal Bonds to Local Governments by United States registered or certified mail. Written notice shall be effective on the date shown on the return receipt. Such notice may include a deadline by which ARRA Bonds and Other Federal Bonds must be issued.

(C) A Local Government may waive its Volume Cap allocation by providing written notice of such waiver to the board within thirty days of the written notice provided in subsection (b).

(D) In determining when a Local Government has waived all or part of its Volume Cap, the board shall provide that if it has not received from a Local Government a notice of intent to use its Volume Cap allocation within a designated number of days of the written notice provided in subsection (B), the Local Government shall be deemed to have waived its Volume Cap allocation. The form of the notice of intent to use a Local Government’s Volume Cap allocation shall be determined by the board. Each notice of intent to use its Volume Cap allocation submitted by a Local Government must contain evidence satisfactory to the board, in its sole discretion, that the allocation will in fact be used. This evidence may consist of:

(1) resolution or otherwise of the designation of a Recovery Zone, if such designation is required;

(2) the form of the resolution or ordinance in substantially final form authorizing the issuance of bonds or approving such other financing as may be done accompanied by a written opinion of legal counsel that the Local Government has the legal ability to effect such issuance or borrowing;

(3) a written opinion of legal counsel that the ARRA Bonds or Other Federal Bonds that the Local Government intends to issue will qualify, based on information available at that time to such legal counsel, as such ARRA Bonds or Other Federal Bonds when issued;

(4) a schedule for the closing of the issue which must not be later than a date determined by the board; and

(5) other documentation as the board deems appropriate.

(E) Failure to issue ARRA Bonds or Other Federal Bonds by any deadline established by the board shall constitute a waiver of Volume Cap allocation unless the board extends such deadline.

Section 11‑18‑50. (A) Within thirty days of the effective date of this chapter, the board shall develop a form for use by any eligible issuer in applying for reallocation of any waived Volume Cap allocation. Applications for reallocation may be accepted by the board at times prescribed by the board. The board may make reallocations as soon as it determines that there is an actual or deemed waiver of any Volume Cap allocation.

(B) In making reallocations, the board may consider the following factors:

(1) the likelihood of successful completion of such financing;

(2) the number of jobs to be created or preserved and the wages for such jobs;

(3) relative economic need and benefit to the applicant and any other entity benefiting from the proposed issue; and

(4) the overall best interest of the State and the people of the State.

(C) Upon making any reallocation, the board shall provide written notice of the reallocation of Volume Cap to the eligible issuer by United States registered or certified mail.

Section 11‑18‑60. Local Governments allocated Volume Cap pursuant to this chapter may, by order or resolution of its governing body, suballocate such allocation to any other eligible issuers authorized to issue ARRA Bonds or Other Federal Bonds pursuant to the Code or any related pronouncements made by the Internal Revenue Service or the United States Treasury Department. Each Local Government that suballocates Volume Cap shall attach a copy of the order, ordinance or resolution authorizing the suballocation to its notice of intent to use Volume Cap required by Section 11‑18‑40. Local Governments shall be authorized to take any other action required by the Code or related pronouncements made by the Internal Revenue Service or the Treasury Department to issue ARRA Bonds or Other Federal Bonds.

Section 11‑18‑70. (A) The purpose of this chapter is to ensure that the State’s allocations of ARRA Bonds and Other Federal Bonds are used. To that end, the Board is authorized and directed to make such exceptions and waivers or extend or shorten time requirements as it deems most likely to effect the purposes hereof. The board is encouraged to avoid the development of rigid procedures and formalities in the determination of waived allocations or reallocations. The board is directed focus on the probability of the Local Governments’ using the Volume Cap for ARRA Bonds prior to January 1, 2011.

(B) The board may adopt any further policies and procedures it considers necessary for the equitable and effective administration of this chapter.

Section 11‑18‑80. In order to make the maximum use of Volume Cap allocations, any bond enabling act which specifies particular projects or users must be construed to provide that any recovery zone property as defined in Section 1400U‑3(b) of the Code will be deemed to qualify as a project. Accordingly any person engaged in a qualified business as defined in Section 1400U‑3(b)(2) of the Code will be permitted as beneficiary of any such bonds.”

B. Section 4‑29‑10(3) of the 1976 Code, as last amended by Act 89 of 2001, is further amended to read:

“(3) ‘Project’ means any land and any buildings and other improvements on the land including, without limiting the generality of the foregoing, water, sewage treatment and disposal facilities, air pollution control facilities, and all other machinery, apparatus, equipment, office facilities, and furnishings which are considered necessary, suitable, or useful by the following investors or any combination of them:

(a) any enterprise for the manufacturing, processing, or assembling of any agricultural or manufactured products;

(b) any commercial enterprise engaged in storing, warehousing, distributing, transporting, or selling products of agriculture, mining, or industry, or engaged in providing laundry services to hospitals, to convalescent homes, or to medical treatment facilities of any type, public or private, within or outside of the issuing county or incorporated municipality and within or outside of the State;

(c) any enterprise for research in connection with any of the foregoing or for the purpose of developing new products or new processes or improving existing products or processes;

(d) any enterprise engaged in commercial business including, but not limited to, wholesale, retail, or other mercantile establishments; residential and mixed use developments of two thousand five hundred acres or more; office buildings; computer centers; tourism, sports, and recreational facilities; convention and trade show facilities; and public lodging and restaurant facilities if the primary purpose is to provide service in connection with another facility qualifying under this subitem; and

(e) any enlargement, improvement, or expansion of any existing facility in subitems (a), (b), (c), and (d) of this item.

The term ‘project’ does not include facilities for an enterprise primarily engaged in the sale or distribution to the public of electricity, gas, or telephone services. A project may be located in one or more counties or incorporated municipalities. The term ‘project’ also includes any structure, building, machinery, system, land, interest in land, water right, or other property necessary or desirable to provide facilities to be owned and operated by any person, firm, or corporation for the purpose of providing drinking water, water, or wastewater treatment services or facilities to any public body, agency, political subdivision, or special purpose district. This definition is for purposes of industrial revenue bonds only.

Notwithstanding another provision hereof, the term ‘project’ shall include any recovery zone property as defined in Section 1400U‑3(b) of the Internal Revenue Code and any ‘Qualified Conservation Purpose’ as defined in Section 54D(f) of the Internal Revenue Code or other purposes set forth in Section 54D(e) of the Code. No restriction herein relating to the user or use of a project shall apply to any recovery zone property.”

SECTION 16. Section 12‑6‑3360 of the 1976 Code, as last amended by Act 116 of 2007, is further amended to read:

“Section 12‑6‑3360. (A) Taxpayers that operate manufacturing, tourism, processing, warehousing, distribution, research and development, corporate office, qualifying service‑related facilities, agribusiness operations, extraordinary retail establishment, and qualifying technology intensive facilities, and banks as defined pursuant to this title are allowed an annual jobs tax credit as provided in this section. In addition, taxpayers that operate retail facilities and service‑related industries qualify for an annual jobs tax credit in counties designated as ~~least developed or distressed, and in counties that are under developed and not traversed by an interstate highway~~ Tier IV. As used in this section, ‘corporate office’ includes general contractors licensed by the South Carolina Department of Labor, Licensing and Regulation. Credits pursuant to this section may be claimed against income taxes imposed by Section 12‑6‑510 or 12‑6‑530, bank taxes imposed pursuant to Chapter 11 of this title, and insurance premium taxes imposed pursuant to Chapter 7 ~~of~~, Title 38, and are limited in use to fifty percent of the taxpayer’s South Carolina income tax, bank tax, or insurance premium tax liability. In computing a tax payable by a taxpayer pursuant to Section 38‑7‑90, the credit allowable pursuant to this section must be treated as a premium tax paid pursuant to Section 38‑7‑20.

(B) The department shall rank and designate the state’s counties by December thirty‑first each year using data from the South Carolina Employment Security Commission and the United States Department of Commerce. The county designations are effective for taxable years that begin in the following calendar year. ~~A county’s designation may not be lowered in credit amount more than one tier in the following calendar year.~~ The counties are ranked using the last three completed calendar years of per capita income data and the last thirty‑six months of unemployment rate data that are available on November first, with equal weight given to unemployment rate and per capita income as follows:

(1)~~(a)~~ The twelve counties with a combination of the highest unemployment rate and lowest per capita income are designated ~~distressed~~ Tier IV counties. Notwithstanding any other provision of law, no more than twelve counties may be designated or classified as ~~distressed~~ Tier IV and notwithstanding any other provision of this section, a county may be designated as ~~distressed~~ Tier IV only by virtue of the criteria provided in this ~~subitem~~ item.

~~(b)~~ ~~A category with the same criteria as provided in subitem (a) of this item is designated least developed county which consists of underdeveloped counties otherwise eligible for this category.~~

(2) The twelve counties with a combination of the next highest unemployment rate and next lowest per capita income are designated ~~underdeveloped~~ Tier III counties.

(3) The eleven counties with a combination of the next highest unemployment rate and the next lowest per capita income are designated ~~moderately developed~~ Tier II counties.

(4) The eleven counties with a combination of the lowest unemployment rate and the highest per capita income are designated ~~developed~~ Tier I counties.

~~(5)(a)~~ ~~A county, any portion of which is located within twenty‑five miles of the boundaries of an applicable military installation or applicable federal facility as defined in Section 12‑6‑3450(1), shall receive the next increased credit designation for five years beginning with the year in which the military installation or federal facility became an applicable military installation or applicable federal facility as defined in Section 12‑6‑3450(1), with the additional requirement that the military installation must have reduced employment on the installation of at least three thousand employees.~~

~~(b)~~ ~~In addition to the designation in subitem (a), a county in which an applicable military installation or applicable federal facility is located is allowed an additional increased credit designation for five years beginning with the year the installation or facility meets the requirements.~~

~~(c)~~ ~~Notwithstanding the designations in Section 12‑6‑3360, Laurens, Cherokee, and Union Counties shall qualify for the next increased credit designation.~~

~~(d)~~ ~~In a county where less than five percent of the work force is in manufacturing, the credit allowed is one tier higher than the credit for which the county would otherwise qualify.~~

~~(e)~~ ~~For a job created in a county that is not traversed by an interstate highway, the credit allowed is one tier higher than the credit for which jobs created in the county would otherwise qualify. This subitem does not apply to a job created in a county eligible for a higher tier pursuant to another provision of this item.~~

~~(f)~~ ~~In a county in which one employer has lost at least 1,500 jobs in a calendar year, the credit allowed is one tier higher than the credit for which the county would otherwise qualify. The one‑tier‑higher credit allowed by this subsection is allowed for five taxable years for jobs created in 2006, 2007, and 2008. This subsection does not apply to a job created in a county eligible for a higher tier pursuant to another provision of this section.~~

~~(g)~~ ~~In a county which is at least one thousand square miles in size and which has had an unemployment rate greater than the state average for the past ten years and an average per capita income lower than the average state per capita income for the past ten years, and which is not included in any of the county classifications contained in subitems (a) through (f) of this item, the credit allowed is two tiers higher than the credit for which the county otherwise would qualify.~~

~~(h)~~ ~~In a county in which one employer has lost at least 1,500 jobs in calendar year 2006, the credit allowed is three tiers higher than the credit for which the county would otherwise qualify. The three‑tier‑higher credit allowed by this subsection is allowed for five taxable years for jobs created in 2007 and 2008. This subsection does not apply to a job created in a county eligible for a higher tier pursuant to another provision of this section.~~

(C)(1) Subject to the conditions provided in subsection (~~N~~M) of this section, a job tax credit is allowed for five years beginning in year two after the creation of the job for each new full‑time job created if the minimum level of new jobs is maintained. The credit is available to taxpayers that increase employment by ten or more full‑time jobs, and no credit is allowed for the year or any subsequent year in which the net employment increase falls below the minimum level of ten. The amount of the initial job credit is as follows:

(a) Eight thousand dollars for each new full‑time job created in ~~distressed~~ Tier IV counties.

(b) ~~Four thousand five hundred dollars for each new full‑time job created in least developed counties.~~

~~(c)~~ ~~Three~~ Four thousand ~~five~~ two hundred fifty dollars for each new full‑time job created in ~~under developed~~ Tier III counties.

(~~d~~c) Two thousand ~~five~~ seven hundred fifty dollars for each new full‑time job created in ~~moderately developed~~ Tier II counties.

(~~e~~d) One thousand five hundred dollars for each new full‑time job created in ~~developed~~ Tier I counties.

(2)(a) Subject to the conditions provided in subsection (~~N~~M) of this section, a job tax credit is allowed for five years beginning in year two after the creation of the job for each new full‑time job created if the minimum level of new jobs is maintained. The credit is available to taxpayers with ninety‑nine or fewer employees that increase employment by two or more full‑time jobs, and may be received only if the gross wages of the full‑time jobs created pursuant to this section amount to a minimum of one hundred twenty percent of the county’s or state’s average per capita income, whichever is lower. No credit is allowed for the year or any subsequent year in which the net employment increase falls below the minimum level of two. The amount of the initial job credit is as described in (C)(1).

(b) If the taxpayer with ninety‑nine or fewer employees increases employment by two or more full‑time jobs but the gross wages do not amount to a minimum one hundred twenty percent of the county’s or state’s average per capita income, whichever is lower, then the amount of the initial job credit is as follows:

(i) Four thousand dollars for each new full‑time job created in ~~distressed~~ Tier IV counties.

(ii) ~~Two thousand two hundred fifty dollars for each new full‑time job created in least developed counties.~~

~~(iii)~~ ~~One~~ Two thousand ~~seven~~ one hundred ~~fifty~~ twenty‑five dollars for each new full‑time job created in ~~under developed~~ Tier III counties.

(~~iv~~iii) One thousand ~~two~~ three hundred ~~fifty~~ seventy‑five dollars for each new full‑time job created in ~~moderately developed~~ Tier II counties.

(~~v~~iv) Seven hundred fifty dollars for each new full‑time job created in ~~developed~~ Tier I counties.

(D) If the taxpayer qualifying for the new jobs credit under subsection (C) creates additional new full‑time jobs in years two through six, the taxpayer may obtain a credit for those new jobs for five years following the year in which the job is created. The amount of the credit for each new full‑time job is the same as provided in subsection (C).

(E)(1) Taxpayers which qualify for the job tax credit provided in subsection (C) and which are located in a business or industrial park jointly established and developed by a group of counties pursuant to Section 13 of Article VIII of the Constitution of this State are allowed an additional one thousand dollar credit for each new full‑time job created. This additional credit is permitted for five years beginning in the taxable year following the creation of the job.

(2) Taxpayers which otherwise qualify for the job tax credit provided in subsection (C) and which are located and the qualifying jobs are located on property where a response action has been completed pursuant to a nonresponsible party voluntary cleanup contract pursuant to Article 7, Chapter 56, ~~of~~ Title 44, the Brownfields Voluntary Cleanup Program, are allowed an additional one thousand dollar credit for each new full‑time job created. This additional credit is permitted for five years beginning in the taxable year following the creation of the job. No credit under this item is allowed a taxpayer that is a ‘responsible party’ as defined in that article.

(F)(1) The number of new and additional new full‑time jobs is determined by comparing the monthly average number of full‑time employees subject to South Carolina income tax withholding in the applicable county for the taxable year with the monthly average in the prior taxable year. For purposes of calculating the monthly average number of full‑time employees in the first year of operation in this State, a taxpayer may use the actual months in operation or a full twelve‑month period. If a taxpayer’s business is in operation for less than twelve months a year, the number of new and additional new full‑time jobs is determined using the monthly average for the months the business is in operation.

(2)(a) A taxpayer who makes a capital investment of at least fifty million dollars at a single site within a three‑year period may elect to have the number of new and additional new full‑time jobs determined by comparing the monthly average number of full‑time jobs subject to South Carolina income tax withholding at the site for the taxable year with the monthly average for the prior taxable year.

(b) For purposes of this item, ‘single site’ means a stand‑alone building whether or not several stand‑alone buildings are located in one geographical location.

(c) The calculation of new and additional jobs provided for in this item is allowed for only a five‑year period commencing in the year in which the fifty million dollars of capital investment is completed.

(d) For purposes of this subsection a ‘new job’ does not include a job transferred from one site to another site by the taxpayer or a related person. A related person includes any entity or person that bears a relationship to the taxpayer as set forth in Section 267 of the Internal Revenue Code. ~~However, this exclusion of a new job created by a job transferred from one site to another site does not extend to a job created at a new or expanded facility located in a county in which is located an ‘applicable federal facility’ as defined in Section 12‑6‑3450(A)(1)(b).~~

(G) Except for credits carried forward under subsection (H), the credits available under this section are only allowed for the job level that is maintained in the taxable year that the credit is claimed. If the job level for which a credit was claimed decreases, the five‑year period for eligibility for the credit continues to run.

(H) A credit claimed pursuant to this section but not used in a taxable year may be carried forward for fifteen years from the taxable year in which the credit is earned by the taxpayer. Credits that are carried forward must be used in the order earned and before jobs credits claimed in the current year. A taxpayer who earns credits allowed by this section and who also is eligible for the moratorium provided in Section 12‑6‑3367 may claim the credits and may carry forward unused credits beginning after the moratorium period expires.

(I) The merger, consolidation, or reorganization of a taxpayer, where tax attributes survive, does not create new eligibility in a succeeding taxpayer, but unused job tax credits may be transferred and continued by the succeeding taxpayer subject to the limitations of Section 12‑6‑3320. In addition, a taxpayer may assign its rights to its jobs tax credit to another taxpayer if it transfers all or substantially all of the assets of the taxpayer or all or substantially all of the assets of a trade or business or operating division of a taxpayer related to the generation of the jobs tax credits to that taxpayer if the required number of new jobs is maintained for that amount of credit. A taxpayer is not allowed a jobs tax credit if the net employment increase for that taxpayer falls below two. The appropriate agency shall determine if qualifying net increases or decreases have occurred and may require reports, adopt rules or promulgate regulations, and hold hearings needed for substantiation and qualification.

(J) For a taxpayer which plans a significant expansion in its labor forces at a location in this State, the appropriate agency shall prescribe certification procedures to ensure that the taxpayer can claim credits in future years even if a particular county is removed from the list of ~~distressed, least developed, under developed, or moderately developed~~ Tier IV, Tier III, or Tier II counties.

(K)(1) An ‘S’ corporation, limited liability company taxed as a partnership, or partnership that qualifies for a credit under this section may pass through the credit earned to each shareholder of the S corporation, partner of the partnership, or member of the limited liability company. For purposes of this subsection, limited liability company means a limited liability company taxed as a partnership.

(2)(a) The amount of the credit allowed a shareholder, partner, or member by this subsection is equal to the shareholder’s percentage of stock ownership, partner’s interest in the partnership, or member’s interest in the limited liability company for the taxable year multiplied by the amount of the credit earned by the entity. This nonrefundable credit is allowed against taxes due under Section 12‑6‑510 or 12‑6‑530 and bank taxes imposed pursuant to Chapter 11 of this title and may not exceed fifty percent of the shareholder’s, partner’s, or member’s tax liability under Section 12‑6‑510 or 12‑6‑530 or bank tax liability imposed pursuant to Chapter 11 of this title.

(b) Notwithstanding subitem (a), the credit earned pursuant to this section by an ‘S’ corporation owing corporate level income tax must be used first at the entity level. Only the remaining credit passes through to each shareholder.

(3) A credit claimed pursuant to this subsection but not used in a taxable year may be carried forward by each shareholder, partner, or member for fifteen years from the close of the tax year in which the credit is earned by the ‘S’ corporation, partnership, or limited liability company. The entity earning the credit may not carry over credit that passes through to its shareholders, partners, or members.

(L) ~~Notwithstanding any other provision of this section, a county with a population under twenty‑five thousand as determined by the most recent United States Census shall receive the next increased credit designation for purposes of the credit allowed by this section.~~

~~(M)~~ As used in this section:

(1) ‘Taxpayer’ means a sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity that is subject to South Carolina taxes as contained in Section 12‑6‑510, Section 12‑6‑530, Chapter 11 ~~of~~, Title 12, or Chapter 7 ~~of~~, Title 38.

(2) ‘Appropriate agency’ means the Department of Revenue, except that for taxpayers subject to the premium tax imposed by Chapter 7 ~~of~~, Title 38, it means the Department of Insurance.

(3) ‘New job’ means a job created in this State at the time a new facility or an expansion is initially staffed. Except as otherwise provided in this item, the term does not include a job created when an employee is shifted from an existing location in this State to a new or expanded facility whether the transferred job is from, or to, a facility of the taxpayer or a related person. A related person includes any entity or person that bears a relationship to the taxpayer as described in Section 267 of the Internal Revenue Code. However, this exclusion of a new job created by employee shifting does not extend to a job created at a new or expanded facility located in a county in which is located an ‘applicable federal facility’ as defined in Section 12‑6‑3450(A)(1)(b). The term ‘new job’ also includes an existing job at a facility of an employer which is reinstated after the employer has rebuilt the facility due to:

(a) its destruction by accidental fire, natural disaster, or act of God;

(b) involuntary conversion as a result of condemnation or exercise of eminent domain by the State or any of its political subdivisions or by the federal government.

Destruction for purposes of this provision means that more than fifty percent of the facility was destroyed. For purposes of this section, involuntary conversion as a result of condemnation or exercise of eminent domain includes a legally binding agreement for the purchase of a facility of an employer entered into between an employer and the State of South Carolina or a political subdivision of the State under threat of exercise of eminent domain by the State or its political subdivision.

The year of reinstatement is the year of creation of the job. All reinstated jobs qualify for the credit pursuant to this section, and a comparison is not required to be made between the number of full‑time jobs of the employer in the taxable year and the number of full‑time jobs of the employer with the corresponding period of the prior taxable year.

~~Notwithstanding another provision of law, ‘new job’ includes jobs created by a taxpayer when the taxpayer hires more than five hundred full‑time individuals:~~

~~(a)~~ ~~at a manufacturing facility located in a county classified as distressed;~~

~~(b)~~ ~~immediately before their employment by the taxpayer, the individuals were employed by a company operating, as of the effective date of this paragraph, under Chapter 11 of the United States Bankruptcy Code; and~~

~~(c)~~ ~~the taxpayer, as an unrelated entity, acquires as of March 12, 2004, substantially all of the assets of the company operating under Chapter 11 of the United States Bankruptcy Code.~~

(4) ‘Full‑time’ means a job requiring a minimum of thirty‑five hours of an employee’s time a week for the entire normal year of company operations or a job requiring a minimum of thirty‑five hours of an employee’s time for a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. For the purposes of this section, two half‑time jobs are considered one full‑time job. A ‘half‑time job’ is a job requiring a minimum of twenty hours of an employee’s time a week for the entire normal year of the company’s operations or a job requiring a minimum of twenty hours of an employee’s time a week for a year in which the employee was hired initially for or transferred to the South Carolina facility.

(5) ‘Manufacturing facility’ means an establishment where tangible personal property is produced or assembled.

(6) ‘Processing facility’ means an establishment that prepares, treats, or converts tangible personal property into finished goods or another form of tangible personal property. The term includes a business engaged in processing agricultural, aquacultural, or maricultural products and specifically includes meat, poultry, and any other variety of food processing operations. It does not include an establishment in which retail sales of tangible personal property are made to retail customers.

(7) ‘Warehousing facility’ means an establishment where tangible personal property is stored but does not include any establishment where retail sales of tangible personal property are made to retail customers.

(8) ‘Distribution facility’ means an establishment where shipments of tangible personal property are processed for delivery to customers. The term does not include an establishment where retail sales of tangible personal property are made to retail customers on more than twelve days a year except for a facility which processes customer sales orders by mail, telephone, or electronic means, if the facility also processes shipments of tangible personal property to customers and if at least seventy‑five percent of the dollar amount of goods sold through the facility are sold to customers outside of South Carolina. Retail sales made inside the facility to employees working at the facility are not considered for purposes of the twelve‑day and seventy‑five percent limitation. For purposes of this definition, ‘retail sale’ and ‘tangible personal property’ have the meaning provided in Chapter 36 of this title.

(9) ‘Research and development facility’ means an establishment engaged in laboratory, scientific, or experimental testing and development related to new products, new uses for existing products, or improving existing products. The term does not include an establishment engaged in efficiency surveys, management studies, consumer surveys, economic surveys, advertising, promotion, banking, or research in connection with literary, historical, or similar projects.

(10) ‘Corporate office facility’ means a corporate headquarters that meets the definition of a ‘corporate headquarters’ contained in Section 12‑6‑3410(J)(1). The corporate headquarters of a general contractor licensed by the South Carolina Department of Labor, Licensing and Regulation qualifies even if it is not a regional or national headquarters as those terms are defined in Section 12‑6‑3410(J)(1).

(11) The terms ‘retail sales’ and ‘tangible personal property’ for purposes of this section are defined in Chapter 36 of this title.

(12) ‘Tourism facility’ means an establishment used for a theme park; amusement park; historical, educational, or trade museum; botanical garden; cultural center; theater; motion picture production studio; convention center; arena; auditorium; or a spectator or participatory sports facility; and similar establishments where entertainment, education, or recreation is provided to the general public. Tourism facility also includes new hotel and motel construction, except that to qualify for the credits allowed by this section and regardless of the county in which the facility is located, the number of new jobs that must be created by the new hotel or motel is twenty or more. It does not include that portion of an establishment where retail merchandise or retail services are sold directly to retail customers.

(13) ‘Qualifying service‑related facility’ means:

(a) an establishment engaged in an activity or activities listed under the North American Industry Classification System Manual (NAICS) Section 62, subsectors 621, 622, and 623; or

(b) a business, other than a business engaged in legal, accounting, banking, or investment services or retail sales, which has a net increase of at least:

(i) two hundred fifty jobs at a single location;

(ii) one hundred twenty‑five jobs at a single location and the jobs have an average cash compensation level of more than one and one‑half times the lower of state per capita income or per capita income in the county where the jobs are located;

(iii) seventy‑five jobs at a single location and the jobs have an average cash compensation level of more than twice the lower of state per capita income or per capita income in the county where the jobs are located; or

(iv) thirty jobs at a single location and the jobs have an average cash compensation level of more than two and one‑half times the lower of state per capita income or per capita income in the county where the jobs are located.

A taxpayer shall use the most recent per capita income data available as of the end of the taxable year in which the jobs are filled. Determination of the required number of jobs is in accordance with the monthly average described in subsection (F).

(14) ‘Technology intensive facility’ means:

(a) a facility at which a firm engages in the design, development, and introduction of new products or innovative manufacturing processes, or both, through the systematic application of scientific and technical knowledge. Included in this definition are the following North American Industrial Classification Systems, NAICS, codes published by the Office of the Management and Budget of the federal government:

(i) 5114 database and directory publishers;

(ii) 5112 software publishers;

(iii) 54151 computer systems design and related services;

(iv) 541511 custom computer programming services;

(v) 541512 computer systems design services;

(vi) 541710 scientific research and development services;

(vii) 9271 space research and technology; or

(b) a facility primarily used for one or more activities listed under the 2002 version of the NAICS Codes 51811 (Internet Service Providers and Web Search Portals).

(15) ‘Extraordinary retail establishment’ as defined in Sections 12‑21‑6520 and 12‑21‑6590.

(~~N~~M) Except for employees employed in ~~distressed~~ Tier IV counties, the maximum aggregate credit that may be claimed in any tax year for a single employee pursuant to this section and Section 12‑6‑3470(A) is five thousand five hundred dollars.”

SECTION 17. Section 12‑6‑3375 of the 1976 Code, as last amended by Act 386 of 2006, is further amended to read:

“Section 12‑6‑3375. (A)(1) A taxpayer engaged in manufacturing, warehousing, or distribution which uses port facilities in this State and which increases its port cargo volume at these facilities by a minimum of five percent in a single calendar year over its base year port cargo volume is eligible to claim ~~a~~ an income tax credit or a credit against employee withholding in the amount determined by the Coordinating Council for Economic Development (council).

(2) The maximum amount of tax credits allowed to all qualifying taxpayers pursuant to this section may not exceed eight million dollars for each calendar year and credits against employee withholdings may not exceed four million dollars out of eight million dollars. ~~A qualifying taxpayer may not receive more than one million dollars for each calendar year except as provided in subsection (B)(2).~~ The council has sole discretion in allocating the credits provided by this section on a priority basis or such other basis as the board deems appropriate, taking into consideration the following factors:

(a) the amount of base year port cargo volume;

(b) the total and percentage increase in port cargo volume;

(c) the number of qualifying taxpayers;

(d) the type of cargo transported; and

(e) other factors related to the economic benefit of the State, as determined by the council.

(3) If the credit exceeds the taxpayer’s tax liability for the taxable year, the excess amount may be carried forward and claimed against income taxes in the next five succeeding taxable years.

(4) The credit may be claimed by the taxpayer as provided in (A)(1) only if the taxpayer owns the cargo at the time the port facilities are used.

(B)(1) For every year in which a taxpayer claims the credit, the taxpayer shall submit an application to the council ~~by March first of the calendar year~~ after the calendar year in which the increase in port cargo volume occurs. The council may make allocations of the credit on a monthly, quarterly, or annual basis. The taxpayer shall attach a schedule to the taxpayer’s application to the council with the following information and information requested by the council or the department:

(a) a description of how the base year port cargo volume and the increase in port cargo volume was determined;

(b) the amount of the base year port cargo volume;

(c) the amount of the increase in port cargo volume for the taxable year stated both as a percentage increase and as a total increase in net tons of noncontainerized cargo and TEUs of cargo, including information which demonstrates an increase in port cargo volume in excess of the minimum amount required to claim the tax credits pursuant to this section;

(d) any tax credit utilized by the taxpayer in prior years; and

(e) the amount of tax credit carried over from prior years.

(2) ~~If on March fifteenth of each year, the eight‑million‑dollar amount of credit is not fully allocated among qualifying taxpayers, then those taxpayers who have been allocated the maximum one million dollar credit for a year must be allowed a pro rata share of the remaining allocated credit up to eight million dollars.~~

~~(3)~~ To receive the credit the taxpayer shall claim the credit on its income tax or withholding return in a manner prescribed by the department. The department may require a copy of the certification form issued by the council be attached to the return or otherwise provided.

(C) As used in this section:

(1) ‘TEU’ means a ‘twenty‑foot equivalent unit’; a volumetric measure based on the size of a container twenty feet long by eight feet wide by eight feet, six inches high.

(2) ‘Base year port cargo volume’ initially means the total amount of net tons of noncontainerized cargo or TEUs of cargo actually transported by way of a waterborne ship through a port facility during the period from January 1, ~~2005~~ 2009, through December 31, ~~2005~~ 2009. Base year port cargo volume must be at least seventy‑five net tons of noncontainerized cargo or ten TEUs for a taxpayer to be eligible for the credits provided in this section. For a taxpayer that does not ship that amount in the year ending December 31, ~~2005~~ 2009, including a taxpayer who locates in South Carolina after December 31, ~~2005~~ 2009, its base cargo volume will be measured by the initial January first through December thirty‑first calendar year in which it meets the requirements of seventy‑five net tons of noncontainerized cargo or ten loaded TEUs. Base year port cargo volume must be recalculated each calendar year after the initial base year.

(3) ‘Port facility’ means any publicly or privately owned facility located within this State through which cargo is transported by way of a waterborne ship or vehicle to or from destinations outside this State and which handles cargo owned by third parties in addition to cargo owned by the port facility’s owner.

(4) ‘Port cargo volume’ means the total amount of net tons of noncontainerized cargo or containers measured in twenty‑foot equivalent units (TEUs) of cargo transported by way of a waterborne ship or vehicle through a port facility.

(D) The council may annually award up to one million dollars of the eight million dollars of credits to a new warehouse or distribution facility which commits to expending at least forty million dollars at a single site and creating one hundred new full‑time jobs, and the base year cargo provisions contained in this section do not apply. The council may make the award in the year the facility is announced provided that it may not tender the certificate until it has received satisfactory proof that the capital investment and job creation requirements have, or will be, satisfied. Any credit certificate expires three years after issuance if satisfactory proof has not been received.

(~~D~~E) Notwithstanding Section 12‑54‑240, the department and the Department of Commerce may exchange information submitted by a taxpayer pursuant to this section.”

SECTION 18. Section 12‑20‑105 of the 1976 Code, as last amended by Act 313 of 2008, is further amended to read:

“Section 12‑20‑105. (A) Any company subject to a license tax under Section 12‑20‑100 may claim a credit against its license tax liability for amounts paid in cash to provide infrastructure for an eligible project.

(B)(1) To be considered an eligible project for purposes of this section, the project must qualify for income tax credits under Chapter 6, Title 12, withholding tax credit under Chapter 10, Title 12, income tax credits under Chapter 14, Title 12, or fees in lieu of property taxes under either Chapter 12, Title 4, Chapter 29, Title 4, or Chapter 44, Title 12.

(2) If a project ~~consists of~~ is located in an office, business, commercial, or industrial park, or combination of these, is used exclusively for economic development ~~which~~ and is owned or constructed by a county ~~or~~, political subdivision, or agency of this State when the qualifying improvements are paid for, the project does not have to meet the qualifications of item (1) to be considered an eligible project. As provided in subsection (C)(4), the county or political subdivision may sell all or a portion of the business or industrial park.

(C) For the purpose of this section, ‘infrastructure’ means improvements for water, wastewater, hydrogen fuel, sewer, gas, steam, electric energy, and communication services made to a building or land that are considered necessary, suitable, or useful to an eligible project. These improvements include, but are not limited to:

(1) improvements to both public or private water and sewer systems;

(2) improvements to both public or private electric, natural gas, and telecommunications systems including, but not limited to, ones owned or leased by an electric cooperative, electric utility, or electric supplier, as defined in Chapter 27, Title 58;

(3) fixed transportation facilities including highway, road, rail, water, and air;

(4) for a qualifying project under subsection (B)(2), infrastructure improvements include shell buildings, incubator buildings whose ownership is retained by the county, political subdivision, or agency of the State and the purchase of land for an office, business, commercial, or industrial park, or combination of these, used exclusively for economic development which is owned or constructed by a county ~~or~~, political subdivision, or agency of this State. The county ~~or~~, political subdivision, or agency may sell the shell building or all or a portion of the park at any time after the company has paid in cash to provide the infrastructure for an eligible project; and

(5) for a qualifying project pursuant to subsection (B)(2), infrastructure improvements also include due diligence expenditures relating to environmental conditions made by a county or political subdivision after it has acquired contractual rights to an industrial park. Due diligence expenditures include such items as Phase I and II studies and environmental or archeological studies required by state or federal statutes or guidelines or similar lender requirements. Contractual rights include options to purchase real property or other similar contractual rights acquired before the county or political subdivision files a deed to the property with the Register of Mesne Conveyances.

(D) A company is not allowed the credit provided by this section for actual expenses it incurs in the construction and operation of any building or infrastructure it owns, leases, manages, or operates.

(E) The maximum aggregate credit that may be claimed in any tax year by a single company is three hundred thousand dollars.

(F) The credits allowed by this section may not reduce the license tax liability of the company below zero. If the applicable credit originally earned during a taxable year exceeds the liability and is otherwise allowable under subsection (D), the amount of the excess may be carried forward to the next taxable year.

(G) For South Carolina income tax and license purposes, a company that claims the credit allowed by this section is ineligible to claim the credit allowed by Section 12‑6‑3420.

(H) By March first of each year, the Department of Revenue shall issue a report to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Secretary of the Department of Commerce outlining the history of the credit allowed pursuant to this section. The report shall include the amount of credit allowed pursuant to this section and the types of infrastructure provided to eligible projects.”

SECTION 19. Section 12‑10‑80 of the 1976 Code, as last amended by Act 352 of 2008, is further amended to read:

“Section 12‑10‑80. (A) A business that qualifies pursuant to Section 12‑10‑50(A) and has certified to the council that the business has met the minimum job requirement and minimum capital investment provided for in the revitalization agreement may claim job development credits as determined by this section.

(1) A business may claim job development credits against its withholding on its quarterly state withholding tax return for the amount of job development credits allowable pursuant to this section.

(2) A business that is current with respect to its withholding tax and other tax due and owing the State and that has maintained its minimum employment and investment levels identified in the revitalization agreement may claim the credit on a quarterly basis beginning with the first quarter after the council’s certification to the department that the minimum employment and capital investment levels were met for the entire quarter. If a qualifying business is not current as to all taxes due and owing to the State as of the date of the return on which the credit would be claimed, without regard to extensions, the business may claim the credit only in an amount reduced by the amount of taxes due and owing to the State as of the date of the return on which the credit is claimed.

(3) A qualifying business may claim its initial job development credit only after the council has certified to the department that the qualifying business has met the required minimum employment and capital investment levels.

(4) To be eligible to apply to the council to claim a job development credit, a qualifying business shall create at least ten new, full‑time jobs, as defined in Section 12‑6‑3360(~~M~~L), at the project described in the revitalization agreement within five years of the effective date of the agreement.

(5) A qualifying business is eligible to claim a job development credit pursuant to the revitalization agreement for not more than fifteen years.

(6) A company’s job development credits shall be suspended during any quarter in which the company fails to maintain one hundred percent of the minimum job requirement set forth in the company’s revitalization agreement. A company only may claim credits on jobs, including a range of jobs approved by the council, as set forth in the company’s final revitalization agreement.

(7) Credits may be claimed beginning the quarter subsequent to the council’s approval of the company’s documentation that the minimum jobs and capital investment requirements have been met.

(~~6~~8) To the extent any return of an overpayment of withholding that results from claiming job development credits is not used as permitted by subsection (C) or by Section 12‑10‑95, it must be treated as misappropriated employee withholding.

(~~7~~9) Job development credits may not be claimed for purposes of this section with regard to an employee whose job was created in this State before the taxable year of the qualifying business in which it enters into a preliminary revitalization agreement.

(~~8~~10) If a qualifying business claims job development credits pursuant to this section, it shall make its payroll books and records available for inspection by the council and the department at the times the council and the department request. Each qualifying business claiming job development credits pursuant to this section shall file with the council and the department the information and documentation requested by the council or department respecting employee withholding, the job development credit, and the use of any overpayment of withholding resulting from the claiming of a job development credit according to the revitalization agreement.

(~~9~~11) Each qualifying business claiming in excess of ten thousand dollars in a calendar year must furnish to the council and to the department a report that itemizes the sources and uses of the funds. The report must be filed with the council and the department no later than June thirtieth following the calendar year in which the job development credits are claimed, except when a qualifying business obtains the written approval by the council for an extension of that date. Extensions may be granted only for good cause shown. The department shall impose a penalty pursuant to Section 12‑54‑210 for all reports filed after June thirtieth or the approved extension date, whichever is later. The department shall audit each qualifying business with claims in excess of ten thousand dollars in a calendar year at least once every three years to verify proper sources and uses of the funds.

(~~10~~12) Each qualifying business claiming ten thousand dollars or less in any calendar year must furnish a report prepared by the company that itemizes the sources and uses of the funds. This report must be filed with the council and the department no later than June thirtieth following the calendar year in which the job development credits are claimed, except when a qualifying business obtains the written approval by the council for an extension of that date. Extensions may be granted only for good cause shown. The department shall impose a penalty pursuant to Section 12‑54‑210 for all reports filed after June thirtieth or the approved extension date, whichever is later.

(~~11~~13) An employer may not claim an amount that results in an employee’s receiving a smaller amount of wages on either a weekly or on an annual basis than the employee would receive otherwise in the absence of this chapter.

(B)(1) The maximum job development credit a qualifying business may claim for new employees is limited to the lesser of withholding tax paid to the State on a quarterly basis or the sum of the following amounts:

(a) two percent of the gross wages of each new employee who earns ~~$6.95~~ $8.74 or more an hour but less than ~~$9.27~~ $11.64 an hour;

(b) three percent of the gross wages of each new employee who earns ~~$9.27~~ $11.65 or more an hour but less than ~~$11.58~~ $14.55 an hour;

(c) four percent of the gross wages of each new employee who earns ~~$11.58~~ $14.56 or more an hour but less than ~~$17.38~~ $21.84 an hour; and

(d) five percent of the gross wages of each new employee who earns ~~$17.38~~ $21.85 or more an hour.

(2) The hourly gross wage figures in item (1) must be adjusted annually by an inflation factor determined by the State Budget and Control Board.

(C) To claim a job development credit, the qualifying business must incur qualified expenditures at the project or for utility or transportation improvements that serve the project. To be qualified, the expenditures must be:

(1) incurred during the term of the revitalization agreement, including a preliminary revitalization agreement, or within sixty days before council’s receipt of an application for benefits pursuant to this section;

(2) authorized by the revitalization agreement; and

(3) used for any of the following purposes:

(a) training costs and facilities;

(b) acquiring and improving real ~~estate~~ property whether constructed or acquired by purchase, or in cases approved by the council, acquired by capital or operating lease with at least a five‑year term or otherwise;

(c) improvements to both public and private utility systems including water, sewer, electricity, natural gas, and telecommunications;

(d) fixed transportation facilities including highway, rail, water, and air;

(e) construction or improvements of real property and fixtures constructed or improved primarily for the purpose of complying with local, state, or federal environmental laws or regulations;

(f) employee relocation expenses ~~associated with new or expanded qualifying service‑related facilities as defined in Section 12‑6‑3360(M)(13) or new or expanded technology intensive facilities as defined in Section 12‑6‑3360(M)(14) or relocation expenses associated with new national, regional, or global headquarters as defined in Section 12‑6‑3410(J)(1)(a) or relocation expenses associated with an expanded research and development facility to include personnel and laboratory research and development equipment~~, but only for those employees to whom the company is paying gross wages at least two times the lower of the per capita income for either the state or the county in which the project is located;

(g) financing the costs of a purpose described in items (a) through (f).

(h) training for all relevant employees that enable a company to export or increase a company’s ability to export its products, including training for logistics, regulatory, and administrative areas connected to the company’s export process and other export process training that allows a qualified company to maintain or expand its business in this State;

(i) apprenticeship programs.

(j) quality improvement programs of the South Carolina Quality Forum.

(D)(1) The amount of job development credits a qualifying business may claim for its use for qualifying expenditures is limited according to the designation of the county as defined in Section 12‑6‑3360(B) as follows:

(a) one hundred percent of the maximum job development credits may be claimed by businesses located in counties designated as ~~distressed or least developed~~ ‘Tier IV’;

(b) eighty‑five percent of the maximum job development credits may be claimed by businesses located in counties designated as ‘~~underdeveloped~~ Tier III’;

(c) seventy percent of the maximum job development credits may be claimed by businesses located in counties designated as ‘~~moderately developed~~ Tier II’; or

(d) fifty‑five percent of the maximum job development credits may be claimed by businesses located in counties designated as ‘~~developed~~ Tier I’.

(2) The amount that may be claimed as a job development credit by a qualifying business is limited by this subsection and by the revitalization agreement. The council may approve a waiver of ninety‑five percent of the limits provided in item (1) for:

(a) a significant business; and

(b) a related person to a significant business if the related person is located at the project site of the significant business and qualifies for job development credits pursuant to this chapter.

For purposes of this item, a related person includes any entity or person that bears a relationship to a significant business as provided in Internal Revenue Code Section 267 and includes, without limitation, a limited liability company of which more than fifty percent of the capital interest or profits is owned directly or indirectly by a significant business or by a person or entity, or group of persons or entities which owns, more than fifty percent of the capital interest or profits in the significant business.

(3) The county designation of the county in which the project is located on the date the application for job development credit incentives is received in the Office of the Coordinating Council remains in effect for the entire period of the revitalization agreement, except as to additional jobs created pursuant to an amendment to a revitalization agreement entered into before June 1, 1997, as provided in Section 12‑10‑60. In that case the county designation on the date of the amendment remains in effect for the remaining period of the revitalization agreement as to any additional jobs created after the effective date of the amendment. ~~This item does not apply to a business whose application for job development fees or credits pursuant to Section 12‑10‑81 has been approved by council before the effective date of this act.~~

(E) The council shall certify to the department the maximum job development credit for each qualifying business. After receiving certification, the department shall remit an amount equal to the difference between the maximum job development credit and the job development credit actually claimed to the State Rural Infrastructure Fund as defined and provided in Section 12‑10‑85.

(F) Any job development credit of a qualifying business permanently lapses upon expiration or termination of the revitalization agreement. If an employee is terminated, the qualifying business immediately must cease to claim job development credits as to that employee.

(G) For purposes of the job development credit allowed by this section, an employee is a person whose job was created in this State.

(H) Job development credits may not be claimed by a governmental employer who employs persons at a closed or realigned military installation as defined in Section 12‑10‑88(E).

(I) A taxpayer who qualifies for the job development credit pursuant to the provisions of this section and who is located in a multicounty business or industrial park jointly established pursuant to Section 13 of Article VIII of the Constitution of this State is allowed a job development credit equal to the amount allowed pursuant to subsection (D) for the designation of the county which has the lowest development status of the counties containing the park if:

(1) the park is developed and established on the geographical boundary of adjacent counties; and

(2) the written agreement, pursuant to Section 4‑1‑170, requires revenue from the park to be allocated to each county on an equal basis.

(J) Where the qualifying business that creates new jobs under this section is a qualifying service‑related facility as defined in Section 12‑6‑3360~~(M)~~(L)(13), the determination of the number of jobs created must be based on the total number of new jobs created within five years of the effective date of the revitalization agreement, without regard to monthly or other averaging.”

SECTION 20. Section 12‑14‑20 of the 1976 Code is amended to read:

“Section 12‑14‑20. It is the purpose of this chapter to establish a program of providing tax incentives for the creation of ~~economic impact zones~~ capital investment in order:

(1) to revitalize ~~economically and physically distressed areas impacted as a result of the closing or realignment of a federal military installation area~~ capital investment in this State, primarily by encouraging the formation of new businesses and the retention and expansion of existing businesses; and

(2) to promote meaningful employment ~~for economic impact zone residents; and~~

~~(3)~~ ~~to encourage individuals to reside in the economic impact zones in which they are employed~~.”

SECTION 21. Section 12‑14‑60 of the 1976 Code, as last amended by Act 113 of 2005, is further amended to read:

“Section 12‑14‑60. (A)(1) There is allowed an ~~economic impact zone~~ investment tax credit against the tax imposed pursuant to Chapter 6 of this title for any taxable year in which the taxpayer places in service ~~economic impact zone~~ qualified manufacturing and productive equipment property.

(2) The amount of the credit allowed by this section is equal to the aggregate of:

three‑year property ~~one~~ one‑half percent of total aggregate bases for all three‑year property that qualifies;

five‑year property ~~two~~ one percent of total aggregate bases for all five‑year property that qualifies;

seven‑year property ~~three~~ one and one‑half percent of total aggregate bases for all seven‑year property that qualifies;

ten‑year property ~~four~~ two percent of total aggregate bases for all ten‑year property that qualifies;

fifteen‑year property ~~five~~ two and one‑half percent of total aggregate bases for all or greater fifteen‑year or greater property that qualifies.

For purposes of this section, whether property is three‑year property, five‑year property, seven‑year property, ten‑year property, or fifteen‑year property is determined based on the applicable recovery period for such property under Section 168(e) of the Internal Revenue Code.

(B) For purposes of this section:

(1) ‘~~economic impact zone~~ qualified manufacturing and productive equipment property’ means any property:

(a) which is used as an integral part of manufacturing or production, or used as an integral part of extraction of or furnishing transportation, communications, electrical energy, gas, water, or sewage disposal services in the economic impact zone;

(b) which is tangible property to which Section 168 of the Internal Revenue Code applies;

(c) which is Section 1245 property (as defined in Section 1245(a)(3)of the Internal Revenue Code); and

(d)(i) the construction, reconstruction, or erection of which is completed by the taxpayer in ~~the economic impact zone~~ this State; or

(ii) which is acquired by the taxpayer if the original use of such property commences with the taxpayer inside ~~the economic impact zone~~ this State.

(2) In the case of any computer software which is used to control or monitor a manufacturing or production process inside ~~the economic impact zone~~ this State and with respect to which depreciation (or amortization in lieu of depreciation) is allowable, the software must be treated as qualified manufacturing and productive equipment property.

(C) This section does not apply to any property to which the other tax credits would apply unless the taxpayer elects to waive the application of the other credits to the property.

(D)(1) Unused credit allowed pursuant to this section may be carried forward for ten years from the close of the tax year in which the credit was earned.

(2) In the case of credit unused within the initial ten‑year period, a taxpayer may continue to carry forward unused credits for use in any subsequent tax years if the taxpayer:

(a) is engaged in this State in an activity or activities listed under the North American Industry Classification System Manual (NAICS) Section 31, 32, or 33;

(b)(i) is employing one thousand or more full‑time workers in this State and having a total capital investment in this State of not less than five hundred million dollars; or

(ii) is employing eight hundred fifty or more full‑time workers in this State and having a total capital investment in this State of not less than seven hundred fifty million dollars; and

(c) made a total capital investment of not less than fifty million dollars in the previous five years.

Credits carried forward beyond the initial ten‑year period may not reduce a taxpayer’s state income tax liability in any subsequent tax year by more than twenty‑five percent.

(E) If during any taxable year and before the end of applicable recovery period for such property as determined under Section 168(e) of the Internal Revenue Code, the taxpayer disposes of or removes from ~~the economic impact zone, economic impact zone~~ this State qualified manufacturing and productive equipment property, then the tax due under Chapter 6 by the taxpayer for the current taxable year must be increased by an amount of any credit claimed in prior years with respect to such property determined by assuming the credit is earned ratably over the useful life of the property and recapturing pro rata the unearned portion of the credit.

(F) For South Carolina income tax purposes, the basis of the ~~economic impact zone~~ qualified manufacturing and productive equipment property must be reduced by the amount of any credit claimed with respect to the property. If a taxpayer is required to recapture the ~~economic impact zone~~ investment tax credit in accordance with subsection (E), the taxpayer may increase the basis of the property by the amount of any basis reduction attributable with claiming the ~~economic impact zone~~ investment tax credit in prior years. The basis must be increased in the year in which the credit is recaptured.

(G) ~~Credits claimed under this section for taxable years beginning after 1997 for investments made before July 1, 1998, may not reduce a taxpayer’s state income tax liability by more than fifty percent.~~

~~(H)~~ The credit allowed by this section for investments made after June 30, 1998, is limited to no more than five million dollars for an entity subject to the license tax as provided in Section 12‑20‑100.

~~(I)~~ ~~Notwithstanding any amendments to Section 12‑14‑60 of the 1976 Code enacted in the 1998 session of the General Assembly reducing the percentage amount of the economic impact zone investment tax credit or otherwise reducing the amount of the credit allowed, in the case of investments at a project operated by a company pursuant to a revitalization agreement entered into between the company and the South Carolina Advisory Council for Economic Development effective on or before July 1, 1996, the provisions of Section 12‑14‑60 in existence prior to the 1998 amendment shall apply.~~”

SECTION 22. Section 12‑6‑3631 of the 1976 Code, as amended by Act 261 of 2008, is further amended to read:

“Section 12‑6‑3631. (A) For taxable years beginning after 2007, and before 2012, a taxpayer is allowed a credit against the income tax imposed pursuant to this chapter for qualified expenditures for research and development.

(B) For purposes of this section:

(1) ‘Qualified expenditures for research and development’ means expenditures to develop feedstocks and processes for cellulosic ethanol, waste grease‑derived biodiesel and for algae‑derived biodiesel, including:

(a) enzymes and catalysts involving cellulosic ethanol, waste grease‑derived biodiesel and algae‑derived biodiesel;

(b) best and most cost efficient feedstocks for South Carolina; or

(c) product and development, including cellulosic ethanol, waste grease‑derived biodiesel or algae‑derived biodiesel products.

(2) ‘Cellulosic ethanol’ means fuel from ligno‑cellulosic materials, including wood chips derived from noncommercial sources, corn stover, and switchgrass.

(C) The credit is equal to twenty‑five percent of qualified expenditures for research and development, except for expenditures related to waste grease‑derived biodiesel, which credit is equal to ten percent. A taxpayer’s total credit in all years, for all expenditures allowed pursuant to this section, must not exceed one hundred thousand dollars. Unused credits may be carried forward for five years after the tax year in which a qualified expenditure was made. The credit is nonrefundable.

(D) Expenditures qualifying for a tax credit allowed by this section must be certified by the State Energy Office. The State Energy Office may consult with the Department of Agriculture and the South Carolina Institute for Energy Studies on standards for certification.

(E)(1) To obtain the maximum amount of the credit available to a taxpayer, each taxpayer must submit a request for the credit to the State Energy Office by January thirty‑first for qualifying research expenses incurred in the previous calendar year and the State Energy Office must notify the taxpayer that the submitted expenditures qualify for the credit and the amount of credit allocated to such taxpayer by March first of that year. A taxpayer may claim the maximum amount of the credit for its taxable year which contains the December thirty‑first of the previous calendar year. The Department of Revenue may require any documentation that it deems necessary to administer the credit.

(2) For the state’s fiscal year beginning July 1, 2008, the maximum amount of the credit is to be determined based on an eighteen‑month period beginning July 1, 2008, through December 31, 2009. Applications are to be made by January 31, 2010, for the previous eighteen‑month period commencing July 1, 2008, and ending December 31, 2009. A taxpayer allocated a credit for this eighteen‑month period may claim the credit for its tax year which contains December 31, 2009.

(3) To the extent the maximum amount of the credit contained in this section is repealed, the elimination of the maximum amount shall be seen as the last expression of the legislature and to the extent any language in this act conflicts with that repeal, it shall be considered null and void.”

SECTION 23. Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3588. (A) The General Assembly has determined to enact the ‘South Carolina Renewable Energy Tax Incentive Program’ as contained in this section to encourage business investment that will produce high quality employment opportunities and enhance this State’s position as a center for production and use of renewable energy products. The program accomplishes this goal by providing tax incentives to companies in the solar, wind, geothermal, and other renewable energy industries who are expanding or locating in South Carolina.

(B) As used in this section:

(1) ‘Capital investment’ means an expenditure to acquire, lease, or improve property that is used in operating a business, including land, buildings, machinery, and fixtures.

(2) ‘Manufacturing’ means fabricating, producing, or manufacturing raw or unprepared materials into usable products, imparting new forms, qualities, properties, and combinations. Manufacturing does not include generating electricity for off‑site consumption.

(3) ‘Qualifying investment’ means investment in land, buildings, machinery, and fixtures for expansion of an existing facility or establishment of a new facility in this State. Qualifying investment does not include relocating an existing facility in this State to another location in this State without additional capital investment.

(4) ‘Renewable energy operations’ are limited to manufacturers of systems and components that are used or useful in manufacturing renewable energy equipment for the generation, storage, testing and research and development, and transmission or distribution of electricity from renewable sources, including specialized packaging for the renewable energy equipment manufactured at the facility.

(C) A business or corporation meeting the requirements of this section beginning in 2010 is eligible to receive a ten percent nonrefundable income tax credit of the cost of the company’s total qualifying investments in plant and equipment in this State for renewable energy operations.

(D) The business or corporation must:

(1) manufacture renewable energy systems and components in South Carolina for solar, wind, geothermal, or other renewable energy uses in order to be eligible for the tax credit authorized by this section;

(2) invest at least five hundred million dollars in the year the tax credit is claimed in new qualifying plant and equipment; and

(3) have created one and one‑half full‑time jobs for every five hundred thousand dollars of capital investment qualifying for the credit that each pays at least one hundred twenty‑five percent of this State’s average annual median wage as defined by the Department of Commerce .

(E) The income tax credit program is for a five‑year period beginning January 1, 2010, and ending December 31, 2015.

(F) A taxpayer may separately qualify for new facilities in separate locations or for separate expansions of existing facilities located in this State.

(G) A taxpayer’s total credit for all expenditures allowed pursuant to this section must not exceed five hundred thousand dollars for any year and five million dollars total for all years. Unused credits may be carried forward for fifteen years after the tax year in which a qualified expenditure was made. The credit is nonrefundable.

(H) Expenditures qualifying for a tax credit allowed by this section must be certified by the State Energy Office. The State Energy Office may consult with appropriate state and federal officials on standards for certification.

(I) To obtain the amount of the credit available to a taxpayer, each taxpayer must submit a request for the credit to the State Energy Office by January thirty‑first for qualifying expenses incurred in the previous calendar year and the State Energy Office must notify the taxpayer that the submitted expenditures qualify for the credit and the amount of credit allocated to such taxpayer by March first of that year. A taxpayer may claim the maximum amount of the credit for its taxable year which contains the December thirty‑first of the previous calendar year. The Department of Commerce must certify to the State Energy Office that the taxpayer has met the job creation requirements of subsection (D)~~(4)~~.

(J) The credits authorized by this section are in lieu of any other applicable income tax credits or abatements allowed by state law, and in the event of an overlap or conflict in available credits or abatements to a taxpayer, the taxpayer must select the credit or abatement he desires in the manner prescribed by the Department of Revenue to the extent the credits or abatements conflict or overlap.”

SECTION 24. Section 12‑15‑10 of the 1976 Code, as added by Act 187 of 2004, is amended to read:

“Section 12‑15‑10. This chapter may be cited as the South Carolina Life Sciences and Renewable Energy Manufacturing Act.”

SECTION 25. Section 12‑15‑20 of the 1976 Code, as added by Act 187 of 2004, is amended to read:

“Section 12‑15‑20. (A) For purposes of this chapter, a ‘life sciences facility’ means a business engaged in pharmaceutical, medicine, and related laboratory instrument manufacturing, processing, or research and development. Included in this definition are the following North American Industrial Classification Systems, NAICS Codes published by the Office of Management and Budget of the federal government:

(1) 3254 Pharmaceutical and Medical Manufacturing;

(2) 334516 Analytical Laboratory Instrument Manufacturing.

(B) A ‘renewable energy manufacturing facility’ means a business which manufactures qualifying machinery and equipment for use by solar and wind turbine energy producers. It also includes a facility manufacturing qualifying advanced lithium ion, or other batteries for the alternative energy motor vehicles described in Section 12‑6‑3377 or other vehicles certified by the South Carolina Energy Office. The South Carolina Energy Office shall qualify a facility as a Renewable Energy Manufacturing Facility and the South Carolina Energy Office’s decision is determinative as to whether a facility qualifies under this subsection.”

SECTION 26. Section 12‑15‑30 of the 1976 Code, as added by Act 187 of 2004, is amended to read:

“Section 12‑15‑30. (1) For all purposes of Chapter 10, Title 12 of the 1976 Code, the Enterprise Zone Act of 1995, including all definitions applicable to that chapter:

(a) Employee relocation expenses that qualify for reimbursement pursuant to Section 12‑10‑80(C)(3)(f) ~~of the 1976 Code~~ include such expenses associated with a new or expanded ~~life sciences~~ facility qualifying under Section 12‑15‑20 investing a minimum of one hundred million dollars in the project, as defined in Section 12‑10‑30(8) of the 1976 Code, and creating at least two hundred new full‑time jobs at the project with an average annual cash compensation of at least one hundred fifty percent of annual per capita income in this State or the county in which the facility is located, whichever is less. Per capita income must be determined using the most recent per capita income data available as of the end of the taxable year in which the jobs are filled.

(b) The waiver that may be approved by the Coordinating Council for Economic Development pursuant to Section 12‑10‑80(D)(2) ~~of the 1976 Code~~ on maximum job development credits that may be claimed also may be approved for a ~~life sciences~~ facility meeting the requirements of subitem (1)(a) of this section. In determining whether to approve a waiver for such a facility, the Coordinating Council for Economic Development shall consider the creditworthiness of the business and economic viability of the project, as defined in Section 12‑10‑30(8) ~~of the 1976 Code~~.

(2) The provisions of item (1) of this section apply with respect to capital investment made and new jobs created after June 30, ~~2004~~ 2010, and before July 1, ~~2008~~ 2014.”

SECTION 27. Section 12‑15‑40 of the 1976 Code, as added by Act 187 of 2004, is amended to read:

“Section 12‑15‑40. In the case of a taxpayer establishing a ~~life sciences~~ facility meeting the requirements of subitem (1)(a) of Section ~~13‑23‑30~~ 12‑15‑20, the South Carolina Department of Revenue, in its discretion, may enter into an agreement with the taxpayer pursuant to Section 12‑6‑2320 ~~of the 1976 Code~~ for a period not to exceed fifteen years if the facility otherwise meets the requirements of that section.”

SECTION 28. Section 12‑37‑930 35. of the 1976 Code, as added by Act 187 of 2004, is amended to read:

“35. Life sciences and renewable energy manufacturing…...20%

Includes machinery and equipment used directly in the manufacturing process by a life sciences or renewable energy manufacturing facility. For purposes of this item, ~~life sciences~~ a qualifying facility means a business engaged in pharmaceutical, medicine, and related laboratory instrument manufacturing, processing, or research and development, or that manufactures qualifying machinery and equipment for use by solar and wind turbine energy producers, as well as manufacturers of qualifying batteries for alternative energy motor vehicles, that invests a minimum of one hundred million dollars in the project, as defined in Section 12‑10‑30(8), and creates at least two hundred new full‑time jobs at the project with an average cash compensation level of at least one hundred and fifty percent of the annual per capita income in this State or the county in which the facility is located, whichever is less. Per capita income must be determined using the most recent per capita income data available as of the end of the taxable year in which the jobs are filled. Included in this definition are the following North American Industrial Classification Systems, NAICS Codes published by the Office of Management and Budget of the federal government:

(i) 3254 Pharmaceutical and Medical Manufacturing;

(ii) 334516 Analytical Laboratory Instrument Manufacturing.”

SECTION 29. Section 12‑28‑2910 of the 1976 Code, as last amended by Act 176 of 2005, is further amended by adding:

“(E) From the amount set aside pursuant to subsection (A), the council is authorized to expend funds which were not obligated or committed as of July first of the current fiscal year only as necessary for the location or expansion of an industry or business facility in South Carolina. Eligible expenditures include water and sewer projects, road or rail construction and improvement projects, land acquisition, fiber‑optic cable, relocation of new employees, pollution‑control equipment, environmental testing and related due diligence reports, acquiring and improving real property, and site preparation. Site preparation is defined as surveying, environmental and geotechnical study and mitigation, clearing, filling, and grading. Relocation expenses constitute eligible expenditures only for those employees to whom the company is paying gross wages at least two times the lower of the per capita income for either the state or the county in which the project is located. The Coordinating Council annually shall prepare a detailed report for submission to the General Assembly by March fifteenth which itemizes the expenditures from the fund for the preceding calendar year. The report shall include an identification of the following information:

(a) company name or confidential project number;

(b) location of project;

(c) amount of grant award; and

(d) scope of grant award.”

SECTION 30. Section 2‑75‑30 of the 1976 Code, as last amended by Act 355 of 2008, is further amended to read:

“Section 2‑75‑30. (A) There is created the Centers of Excellence Matching Endowment. The endowment must be funded annually by appropriations from the South Carolina Education Lottery Account in an amount equal to thirty million dollars annually, except that endowment appropriations may not be funded until all state‑supported scholarships are fully funded and only if eighty percent of the total state appropriations have been awarded by the review board as of June thirtieth of the previous fiscal year. Three‑quarters of the endowment shall be awarded by the review board in its discretion. One‑quarter of the endowment shall be awarded by the review board pursuant to requests by and recommendations of the Secretary of Commerce as set forth in subsection (C). The total state appropriated funding amount shall include funds that have been returned to the endowment due to a dissolution, withdrawal, or termination of a center of excellence. The fund must be managed by the State Treasurer, subject to awards from the endowment as provided in this chapter. Interest earnings of the endowment must remain in the fund, and may be used at the review board’s discretion for additional state awards. Interest earnings are not considered part of the total state appropriations unless used by the review board for additional state awards.

(B) Except as provided in subsection (C), an endowed chair proposal is considered awarded once a full review process is complete and the review board has voted in an affirmative on each proposal. A full review process shall include the following, but is not limited to:

(1) a technical and scientific review of each proposal. The three research universities shall work with the review board staff to nominate reviewers. The review board staff shall select no fewer than five technical reviewers to review each proposal, and a minimum of three technical and scientific reviews must be received by the review board staff for each proposal. The review board staff shall determine an appropriate number of technical reviewers and scientific and technical reviews. The review board staff shall limit the number of university‑nominated reviewers to two per proposal;

(2) an on‑site review of each proposal. The review board staff shall contract with a minimum of five out‑of‑state expert reviewers, to include individuals with expertise in economic development as well as in appropriate scientific disciplines, to serve on a site review team that shall visit each of the research universities. The review board staff shall determine an appropriate number of expert reviewers. The on‑site review team shall interview relevant investigators and other university personnel regarding proposals and shall have access to collected scientific and technical reviews as well as other materials germane to the proposed projects. The on‑site review team shall evaluate the proposals using an approved set of metrics; each recommendation must include a detailed narrative which explains the on‑site review team’s recommendations; and

(3) a presentation of findings. The on‑site review team shall present its findings to the review board, which shall make final decisions on awards. The on‑site review team shall recommend an appropriate level of funding to achieve successfully the stated goals of each project. The review board shall consider these recommendations in determining award amounts for each project.

(C) The Secretary of Commerce may request that the review board allocate and award, pursuant to Sections 2‑75‑50 and 2‑75‑60, an endowment of up to two million dollars for each significant capital investment committed by a qualified project or industry sector. Upon such request, the review board shall review the requested endowment and may award the endowment upon an affirmative vote. Once allocated, the qualified project or industry sector will have thirty‑six months from the date of allocation to make the significant capital investment. Once the significant capital investment has been made, the Secretary of Commerce shall certify to the review board and the review board shall make awards for one or more endowed professors who will directly support the industry in which the significant capital investment is made. The review board only may make awards from funds appropriated from the South Carolina Lottery Account pursuant to this section from Fiscal Year 2011 forward, together with any unallocated funds and any accrued interest earnings which have not already been awarded by the review board, including funds that have been returned to the endowment due to a dissolution, withdrawal, or termination of a center of excellence. A dissolution, withdrawal, or termination of a center of excellence includes the failure of the center to provide the requisite matching funds during the allowable timeframe. For purposes of this subsection:

(i) ‘qualified projects or industries’ are those that have made a significant capital investment in South Carolina after January 1, 2010, in one or more of the following areas: Engineering, Nanotechnology, Biomedical Sciences, Energy Sciences, Environmental Sciences, Information and Management Sciences, Distribution and Logistics Sciences, or any other science, research, development, or industry that creates well‑paying jobs and enhanced economic opportunities for the State as determined by the Secretary of Commerce; and

(ii) ‘significant capital investment’ means at least one hundred million private dollars for a single project or at least five hundred million private dollars for an industry sector. No public funds used to support a qualified project or industry may be included as part of the significant capital investment.

The requirements related to matching funds contained in Sections 2‑75‑50, 2‑75‑90, and 2‑75‑110 shall not apply to these awards. Awards by the review board pursuant to this subsection only may be used to fund new or existing endowed professorships at one or more of the state’s three research universities.”

SECTION 31. Section 2‑75‑10 of the 1976 Code, as last amended by Act 355 of 2008, is further amended to read:

“Section 2‑75‑10. There is created the Research Centers of Excellence Review Board. The review board shall consist of eleven members. Of the eleven members, three must be appointed by the Governor, three must be appointed by the President *Pro Tempore* of the Senate, three must be appointed by the Speaker of the House of Representatives, one by the chairman of the Senate Finance Committee, and one by the chairman of the House Ways and Means Committee. The terms of members are three years and members are eligible to be appointed for no more than two additional terms. Of the members initially appointed by the Governor, the President *Pro Tempore*, and the Speaker of the House, one shall be appointed for a term of one year, one for a term of two years, and one for a term of three years, the initial term of each member to be designated by the Governor, President *Pro Tempore*, and Speaker of the House when making the appointments. The Governor, the President *Pro Tempore*, and the Speaker of the House shall appoint persons with substantial experience in business, law, accounting, technology, manufacturing, engineering, or other professions and experience which provide an understanding of the purposes of this chapter. The review board shall be responsible for providing annually to the Commission on Higher Education a schedule by which applications for funding are received and awarded on a competitive basis, the awarding of matching funds as provided in Section 2‑75‑60, and for oversight and operation of the fund created by Section 2‑75‑30. Members of the review board shall serve without compensation and must provide an annual report by ~~October 1~~ November thirtieth of each calendar year to the General Assembly as well as the State Budget and Control Board, which shall include an audit performed by an independent auditor. This annual report must include, but not be limited to, a complete accounting for total state appropriations to the endowment and total proposals awarded up to the previous fiscal year.”

SECTION 32. Section 13‑1‑1710 of the 1976 Code, as last amended by an act bearing Ratification Number 253 of 2010, is furtheramended to read:

“Section 13‑1‑1710. There is created the Coordinating Council for Economic Development. The membership consists of the Secretary of Commerce, the Commissioner of Agriculture, the Executive Director of the Department of Employment and Workforce ~~Chairman of the South Carolina Employment Security Commission~~, the Director of the South Carolina Department of Parks, Recreation and Tourism, the Chairman of the State Board for Technical and Comprehensive Education, the Chairman of the South Carolina Ports Authority, the Chairman of the South Carolina Public Service Authority, the Chairman of the South Carolina Jobs Economic Development Authority, the Director of the South Carolina Department of Revenue, and the Chairman of the South Carolina Research Authority. The Secretary of Commerce serves as the chairman of the coordinating council.”

SECTION 33. A. The General Assembly finds that in order to encourage economic development along the channels, canals, and waterways, it is essential to maintain the waterways at appropriate depths and widths. Accordingly, the General Assembly concludes that to avoid deleterious effects on economic development along the waterways of this State, it is necessary to preserve and maintain the waterways of this State, and that the creation of a municipal improvement district to widen and dredge the waterways by issuing bonds payable from assessments on the district is a practical manner in which to do so.

B. Section 5‑37‑35 of the 1976 Code is amended to read:

“Section 5‑37‑35. (A) Notwithstanding the provisions of Section 5‑37‑30, assessments, revenues, or debt service on bonds which may be used under this chapter to fund municipal improvements ~~shall~~ must not impose or be derived from, in whole or in part, a tax or assessment on property not located in the improvement district. Bonds issued pursuant to Section 5‑37‑30, however, may be made payable from assessments imposed on property located in the improvement district, and may be additionally secured, in whole or in part, by the full faith, credit, and taxing power of the municipality, if the governing body of the municipality certifies on the date of issuance of the bonds that the assessments as imposed are sufficient as to both amount and duration to pay all debt service on these bonds as they become due.

(B) The provisions of this section do not apply to projects or undertakings designated by a municipal governing body as a ‘system’ ~~under~~ pursuant to Section 6‑21‑40.”

C. Section 5‑37‑20(2) of the 1976 Code is amended to read:

“(2) ‘Improvements’ include open or covered malls, parkways, parks and playgrounds, recreation facilities, athletic facilities, pedestrian facilities, parking facilities, parking garages, and underground parking facilities, and facade redevelopment, the widening and dredging of existing channels, canals, and waterways used specifically for recreational or other purposes provided that the municipality, the State, or other public entity owns fee simple title or an easement for maintenance in these channels, canals, or waterways, the relocation, construction, widening, and paving of streets, roads, and bridges, including demolition of them, underground utilities, all activities authorized by Chapter 1, ~~of~~ Title 31 (State Housing Law), ~~any~~ a building or other facilities for public use, ~~any~~ a public works eligible for financing ~~under~~ pursuant to the provisions of Section 6‑21‑50, services or functions which a municipality in accordance with state law may by law provide, and all things incidental to the improvements, including planning, engineering, administration, managing, promotion, marketing, and acquisition of necessary easements and land, and may include facilities for lease or use by a private person, firm, or corporation. However, improvements as defined in this chapter must comply with all applicable state and federal laws and regulations governing these activities. ~~Any such~~ These improvements may be designated by the governing body as public works eligible for revenue bond financing pursuant to Section 6‑21‑50, and ~~such~~ these improvements, taken in the aggregate, may be designated by the governing body as a ‘system’ of related projects within the meaning of Section 6‑21‑40. The governing body of a municipality, after due investigation and study, may determine that improvements located outside the boundaries of an improvement district confer a benefit upon property inside an improvement district or are necessary to make improvements within the improvement district effective for the benefit of property inside the improvement district.”

D. Section 5‑37‑40(A)(5) and (B) of the 1976 Code, as last amended by Act 109 of 2005, are further amended to read:

“(5) it would be fair and equitable to finance all or part of the cost of the improvements by an assessment upon the real property within the district, the governing body may establish the area as an improvement district and implement and finance, in whole or in part, an improvement plan in the district in accordance with the provisions of this chapter. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals, owner‑occupied residential property which is taxed or will be taxed ~~under~~ pursuant to Section 12‑43‑220(c) must not be included within an improvement district unless the owner at the time the improvement district is created gives the governing body written permission to include the property within the improvement district.

(B) If an improvement district is located in a redevelopment project area created ~~under Title 31,~~ pursuant to Chapter 6, Title 31, the improvement district being created under the provisions of this chapter must be considered to satisfy items (1) through (5) of subsection (A). The ordinance creating an improvement district may be adopted by a majority of council after a public hearing at which the plan is presented, including the proposed basis and amount of assessment, or upon written petition signed by a majority in number of the owners of real property within the district which is not exempt from ad valorem taxation as provided by law. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals, owner‑occupied residential property which is taxed or will be taxed ~~under~~ pursuant to Section 12‑43‑220(c) must not be included within an improvement district unless the owner at the time the improvement district is created gives the governing body written permission to include the property within the improvement district.”

E. Section 5‑37‑50 of the 1976 Code, as last amended by Act 109 of 2009, is further amended to read:

“Section 5‑37‑50. The governing body ~~shall~~, by resolution ~~duly~~ adopted, shall describe the improvement district and the improvement plan to be effected ~~therein~~, including ~~any~~ a property within the improvement district to be acquired and improved, the projected time schedule for the accomplishment of the improvement plan, the estimated cost ~~thereof~~ and the amount of ~~such~~ the cost to be derived from assessments, bonds, or other general funds, together with the proposed basis and rates of ~~any~~ assessments to be imposed within the improvement district. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals, owner‑occupied residential property which is taxed or will be taxed ~~under~~ pursuant to Section 12‑43‑220(c) must not be included within an improvement district unless the owner at the time the improvement district is created gives the governing body written permission to include the property within the improvement district. ~~Such~~ The resolution ~~shall~~ also shall establish the time and place of a public hearing to be held within the municipality not sooner than twenty days nor more than forty days following the adoption of ~~such~~ the resolution at which ~~any~~ an interested person may attend and be heard either in person or by attorney on ~~any~~ a matter in connection ~~therewith~~ with the improvement district.”

F. Section 5‑37‑100 of the 1976 Code is amended to read:

“Section 5‑37‑100. Not sooner than ten days nor more than one hundred twenty days following the conclusion of the public hearing provided in Section 5‑37‑50, the governing body ~~may~~, by ordinance, may provide for the creation of the improvement district as originally proposed or with ~~such~~ the changes and modifications ~~therein~~ in it as the governing body may determine, and provide for the financing ~~thereof~~ by assessment, bonds, or other revenues as ~~herein~~ provided in this chapter. However, except in the case of an improvement district in which the sole improvements are the widening and dredging of canals, owner‑occupied residential property which is taxed ~~under~~ pursuant to Section 12‑43‑220(c) must not be included within an improvement district unless the owner gives the governing body written permission to include the property within the improvement district. ~~Such~~ The ordinance ~~shall~~ may not become effective until at least seven days after it has been published in a newspaper of general circulation in the municipality. ~~Such~~ The ordinance may incorporate by reference plats and engineering reports and other data on file in the offices of the municipality~~; provided, that~~. The place of filing and reasonable hours for inspection ~~are~~ must be made available to all interested persons.”

SECTION 34. Section 12‑10‑88(C) of the 1976 Code, as last amended by Act 313 of 2008, is further amended to read:

“(C) Redevelopment fees may be remitted to the applicable redevelopment authority for a period beginning with the date that the applicable redevelopment authority first submits the information described in subsection (B) to the department and ending fifteen years later or January 1, ~~2015~~ 2017, whichever occurs last. If the redevelopment authority fails to provide the department with the required statement within the requisite time limits, no redevelopment fees must be remitted for that quarter.”

SECTION 35. Section 6‑1‑530(B)(2) of the 1976 Code is amended to read:

“(2) In a county in which less than nine hundred thousand dollars in accommodations taxes is collected annually pursuant to Section 12‑36‑920, an amount not to exceed ~~twenty~~ fifty percent of the revenue in the preceding fiscal year of the local accommodations tax authorized pursuant to this article may be used for the additional purposes provided in item (1) of this subsection.”

SECTION 36. Section 6‑1‑730(B)(2) of the 1976 Code, as last amended by Act 314 of 2006, is further amended to read:

“(2) In a county in which less than nine hundred thousand dollars in accommodations taxes is collected annually pursuant to Section 12‑36‑920, an amount not to exceed ~~twenty~~ fifty percent of the revenue in the preceding fiscal year of the local hospitality tax authorized pursuant to this article may be used for the additional purposes provided in item (1) of this subsection.”

SECTION 37. Act 150 of 2010 is repealed.

SECTION 38. Sections 12‑6‑3450, 12‑14‑30, 12‑14‑40, 12‑14‑50, and 12‑14‑70 of the 1976 Code are repealed.

SECTION 39. Unless otherwise provided specifically herein, this act takes effect on January 1, 2011, except for SECTION 6, SECTION 8, SECTION 9, SECTION 15, SECTION 25, SECTION 26, SECTION 27, SECTION 28, and SECTIONS 37 and 38 which take effect upon approval by the Governor. /

Amend title to read:

/TO ENACT THE “SOUTH CAROLINA ECONOMIC DEVELOPMENT COMPETITIVENESS ACT OF 2010”, INCLUDING PROVISIONS; TO AMEND SECTION 4‑12‑30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES IN LIEU OF TAXES, SO AS TO INCREASE THE NUMBER OF YEARS A FEE IS AVAILABLE, TO REVISE CERTAIN REQUIREMENTS FOR THE FEE IN LIEU AGREEMENT, AND FOR THE MANNER THE FAIR MARKET VALUE MUST BE REPORTED DURING THE TERM OF THE FEE AGREEMENT, TO PROVIDE FOR ADDITIONAL PROPERTY WHICH IS AN EXCEPTION TO PROVISIONS LIMITING PROPERTY NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY; TO AMEND SECTION 4‑29‑67, AS AMENDED, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE, TO REVISE THE MANNER IN WHICH THE FAIR MARKET VALUE OF THE PROPERTY MUST BE REPORTED DURING THE TERM OF THE FEE AGREEMENT, TO PROVIDE FOR ADDITIONAL PROPERTY WHICH IS AN EXCEPTION TO PROVISIONS LIMITING PROPERTY NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY; TO AMEND SECTION 4‑29‑68, AS AMENDED, RELATING TO SPECIAL SOURCE REVENUE BONDS WHICH MAY BE ISSUED BASED ON THE RECEIPT OF CERTAIN REVENUES, SO AS TO FURTHER PROVIDE FOR WHEN AND UNDER WHAT CIRCUMSTANCES THE AMOUNT OF THE FEE IN LIEU OF TAXES DUE ON THE PERSONAL PROPERTY MUST BE DUE WHEN PERSONAL PROPERTY IS REMOVED FROM THE PROJECT; TO AMEND SECTION 12‑44‑30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 12‑44‑40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY; TO AMEND SECTION 12‑44‑50, AS AMENDED, RELATING TO THE REQUIREMENT OF A FEE AGREEMENT UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THE FAIR MARKET VALUE OF THE PROPERTY MUST BE REPORTED DURING THE TERM OF THE FEE AGREEMENT; TO AMEND SECTION 12‑44‑110, AS AMENDED, RELATING TO PROPERTY PREVIOUSLY SUBJECT TO PROPERTY TAXES NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY AND EXCEPTIONS TO THIS PROVISION, SO AS TO PROVIDE FOR ADDITIONAL PROPERTY WHICH IS AN EXCEPTION TO PROVISIONS LIMITING PROPERTY NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY; TO AMEND SECTION 12‑44‑130, AS AMENDED, RELATING TO MINIMUM INVESTMENTS TO QUALIFY FOR A FEE AND OTHER REQUIREMENTS, SO AS TO CORRECT A REFERENCE; TO AMEND SECTION 12‑43‑220, AS AMENDED, RELATING TO CLASSIFICATION OF REAL PROPERTY FOR AD VALOREM TAX PURPOSES, SO AS TO PROVIDE THAT REAL PROPERTY OWNED BY OR LEASED TO A MANUFACTURER AND USED PRIMARILY RATHER THAN EXCLUSIVELY FOR WAREHOUSING AND WHOLESALE DISTRIBUTION IS NOT CONSIDERED USED BY THE MANUFACTURER IN THE CONDUCT OF ITS BUSINESS FOR PROPERTY TAX CLASSIFICATION PURPOSES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 12‑10‑85, AS AMENDED, RELATING TO THE PURPOSE AND USE OF STATE RURAL INFRASTRUCTURE FUNDS, SO AS TO REVISE THE PURPOSES FOR WHICH THESE FUNDS MAY BE USED AND THEIR AVAILABILITY; BY ADDING CHAPTER 18 TO TITLE 11 SO AS TO ESTABLISH MECHANISMS AND PROCEDURES FOR THE ALLOCATION, REALLOCATION, AND ISSUANCE OF FEDERAL RECOVERY ZONE BONDS; TO AMEND SECTION 4‑29‑10, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF “PROJECT” TO INCLUDE RECOVERY ZONE PROPERTY AS DEFINED BY FEDERAL LAW; TO AMEND SECTION 12‑6‑3360, AS AMENDED, RELATING TO JOB TAX CREDITS, SO AS TO REVISE THE DESIGNATION TERMINOLOGY FOR COUNTIES COMING WITHIN SPECIFIC CLASSIFICATIONS, TO FURTHER PROVIDE FOR THE CRITERIA FOR DETERMINING HOW COUNTIES FALL WITHIN CERTAIN TIERS, AND TO REVISE SPECIFIC TERMS OR DEFINITIONS USED FOR PURPOSES OF THIS SECTION; TO AMEND SECTION 12‑6‑3375, AS AMENDED, RELATING TO TAX CREDITS FOR PORT CARGO VOLUME INCREASES, SO AS TO PROVIDE THAT THE TAX CREDIT MAY BE AN INCOME TAX CREDIT ON A CREDIT AGAINST EMPLOYEE WITHHOLDING, TO PROVIDE FOR THE AMOUNTS OF EACH TYPE OF CREDIT AND THE TYPES OF FACILITIES TO WHICH THEY MAY BE AWARDED, TO REVISE THE MANNER IN WHICH TAX CREDIT ALLOCATIONS ARE DETERMINED AND THE AMOUNT OF CREDITS WHICH MAY BE ALLOCATED TO A QUALIFYING TAXPAYER; TO AMEND SECTION 12‑20‑105, AS AMENDED, RELATING TO CREDITS AGAINST ITS CORPORATE LICENSE TAX LIABILITY FOR A COMPANY WHO PAYS CASH FOR INFRASTRUCTURE FOR AN ELIGIBLE PROJECT, SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY FOR THE CREDIT UNDER CERTAIN CIRCUMSTANCES OR THE CONTINUATION OF THE CREDIT, AND TO REQUIRE A REPORT CONCERNING THE CREDIT; TO AMEND SECTION 12‑10‑80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO EXPAND ELIGIBLE EXPENDITURES WHICH QUALIFY FOR THE CREDIT, TO CAP THE AMOUNT OF CREDITS PER JOB PER YEAR, TO REVISE CERTAIN TERMINOLOGY TO CONFORM TO EARLIER CHANGES HEREIN, TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN THESE CREDITS MAY BE CLAIMED AND THE MANNER OF THE DETERMINATION OF CERTAIN FACTORS NECESSARY TO QUALIFY FOR THE CREDITS, AND TO PROVIDE FOR THE SUSPENSION OF THE CREDITS UNDER CERTAIN CONDITIONS AND FOR WHEN THE CREDITS MAY BE CLAIMED; TO AMEND SECTION 12‑14‑20, RELATING TO THE PURPOSES OF THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THESE PURPOSES; TO AMEND SECTION 12‑14‑60, AS AMENDED, RELATING TO INVESTMENT TAX CREDITS UNDER THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THE AMOUNT OF THE CREDITS, THE QUALIFYING CRITERIA FOR THE CREDITS, AND FOR THE APPLICABILITY OF CERTAIN PROVISIONS TO THESE CREDITS; TO AMEND SECTION 16‑6‑3631, RELATING TO SPECIFIED BIODIESEL EXPENDITURES, SO AS TO FURTHER PROVIDE FOR THOSE EXPENDITURES WHICH QUALIFY FOR CREDIT AND TO STIPULATE THE AMOUNT OF CREDIT FOR EXPENDITURES RELATED TO WASTE GREASE‑DERIVED BIODIESEL; BY ADDING SECTION 12‑6‑3588 SO AS TO ESTABLISH THE SOUTH CAROLINA RENEWABLE ENERGY TAX INCENTIVE PROGRAM UNDER WHICH CERTAIN TAX CREDITS ARE ALLOWED FOR BUSINESS INVESTMENTS PERTAINING TO THE PRODUCTION AND USE OF RENEWABLE ENERGY PRODUCTS; TO AMEND SECTION 12‑15‑10, RELATING TO THE CITATION OF THE SOUTH CAROLINA LIFE SCIENCES ACT, SO AS TO CHANGE THE CITATION; TO AMEND SECTION 12‑15‑20, RELATING TO DEFINITIONS UNDER THE RENAMED LIFE SCIENCES AND RENEWABLE ENERGY MANUFACTURING ACT, SO AS TO DEFINE THE TERM “RENEWABLE ENERGY MANUFACTURING FACILITY”; TO AMEND SECTION 12‑15‑30, RELATING TO QUALIFICATIONS OF CERTAIN EXPENSES UNDER THE ENTERPRISE ZONE ACT, PROCEDURES FOR WAIVERS, AND THE DURATION OF THESE PROVISIONS, SO AS TO EXPAND THE TYPES OF FACILITIES THAT QUALIFY AND THE DURATION OF THESE PROVISIONS; TO AMEND SECTION 12‑15‑40, RELATING TO INCOME TAX ALLOCATION AND APPORTIONMENT AGREEMENTS BETWEEN THE DEPARTMENT OF REVENUE AND TAXPAYERS ESTABLISHING A LIFE SCIENCES FACILITY, SO AS TO EXPAND THE TYPES OF FACILITIES TO WHICH THIS PROVISION APPLIES; TO AMEND SECTION 12‑37‑930, RELATING TO VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES AND DEPRECIATION ALLOWANCES FOR MANUFACTURERS, MACHINERY, AND EQUIPMENT, SO AS TO INCLUDE MACHINERY AND EQUIPMENT OF A RENEWABLE ENERGY MANUFACTURING FACILITY WITHIN THE DEPRECIATION ALLOWANCES ALLOWED FOR MACHINERY AND EQUIPMENT OF A LIFE SCIENCES FACILITY, AND TO DEFINE WHAT IS A QUALIFYING FACILITY; TO AMEND SECTION 12‑28‑2910, AS AMENDED, RELATING TO THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO AUTHORIZE THE COUNCIL TO EXPEND CERTAIN FUNDS FOR SPECIFIED PURPOSES UNDER SPECIFIED CONDITIONS; TO AMEND SECTION 2‑75‑30, AS AMENDED, RELATING TO RESEARCH CENTERS OF EXCELLENCE MATCHING ENDOWMENTS, SO AS TO FURTHER PROVIDE FOR THE PROCESS AND PROCEDURES FOR AWARDING ENDOWMENTS FOR QUALIFIED PROJECTS, AND FOR THE APPLICABILITY OF MATCHING REQUIREMENTS; TO AMEND SECTION 2‑75‑10, AS AMENDED, RELATING TO THE RESEARCH CENTERS OF EXCELLENCE REVIEW BOARD, SO AS TO REVISE THE DATE WHEN ITS ANNUAL REPORT IS DUE; TO AMEND SECTION 13‑1‑1710, AS AMENDED, RELATING TO THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO REVISE CERTAIN MEMBERS OF THE COUNCIL; TO AMEND SECTIONS 5‑37‑20, 5‑37‑35, 5‑37‑40, AS AMENDED, 5‑37‑50, AS AMENDED, AND 5‑37‑100, ALL RELATING TO THE MUNICIPAL IMPROVEMENTS ACT, SO AS TO AUTHORIZE A MUNICIPAL IMPROVEMENT DISTRICT TO WIDEN AND DREDGE CERTAIN CANALS AND WATERWAYS BY ISSUING BONDS PAYABLE FROM ASSESSMENTS ON PROPERTY LOCATED IN THE IMPROVEMENT DISTRICT; TO AMEND SECTION 12‑10‑88, AS AMENDED, RELATING TO REDEVELOPMENT FEES UNDER THE ENTERPRISE ZONE ACT OF 1995 BEING REMITTED TO THE APPLICABLE REDEVELOPMENT AUTHORITY FOR A SPECIFIED PERIOD OF TIME, SO AS TO REVISE THIS PERIOD OF TIME; TO AMEND SECTIONS 6‑1‑530 AND 6‑1‑730, BOTH AS AMENDED, RELATING TO USES ALLOWED FOR THE REVENUE OF THE LOCAL ACCOMMODATIONS AND LOCAL HOSPITALITY TAXES, SO AS TO INCREASE FROM TWENTY TO FIFTY PERCENT, IN COUNTIES IN WHICH LESS THAN NINE HUNDRED THOUSAND DOLLARS IN STATE ACCOMMODATIONS TAX IS COLLECTED ANNUALLY, THE AMOUNT OF THE REVENUE OF THE LOCAL TAXES THAT MAY BE USED FOR OPERATIONS AND MAINTENANCE; TO REPEAL SECTION 12‑6‑3450 RELATING TO AN INCOME TAX CREDIT FOR PERSONS TERMINATED FROM EMPLOYMENT AS A RESULT OF THE CLOSING OR REALIGNMENT OF A FEDERAL MILITARY INSTALLATION, AND TO REPEAL SECTIONS 12‑14‑30, 12‑14‑40, 12‑14‑50, AND 12‑14‑70 RELATING TO ECONOMIC IMPACT ZONES AND ALLOWABLE DEDUCTIONS AGAINST SOUTH CAROLINA TAXABLE INCOME IN REGARD TO THESE ECONOMIC IMPACT ZONES; AND TO REPEAL ACT 150 OF 2010 CONTAINING A REVISION OF SECTION 12‑44‑30(20) RELATING TO THE DEFINITION OF TERMINATION DATE UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, AND ADDING SECTION 12‑6‑590(C) RELATING TO RETENTION AND USE OF CERTAIN INCOME TAXES PAID BY RESIDENT AND NONRESIDENT SHAREHOLDERS OF AN “S” CORPORATION. /

Sen. John C. Land III Rep. James H. Merrill

Sen. Hugh K. Leatherman, Sr. Rep. Kenneth A. Bingham

Sen. William H. O’Dell Rep. Daniel P. Hamilton

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

Rep. BINGHAM explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| 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 | 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 | Stringer |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--112**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

Having been temporarily out of the Chamber when the vote was taken to adopt the Conference Report on H. 4478, I wish the record to reflect that I would have voted in the affirmative.

Rep. Brian White

**H. 4225--COMMITTEE OF CONFERENCE APPOINTED**

The following was received:

**MESSAGE FROM THE SENATE**

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4225:

H. 4225 -- Reps. Rutherford, McLeod and Weeks: A BILL TO AMEND SECTION 16-3-1400, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON THE VICTIM ASSISTANCE PROGRAM, SO AS TO PROVIDE THAT THE TERM "VICTIM SERVICE PROVIDER" DOES NOT INCLUDE MAGISTRATE OR MUNICIPAL JUDGES AND THEIR STAFF.

and asks for a Committee of Conference and has appointed Senators Hutto, Rose and Shoopman to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. KELLY, DELLENEY and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 1051:

S. 1051 -- Senator Davis: A BILL TO AMEND SECTION 48-39-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS, EXCEPTIONS, AND SPECIAL PERMITS CONCERNING CONSTRUCTION AND RECONSTRUCTION SEAWARD OF THE BASELINE OR BETWEEN THE BASELINE AND THE SET BACK LINE, SO AS TO REVISE THE DESCRIPTION OF A PRIVATE ISLAND WITH AN ATLANTIC SHORELINE THAT IS EXEMPT FROM THE PROVISIONS OF THIS SECTION AND THE FORTY-YEAR RETREAT POLICY.

Very Respectfully,

President

Received as information.

**S. 1051--ORDERED ENROLLED FOR RATIFICATION**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4478:

H. 4478 -- Reps. Harrell, Cato, Cooper, Duncan, Harrison, Owens, Sandifer, White, Bingham, Barfield, D. C. Moss, Horne, Skelton, V. S. Moss, Bannister, Whitmire, Toole, J. R. Smith, Merrill, Hamilton, Thompson, Bedingfield, Stewart, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Battle, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, Chalk, Clemmons, Clyburn, Cole, Crawford, Daning, Delleney, Dillard, Erickson, Forrester, Gambrell, Govan, Hardwick, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Hutto, Hosey, Jefferson, Huggins, Kelly, Kennedy, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Mack, McEachern, Miller, Millwood, Nanney, J. M. Neal, Norman, Ott, Parker, Parks, Pinson, M. A. Pitts, Rice, Scott, Simrill, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Umphlett, Vick, Viers, Weeks, Willis, Wylie, A. D. Young, T. R. Young, Mitchell, Lucas and Jennings: A BILL TO ENACT THE "SOUTH CAROLINA ECONOMIC DEVELOPMENT COMPETITIVENESS ACT OF 2010", INCLUDING PROVISIONS; TO AMEND SECTION 4-12-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES IN LIEU OF TAXES, SO AS TO INCREASE THE NUMBER OF YEARS A FEE IS AVAILABLE, TO REVISE CERTAIN REQUIREMENTS FOR THE FEE IN LIEU AGREEMENT, AND FOR THE MANNER THE FAIR MARKET VALUE MUST BE REPORTED DURING THE TERM OF THE FEE AGREEMENT, TO PROVIDE FOR ADDITIONAL PROPERTY WHICH IS AN EXCEPTION TO PROVISIONS LIMITING PROPERTY NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY; TO AMEND SECTION 4-29-67, AS AMENDED, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE, TO REVISE THE MANNER IN WHICH THE FAIR MARKET VALUE OF THE PROPERTY MUST BE REPORTED DURING THE TERM OF THE FEE AGREEMENT, TO PROVIDE FOR ADDITIONAL PROPERTY WHICH IS AN EXCEPTION TO PROVISIONS LIMITING PROPERTY NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY; TO AMEND SECTION 4-29-68, AS AMENDED, RELATING TO SPECIAL SOURCE REVENUE BONDS WHICH MAY BE ISSUED BASED ON THE RECEIPT OF CERTAIN REVENUES, SO AS TO FURTHER PROVIDE FOR WHEN AND UNDER WHAT CIRCUMSTANCES THE AMOUNT OF THE FEE IN LIEU OF TAXES DUE ON THE PERSONAL PROPERTY MUST BE DUE WHEN PERSONAL PROPERTY IS REMOVED FROM THE PROJECT; TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 12-44-40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY; TO AMEND SECTION 12-44-50, AS AMENDED, RELATING TO THE REQUIREMENT OF A FEE AGREEMENT UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH THE FAIR MARKET VALUE OF THE PROPERTY MUST BE REPORTED DURING THE TERM OF THE FEE AGREEMENT; TO AMEND SECTION 12-44-110, AS AMENDED, RELATING TO PROPERTY PREVIOUSLY SUBJECT TO PROPERTY TAXES NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY AND EXCEPTIONS TO THIS PROVISION, SO AS TO PROVIDE FOR ADDITIONAL PROPERTY WHICH IS AN EXCEPTION TO PROVISIONS LIMITING PROPERTY NOT QUALIFIED TO BE ECONOMIC DEVELOPMENT PROPERTY; TO AMEND SECTION 12-44-130, AS AMENDED, RELATING TO MINIMUM INVESTMENTS TO QUALIFY FOR A FEE AND OTHER REQUIREMENTS, SO AS TO CORRECT A REFERENCE; TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSIFICATION OF REAL PROPERTY FOR AD VALOREM TAX PURPOSES, SO AS TO PROVIDE THAT REAL PROPERTY OWNED BY OR LEASED TO A MANUFACTURER AND USED PRIMARILY RATHER THAN EXCLUSIVELY FOR WAREHOUSING AND WHOLESALE DISTRIBUTION IS NOT CONSIDERED USED BY THE MANUFACTURER IN THE CONDUCT OF ITS BUSINESS FOR PROPERTY TAX CLASSIFICATION PURPOSES UNDER CERTAIN CONDITIONS; TO AMEND SECTION 12-10-85, AS AMENDED, RELATING TO THE PURPOSE AND USE OF STATE RURAL INFRASTRUCTURE FUNDS, SO AS TO REVISE THE PURPOSES FOR WHICH THESE FUNDS MAY BE USED AND THEIR AVAILABILITY; BY ADDING CHAPTER 18 TO TITLE 11 SO AS TO ESTABLISH MECHANISMS AND PROCEDURES FOR THE ALLOCATION, REALLOCATION, AND ISSUANCE OF FEDERAL RECOVERY ZONE BONDS; TO AMEND SECTION 4-29-10, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO INDUSTRIAL DEVELOPMENT PROJECTS, SO AS TO REVISE THE DEFINITION OF "PROJECT" TO INCLUDE RECOVERY ZONE PROPERTY AS DEFINED BY FEDERAL LAW; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO JOB TAX CREDITS, SO AS TO REVISE THE DESIGNATION TERMINOLOGY FOR COUNTIES COMING WITHIN SPECIFIC CLASSIFICATIONS, TO FURTHER PROVIDE FOR THE CRITERIA FOR DETERMINING HOW COUNTIES FALL WITHIN CERTAIN TIERS, AND TO REVISE SPECIFIC TERMS OR DEFINITIONS USED FOR PURPOSES OF THIS SECTION; TO AMEND SECTION 12-6-3375, AS AMENDED, RELATING TO TAX CREDITS FOR PORT CARGO VOLUME INCREASES, SO AS TO PROVIDE THAT THE TAX CREDIT MAY BE AN INCOME TAX CREDIT ON A CREDIT AGAINST EMPLOYEE WITHHOLDING, TO PROVIDE FOR THE AMOUNTS OF EACH TYPE OF CREDIT AND THE TYPES OF FACILITIES TO WHICH THEY MAY BE AWARDED, TO REVISE THE MANNER IN WHICH TAX CREDIT ALLOCATIONS ARE DETERMINED AND THE AMOUNT OF CREDITS WHICH MAY BE ALLOCATED TO A QUALIFYING TAXPAYER; TO AMEND SECTION 12-20-105, AS AMENDED, RELATING TO CREDITS AGAINST ITS CORPORATE LICENSE TAX LIABILITY FOR A COMPANY WHO PAYS CASH FOR INFRASTRUCTURE FOR AN ELIGIBLE PROJECT, SO AS TO FURTHER PROVIDE FOR THE ELIGIBILITY FOR THE CREDIT UNDER CERTAIN CIRCUMSTANCES OR THE CONTINUATION OF THE CREDIT, AND TO REQUIRE A REPORT CONCERNING THE CREDIT; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS UNDER THE ENTERPRISE ZONE ACT OF 1995, SO AS TO EXPAND ELIGIBLE EXPENDITURES WHICH QUALIFY FOR THE CREDIT, TO CAP THE AMOUNT OF CREDITS PER JOB PER YEAR, TO REVISE CERTAIN TERMINOLOGY TO CONFORM TO EARLIER CHANGES HEREIN, TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN THESE CREDITS MAY BE CLAIMED AND THE MANNER OF THE DETERMINATION OF CERTAIN FACTORS NECESSARY TO QUALIFY FOR THE CREDITS, AND TO PROVIDE FOR THE SUSPENSION OF THE CREDITS UNDER CERTAIN CONDITIONS AND FOR WHEN THE CREDITS MAY BE CLAIMED; TO AMEND SECTION 12-14-20, RELATING TO THE PURPOSES OF THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THESE PURPOSES; TO AMEND SECTION 12-14-60, AS AMENDED, RELATING TO INVESTMENT TAX CREDITS UNDER THE ECONOMIC IMPACT ZONE COMMUNITY DEVELOPMENT ACT OF 1995, SO AS TO REVISE THE AMOUNT OF THE CREDITS, THE QUALIFYING CRITERIA FOR THE CREDITS, AND FOR THE APPLICABILITY OF CERTAIN PROVISIONS TO THESE CREDITS; TO AMEND SECTION 16-6-3631, RELATING TO SPECIFIED BIODIESEL EXPENDITURES, SO AS TO FURTHER PROVIDE FOR THOSE EXPENDITURES WHICH QUALIFY FOR CREDIT AND TO STIPULATE THE AMOUNT OF CREDIT FOR EXPENDITURES RELATED TO WASTE GREASE-DERIVED BIODIESEL; BY ADDING SECTION 12-6-3588 SO AS TO ESTABLISH THE SOUTH CAROLINA RENEWABLE ENERGY TAX INCENTIVE PROGRAM UNDER WHICH CERTAIN TAX CREDITS ARE ALLOWED FOR BUSINESS INVESTMENTS PERTAINING TO THE PRODUCTION AND USE OF RENEWABLE ENERGY PRODUCTS; TO AMEND SECTION 12-15-10, RELATING TO THE CITATION OF THE SOUTH CAROLINA LIFE SCIENCES ACT, SO AS TO CHANGE THE CITATION; TO AMEND SECTION 12-15-20, RELATING TO DEFINITIONS UNDER THE RENAMED LIFE SCIENCES AND RENEWABLE ENERGY MANUFACTURING ACT, SO AS TO DEFINE THE TERM "RENEWABLE ENERGY MANUFACTURING FACILITY"; TO AMEND SECTION 12-15-30, RELATING TO QUALIFICATIONS OF CERTAIN EXPENSES UNDER THE ENTERPRISE ZONE ACT, PROCEDURES FOR WAIVERS, AND THE DURATION OF THESE PROVISIONS, SO AS TO EXPAND THE TYPES OF FACILITIES THAT QUALIFY AND THE DURATION OF THESE PROVISIONS; TO AMEND SECTION 12-15-40, RELATING TO INCOME TAX ALLOCATION AND APPORTIONMENT AGREEMENTS BETWEEN THE DEPARTMENT OF REVENUE AND TAXPAYERS ESTABLISHING A LIFE SCIENCES FACILITY, SO AS TO EXPAND THE TYPES OF FACILITIES TO WHICH THIS PROVISION APPLIES; TO AMEND SECTION 12-37-930, RELATING TO VALUATION OF PROPERTY FOR PROPERTY TAX PURPOSES AND DEPRECIATION ALLOWANCES FOR MANUFACTURERS, MACHINERY, AND EQUIPMENT, SO AS TO INCLUDE MACHINERY AND EQUIPMENT OF A RENEWABLE ENERGY MANUFACTURING FACILITY WITHIN THE DEPRECIATION ALLOWANCES ALLOWED FOR MACHINERY AND EQUIPMENT OF A LIFE SCIENCES FACILITY, AND TO DEFINE WHAT IS A QUALIFYING FACILITY; TO AMEND SECTION 12-28-2910, AS AMENDED, RELATING TO THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO AUTHORIZE THE COUNCIL TO EXPEND CERTAIN FUNDS FOR SPECIFIED PURPOSES UNDER SPECIFIED CONDITIONS; TO AMEND SECTION 2-75-30, AS AMENDED, RELATING TO RESEARCH CENTERS OF EXCELLENCE MATCHING ENDOWMENTS, SO AS TO FURTHER PROVIDE FOR THE PROCESS AND PROCEDURES FOR AWARDING ENDOWMENTS FOR QUALIFIED PROJECTS, AND FOR THE APPLICABILITY OF MATCHING REQUIREMENTS; TO AMEND SECTION 2-75-10, AS AMENDED, RELATING TO THE RESEARCH CENTERS OF EXCELLENCE REVIEW BOARD, SO AS TO REVISE THE DATE WHEN ITS ANNUAL REPORT IS DUE; TO AMEND SECTION 13-1-1710, AS AMENDED, RELATING TO THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO REVISE CERTAIN MEMBERS OF THE COUNCIL; TO AMEND SECTIONS 5-37-20, 5-37-35, 5-37-40, AS AMENDED, 5-37-50, AS AMENDED, AND 5-37-100, ALL RELATING TO THE MUNICIPAL IMPROVEMENTS ACT, SO AS TO AUTHORIZE A MUNICIPAL IMPROVEMENT DISTRICT TO WIDEN AND DREDGE CERTAIN CANALS AND WATERWAYS BY ISSUING BONDS PAYABLE FROM ASSESSMENTS ON PROPERTY LOCATED IN THE IMPROVEMENT DISTRICT; TO AMEND SECTION 12-10-88, AS AMENDED, RELATING TO REDEVELOPMENT FEES UNDER THE ENTERPRISE ZONE ACT OF 1995 BEING REMITTED TO THE APPLICABLE REDEVELOPMENT AUTHORITY FOR A SPECIFIED PERIOD OF TIME, SO AS TO REVISE THIS PERIOD OF TIME; TO AMEND SECTIONS 6-1-530 AND 6-1-730, BOTH AS AMENDED, RELATING TO USES ALLOWED FOR THE REVENUE OF THE LOCAL ACCOMMODATIONS AND LOCAL HOSPITALITY TAXES, SO AS TO INCREASE FROM TWENTY TO FIFTY PERCENT, IN COUNTIES IN WHICH LESS THAN NINE HUNDRED THOUSAND DOLLARS IN STATE ACCOMMODATIONS TAX IS COLLECTED ANNUALLY, THE AMOUNT OF THE REVENUE OF THE LOCAL TAXES THAT MAY BE USED FOR OPERATIONS AND MAINTENANCE; TO REPEAL SECTION 12-6-3450 RELATING TO AN INCOME TAX CREDIT FOR PERSONS TERMINATED FROM EMPLOYMENT AS A RESULT OF THE CLOSING OR REALIGNMENT OF A FEDERAL MILITARY INSTALLATION, AND TO REPEAL SECTIONS 12-14-30, 12-14-40, 12-14-50, AND 12-14-70 RELATING TO ECONOMIC IMPACT ZONES AND ALLOWABLE DEDUCTIONS AGAINST SOUTH CAROLINA TAXABLE INCOME IN REGARD TO THESE ECONOMIC IMPACT ZONES; AND TO REPEAL ACT 150 OF 2010 CONTAINING A REVISION OF SECTION 12-44-30(20) RELATING TO THE DEFINITION OF TERMINATION DATE UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, AND ADDING SECTION 12-6-590(C) RELATING TO RETENTION AND USE OF CERTAIN INCOME TAXES PAID BY RESIDENT AND NONRESIDENT SHAREHOLDERS OF AN "S" CORPORATION.

Very Respectfully,

President

Received as information.

**H. 4478--ORDERED ENROLLED FOR RATIFICATION**

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

**R. 293, H. 4657--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

June 9, 2010

The Honorable Robert W. Harrell, Jr., Speaker

South Carolina House of Representatives

508 Blatt Building

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am line item vetoing portions of and returning without my approval H. 4657, R. 293, the Fiscal Year 2010-11 General Appropriations Bill. We do not arrive at this decision easily, but feel compelled to call into question several areas in this budget that we believe represent financially reckless policy given the difficult budget challenges facing our State.

In an effort to have maximum impact in this year’s budget we have significantly limited our vetoes - though there are a host of financial and policy concerns that we have vetoed over the years that come in line items and provisos. As in past veto lists, we’re trying to get to certain numbers this administration believes are important in moving our State toward a more certain and sustainable financial position. This means even we ourselves do not relish or like all of the vetoes we must offer in moving our State back toward a stronger financial footing. But in these times we are forced to make cuts that could have been avoided if we had not as a state gotten ahead of ourselves in spending as we did a few years ago, and therefore, we believe these cuts are necessary.

Perhaps most concerning is the fact that this year’s state budget perpetuates last year’s federal stimulus’ mistake in spending money we don’t have. In this case, the so-called “Part IV” of the state budget spends more than $200 million in Medicaid dollars from Washington that may or may not come to South Carolina. Balancing a budget based on merely the hope of Congressional action is unwise in the best of times and simply unacceptable in today’s economic climate. For this reason, we veto this section in its entirety.

*Uncertain Economic Times*

Although the nearly $2 billion in state budget cuts over the last two and a half years have garnered much attention, what is important to remember is that the total state government budget in the current budget year tops $20.8 billion – which is up four percent from last year’s number of $19.9 billion. This $20.8 billion includes federal funds and state fees and is the highest total budget in South Carolina history. It also includes over $1.13 billion in financially reckless annualizations, which entail using one-time money to pay for recurring expenses. Next year’s total budget is projected to increase yet another seven percent to $22.2 billion. What all this means is that despite the rhetoric about financial austerity, over the course of this administration the total state budget will have jumped from around $14.8 billion in 2003 to a projected $22.2 billion in 2011. This is an increase of almost 50.5 percent, or 5% annually, which outpaces the estimated growth in “population plus inflation” by an average of one percent annually over that time.

We have said year after year that this spending growth is unsustainable, and the choices necessitated by this year’s budget reinforce this. However, the tough budget choices that the State is tackling this year pale in comparison to the challenges that the State will confront in FY 2011-12.

South Carolina stands to lose roughly $1 billion in stimulus funds after FY 2011 that are currently filling gaps in the state’s general fund budget. Our administration argued repeatedly during the stimulus debate last year that you can’t spend money you don’t have, and that solving a problem created by too much spending with more spending seemed misguided.

A significant problem lies in the agencies whose budgets are currently receiving a large share of the stimulus funds. For example, based on the current plan, next year K-12 Education will lose $175 million in stimulus funds, the state’s Medicaid program will lose another $354 million, the Department of Disabilities and Special Needs will lose another $40 million, and the state’s law enforcement agencies will lose about $70 million. In short, the most core functions of state government are going to be impacted the most with the loss of $1 billion stimulus dollars next year.

Yet we are where we are. While this budget represents an intensely difficult reality for state agencies and those served by government, I believe it also represents an opportunity to reorder our budgetary priorities and face next year’s billion dollar cliff in better standing that we are now. Recognizing where we currently are, and the gaping hole the State will have to fill this time next year, we believe it is important to begin the process of making difficult cuts now. Every dollar that is cut now will reduce the pain of the cuts that we all recognize are coming next year. Taking fiscally prudent steps, although unpleasant now, will prevent even more unpleasant decisions in the future.

*FMAP Money*

The Appropriations Bill that the General Assembly has sent down to our office includes $214 million in enhanced Federal Medical Assistance Percentages (FMAP) money from the federal government. The American Recovery and Reinvestment Act of 2009 included a provision that allowed the State to receive an enhanced FMAP for eight quarters – including the first two quarters of FY 2010-11. Our Executive Budget included these two quarters of enhanced FMAP that we know South Carolina will receive in FY 2010-11. Since late Fall of 2009, there have been discussions in Washington on whether Congress would pass legislation that extended the enhanced FMAP for the states for the third and fourth quarters of FY 2010-11. Our Executive Budget did *not* include those two additional quarters because we believed then, as we believe now, that it is inappropriate to craft a budget based on funding that we can only hope will materialize.

Our administration’s position is consistent with the approach that other states have taken with regard to this enhanced FMAP. For example, states like Delaware, Indiana, Louisiana, Nebraska, Virginia, West Virginia and Wyoming have not included the speculative enhanced FMAP in their FY 2011 appropriations bills.

As of the time of drafting this letter, the likelihood that Congress will pass legislation sending two extra quarters of enhanced FMAP money to the states seems as uncertain as ever. Two weeks ago, the U.S. House of Representatives passed H. 4213, the American Jobs and Closing Tax Loopholes Act. As this Bill progressed from committee to the House floor, it included a provision that would extend the enhanced FMAP for the remaining two quarters in FY 2011. Before the Bill came up for a vote, the FMAP extension was removed from the Bill because it would add an additional $23 billion to the $1.6 trillion annual deficit. This Bill was viewed by some in Washington as the best remaining opportunity for Congress to pass the FMAP extension because, as the U.S. Department of Health and Human Services Secretary Kathleen Sebelius pointed out to Governors last week, the closer we get to the November elections the less likely this provision is to pass. The bottom line is that we have no reason to believe we will receive additional FMAP funds, and it would be reckless for us to include this money in our budget.

We also question the logic of the manner in which this money was appropriated in Part IV of the Appropriations Bill. *It seems this budget’s priorities are reversed. It funds core requirements of government with speculative money, while it funds supplementary or speculative programs with money that is certain.* For example, Part IV appropriates $170 million of the speculative enhanced FMAP to South Carolina’s Department of Health and Human Services (HHS) for Medicaid Maintenance of Effort. This money is used to fund health services for our state’s poorest citizens. These services are mandated by federal law in receiving the federal funds that make them possible, yet we fund them with money that may or may not eventually come from Washington, D.C. If the federal government does not act within the next couple of weeks to extend the enhanced FMAP for third and fourth quarters of FY 2011, then HHS will enter the next fiscal year $170 million short of what it needs to operate the S.C. Medicaid program – nearly 16 percent of the entire state-funded portion of its budget. This funding equates to roughly 70 days of services, meaning the needy in South Carolina will have to do without health care during the final 10 weeks of FY 2011.

Similarly, the Department of Mental Health (DMH) receives over $18 million in Part IV of the budget – the majority of which is intended to fund agency operating expenses. Also, the Department of Health and Environmental Control (DHEC) – an agency charged with protecting public health – is scheduled to receive $11 million in Part IV of the Appropriations Bill, mostly for operating expenses. Finally, the Department of Alcohol and Other Drug Abuse Services (DAODAS) receives funds for “operating expenses” in Part IV as well. If the funding included in Part IV of the Appropriations Bill does not materialize, some agencies that perform core functions of state government will not receive adequate funding this year.

While we do not agree with appropriating the speculative enhanced FMAP funds in the budget, at the very least we believe these funds should not be used to fund operating expenses at state agencies that provide core government services. Other states, like Mississippi and Vermont, included these funds in their budgets only *in addition to* operating budgets that were already properly funded. We believe this would have been a more pragmatic approach.

I would like to offer one final thought with regard to this enhanced FMAP money. Last year, we opposed a portion of the stimulus funds coming down to South Carolina because the funds would cause more damage to our state’s fiscal house in the future. We all now recognize that, when the budget is being prepared this time next year, we will have roughly $1 billion less to work with due to the loss of stimulus funds. The $214 million that is included in Part IV will only make next year’s budget hole $214 million deeper. We believe a more fiscally prudent step would be to set aside $214 million, assuming we receive the enhanced FMAP, to help alleviate the pain caused by the loss of $1 billion in stimulus funds next year. Setting aside this money, the shortfall next year would be reduced by $214 million.

Again, our administration is not alone in this position. Louisiana, West Virginia and a whole host of other states have not included these funds in their budgets in an effort to soften the blow that their budgets will take next year when they lose the stimulus funds. Even though Mississippi, whom I mentioned earlier, has appropriated some of the enhanced FMAP in its FY 2011 Appropriations Bill, it placed roughly half of the money it is scheduled to receive in a reserve fund. At some point our state has to change its habit of spending every dollar we get, as soon as we get it. Now, as we are staring directly at an absolute budget cliff, seems like an appropriate time.

*House and Senate Budget Increases*

Another area of concern we’ve raised is the increases that the House and Senate added to their own budgets in recent weeks. In a letter last month we respectfully questioned the Senate’s rationale for increasing its recurring base budget by over 52 percent in a year when nearly every agency’s budget is being cut considerably. As well, the House increased its own budget in response by nearly $6 million – a 53 percent increase compared to last year. Altogether, the House and Senate increased their budgets by almost $10 million in a year when most state agencies are enduring drastic budget cuts.

It’s important to remember that these legislative budget increases total around $10 million – which could pay for 180 additional police officers, 160 additional teachers, or 460 additional social services case workers. We’d respectfully call into question the need for such a drastic budget increase, and feel compelled to veto appropriate amounts in both legislative chambers’ budgets to essentially hold them to last year’s budget levels.

To put the General Assembly’s circumstances in context with other state agencies, the following table outlines the ways some agencies have responded to our state’s revenue shortfall.

*Targeted Cuts*

Given the above concerns, we’ve made the following targeted cuts to the current legislative budget.

**Veto 1 Part IA, Section 1; Page 2; Department of Education; Section V. Standards and Learning; Special Items; High Schools That Work; $1,403,145.**

This activity funds the High Schools That Work and Making Middle Grades Work program, which provides non-mandatory school assessment tools that examine whether students are prepared for the next level of education. We are vetoing this funding because it is unnecessary since the Department of Education utilizes several other school-assessment programs and college preparatory courses and activities.

**Veto 2 Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; SCAMP; $187,410.**

SCAMP is a statewide consortium of all seven historically black colleges and five non-minority institutions and is designed to increase the number of African American undergraduate students who pursue Ph.D. opportunities in science, technology, engineering, and mathematics. However, given the various cuts to education in this year's budget, we think the State should focus its money on the classroom instead of pass-throughs for particular programs. If CHE believes this program is sufficiently worthwhile, it may fund it from CHE's remaining revenue.

**Veto 3 Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; Greenville Higher Ed Center; $67,967.**

The Greenville Higher Ed Center is a consortium of public and private colleges and universities offering degree programs to the citizens of the Upstate and surrounding areas. We believe the seven institutions that comprise the Center, one of which is private - another of which is Clemson University that receives $767 million in total funds each year, can coordinate to support this program from existing funds without additional state revenue.

**Veto 4 Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; Think Tec/Fastrac-Entreprenurial Ed/Mento; $105,216.**

This pass-through funds a 10-week course that teaches potential entrepreneurs how to start and grow businesses. While this program has worthy intentions, we believe it duplicates the Department of Commerce's efforts to assist small businesses, such as the Small Business Ombudsman Office and the Business One Stop internet service, which offers free online information for prospective business owners.

**Veto 5 Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; Access and Equity; $416,336.**

The Access & Equity program supports efforts to recruit and retain minority students. We support the program's goal, but we are vetoing funding because we believe the Commission should focus on higher-priority funding areas.

**Veto 6 Part IA, Section 6; Page 26; Commission on Higher Education; Section II. Service Programs; Special Items; EEDA; $1,213,065.**

The EEDA has proven to be a worthwhile program and accordingly is funded over $30 million a year. It has proven to ensure students have a smooth transition between high school and college, and for this reason we are vetoing only the consultant fees tied to this effort.

**Veto 7 Part IA, Section 14; Page 43; South Carolina State University; I. Education & General; A. Unrestricted; Special Items; Transportation Center; $778,683.**

This activity funds the James E. Clyburn Transportation Center’s research and educational programs that help develop a highly-skilled workforce for the transportation sector. We are vetoing the funding for this activity because it currently receives significant federal funding, and we are confident that Rep. Clyburn will continue to ensure that this program receives its share of federal dollars.

**Veto 8 Part IA, Section 14; Page 43; South Carolina State University; I. Education & General; A. Unrestricted; Special Items; Teacher Training & Development; $478,786.**

This activity provides additional funding to S.C. State for teacher training and development. We are vetoing this special item in S.C. State’s budget because we believe that its existing Education Department can adequately prepare its students to be successful teachers, counselors, and education administrators. We see no reason to have separate funding for this program when S.C. State’s general fund budget and student tuition provides adequate funding for the Education Department.

**Veto 9 Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; African American Professors Program; $178,805.**

This program provides funding to help expand the pool of African American professors in critical academic research areas at colleges and universities. Although we appreciate the program’s intent, its results have been limited – as over its 13-year-existence there have only been 26 graduates. Given that the majority of its funding is provided by the W.K. Kellogg Foundation and USC, we are left with no choice in this budget year but to eliminate state funding.

**Veto 10 Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Congaree Initiative; $216,054.**

This initiative provides funding for environmental research at the Congaree River. We believe USC can coordinate with DNR and DHEC to perform this research without additional funding.

**Veto 11 Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Nano Technology Research; $558,573.**

This program provides funding for USC’s nanotech research. Although we have supported research funding in the past, we believe that public money put toward such research efforts should be matched with significant private investment. Unfortunately, to date we have not seen this program draw down a lot of private investment. Given that this is a tight budget year, we are vetoing the funding for this program.

**Veto 12 Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Hydrogen Research; $558,573.**

This activity funds USC’s hydrogen fuel cell research. We are vetoing this funding because USC has thus far relied too heavily on state dollars to fund this research rather than recruit private investment. USC has received ample funding to sufficiently jump start its hydrogen fuel cell research over the past few years, and we believe it is now time to translate those dollars into privately-funded research that will truly create permanent, private-sector jobs rather than more government jobs paid for by the taxpayers of South Carolina.

**Veto 13 Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Technology Incubator; $111,714.**

This program provides funding for USC’s technology incubator. Although we have supported research funding in the past, we believe that public money for such research efforts should be matched with significant private investment because private investment signals that people outside the political sphere value the public program. Unfortunately, to date this program has not attracted meaningful levels of private investment, and therefore we are vetoing the funding for this program.

**Veto 14 Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Small Business Development Center; $523,121.**

This service provides free management and technical assistance to small businesses through a consortium of USC, Clemson, SC State, and Winthrop. Although we recognize that small business development is an important aspect of the economy, we consider economic development outside USC's core mission. Additionally, this program is duplicative of services that are already provided by the Department of Commerce. Given that this is a tight budget year, we are vetoing the funding for this redundant service.

**Veto 15 Part IA, Section 17A; Page 64, Medical University of South Carolina; I. Educational and General; A. Unrestricted; Special Items; Hypertension Initiative; $512,741.**

This activity funds MUSC’s Hypertension Initiative, which allows primary care physicians to use MUSC’s database and feedback reporting system to track the effectiveness of hypertension treatment. While we recognize the importance of preventing hypertension, we are vetoing the funding for this activity because it is a special item outside of MUSC’s primary mission of instructing students to become health professionals. We believe that this service should be provided by the private sector or incorporated into DHEC’s Heart Disease and Stroke Prevention Division, which is tasked with preventing chronic conditions like hypertension.

**Veto 16 Part IA, Section 17A; Page 64, Medical University of South Carolina; I. Educational and General; A. Unrestricted; Special Items; Diabetes Center; $289,088.**

This activity funds MUSC’s Diabetes Center, which develops and implements a statewide plan of community outreach and education programs related to diabetes. While we recognize the importance of preventing and treating diabetes, we are vetoing the funding for this activity because it is a special item outside of MUSC’s primary mission of instructing students to become health professionals. Additionally, DHEC currently manages the South Carolina Diabetes Prevention and Control Program, which receives significant federal funding through the Centers of Disease Control. To the extent that MUSC wants to continue its role in providing diabetes education and outreach, we encourage them to partner with DHEC through its existing and better funded diabetes prevention program.

**Veto 17 Part IA, Section 17B; Page 66; Area Health Education Consortium; I. Consortium; A. General; Special Items; Rural Physicians Program; $422,244.**

We are vetoing the Area Health Education Consortium’s funding for the Rural Physicians program, which attempts to increase the number of doctors serving rural South Carolina. Although attracting doctors to rural areas is a worthwhile goal, we expect that the roughly $9,000 per county this program provides will have little if any impact on whether a doctor moves to a rural area.

**Veto 18 Part IA, Section 17B; Page 66; Area Health Education Consortium; I. Consortium; A. General; Special Items; Infrastructure Development; $393,974.**

This activity provides salary support and fringe benefits for four regional coordinators, student housing, and travel expenses for student activities. While this program's purpose—to encourage clinical experiences in rural and underserved community settings—is laudable, we are vetoing this item because its returns are less than quantifiable in these tough budget times. We recommend that the agency combine its efforts within the four regions and seek private funds, as for example in the past, the Duke Endowment has funded this activity.

**Veto 19 Part IA, Section 18; Page 68; Technical and Comprehensive Education Board; I. Administration, Total Administration; All General Funds; $3,012,760.**

**Veto 20 Part IA, Section 18; Page 69; Technical and Comprehensive Education BD; II. Instructional Programs; B. System Wide Programs and Initiatives; Total Personal Service; All General Funds; $624,717.**

**Veto 21 Part IA, Section 18; Page 69; Technical and Comprehensive Education BD; II. Instructional Programs; B. System Wide Programs and Initiatives; Other Operating Expenses; $367,724.**

The purpose of this veto is to delete all general funds appropriated in the section of “I. Administration” totaling $3,012,760, and “II. Instructional Programs; B. System Wide Programs and Initiatives; Total Personal Service” totaling $624,717. With these vetoes, it is our intent to reduce the funding for administration of the technical schools multiple campuses. As we have included in our past two Executive Budgets, and studies done by the Technical Board confirm, there are significant savings to be realized by consolidating administrative functions of the technical colleges at three regional centers. This reduction in funding is intended to encourage activity on this front.

**Veto 22 Part IA, Section 19; Page 72; Educational Television Commission; I. Internal Administration; Total Internal Administration; All General Funds; $1,180,134.**

**Veto 23 Part IA, Section 19; Page 72; Educational Television Commission; II. A. Program and Services; Total Public Education; All General Funds; $3,353,032.**

**Veto 24 Part IA, Section 19; Page 73; Educational Television Commission; II. Program and Services; E. Public Affairs; Total Public Affairs; All General Funds; $710,000.**

We appreciate the valuable entertainment and educational services that ETV provides, particularly as part of our state’s K-12 distance and virtual learning programs. However, many of ETV's programming activities are lower priorities than other areas of state government, and unfortunately this year’s budget reduces funding for a number of worthwhile programs. We are reducing ETV’s funding this year in favor of increasing funding for core government services, but federal and private funds are available and sufficient to enable ETV's K-12 educational programming to continue.

**Veto 25 Part IA, Section 20; Page 75; Vocational Rehabilitation; II. Vocational Rehab Programs; B. Special Projects; Other Operating Expenses; $58,479.**

We support the Vocational Rehabilitation Department's (VR) efforts to provide employment training to those with disabilities, but we believe VR should partner with the newly-created Department of Employment and Workforce to provide these services. We believe the State could realize administrative cost savings by adopting this proposal. If the Vocational Rehabilitation Department feels this program is important, we suggest that they use their financial flexibility to reallocate funds for this program.

**Veto 26 Part IA; Section 21; Page 78; Department of Health and Human Services; II. Program Services; A. Health Services; Personal Service; 1. Medical Administration; Other Personal Services; $384,184.**

We are vetoing $384,184 from HHS’s Other Personal Services line because it is roughly equivalent to the amount the agency receives for Community Health Plan Grants. We are vetoing funding for Community Health Plan Grants because the program is a pass-through that imposes numerous restrictions on the HHS. Additionally, we have been told that vetoing this proviso will reduce the amount of additional funding necessary to sustain the Medicaid program in this fiscal year. Therefore, we are vetoing this item to ensure that HHS can better manage the Medicaid program, both this year and next. Accordingly, we recommend that HHS use its budget flexibility by redirecting its Community Health Plan Grants funds to the Other Personal Services line to replace the funds eliminated by our veto.

**Veto 27 Part IA, Section 22; Page 82; Dept of Health and Environmental Control, I. Administration; Total Administration; $4,534,052.**

The Department of Health and Environmental Control has many divisions that currently qualify for stimulus funds. In this year alone, we have spent almost $5 million in stimulus funds in addition to any stimulus funds appropriated in the previous budget. This agency’s funds are also supplemented by carry forward funds and other dollars given that this veto represents less than 1 percent of the DHEC's total budget.

**Veto 28 Part 1A, Section 22; Page 84; Dept of Health and Environmental Control; II. Family Health; 1. Infectious Disease; Other Operating Expenses; $3,213,439.**

The Department of Health and Environmental Control has many divisions that current qualify for stimulus funds. Just in this year have spent almost $5 million in stimulus funds in addition to any stimulus funds appropriated in the budget. This agency is also padded by carry forward funds and other dollars to the extent that this veto represents just over one percent of the DHEC's total budget. With the tough cuts that other agencies are taking, we recommend that the agency utilize these other funds.

**Veto 29 Part IA, Section 28; Page 118; Department of Archives and History, Section I. Administration & Planning; Other Operating Expenses; $635,445.**

The history of our State is unique, and the Archives Department does a superlative job in helping to bring life and light to the people and events that make it so. Unfortunately, in this budget year some of our budget choices come down to funding the history of those who have gone before us and those with us now. This veto represents one of those choices, while recognizing that the Department has the flexibility to redirect funds as needed to the agency's operating expenses from funds appropriated for other programs.

**Veto 30 Part IA, Section 28; Page 119; Department of Archives and History, Section IV. Historical Services; Special Items: Old Exchange Building; $145,500.**

While the Old Exchange Building received an annual appropriation from the State at one time, the General Assembly stopped this practice in 1996. Since then, the General Assembly has provided nearly $1.8 million in 2004 and 2005 to complete building renovations. Given this budget’s failure to fund core services of state government such as education and law enforcement, we believe it is vital in this budget year to avoid adding new financial commitments. Historic attractions such as this one that invite events and tourism foot traffic will have to further explore generating additional revenue by indeed increasing events, rentals, and memberships.

**Veto 31 Part 1A, Section 29; Page 121; State Library; IV. Discovery and Delivery; Personal Service; Distribution To Subdivisions; Aid County-Libraries; $4,653,933.**

This year’s budgeting process has been filled with difficult decisions about which programs and service we can afford to support with our limited revenue. One of the difficult choices we’ve had to make this year is whether to continue all the state’s aid to local libraries as they are also supported with lottery funds as well. Ultimately we’ve decided that fully funding local libraries does not rise to the level of many of our other core services such as law enforcement and health care. We realize that these funds represent a portion of the support for local libraries, but as we tried to balance the need for sufficient law enforcement personnel, school teachers, and the state’s court system we simply could not fund all the programs at the amounts we would have liked. We recommend that counties either increase public support for the libraries or seek federal or private funds to meet their operating expenses.

**Veto 32 Part IA, Section 30; Page 122; Arts Commission, Section II. Statewide Arts Services; All General Funds; $1,212,733.**

The purpose of this veto is to delete all General Funds appropriated in the section of "II. Statewide Arts Services" totaling $1,212,733. Like many states, our state's difficult financial position this year has forced us to make some equally difficult funding decisions. In this year's budget, we recommend cutting a little over half of the budget for the Commission. We recognize that artistic and cultural programs add great value to our State, but we simply cannot justify spending money on arts programs when law enforcement and other core programs are facing steep budget cuts.

**Veto 33 Part 1A, Section 31; Page 124; State Museum Commission; I. Administration; A. Administration; Other Operating Expenses; $1,643,893.**

Cultural activities like the State Museum are obviously important, but the vast majority of this year's budget should be directed to core governmental functions like public safety, education, and health care. We applaud the Museum’s efforts, but we must reduce their funding as we have proposed with a range of different agencies this year. In this instance, given the Museum's popularity, we believe the Museum can locate alternative funding through federal or private grants, private donations, or increased admittance fees.

**Veto 34 Part IA, Section 33; Page 131; Forestry Commission, Section II. Forest Landowner Assistance; Other Operating Expenses; $1,086,210.**

The Forest Management Assistance program provides direct assistance to individual private landowners and state agencies that own forest land. While we believe that this assistance is worthy, given that it is a tight budget year, we are vetoing funding for this program. While we are vetoing the Other Operating Expenses, it is not our intent to eliminate the Operating Expense fund. Therefore, we suggest that the Forestry Commission use its financial flexibility to reallocate money to the Operating Expense fund.

**Veto 35 Part IA, Section 34; Page 133-134; Department of Agriculture; Section III. Consumer Services; All General Funds; $376,500.**

The purpose of this veto is to delete all General Funds appropriated in the section of "III. Consumer Services" totaling $376,500. The Department of Agriculture is charged with inspecting and testing gas pumps for accuracy and suitability for service. One fourth of one penny per gallon goes to the Department of Agriculture with the intention that these funds go to petroleum inspection. Currently, the Department runs this program with general fund dollars. We believe the gas tax revenue is sufficient to fund this program. In response, we are vetoing the Total Consumer Services – not because we want to eliminate consumer services, but because we cannot eliminate funding for the Department’s Petroleum Inspection and Testing Program directly. Accordingly, we recommend that the Department use its budget flexibility by redirecting its Petroleum Inspection and Testing Program funds to the Total Consumer Services line to replace the funds cut by this veto.

**Veto 36 Part 1A, Section 34; Page 134; Department of Agriculture; Section IV. Marketing Services; A. Marketing and Promotions; Total Marketing and Promotions; All General Funds; $562,905.**

The purpose of this veto is to delete all General Funds appropriated in the section of “IV. Marketing Services; A. Marketing and Promotions” totaling $562,905. We applaud the efforts of Hugh Weathers and the team at the Department of Agriculture to heighten awareness on agricultural products grown, process, or manufactured in this State, but in this budget year we believe any future funding for this program should come from the approximate $62 million received by the Clemson Public Service Activities, PSA.

**Veto 37 Part IA, Section 35; Page 136; Clemson University (Public Service Activities), Section I. Regulatory & Public Service; All General Funds; $478,736.**

**Veto 38 Part IA, Section 35; Page 136; Clemson University (Public Service Activities), Section II. Livestock-Poultry Health; A. General; Total Personal Service; All General Funds; $1,598,679.**

We are vetoing these items to eliminate funding Clemson PSA’s Dairy Day Exhibition, the Rural Economic Development program, and the Integrated Pest Management program. Although we are eliminating the funding for regulatory and public service and for live-stock poultry health personal service, we do not intend to eliminate these programs. Rather, we recommend that Clemson PSA eliminate Dairy Day, Rural Economic Development Program, and the Integrated Pest Management because these are not high-priority items within the agency. Furthermore, the Rural Community Economic Development program overlaps and duplicates efforts already performed by the Department of Employment and Workforce. Just this year, the General Assembly enacted legislation to restructure the Employment Security Commission and to merge workforce and job placement services. We believe this veto will further streamline and consolidate workforce preparedness and business development as envisioned by the restructuring of the Department of Employment and Workforce. Further, given the current budget climate, we believe these duplicative funds could be dedicated to underfunded core government services.

**Veto 39 Part IA, Section 36; Page 139; SC State University (Public Service Activities); II. Research & Extension; Total Personal Service; All General Funds; $369,085.**

The purpose of this veto is to delete all General Funds appropriated in the section of "II. Research & Extension; Personal Service" totaling $369,085. We are vetoing $369,085 from S.C. State PSA’s research and extension personal service budget because it is roughly equivalent to the amount the agency receives for its Community Leadership and Economic Development program. We believe that this program, which provides limited-resource communities with leadership and economic development education, is not consistent with S.C. State PSA’s core function of enhancing our State’s agricultural and natural resources. We continue to believe that all economic development programs should be consolidated under the Department of Commerce. Accordingly, we recommend that S.C. State PSA use its budget flexibility by redirecting its Community Leadership and Economic Development funds from the over $1.3 million that has been appropriated to S.C. State PSA for operating expenses to pay for the research and extension personal service funds eliminated by this veto.

**Veto 40 Part IA, Section 37; Page 146; Department of Natural Resources; Section II. Programs & Services; H. Marine Resources; 1. Marine Conservation and Management; Unclassified Positions; $25,000.**

**Veto 41 Part IA, Section 37; Page 148; Department of Natural Resources; Section II. Programs & Services; I. Land, Water & Conservation; 2. Conservation; Other Operating Expenses; $20,662.**

We are vetoing these lines because this amount is roughly equivalent to the $50,000 that DNR is directed to provide to the Southeastern Wildlife Expo in Proviso 37.18. We recognize the importance of the Expo in the Lowcountry, as it –like Spoleto later in the year – has proven to be a real economic stimulus to the region. In the case of Spoleto, we have successfully advocated that the event stand on its own with regard to state funding, and given the budget situation, we believe the Wildlife Expo should do the same. Further, we are also concerned that the Department of Natural Resources has already sustained a 22 percent cut in their total budget this year. Those cuts will lessen the ability of DNR to do everything from promoting safety on our waterways to managing critically sensitive areas. Given the level of that cut we believe those funds should be retained by DNR to offset core services provided by the agency.

**Veto 42 Part IA, Section 39; Page 154; Department of Parks, Recreation and Tourism; II. Programs and Services; I. State Film Office; Total Film Office; $309,680.**

The purpose of this veto is to cut the budget for print advertisements in certain markets. PRT will continue to advertise in areas where the advertisements generate a reasonable return on the investment. The Advertising Media Placement and Production program develops and implements an annual, multi-faceted marketing plan that promotes the state’s cultural, natural, and man-made tourism resources for the purpose of attracting visitors to the State. While we recognize that revenues from tourism are important to our economy, given that this is a tight budget year and we need to prioritize our spending, we are vetoing funding for the Advertising Media Placement and Production. Therefore, although we are eliminating the State Film Office’s Total General Funds, we believe that the Department should use its financial flexibility to reallocate some funds to the Film Office.

**Veto 43 Part IA, Section 51; Page 182; Department of Corrections; II. Programs and Services; C. Work and Vocational Activities; Total Personal Service; All General Funds; $944,836.**

The purpose of this veto is to delete all General Funds appropriated in the section of "II. Programs and Services; C. Work and Vocational Activities; Personal Service" totaling $944,836. We are vetoing $944,836 from the Department of Corrections programs and services budget because we believe that the agency can save this amount of money by merging with the Department of Probation, Pardon and Parole. We believe that these two cabinet agencies can and should be directed to work together to combine administrative functions. In this instance, our intent with this veto is to further advance the merging of administrative work between PPP and Corrections.

**Veto 44 Part IA, Section 54; Page 194; Human Affairs Commission; I. Administration; Total Administration; All General Funds; $447,001.**

**Veto 45 Part IA, Section 54; Page 194; Human Affairs Commission; II. Consultive Services; Total Consultive Services; All General Funds; $138,402.**

The purpose of Veto 44 is to delete all General Funds appropriated in the section of "I. Administration" totaling $447,001.

The purpose of Veto 45 is to delete all General Funds appropriated in the section of "II. Consultive Services" totaling $138,402.

The state Human Affairs Commission works to prevent discrimination in employment and housing. We propose decreasing this funding because it is duplicative since people who believe they’ve been unlawfully discriminated against can seek legal action or file complaints with the Federal Housing and Urban Development Agency, the U.S. Department of Labor, or the U.S. Equal Employment Opportunity Commission. We are vetoing this funding because it duplicates available services and the funding is likely insufficient to adequately achieve the agency’s mission.

**Veto 46 Part IA, Section 64; Page 210; Department of Consumer Affairs; Section I. Administration; Total Administration; All General Funds; $410,880.**

**Veto 47 Part IA, Section 64; Page 210; Department of Consumer Affairs; Section III. Consumer Services; Total Consumer Services; All General Funds; $265,924.**

The purpose of Veto 46 is to delete all General Funds appropriated in the section of "I. Administration" totaling $410,880.

The purpose of Veto 47 is to delete all General Funds appropriated in the section of "III. Consumer Services" totaling $265,924.

Consumer Affairs does very important work in preventing fraudulent or unfair business practices, but many of these functions are concurrently performed by LLR, the Attorney General, and several federal consumer protection entities. Given this year's budget, these concurrent efforts, and recourse available through the court system, we are to compelled to veto a portion of Consumer Affairs’ budget.

**Veto 48 Part IA, Section 70A; Page 229; Leg. Dept-The Senate, Section II. Employee Benefits; C. State Employer Contributions; Total Employee Benefits; $3,000,000.**

**Veto 49 Part IA, Section 70B; Page 230; Leg. Dept-House of Representatives, Section I. Administration; Personal Service; Representatives @ $10,400; $1,289,600.**

We are vetoing from the Senate’s budget $3 million and from the House’s budget $1,289,600. It is not our intent to cut the salaries of Representatives, but this is the only line that corresponds to the increase in the House’s budget. The House can use the flexibility to transfer funds between Activities in its budget. We recognize that these are tough times for agencies, and we certainly recognize the essential role that the legislative branch plays in state government. However, in a year when nearly every other state agency is taking a budget cut it makes no sense to increase the budget for the legislature. Given the fact that teachers, law enforcement officers, and others are being laid-off or furloughed, we are compelled to veto the budget increases for the Senate and the House.

**Veto 50 Part IA, Section 73; Page 244; Lieutenant Governor’s Office, Section I. Administration; Personal Service; Unclassified Positions; $159,238.**

We are vetoing $159,238 from the Lieutenant Governor’s administrative personal services budget to eliminate funding for his security detail, which is required under Proviso 89.80. We are vetoing this proviso and its funding because these funds would be better spent on core government functions. As we said in previous years, former Lieutenant Governor Bob Peeler set the correct example when he refused his security detail, a practice that served his office and state taxpayers well for a decade. Based on the tight financial times we are facing, it would be prudent to return to that model.

**Veto 51 Part IA, Section 79; Page 256; Election Commission, Section IV. Distribution to Subdivision; Aid to County-Election Commission; $449,017.**

There are hundreds of boards and commissions across our State that do not provide a stipend. The $1,500 per member currently offered is not only at odds with the remuneration offered to others who serve across the State, but very difficult to justify given this year's budgetary climate.

**Veto 52 Part IA, Section 80A; Pages 258 through 272; Budget and Control Board; (All General Fund line amounts); $25,234,009.**

Our purpose with Veto 52 is to veto all items and sections that appropriate general funds to the Budget and Control. All items and sections that we are vetoing are identified on pages 258 through 272 and total $25,234,009 as identified on page 272 on the line "Total Funds Available" in general funds.

We are vetoing $25,234,009, the total amount of state general fund appropriations that the Budget and Control Board receives in this budget, because this agency has sufficient carry-forward and other funds to maintain its operations in this fiscal year. The Board has over $1 billion in carry-forward funds, including approximately $60 millionin unrestricted accounts. Additionally, the Board receives a total of $223,648,033 in other funds that it receives from state agencies in the form of rent, fees, and other charges. The Board and the General Assembly could also implement millions in savings recommended by the GEAR Commission. We believe that using available funds and implementing cost-cutting measures will sustain this agency easily over the next fiscal year.

**Veto 53 Part IB; Section 1.91; Page 313; Department of Education: Salary Increase Suspension.**

This proviso allows school districts to suspend the annual salary step increases for teachers in FY 2010-11, but protects salary increase for administrators. We are vetoing this proviso because we recently signed H. 4838, which froze the annual teacher *and* administrative salary increases for FY 2010-11. Given the House and Senate concurrence in what is our shared belief that it would be bad policy to protect salary increases for administrators while allowing cuts for teachers, we are vetoing this proviso. Not to do so would effectively negate the action just taken by the House and Senate.

**Veto 54 Part IB; Section 21.44; Page 353; Department of Health and Human Services; Rural Hospital Grants.**

**Veto 55 Part IB; Section 21.47; Page 353; Department of Health and Human Services; Community Health Plan Grants.**

**Veto 56 Part IB; Section 89.87; Page 466; General Provisions; Flexibility, Lines 39-45.**

**Veto 57 Part 1B, Section 89.87; Page 467; General Provisions; Flexibility, Lines 1-2.**

**Veto 58 Part 1B, Section 89.87; Page 467; General Provisions; Flexibility, Lines 14-15.**

As we stated earlier, Part IV intends to fund additional maintenance of effort dollars for the state’s Medicaid program. Given the uncertainty of Congress appropriating additional FMAP funds, as envisioned by Part IV, we have vetoed that section. However, this does not remove the need for additional dollars to ultimately fund the Medicaid program. The vetoes listed above will remove pass-throughs and restrictions imposed on the Department of Health and Human Services that, we are told, reduce the amount of additional funding necessary to sustain the Medicaid program for the fiscal year. In an effort to reduce further the need for additional spending at some later date, we are vetoing these provisions to ensure that the Department of Health and Human Services can better manage the Medicaid program both this year and next.

**Veto 59 Part IB; Section 35.4; Page 374; CU-PSA: Spring Dairy Exhibition.**

This proviso appropriates $75,000 to Clemson’s Public Service Authority (PSA) for their Spring Dairy Exhibition program. We have vetoed a corresponding amount of funds in Part 1A, and we have included this veto for two reasons. First, as important as the dairy industry is to our State, when weighed against the cuts required of education and health care this year, we feel it’s necessary. Secondly it is modest. Clemson PSA’s cumulative cuts this year are five and six times smaller in percentage terms than the cuts to the South Carolina Law Enforcement Division and the Department of Commerce, two core functions of our state government.

**Veto 60 Part IB; Section 37.16; Page 377; Department of Natural Resources; County Funds.**

**Veto 61 Part IB; Section 37.17; Page 377; Department of Natural Resources; County Game Funds/Equipment Purchase.**

These provisos allow the Department of Natural Resources’ (DNR) county funds and equipment to be spent or sold only upon approval of the respective county delegation. We are vetoing these two provisos because in *Knotts* *v. SCDNR* the Supreme Court found similar legislative involvement by county delegations in executive matters to be unconstitutional. The Founding Fathers’ governmental philosophy was in large measure based on the separation of powers. In *Knotts*, the Supreme Court found that the legislature “may not undertake both to pass laws and to execute them by bestowing upon its own members functions belonging to other branches of government.” These two provisos ignore that principle by having a legislative body execute the laws.

**Veto 62 Part IB; Section 37.18; Page 377; Department of Natural Resource; Wildlife Expo.**

This proviso directs the Department of Natural Resources to give the Southeastern Wildlife Expo $50,000. We recognize the importance of the Expo in the Lowcountry, as it –like Spoleto later in the year –has proven to be a real economic stimulus to the region. In the case of Spoleto, we have successfully advocated that the event stand on its own with regard to state funding, and given the budget situation, we believe the Wildlife Expo should do the same. Further, we are also concerned that the Department of Natural Resources has already sustained a twenty two percent cut in their total budget this year. Those cuts will lessen the ability of DNR to do everything from promoting safety on our waterways to managing critically sensitive areas. Given the level of that cut we believe those funds should be retained by DNR to offset core services provided by the agency.

**Veto 63 Part IB; Section 39.14; Page 380; Parks, Recreation, and Tourism; Flexibility.**

This proviso gives PRT flexibility with regard to certain programs, but prohibits PRT from closing or reducing full-time employees at the State House Gift Shop and the Santee Welcome Center. This is despite the fact that last year’s budget required PRT to close the Governor’s Mansion Gift Shop, even though it lost less revenue than the State House Gift Shop. The State House Gift Shop has three full-time employees and spends approximately $40,000 on temporary employees. So far this year, it lost approximately $85,000.

The Santee Welcome Center is the least productive of the three welcome centers on I-95. For example, the Santee Welcome Center had 186,630 visitors and made 756 accommodations during FY 2009-10. By comparison, the Dillon Welcome Center had 275,084 visitors and made 3,911 accommodations and the Hardeeville Welcome Center had 396,960 visitors and made 6,233 accommodations during the same period. To adequately fund agencies like PRT in these difficult budget times, it is important we grant them the flexibility to trim from programs or facilities as they see necessary.

**Veto 64 Part IB; Section 39.15; Page 380; Parks, Recreation, and Tourism; Additional Motion Picture Bonus-Rebate.**

This proviso allows PRT to increase the incentives for movie companies to film in South Carolina. We are vetoing this proviso for two reasons. First, the Senate determined that Proviso 39.8 violated its rule against changing permanent state law through proviso. The House tweaked and reinserted it as 39.15. We do not believe it is appropriate to change permanent law through proviso. Second, we should not be *increasing* the incentives we give to Hollywood film companies in a year when we’re making such drastic cuts to core government functions.

**Veto 65 Part IB; Section 65.12; Page 406; Labor, Licensing, and Regulation; SC ERT/Urban Search and Rescue.**

This proviso requires LLR to use $650,000 to operate the South Carolina Emergency Response Task Force/State Urban Search and Rescue Program. Although we support this program, we are vetoing this proviso because the funding for this program should not be taken from professional and occupational licensing (POL) funds. These licensing fees were instituted to specifically fund the occupational boards that oversee the licensees who in turn pays these fees. For example, realtors, accountants and doctors pay professional fees to fund their respective boards that uphold professional standards in each of these fields of work. Currently, LLR oversees almost 50 boards and commissions of these sorts. To divert these funds as this proviso instructs, simply creates a financial hole that would be filled at some later date either by increasing fees on licensees or diverting monies elsewhere in the budget. We believe both of these venues would be counter productive to bettering the business climate of the State. Currently there is only one exception to the rule our State has held to on professional fees and that is in financing immigration enforcement, but this was done because policy makers believed that every field of work was protected with more rigorous immigration enforcement.

If policymakers were for some reason committed in this tough budget year to still moving ahead in funding the US&R, we believe it would be more appropriate to pull down the funds from the insurance premium tax and the Fire Academy bond tax which totaled more than $7 million in FY09 – enough to sustain this program.

**Veto 66 Part IB; Section 76.11; Page 424; State Treasurer’s Office; Printing Wage Statements.**

This proviso has been sustained for the last two budgets. It eliminates the State Treasurer's duty to provide wage statements to state employees for every pay period, which would effectively eliminate all state employee rights to receive full disclosure of their earnings under the Wage Payment Act. The South Carolina Wage Payment Act, S.C. Code 41-10-30, requires every employer to provide each employee with an itemized statement showing gross pay and deductions for each pay period. This provision in the Wage Payment Act is intended to give employees timely and full disclosure of the details of their pay, so they may ensure that they actually receive all of their earnings. State employees, just like private employees, have the right to monitor their pay, and this right should not be taken away just because it may be cheaper for the State Treasurer to provide the notification less than every pay period.

**Veto 67 Part IB, Section 80A.57; Page 438; Budget and Control Board, EIP Benefits.**

This proviso mandates that the Budget and Control Board continue providing relatively generous insurance benefits to current and retired members of the Board of Economic Advisors (BEA). Although we value the work done by the BEA, we are vetoing this proviso because other state board and commission members do not receive this type of benefit. Given that many state agencies are either eliminating positions or holding positions vacant, it makes no sense for BEA members’ benefits to be protected by proviso. Consistent with the flexibility granted to agencies to determine how best to allocate their funding this year, we recommend eliminating this proviso and allowing the Budget and Control Board to determine whether continuing to give these benefits to current and retired BEA members makes financial sense.

**Veto 68 Part IB; Section 89.80; Page 464; General Provision; Lt. Governor Security Detail.**

We are vetoing this proviso because it requires SLED to provide a security detail to the Lieutenant Governor, which the Lieutenant Governor’s Office must fund from its operating budget. This money, totaling $112,173 last year, we believe these funds could be better spent on core functions within the Office on Aging or elsewhere in state government.

As we have noted in previous years, former Lieutenant Governor Bob Peeler declined his security detail, and this practice served his office and state taxpayers well for almost a decade. Based on the tight financial times we are facing, we believe it would be prudent to return to that model. This is especially the case given none of the other constitutional officers are provided with security details, save the governor who, among other things, makes the final yes or no decision prior to the execution of a death row inmate. We are vetoing a corresponding amount in the Lieutenant Governor’s budget in Part 1A

**Veto 69 Part IB; Section 89.96; Page 469; GP: Solar Power Income Tax Credit.**

This proviso increases the state income tax credit for the purchase of a qualifying solar energy system from 25 percent to 30 percent. While energy conservation is a goal that this administration shares and applauds, tax credits like these must be examined in the same way that we examine every expense within the budget. In this case, the evidence that we have found doesn’t show an incremental five percent benefit to correspond with the additional five percent tax credit.

**Veto 70 Part IB; Section 89.143; Page 477; General Provisos: I-95 Corridor.**

This proviso redirects $3 million from the Healthcare Tobacco Settlement Fund to the South Carolina Research Authority for the purpose of funding health-related grant program along the I-95 Corridor. As real as the economic, health or educational challenges might be on the I-95 Corridor, there are areas of equal challenge in other parts of South Carolina. As a consequence, we do not believe it is good policy to offer two-to-one matching programs for that part of South Carolina, but not for other part of the State where equal need exists. More significantly, we do not believe this is the year to begin a new program in health care when the current budget and next year’s budget do not contemplate enough in the way of financial resources to fund current programs and existing needs. For these reasons, we are vetoing this proviso.

**Veto 71 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 2; Budget and Control Board; SCEIS; $2,179,716.**

**Veto 72 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 3; Commission on Higher Education; SREB Dues; $413,929.**

**Veto 73 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 6; The Senate; Reapportionment; $1,000,000.**

**Veto 74 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 7; House of Representatives; Reapportionment; $1,000,000.**

**Veto 75 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 8; Budget and Control Board; Reapportionment; $20,000.**

**Veto 76 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 9; Budget and Control Board; Operating Expenses; $297,855.**

**Veto 77 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 11; Department of Education; Career and Technology Education (CATE) Textbooks Resources Materials; $662,000.**

**Veto 78 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 12; Department of Education; Transportation; $900,000.**

**Veto 79 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 14; Department of Education; Governor’s School for the Arts and Humanities; $500,000.**

**Veto 80 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 15; Department of Education; Governor’s School for Math and Science; $500,000.**

**Veto 81 Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 16; Prosecution Coordination Commission; Operating Expenses; $1,000,000.**

**Veto 82 Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 17; Commission on Indigent Defense; Operating Expenses; $1,000,000.**

**Veto 83 Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue Increased Enforcement Collections; Item 18; B&C Board, Employee Benefits; Health Plan – Employer Increase; $147,076.**

**Veto 84 Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 20; John de la Howe School; Operating Expenses; $308,765.**

**Veto 85 Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 21; Wil Lou Gray Opportunity School; Operating Expenses; $308,764.**

**Veto 86 Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 27; Department of Agriculture; Operating Expenses; $1,000,000.**

This proviso funds several agency expenditures with money collected by the Department of Revenue from increased enforcement collections. We are vetoing these items because they represent the lowest-priority expenditures to be paid for by a very uncertain revenue source. In the letter we sent to the Conference Committee, we stated our objections to funding recurring obligations like operating expenses for the Department of Corrections and other core agencies with the speculative, non-recurring source of increased enforcement collection revenues. Last year, the budget included $48 million from this source, but this year's budget doubles that figure to over $96 million despite the fact that we have seen no evidence that the Department of Revenue can collect that much. Overall, our vetoes of these items will reduce expenditures of increased enforcement collections by over $14 million and will help ensure that state agencies do not rely on these funds that may never be available.

**Veto 87 Part IB; Section 90.17; Page 484; Statewide Revenue; Non-Recurring Revenue Transfers; Transfer of $1,000,000 from Department of Motor Vehicles to Budget & Control Board (SCEIS).**

**Veto 88 Part IB; Section 90.17; Page 484; Statewide Revenue; Non-Recurring Revenue Transfers; Transfer of $1,158,284 from the Educational Broadband Spectrum Lease to the SCEIS program within the Budget and Control Board.**

This proviso transfers funds from the Department of Motor Vehicles, the Department of Transportation, and the Education Broadband Spectrum Lease to other agencies for various expenditures. From this proviso, we are vetoing the transfer of $1 million from DMV to the Budget and Control Board for SCEIS and the transfer of $1,158,284 from the Education Broadband Spectrum Lease to the SCEIS program. We are vetoing these items because the Budget and Control Board has sufficient carry-forward funds to pay for the SCEIS program. These funds should be committed to higher-priority agencies that have had their budgets cut in this Appropriations Act.

**Veto 89 Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 3; Department of Health and Environmental Control; $7,407,035.**

**Veto 90 Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 6; Department of Alcohol and Other Drug; Abuse Services; $500,000.**

**Veto 91 Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 7; Commission for the Blind; $100,000.**

This proviso spends funds from the Health Care Annualization and Maintenance of Effort Fund on various health care items and agency operating expenses. We are vetoing the expenditure of Maintenance of Effort funds on operating expenses for DHEC, the Department of Alcohol and Other Drug Abuse Services, and the Commission for the Blind. These Maintenance of Effort funds should be allocated directly to health care services and should not fund recurring operating expenses. These vetoes will ensure that $8 million will go directly to health care services in this fiscal year or in future budgets.

**Veto 92 Part III; Section 2; Page 487; (A)(22); State Library; $1,172,758.**

**Veto 93 Part III; Section 2; Page 487; (A)(23); Forestry Commission; $500,000.**

**Veto 94 Part III; Section 2; Page 487; (A)(24); Department of Agriculture; $200,000.**

**Veto 95 Part III; Section 2; Page 487; (A)(25); Clemson University – PSA; $2,600,000.**

**Veto 96 Part III; Section 2; Page 487; (A)(26); South Carolina State University – PSA; $500,000.**

**Veto 97 Part III; Section 2; Page 487; (A)(28); Administrative Law Court; $100,000.**

**Veto 98 Part III; Section 2; Page 487; (A)(31); Prosecution Coordination Commission; $500,000.**

**Veto 99 Part III; Section 2; Page 487; (A)(32); Commission on Indigent Defense; $700,000.**

**Veto 100 Part III; Section 2; Page 488; (A)(34); Law Enforcement Training Council; $120,000.**

**Veto 101 Part III; Section 2; Page 488; (A)(36); Secretary of State; $40,000.**

**Veto 102 Part III; Section 2; Page 488; (A)(37); Leg Dept. – Codification of Law and Legislative Council; $100,000.**

**Veto 103 Part III; Section 2; Page 488; (A)(38); Budget and Control Board, State Auditor’s Office; $111,948.**

**Veto 104 Part III; Section 2; Page 488; (A)(39); Department of Archives and History; $200,000.**

**Veto 105 Part III; Section 2; Page 488; (A)(40); Arts Commission; $250,000.**

**Veto 106 Part III; Section 2; Page 488; (A)(44); State Museum; $50,000.**

Part III appropriates funds that state receives pursuant to the State Fiscal Stabilization Fund Program established in the American Recovery and Reinvestment Act of 2009 (ARRA). The funding recovered from these vetoes should be redirected to fund the state Medicaid program.

**Veto 107 Part IV; Page 489-490; Enhanced Federal Medical Assistance Percentage.**

For the reasons previously outlined at the onset of this veto message we are vetoing Part IV in its entirety. To not do so in this instance would leave our state’s budget out of balance, and thereby unconstitutional under Article X, § 7 of the South Carolina Constitution, which provides that the General Assembly shall ensure “that annual expenditures may not exceed annual state revenue.”

For these reasons, I am vetoing and returning without my approval those items and sections of H. 4657, R. 293 described above.

Sincerely,

Mark Sanford

Governor

**R. 293, H. 4657-- GOVERNOR'S VETOES**

The Vetoes on the following Act were taken up:

R. 293, H. 4657 -- The General Appropriation Bill

**VETO 1-- SUSTAINED**

Part IA, Section 1; Page 2; Department of Education; Section V. Standards and Learning; Special Items; High Schools That Work; $1,403,145.

Rep. COOPER explained the Veto.

Rep. ANTHONY spoke against the Veto.

The question was put, shall the Item 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 70; Nays 48

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Ballentine | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Daning | Dillard | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Littlejohn | Loftis |
| Mack | McEachern | McLeod |
| Miller | Mitchell | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Rutherford |
| Sellers | Skelton | D. C. Smith |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams |  |  |

**Total--70**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Delleney | Erickson |
| Forrester | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Limehouse | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Stringer | Thompson | Toole |
| Umphlett | Viers | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--48**

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

**VETO 2-- SUSTAINED**

Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; SCAMP; $187,410.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 52; Nays 65

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Knight | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Rutherford | Sellers |
| Skelton | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--52**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--65**

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

**VETO 3-- SUSTAINED**

Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; Greenville Higher Ed Center; $67,967.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 52; Nays 64

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bannister |
| Bedingfield | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Forrester | Gilliard |
| Govan | Hamilton | Harvin |
| Hodges | Hosey | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Knight | Loftis |
| Mack | McEachern | McLeod |
| Mitchell | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Ott |
| Owens | Parker | Parks |
| Rutherford | Sellers | G. R. Smith |
| J. E. Smith | Stringer | Vick |
| Weeks | Williams | Willis |
| Wylie |  |  |

**Total--52**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Bales | Ballentine |
| Barfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Frye | Funderburk |
| Gambrell | Gunn | Haley |
| Hardwick | Harrell | Harrison |
| Hart | Hayes | Hearn |
| Hiott | Horne | Huggins |
| Hutto | Kirsh | Limehouse |
| Littlejohn | Long | Lowe |
| Lucas | Merrill | Miller |
| Millwood | D. C. Moss | Neilson |
| Norman | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Thompson |
| Toole | Umphlett | Viers |
| White | Whitmire | A. D. Young |
| T. R. Young |  |  |

**Total--64**

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

**VETO 4-- SUSTAINED**

Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; Think Tec/Fastrac-Entreprenurial Ed/Mento; $105,216.

Rep. COOPER explained the Veto.

Rep. SKELTON spoke against the Veto.

The question was put, shall the Item 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 46; Nays 70

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | King | Knight |
| Littlejohn | Mack | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | M. A. Pitts | Rutherford |
| Sellers | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--46**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Kennedy |
| Kirsh | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Parker |
| Pinson | Rice | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--70**

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

**VETO 5-- SUSTAINED**

Part IA, Section 6; Page 25; Commission on Higher Education, Section I. Administration; Special Items; Access and Equity; $416,336.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 50; Nays 64

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Mack | McEachern |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parks | Rutherford |
| Sellers | Skelton | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--50**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Parker |
| Pinson | M. A. Pitts | Rice |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Thompson | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--64**

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

**VETO 6-- OVERRIDDEN**

Part IA, Section 6; Page 26; Commission on Higher Education; Section II. Service Programs; Special Items; EEDA; $1,213,065.

Rep. COOPER explained the Veto.

Rep. OWENS spoke against the Veto.

The question was put, shall the Item 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 80; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Daning | Dillard |
| Erickson | Forrester | Frye |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kirsh | Knight |
| Littlejohn | Loftis | Long |
| Lowe | Mack | McEachern |
| McLeod | Miller | Mitchell |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Sellers |
| Skelton | D. C. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Umphlett | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | A. D. Young |  |

**Total--80**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Cole | Crawford | Delleney |
| Funderburk | Haley | Hamilton |
| Harrell | Kelly | Kennedy |
| King | Limehouse | Lucas |
| Merrill | Millwood | D. C. Moss |
| Nanney | Norman | Rutherford |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Stringer |
| Thompson | Toole | Vick |
| Viers | Wylie | T. R. Young |

**Total--36**

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

**VETO 7-- SUSTAINED**

Part IA, Section 14; Page 43; South Carolina State University; I. Education & General; A. Unrestricted; Special Items; Transportation Center; $778,683.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 48; Nays 66

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | King | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parks | Rutherford |
| Sellers | J. E. Smith | Vick |
| Weeks | Whipper | Williams |

**Total--48**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Parker | Pinson | M. A. Pitts |
| Rice | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Thompson |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

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

**VETO 8-- SUSTAINED**

Part IA, Section 14; Page 43; South Carolina State University; I. Education & General; A. Unrestricted; Special Items; Teacher Training & Development; $478,786.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 53; Nays 62

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Harrell | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Mack |
| McEachern | McLeod | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parks |
| Pinson | Rutherford | Sellers |
| Skelton | J. E. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--53**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Littlejohn |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Parker | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--62**

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

**VETO 9-- SUSTAINED**

Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; African American Professors Program; $178,805.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 52; Nays 62

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hiott | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Knight | Littlejohn | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Rutherford | Sellers |
| Skelton | J. E. Smith | Spires |
| Stavrinakis | Weeks | Whipper |
| Williams |  |  |

**Total--52**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Haley |
| Hardwick | Harrell | Harrison |
| Hearn | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Parker | Pinson | M. A. Pitts |
| Rice | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--62**

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

**VETO 10-- SUSTAINED**

Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Congaree Initiative; $216,054.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 52; Nays 62

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Harrison | Hart |
| Harvin | Hayes | Hiott |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Knight | Loftis | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Pinson | M. A. Pitts |
| Rutherford | Skelton | D. C. Smith |
| J. E. Smith | Vick | Whipper |
| Williams |  |  |

**Total--52**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Hearn | Hodges | Horne |
| Huggins | Kelly | Limehouse |
| Littlejohn | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Parker | Rice |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Thompson | Toole | Umphlett |
| Viers | Weeks | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--62**

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

**VETO 11-- SUSTAINED**

Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Nano Technology Research; $558,573.

Rep. COOPER explained the Veto.

Rep. SKELTON spoke against the Veto.

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

The question was put, shall the Item 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 63; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Cooper | Daning |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| King | Knight | Limehouse |
| Littlejohn | Loftis | Mack |
| McEachern | McLeod | Miller |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parks | Pinson |
| Rutherford | Skelton | D. C. Smith |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Umphlett | Vick |
| Whipper | White | Williams |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Haley | Hamilton | Hardwick |
| Hearn | Horne | Huggins |
| Kelly | Kirsh | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | Parker | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Stewart | Stringer |
| Thompson | Toole | Viers |
| Weeks | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--54**

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

**VETO 6-- RECONSIDERED AND SUSTAINED**

Part IA, Section 6; Page 26; Commission on Higher Education; Section II. Service Programs; Special Items; EEDA; $1,213,065.

Rep. OTT moved to reconsider the vote whereby Veto 6 was overridden.

Rep. OWENS moved to table the motion to reconsider.

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

Yeas 16; Nays 98

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Clyburn | Cooper |
| Daning | Forrester | Hiott |
| Kelly | Kirsh | Long |
| Owens | Skelton | D. C. Smith |
| Thompson | White | Whitmire |
| Willis |  |  |

**Total--16**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Clemmons |
| Cobb-Hunter | Cole | Crawford |
| Delleney | Dillard | Erickson |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | King |
| Knight | Limehouse | Littlejohn |
| 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 | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | Williams | Wylie |
| A. D. Young | T. R. Young |  |

**Total--98**

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

The question then recurred to the motion to reconsider.

Rep. OWENS spoke against the motion to reconsider.

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

Yeas 88; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Crawford | Dillard | Erickson |
| Frye | Funderburk | Gilliard |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Littlejohn | Lowe | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Parks | Rice | Rutherford |
| Scott | Simrill | G. R. Smith |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Stewart | Stringer |
| Thompson | Toole | Vick |
| Weeks | Whipper | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--88**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Bowers | Cooper |
| Daning | Delleney | Forrester |
| Gambrell | Hiott | Kelly |
| Limehouse | Loftis | Long |
| Lucas | Millwood | V. S. Moss |
| Owens | Parker | Pinson |
| M. A. Pitts | Skelton | D. C. Smith |
| G. M. Smith | Sottile | Umphlett |
| Viers | White | Whitmire |

**Total--27**

So, the motion to reconsider was agreed to.

The question was put, shall the Item 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 34; Nays 78

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bannister |
| Bowers | R. L. Brown | Clyburn |
| Cooper | Daning | Forrester |
| Gambrell | Gilliard | Hayes |
| Hiott | Horne | Jennings |
| Kelly | Knight | Loftis |
| Long | Mack | McEachern |
| V. S. Moss | J. M. Neal | Owens |
| Parker | Pinson | M. A. Pitts |
| Skelton | D. C. Smith | J. E. Smith |
| Umphlett | Whipper | White |
| Whitmire |  |  |

**Total--34**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Bales | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | Cato |
| Chalk | Clemmons | Cobb-Hunter |
| Cole | Crawford | Delleney |
| Dillard | Erickson | Funderburk |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hearn |
| Hodges | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| King | Limehouse | Littlejohn |
| Lowe | Lucas | McLeod |
| Merrill | Miller | Millwood |
| Mitchell | D. C. Moss | Nanney |
| J. H. Neal | Neilson | Norman |
| Ott | Parks | Rice |
| Rutherford | Sandifer | Scott |
| Simrill | G. M. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Thompson |
| Toole | Vick | Viers |
| Weeks | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--78**

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

**VETO 12-- SUSTAINED**

Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Hydrogen Research; $558,573.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 53; Nays 61

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anthony |
| Bowers | Brady | Brantley |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Cooper | Daning |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Harrell | Harrison | Hayes |
| Hiott | Hodges | Hosey |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Limehouse |
| Loftis | Mack | McEachern |
| McLeod | Mitchell | V. S. Moss |
| J. H. Neal | J. M. Neal | Owens |
| Parker | Parks | Pinson |
| Rutherford | Sandifer | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Spires | Umphlett | White |
| Whitmire | T. R. Young |  |

**Total--53**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | G. A. Brown | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Delleney | Erickson |
| Forrester | Frye | Haley |
| Hamilton | Hardwick | Hart |
| Harvin | Hearn | Horne |
| Huggins | Hutto | Knight |
| Long | Lowe | Lucas |
| Merrill | Miller | Millwood |
| D. C. Moss | Nanney | Neilson |
| Norman | Ott | M. A. Pitts |
| Rice | Scott | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Stavrinakis | Stewart | Stringer |
| Thompson | Toole | Vick |
| Viers | Weeks | Whipper |
| Williams | Willis | Wylie |
| A. D. Young |  |  |

**Total--61**

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

**VETO 13-- SUSTAINED**

Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Technology Incubator; $111,714.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 47; Nays 69

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anthony |
| Bowers | Brady | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Harrison | Hart | Harvin |
| Hayes | Hiott | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | King | Knight |
| Littlejohn | Loftis | Mack |
| McEachern | McLeod | Miller |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Ott | Owens | Parks |
| Rutherford | Skelton | D. C. Smith |
| J. E. Smith | Stavrinakis | Vick |
| Whipper | Williams |  |

**Total--47**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrell | Hearn |
| Horne | Huggins | Jennings |
| Kelly | Kennedy | Kirsh |
| Limehouse | Long | Lowe |
| Lucas | Merrill | Millwood |
| Mitchell | D. C. Moss | Nanney |
| Neilson | Norman | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | Weeks |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--69**

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

**VETO 14-- OVERRIDDEN**

Part IA, Section 15A; Page 45; University of South Carolina; I. University of South Carolina; A. USC – Non-Medicine; Special Items; Small Business Development Center; $523,121.

Rep. COOPER explained the Veto.

Rep. LOFTIS spoke against the Veto.

Rep. GUNN spoke against the Veto.

The question was put, shall the Item 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 102; Nays 15

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Cooper |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Thompson |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | A. D. Young | T. R. Young |

**Total--102**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Ballentine | Bedingfield |
| Cato | Chalk | Cole |
| Crawford | Lucas | Millwood |
| Nanney | Norman | G. R. Smith |
| Stewart | Stringer | Wylie |

**Total--15**

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

**VETO 15-- OVERRIDDEN**

Part IA, Section 17A; Page 64, Medical University of South Carolina; I. Educational and General; A. Unrestricted; Special Items; Hypertension Initiative; $512,741.

Rep. COOPER explained the Veto.

Rep. STAVRINAKIS spoke against the Veto.

Rep. SKELTON spoke against the Veto.

The question was put, shall the Item 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 95; Nays 21

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Clemmons |
| Clyburn | Cobb-Hunter | Cooper |
| Daning | Delleney | Dillard |
| Erickson | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Loftis | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Thompson |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young |  |

**Total--95**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bedingfield | Cole | Forrester |
| Haley | Hamilton | Kelly |
| Littlejohn | Long | Millwood |
| D. C. Moss | Nanney | Norman |
| Simrill | G. R. Smith | Stewart |
| Stringer | Willis | T. R. Young |

**Total--21**

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

RECORD FOR VOTING

I recused myself from voting on Veto No. 15, due to my private sector healthcare activities.

Rep. Kris Crawford

**VETO 16-- OVERRIDDEN**

Part IA, Section 17A; Page 64, Medical University of South Carolina; I. Educational and General; A. Unrestricted; Special Items; Diabetes Center; $289,088.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 85; Nays 30

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Barfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Cato | Clemmons | Clyburn |
| Cobb-Hunter | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| King | Kirsh | Knight |
| Limehouse | Loftis | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Thompson | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Williams |
| A. D. Young |  |  |

**Total--85**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Bedingfield | Chalk |
| Cole | Forrester | Frye |
| Haley | Hamilton | Kelly |
| Littlejohn | Long | Lowe |
| Lucas | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Parker | G. R. Smith | Sottile |
| Stewart | Stringer | Toole |
| Willis | Wylie | T. R. Young |

**Total--30**

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

RECORD FOR VOTING

I recused myself from voting on Veto No. 16, due to my private sector healthcare activities.

Rep. Kris Crawford

**VETO 17-- SUSTAINED**

Part IA, Section 17B; Page 66; Area Health Education Consortium; I. Consortium; A. General; Special Items; Rural Physicians Program; $422,244.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 57; Nays 61

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Kirsh |
| Knight | Littlejohn | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Skelton |
| J. E. Smith | Spires | Stavrinakis |
| Umphlett | Vick | Weeks |
| Whipper | Williams | Willis |

**Total--57**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Scott |
| Simrill | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Thompson |
| Toole | Viers | White |
| Whitmire | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--61**

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

**VETO 18-- SUSTAINED**

Part IA, Section 17B; Page 66; Area Health Education Consortium; I. Consortium; A. General; Special Items; Infrastructure Development; $393,974.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 51; Nays 65

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Frye |
| Funderburk | Gilliard | Govan |
| Gunn | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Jennings | King |
| Kirsh | Knight | Littlejohn |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | M. A. Pitts |
| Rutherford | Sandifer | Skelton |
| J. E. Smith | Spires | Vick |
| Weeks | Whipper | Williams |

**Total--51**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Gambrell | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Hutto |
| Kelly | Kennedy | Limehouse |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Rice |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--65**

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

**VETO 19-- OVERRIDDEN**

Part IA, Section 18; Page 68; Technical and Comprehensive Education Board; I. Administration, Total Administration; All General Funds; $3,012,760.

Rep. COOPER explained the Veto.

Rep. KENNEDY spoke against the Veto.

Rep. OWENS spoke against the Veto.

Rep. HUTTO spoke against the Veto.

Rep. R. L. BROWN spoke against the Veto.

Rep. GILLIARD spoke against the Veto.

Rep. GILLIARD moved that the House do now adjourn.

Rep. A. D. YOUNG demanded the yeas and nays which were taken, resulting as follows:

Yeas 3; Nays 108

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Gilliard | Harvin | King |

**Total--3**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Kelly | Kennedy |
| Kirsh | 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 |
| Neilson | Norman | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. 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 |

**Total--108**

So, the House refused to adjourn.

The question then recurred to the consideration of Veto 19.

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

The question was put, shall the Item 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 116; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| 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 | Ott |
| Owens | Parker | Parks |
| Pinson | 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 | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--116**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

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

**VETO 20-- OVERRIDDEN**

Part IA, Section 18; Page 69; Technical and Comprehensive Education BD; II. Instructional Programs; B. System Wide Programs and Initiatives; Total Personal Service; All General Funds; $624,717.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 113; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Daning | Delleney |
| Dillard | 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 |
| Ott | Owens | Parker |
| Parks | Pinson | 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 | Toole |
| Umphlett | Vick | Viers |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--113**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

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

**VETO 21-- OVERRIDDEN**

Part IA, Section 18; Page 69; Technical and Comprehensive Education BD; II. Instructional Programs; B. System Wide Programs and Initiatives; Other Operating Expenses; $367,724.

Rep. COOPER explained the Veto.

Rep. JENNINGS spoke against the Veto.

The question was put, shall the Item 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 109; Nays 2

Those who voted in the affirmative are:

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

**Total--109**

Those who voted in the negative are:

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

**Total--2**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**VETO 22-- OVERRIDDEN**

Part IA, Section 19; Page 72; Educational Television Commission; I. Internal Administration; Total Internal Administration; All General Funds; $1,180,134.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 92; Nays 22

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Littlejohn | Loftis |
| Long | Lucas | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sellers | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Cato |
| Crawford | Haley | Hamilton |
| Harrell | Limehouse | Lowe |
| Merrill | Millwood | Nanney |
| Norman | Sandifer | Scott |
| Simrill | D. C. Smith | G. R. Smith |
| Stewart | Stringer | Viers |
| T. R. Young |  |  |

**Total--22**

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

**VETO 23-- OVERRIDDEN**

Part IA, Section 19; Page 72; Educational Television Commission; II. A. Program and Services; Total Public Education; All General Funds; $3,353,032.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 95; Nays 20

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| King | Knight | Littlejohn |
| Loftis | Long | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--95**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Cato | Crawford |
| Haley | Hamilton | Harrell |
| Kirsh | Limehouse | Lowe |
| Merrill | Millwood | Nanney |
| Norman | Sandifer | Scott |
| D. C. Smith | G. R. Smith | Stewart |
| Stringer | Viers |  |

**Total--20**

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

**VETO 24-- OVERRIDDEN**

Part IA, Section 19; Page 73; Educational Television Commission; II. Program and Services; E. Public Affairs; Total Public Affairs; All General Funds; $710,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 81; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Cole | Delleney |
| Dillard | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Knight |
| Littlejohn | Loftis | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Pinson | M. A. Pitts |
| Rice | Sellers | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Vick | Weeks |
| White | Whitmire | Williams |
| Willis | Wylie | T. R. Young |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Bingham |
| Cato | Chalk | Clemmons |
| Cooper | Crawford | Daning |
| Erickson | Frye | Harrell |
| Hearn | Horne | Kirsh |
| Limehouse | Long | Lowe |
| Merrill | Millwood | Nanney |
| Norman | Parker | Sandifer |
| Scott | D. C. Smith | G. R. Smith |
| Stewart | Stringer | Toole |
| Umphlett | Viers | A. D. Young |

**Total--33**

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

**VETO 25-- OVERRIDDEN**

Part IA, Section 20; Page 75; Vocational Rehabilitation; II. Vocational Rehab Programs; B. Special Projects; Other Operating Expenses; $58,479.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 103; Nays 10

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bedingfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | 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 |
| Stringer | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bingham | Cato |
| Chalk | Crawford | Harrell |
| Millwood | Norman | Stewart |
| Viers |  |  |

**Total--10**

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

**VETO 26-- SUSTAINED**

Part IA; Section 21; Page 78; Department of Health and Human Services; II. Program Services; A. Health Services; Personal Service; 1. Medical Administration; Other Personal Services; $384,184.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 45; Nays 69

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Bowers | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Harvin |
| Hayes | Hodges | Hosey |
| Hutto | Jefferson | Jennings |
| King | Kirsh | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | Rutherford |
| Sellers | J. E. Smith | Umphlett |
| Vick | Whipper | Williams |

**Total--45**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Toole | Viers | Weeks |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--69**

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

**VETO 27-- OVERRIDDEN**

Part IA, Section 22; Page 82; Dept of Health and Environmental Control, I. Administration; Total Administration; $4,534,052.

Rep. COOPER explained the Veto.

Rep. MCLEOD spoke against the Veto.

Rep. VIERS spoke against the Veto.

Rep. SKELTON spoke against the Veto.

The question was put, shall the Item 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 85; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Delleney | Dillard |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hiott | Hodges | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| King | Knight | Limehouse |
| Littlejohn | Loftis | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Sellers |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Viers |
| Weeks | White | Whitmire |
| Williams |  |  |

**Total--85**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Chalk |
| Daning | Erickson | Frye |
| Haley | Harrell | Hearn |
| Horne | Kirsh | Long |
| Lowe | Lucas | Merrill |
| Millwood | Nanney | Norman |
| Owens | Scott | Simrill |
| D. C. Smith | Stewart | Stringer |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--31**

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

**VETO 28-- OVERRIDDEN**

Part 1A, Section 22; Page 84; Dept of Health and Environmental Control; II. Family Health; 1. Infectious Disease; Other Operating Expenses; $3,213,439.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 89; Nays 23

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | H. B. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Govan | Gunn | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Sellers | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | A. D. Young |  |

**Total--89**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Daning |
| Frye | Haley | Kirsh |
| Lucas | Merrill | Millwood |
| Nanney | Norman | Owens |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | Stewart | Stringer |
| Wylie | T. R. Young |  |

**Total--23**

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

**VETO 29-- OVERRIDDEN**

Part IA, Section 28; Page 118; Department of Archives and History, Section I. Administration & Planning; Other Operating Expenses; $635,445.

Rep. COOPER explained the Veto.

Rep. H. B. BROWN spoke against the Veto.

Rep. FUNDERBURK spoke against the Veto.

The question was put, shall the Item 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 79; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Cole | Daning | Delleney |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Harvin |
| Hayes | Hiott | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parker |
| Parks | Pinson | Rice |
| Rutherford | Sellers | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Weeks | White |
| Whitmire | Williams | Willis |
| Wylie |  |  |

**Total--79**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Cato | Chalk |
| Clemmons | Crawford | Erickson |
| Forrester | Frye | Haley |
| Hamilton | Harrell | Hearn |
| Horne | Huggins | Kelly |
| Loftis | Long | Lowe |
| Lucas | Millwood | Nanney |
| Norman | M. A. Pitts | Sandifer |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | Stewart | Viers |
| A. D. Young | T. R. Young |  |

**Total--35**

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

RECORD FOR VOTING

I mistakenly pressed the “nay” button at my desk, during the vote on Veto. No. 29. It was my intent to vote “yes” to override this Veto. The Veto however, was overridden.

Rep. Dwight Loftis

**VETO 30-- SUSTAINED**

Part IA, Section 28; Page 119; Department of Archives and History, Section IV. Historical Services; Special Items: Old Exchange Building; $145,500.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 57; Nays 55

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bowers |
| Branham | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Daning | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Harrell | Harvin | Hayes |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | King | Knight |
| Limehouse | Loftis | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Umphlett | Vick |
| Weeks | Whipper | Whitmire |
| Williams | Willis | A. D. Young |

**Total--57**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Hardwick | Harrison | Hearn |
| Hiott | Huggins | Kelly |
| Kennedy | Kirsh | Littlejohn |
| Long | Lowe | Lucas |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Parker |
| Pinson | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Toole |
| Viers | White | Wylie |
| T. R. Young |  |  |

**Total--55**

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

**VETO 31-- OVERRIDDEN**

Part 1A, Section 29; Page 121; State Library; IV. Discovery and Delivery; Personal Service; Distribution To Subdivisions; Aid County-Libraries; $4,653,933.

Rep. COOPER explained the Veto.

Rep. ANTHONY spoke against the Veto.

Rep. FRYE spoke against the Veto.

The question was put, shall the Item 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 110; Nays 5

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Gunn | 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 | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| 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 | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--110**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Cato | Haley |
| Millwood | Norman |  |

**Total--5**

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

RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on Veto No. 31. If I had been present, I would have voted to override the Veto.

Rep. Phil Owens

RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on Veto No. 31. If I had been present, I would have voted to override the Veto.

Rep. Herb Kirsh

**VETO 32-- OVERRIDDEN**

Part IA, Section 30; Page 122; Arts Commission, Section II. Statewide Arts Services; All General Funds; $1,212,733.

Rep. HARRISON explained the Veto.

The question was put, shall the Item 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 89; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | G. A. Brown |
| H. B. Brown | Chalk | Clemmons |
| Cobb-Hunter | Cole | Cooper |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Govan | Gunn | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | Kirsh | Knight |
| Limehouse | Littlejohn | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Umphlett |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | T. R. Young |  |

**Total--89**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Cato |
| Crawford | Frye | Haley |
| Harrell | Loftis | Long |
| Millwood | Nanney | Norman |
| Scott | G. R. Smith | Stewart |
| Stringer | Toole | Viers |
| A. D. Young |  |  |

**Total--19**

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

RECORD FOR VOTING

I was temporarily out of the Chambers. If I had been present, I would have voted to override Veto No. 32.

Rep. Wendell Gilliard

RECORD FOR VOTING

I was temporarily out of the House Chamber during the vote on Veto No. 32. If I had been present, I would have voted to override the Veto.

Rep. Leon Stavrinakis

**VETO 33-- OVERRIDDEN**

Part 1A, Section 31; Page 124; State Museum Commission; I. Administration; A. Administration; Other Operating Expenses; $1,643,893.

Rep. COOPER explained the Veto.

Rep. BRADY spoke against the Veto.

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

Rep. MCLEOD spoke against the Veto.

Rep. PARKER spoke against the Veto.

The question was put, shall the Item 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 78; Nays 27

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Cole | Daning |
| Delleney | Dillard | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Limehouse | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Pinson | Rice |
| Rutherford | Sellers | Simrill |
| Skelton | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Wylie | T. R. Young |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Cato | Chalk |
| Clemmons | Crawford | Erickson |
| Frye | Haley | Harrell |
| Horne | Long | Lowe |
| Lucas | Merrill | Millwood |
| Nanney | Norman | Sandifer |
| Scott | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Stewart |
| Viers | Willis | A. D. Young |

**Total--27**

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

**VETO 34-- OVERRIDDEN**

Part IA, Section 33; Page 131; Forestry Commission, Section II. Forest Landowner Assistance; Other Operating Expenses; $1,086,210.

Rep. COOPER explained the Veto.

Rep. CLEMMONS spoke against the Veto.

Rep. HIOTT spoke against the Veto.

Rep. HAYES spoke against the Veto.

The question was put, shall the Item 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 88; Nays 20

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Brady |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Knight | Littlejohn |
| Loftis | Long | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Scott | Sellers |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--88**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Chalk |
| Crawford | Haley | Hamilton |
| Harrell | Huggins | Limehouse |
| Lowe | Merrill | Millwood |
| Nanney | Norman | Sandifer |
| Simrill | G. R. Smith |  |

**Total--20**

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

**VETO 35-- OVERRIDDEN**

Part IA, Section 34; Page 133-134; Department of Agriculture; Section III. Consumer Services; All General Funds; $376,500.

Rep. COOPER explained the Veto.

Rep. HIOTT spoke against the Veto.

The question was put, shall the Item 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 84; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Daning |
| Delleney | Dillard | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Hosey | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Miller | D. C. Moss | V. S. Moss |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sellers | Skelton | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Cato | Cooper |
| Crawford | Erickson | Haley |
| Harrell | Horne | Huggins |
| Limehouse | Merrill | Millwood |
| Nanney | Norman | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | Viers |
| A. D. Young | T. R. Young |  |

**Total--26**

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

**VETO 36-- OVERRIDDEN**

Part 1A, Section 34; Page 134; Department of Agriculture; Section IV. Marketing Services; A. Marketing and Promotions; Total Marketing and Promotions; All General Funds; $562,905.

Rep. COOPER explained the Veto.

Rep. KENNEDY spoke against the Veto.

Rep. HIOTT spoke against the Veto.

The question was put, shall the Item 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 77; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Haley | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hosey | Hutto | Jefferson |
| Jennings | Kennedy | Kirsh |
| Knight | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | McLeod | D. C. Moss |
| V. S. Moss | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sellers |
| Skelton | J. E. Smith | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis |  |

**Total--77**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Cato | Cole |
| Crawford | Daning | Gunn |
| Hamilton | Harrell | Horne |
| Huggins | King | Limehouse |
| McEachern | Merrill | Millwood |
| Nanney | Norman | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Viers | Wylie |
| T. R. Young |  |  |

**Total--31**

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

**VETO 34-- MOTION TO RECONSIDER TABLED**

Part IA, Section 33; Page 131; Forestry Commission, Section II. Forest Landowner Assistance; Other Operating Expenses; $1,086,210.

Rep. VICK moved to reconsider the vote whereby Veto 34 was overridden.

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

**VETO 35-- MOTION TO RECONSIDER TABLED**

Part IA, Section 34; Page 133-134; Department of Agriculture; Section III. Consumer Services; All General Funds; $376,500.

Rep. VICK moved to reconsider the vote whereby Veto 35 was overridden.

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

**VETO 36-- MOTION TO RECONSIDER TABLED**

Part 1A, Section 34; Page 134; Department of Agriculture; Section IV. Marketing Services; A. Marketing and Promotions; Total Marketing and Promotions; All General Funds; $562,905.

Rep. VICK moved to reconsider the vote whereby Veto 36 was overridden.

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

**VETO 37-- OVERRIDDEN**

Part IA, Section 35; Page 136; Clemson University (Public Service Activities), Section I. Regulatory & Public Service; All General Funds; $478,736.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 91; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bannister |
| Barfield | Bedingfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Clemmons |
| Clyburn | Cobb-Hunter | Cooper |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| J. R. Smith | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young |  |  |

**Total--91**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bingham | Chalk |
| Cole | Crawford | Daning |
| Haley | Harrison | Huggins |
| Long | Lowe | Merrill |
| Millwood | Norman | Scott |
| G. R. Smith | Sottile | Stewart |
| T. R. Young |  |  |

**Total--19**

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

**VETO 38-- OVERRIDDEN**

Part IA, Section 35; Page 136; Clemson University (Public Service Activities), Section II. Livestock-Poultry Health; A. General; Total Personal Service; All General Funds; $1,598,679.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 101; Nays 8

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--101**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Crawford | Haley |
| Huggins | Millwood | Norman |
| Scott | Stewart |  |

**Total--8**

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

**VETO 39-- SUSTAINED**

Part IA, Section 36; Page 139; SC State University (Public Service Activities); II. Research & Extension; Total Personal Service; All General Funds; $369,085.

Rep. COOPER explained the Veto.

Rep. SKELTON spoke against the Veto.

The question was put, shall the Item 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 56; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Cooper |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Pinson |
| Rutherford | Sellers | Skelton |
| D. C. Smith | G. M. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--56**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Haley | Hamilton | Harrell |
| Harrison | Hearn | Horne |
| Huggins | Kelly | Limehouse |
| Littlejohn | Long | Lowe |
| Merrill | Millwood | D. C. Moss |
| Nanney | Norman | Parker |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Toole |
| Viers | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--54**

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

**VETO 37-- MOTION TO RECONSIDER TABLED**

Part IA, Section 35; Page 136; Clemson University (Public Service Activities), Section I. Regulatory & Public Service; All General Funds; $478,736.

Rep. VICK moved to reconsider the vote whereby Veto 37 was overridden.

Rep. HIOTT moved to table the motion to reconsider, which was agreed to by a division vote of 48 to 26.

**VETO 38-- MOTION TO RECONSIDER TABLED**

Part IA, Section 35; Page 136; Clemson University (Public Service Activities), Section II. Livestock-Poultry Health; A. General; Total Personal Service; All General Funds; $1,598,679.

Rep. WEEKS moved to reconsider the vote whereby Veto 38 was overridden.

Rep. HIOTT moved to table the motion to reconsider.

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

Yeas 75; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anthony |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Daning | Delleney |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hamilton |
| Hardwick | Harrison | Hayes |
| Hearn | Hiott | Horne |
| Hutto | Jennings | Kelly |
| Knight | Limehouse | Littlejohn |
| Long | Lucas | McLeod |
| Miller | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Whipper |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--75**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Brantley | G. A. Brown | R. L. Brown |
| Crawford | Dillard | Gilliard |
| Harvin | Hodges | Hosey |
| Huggins | Jefferson | King |
| Kirsh | Lowe | Mack |
| McEachern | Millwood | Mitchell |
| Norman | G. R. Smith | Viers |
| Weeks | Williams |  |

**Total--26**

So, the motion to reconsider was tabled.

**VETO 7-- MOTION TO RECONSIDER TABLED**

Part IA, Section 14; Page 43; South Carolina State University; I. Education & General; A. Unrestricted; Special Items; Transportation Center; $778,683.

Rep. CRAWFORD moved to reconsider the vote whereby Veto 7 was sustained.

Rep. GOVAN spoke against the motion to reconsider.

Rep. SELLERS spoke against the motion to reconsider.

Rep. CRAWFORD moved to table the motion to reconsider.

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

Yeas 54; Nays 53

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Bannister |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Clemmons |
| Cole | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Hamilton | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Long |
| Lowe | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Toole | Umphlett |
| Viers | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--54**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bowers |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Kennedy |
| King | Knight | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parks | Rutherford |
| Sellers | Skelton | G. M. Smith |
| J. E. Smith | Spires | Stavrinakis |
| Vick | Weeks | Whipper |
| White | Williams |  |

**Total--53**

So, the motion to reconsider was tabled.

RECORD FOR VOTING

I inadvertently pressed the wrong button at my desk during the vote to reconsider Veto No. 7. It was my intent to vote “nay” on the motion to reconsider this Veto.

Rep. Jimmy Bales

**VETO 39-- RECONSIDERED AND OVERRIDDEN**

Part IA, Section 36; Page 139; SC State University (Public Service Activities); II. Research & Extension; Total Personal Service; All General Funds; $369,085.

Rep. J. E. SMITH moved to reconsider the vote whereby Veto 39 was sustained.

Rep. J. E. SMITH spoke in favor of the motion to reconsider.

Rep. OTT spoke in favor of the motion to reconsider.

Rep. SKELTON spoke in favor of the motion to reconsider.

Rep. CLYBURN spoke in favor of the motion to reconsider.

Rep. M. A. PITTS spoke in favor of the motion to reconsider.

Rep. G. A. BROWN spoke in favor of the motion to reconsider.

Rep. NORMAN moved to table the motion to reconsider.

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

Yeas 24; Nays 87

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Bedingfield | Cato |
| Cole | Crawford | Daning |
| Forrester | Hamilton | Kelly |
| Kirsh | Littlejohn | Long |
| Lowe | Merrill | Millwood |
| Nanney | Norman | Rice |
| Simrill | G. R. Smith | Stewart |
| Stringer | Viers | Wylie |

**Total--24**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cooper |
| Delleney | Dillard | Erickson |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Lucas | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rutherford | Scott | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | A. D. Young | T. R. Young |

**Total--87**

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

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

The question was put, shall the Item 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 85; Nays 28

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Delleney | Dillard |
| Erickson | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Kirsh | Knight | Loftis |
| Lucas | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rutherford |
| Sellers | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| A. D. Young |  |  |

**Total--85**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Cato | Chalk |
| Cole | Crawford | Forrester |
| Haley | Hamilton | Huggins |
| Littlejohn | Long | Lowe |
| Merrill | Millwood | Nanney |
| Norman | Rice | Sandifer |
| Scott | Simrill | G. R. Smith |
| Stringer | Viers | Wylie |
| T. R. Young |  |  |

**Total--28**

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

**VETO 39-- MOTION TO RECONSIDER TABLED**

Part IA, Section 36; Page 139; SC State University (Public Service Activities); II. Research & Extension; Total Personal Service; All General Funds; $369,085.

Rep. GOVAN moved to reconsider the vote whereby Veto 39 was overridden.

Rep. J. E. SMITH moved to table the motion to reconsider, which was agreed to.

**VETO 40-- SUSTAINED**

Part IA, Section 37; Page 146; Department of Natural Resources; Section II. Programs & Services; H. Marine Resources; 1. Marine Conservation and Management; Unclassified Positions; $25,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 71; Nays 45

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Daning |
| Delleney | Dillard | Erickson |
| Funderburk | Gilliard | Govan |
| Gunn | Harrison | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Kelly | King | Knight |
| Loftis | Lowe | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rutherford | Sellers | Simrill |
| Skelton | J. E. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Whipper |
| Williams | A. D. Young |  |

**Total--71**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Cato | Chalk | Cole |
| Cooper | Crawford | Forrester |
| Frye | Gambrell | Haley |
| Hamilton | Hardwick | Harrell |
| Huggins | Kennedy | Kirsh |
| Limehouse | Littlejohn | Long |
| Lucas | Merrill | Millwood |
| Nanney | Norman | Rice |
| Sandifer | Scott | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Viers |
| Weeks | White | Whitmire |
| Willis | Wylie | T. R. Young |

**Total--45**

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

**VETO 41-- SUSTAINED**

Part IA, Section 37; Page 148; Department of Natural Resources; Section II. Programs & Services; I. Land, Water & Conservation; 2. Conservation; Other Operating Expenses; $20,662.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 68; Nays 46

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowers | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Delleney |
| Dillard | Erickson | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Harvin |
| Hayes | Hiott | Hodges |
| Horne | Howard | Hutto |
| Jefferson | Kelly | King |
| Kirsh | Knight | Loftis |
| Long | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rutherford |
| Sellers | Simrill | Skelton |
| J. E. Smith | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Whipper | White | Williams |
| Willis | A. D. Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Forrester |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Huggins | Kennedy | Limehouse |
| Littlejohn | Lowe | Lucas |
| Merrill | Millwood | Nanney |
| Norman | Rice | Sandifer |
| Scott | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Viers |
| Weeks | Whitmire | Wylie |
| T. R. Young |  |  |

**Total--46**

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

RECORD FOR VOTING

I was temporarily out of the Chamber working on a Conference Committee Report when the vote was taken on Veto No. 41. If I had been present, I would have voted ‘yes’ to override the Veto.

Rep. Lester Branham

**VETO 42-- SUSTAINED**

Part IA, Section 39; Page 154; Department of Parks, Recreation and Tourism; II. Programs and Services; I. State Film Office; Total Film Office; $309,680.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 60; Nays 53

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Bowers | Brady |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Cooper | Daning | Dillard |
| Erickson | Funderburk | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrell | Harvin | Hayes |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Lowe |
| Mack | McEachern | Merrill |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Sellers |
| Spires | Stavrinakis | Umphlett |
| Vick | Weeks | Whipper |
| White | Williams | A. D. Young |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Delleney |
| Forrester | Frye | Gunn |
| Haley | Hamilton | Harrison |
| Hearn | Hiott | Huggins |
| Kelly | Kennedy | Loftis |
| Long | Lucas | Millwood |
| D. C. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Toole |
| Viers | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--53**

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

**VETO 43-- SUSTAINED**

Part IA, Section 51; Page 182; Department of Corrections; II. Programs and Services; C. Work and Vocational Activities; Total Personal Service; All General Funds; $944,836.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 52

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Brantley | G. A. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Delleney | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Haley | Harvin | Hayes |
| Hodges | Horne | Howard |
| Hutto | Jefferson | Kennedy |
| King | Knight | Littlejohn |
| Mack | McEachern | McLeod |
| Merrill | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | M. A. Pitts |
| Rutherford | Sellers | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| Spires | Stavrinakis | Vick |
| Weeks | Whipper | Williams |
| A. D. Young |  |  |

**Total--58**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cooper | Crawford |
| Daning | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Huggins |
| Kelly | Kirsh | Loftis |
| Long | Lowe | Lucas |
| Millwood | Nanney | Norman |
| Owens | Parker | Rice |
| Sandifer | Scott | Simrill |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| T. R. Young |  |  |

**Total--52**

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

**VETO 44-- SUSTAINED**

Part IA, Section 54; Page 194; Human Affairs Commission; I. Administration; Total Administration; All General Funds; $447,001.

Rep. COOPER explained the Veto.

Rep. J. H. NEAL spoke against the Veto.

The question was put, shall the Item 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 46; Nays 64

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| H. B. Brown | R. L. Brown | Chalk |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | Kennedy |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Rutherford |
| Sellers | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--46**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Knight | Littlejohn |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--64**

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

**VETO 45-- SUSTAINED**

Part IA, Section 54; Page 194; Human Affairs Commission; II. Consultive Services; Total Consultive Services; All General Funds; $138,402.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 41; Nays 71

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | Jennings |
| Kennedy | King | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Rutherford | Sellers | J. E. Smith |
| Vick | Williams |  |

**Total--41**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Hutto |
| Kelly | Kirsh | Knight |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Viers | Weeks | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--71**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. H. B. BROWN a leave of absence for the remainder of the day due to meeting with concerned citizens in his district.

**LEAVE OF ABSENCE**

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

**VETO 46-- SUSTAINED**

Part IA, Section 64; Page 210; Department of Consumer Affairs; Section I. Administration; Total Administration; All General Funds; $410,880.

Rep. COOPER explained the Veto.

Rep. COBB-HUNTER spoke against the Veto.

Rep. RUTHERFORD spoke against the Veto.

Rep. TOOLE spoke against the Veto.

Rep. HOWARD spoke against the Veto.

Rep. MACK spoke against the Veto.

The question was put, shall the Item 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 68; Nays 46

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Daning | Delleney |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Kirsh | Knight | Littlejohn |
| Lucas | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | Rutherford |
| Sandifer | Sellers | Skelton |
| D. C. Smith | J. E. Smith | Spires |
| Stavrinakis | Toole | Umphlett |
| Vick | Weeks | Whipper |
| Whitmire | Williams |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Erickson |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Harrell |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Long |
| Merrill | Millwood | Nanney |
| Norman | Owens | Parker |
| M. A. Pitts | Rice | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Viers | White |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--46**

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

**VETO 47-- SUSTAINED**

Part IA, Section 64; Page 210; Department of Consumer Affairs; Section III. Consumer Services; Total Consumer Services; All General Funds; $265,924.

Rep. COOPER explained the Veto.

Rep. WILLIAMS spoke against the Veto.

The question was put, shall the Item 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 61; Nays 55

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Daning | Dillard |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Littlejohn | Loftis |
| Lucas | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Sandifer |
| Sellers | Skelton | J. E. Smith |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Whipper |
| Williams |  |  |

**Total--61**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Haley | Hamilton | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Kelly | Kirsh |
| Long | Lowe | Merrill |
| Millwood | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Scott |
| Simrill | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Viers |
| Weeks | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--55**

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

**VETO 48-- OVERRIDDEN**

Part IA, Section 70A; Page 229; Leg. Dept-The Senate, Section II. Employee Benefits; C. State Employer Contributions; Total Employee Benefits; $3,000,000.

Rep. COOPER explained the Veto.

Rep. OTT spoke against the Veto.

The question was put, shall the Item 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 73; Nays 31

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Cooper |
| Delleney | Dillard | Funderburk |
| Gambrell | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Howard | Jefferson |
| Jennings | Kelly | King |
| Knight | Loftis | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rutherford | Sellers |
| Skelton | D. C. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Toole | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| A. D. Young |  |  |

**Total--73**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Cato | Cole |
| Crawford | Daning | Forrester |
| Gilliard | Haley | Hamilton |
| Hiott | Huggins | Hutto |
| Littlejohn | Long | Lowe |
| Lucas | Millwood | Nanney |
| Norman | Scott | Simrill |
| G. M. Smith | Stavrinakis | Stewart |
| Stringer | Viers | Wylie |
| T. R. Young |  |  |

**Total--31**

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

**VETO 49-- SUSTAINED**

Part IA, Section 70B; Page 230; Leg. Dept-House of Representatives, Section I. Administration; Personal Service; Representatives @ $10,400; $1,289,600.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 1; Nays 111

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Littlejohn |  |  |

**Total--1**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Cobb-Hunter | Cole | Crawford |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Haley |
| Hamilton | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Kirsh | Knight |
| 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 | 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 | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--111**

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

**VETO 43--RECONSIDERED AND SUSTAINED**

Part IA, Section 51; Page 182; Department of Corrections; II. Programs and Services; C. Work and Vocational Activities; Total Personal Service; All General Funds; $944,836.

Rep. SIMRILL moved to reconsider the vote whereby Veto 43 was sustained.

Rep. CRAWFORD moved to table the motion to reconsider.

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

Yeas 12; Nays 95

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Clemmons | Crawford |
| Daning | Huggins | Lowe |
| Norman | Toole | Viers |

**Total--12**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | Chalk |
| Cobb-Hunter | Cole | Cooper |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | Kennedy | King |
| Kirsh | Knight | Littlejohn |
| Loftis | Lucas | Mack |
| McEachern | McLeod | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | 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 |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--95**

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

The question then recurred to the motion to reconsider.

Rep. SIMRILL spoke against the Veto.

Rep. CRAWFORD spoke in favor of the Veto.

The question was put, shall the Item 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 62; Nays 52

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anthony | Bales |
| Bannister | Bowers | Brady |
| Branham | Brantley | R. L. Brown |
| Clyburn | Cole | Erickson |
| Frye | Funderburk | Gilliard |
| Haley | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Hutto | Jefferson |
| Jennings | Kirsh | Knight |
| Littlejohn | Loftis | Mack |
| McEachern | McLeod | Miller |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| M. A. Pitts | Rutherford | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Toole | Vick |
| Weeks | Whipper | Williams |
| Wylie | A. D. Young |  |

**Total--62**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| G. A. Brown | Cato | Chalk |
| Clemmons | Cobb-Hunter | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Forrester | Gambrell |
| Gunn | Hamilton | Hart |
| Hiott | Howard | Huggins |
| Kelly | Kennedy | King |
| Long | Lowe | Lucas |
| Merrill | Millwood | Mitchell |
| Nanney | Norman | Pinson |
| Rice | Sandifer | Scott |
| Sellers | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Umphlett |
| Viers | Whitmire | Willis |
| T. R. Young |  |  |

**Total--52**

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

**VETO 50-- SUSTAINED**

Part IA, Section 73; Page 244; Lieutenant Governor’s Office, Section I. Administration; Personal Service; Unclassified Positions; $159,238.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 12; Nays 98

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Clyburn | Cooper |
| Hayes | Jennings | King |
| Loftis | Rutherford | Skelton |
| J. E. Smith | Vick | Whipper |

**Total--12**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Clemmons | Cobb-Hunter | Cole |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Harrison |
| Hart | Harvin | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Kelly |
| Kennedy | Kirsh | Knight |
| Littlejohn | Long | Lowe |
| Lucas | Mack | 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 |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Toole | Umphlett | Viers |
| Weeks | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--98**

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

**VETO 51-- SUSTAINED**

Part IA, Section 79; Page 256; Election Commission, Section IV. Distribution to Subdivision; Aid to County-Election Commission; $449,017.

Rep. COOPER explained the Veto.

Rep. WEEKS spoke against the Veto.

The question was put, shall the Item 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 59; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Delleney | Dillard |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hart |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Littlejohn | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Pinson |
| M. A. Pitts | Rutherford | Sellers |
| Skelton | J. E. Smith | Spires |
| Vick | Weeks | Whipper |
| Williams | Willis |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Erickson | Forrester | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Huggins | Kelly | Kirsh |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| Nanney | Norman | Owens |
| Parker | Rice | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stewart | Stringer |
| Toole | Umphlett | Viers |
| White | Wylie | T. R. Young |

**Total--54**

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

**VETO 52-- SUSTAINED**

Part IA, Section 80A; Pages 258 through 272; Budget and Control Board; (All General Fund line amounts); $25,234,009.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 29; Nays 80

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Cooper | Delleney | Dillard |
| Funderburk | Gambrell | Hardwick |
| Hiott | Hutto | Kelly |
| Kirsh | Long | McLeod |
| Miller | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rutherford | Skelton |
| J. E. Smith | Spires | Umphlett |
| Whitmire | A. D. Young |  |

**Total--29**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Erickson |
| Forrester | Frye | Gilliard |
| Gunn | Haley | Hamilton |
| Harrell | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Littlejohn | Loftis | Lowe |
| Lucas | McEachern | Merrill |
| Millwood | Mitchell | D. C. Moss |
| Nanney | Norman | Ott |
| Rice | Sandifer | Scott |
| Sellers | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stewart |
| Stringer | Toole | Vick |
| Viers | Weeks | Whipper |
| White | Williams | Willis |
| Wylie | T. R. Young |  |

**Total--80**

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

**VETO 52--MOTION TO RECONSIDER TABLED**

Part IA, Section 80A; Pages 258 through 272; Budget and Control Board; (All General Fund line amounts); $25,234,009.

Rep. NORMAN moved to reconsider the vote whereby Veto 52 was sustained.

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

**VETO 53-- SUSTAINED**

Part IB; Section 1.91; Page 313; Department of Education: Salary Increase Suspension.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 1; Nays 109

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Rutherford |  |  |

**Total--1**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Knight |
| 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 |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--109**

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

**VETO 54-- SUSTAINED**

Part IB; Section 21.44; Page 353; Department of Health and Human Services; Rural Hospital Grants.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 60; Nays 51

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Cooper | Dillard | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Littlejohn | Mack |
| McEachern | McLeod | Miller |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | M. A. Pitts |
| Rutherford | Skelton | J. E. Smith |
| Stavrinakis | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Brady |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Haley | Hamilton |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| Nanney | Norman | Owens |
| Parker | Rice | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Viers |
| Wylie | A. D. Young | T. R. Young |

**Total--51**

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

**VETO 55-- SUSTAINED**

Part IB; Section 21.47; Page 353; Department of Health and Human Services; Community Health Plan Grants.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 44; Nays 67

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Brantley | R. L. Brown |
| Clyburn | Cobb-Hunter | Daning |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Harvin | Hayes | Hodges |
| Hosey | Jefferson | Jennings |
| King | Kirsh | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | J. E. Smith |
| Vick | Weeks | Whipper |
| Williams | Willis |  |

**Total--44**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Delleney |
| Erickson | Forrester | Frye |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Hutto | Kelly | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--67**

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

**VETO 56-- OVERRIDDEN**

Part IB; Section 89.87; Page 466; General Provisions; Flexibility, Lines 39-45.

Rep. COOPER explained the Veto.

Rep. MILLER spoke upon the Veto.

Rep. G. M. SMITH spoke against the Veto.

The question was put, shall the Item 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 101; Nays 12

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--101**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Haley |
| Kelly | Millwood | D. C. Moss |
| Nanney | Norman | Scott |
| G. R. Smith | Stewart | Viers |

**Total--12**

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

**VETO 57-- OVERRIDDEN**

Part 1B, Section 89.87; Page 467; General Provisions; Flexibility, Lines 1-2.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 93; Nays 13

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gilliard | Govan | Gunn |
| Hardwick | Harrell | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Miller | Mitchell |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | M. A. Pitts | Rice |
| Sandifer | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--93**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Haley |
| Hamilton | Kelly | Millwood |
| D. C. Moss | Nanney | Norman |
| Scott | G. R. Smith | Stewart |
| Viers |  |  |

**Total--13**

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

**VETO 58-- OVERRIDDEN**

Part 1B, Section 89.87; Page 467; General Provisions; Flexibility, Lines 14-15.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 84; Nays 23

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Bannister | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | Cato |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Daning | Delleney |
| Dillard | Erickson | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Mack | McEachern |
| McLeod | Miller | Mitchell |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Skelton |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Chalk |
| Cole | Crawford | Forrester |
| Frye | Haley | Hamilton |
| Huggins | Kelly | Lowe |
| Lucas | Millwood | D. C. Moss |
| Nanney | Norman | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| Stewart | Viers |  |

**Total--23**

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

RECORD FOR VOTING

I was temporarily out of the Chamber working on a Conference Committee Report when the vote was taken on Veto No. 58. If I had been present, I would have voted ‘yes’ to override the Veto.

Rep. Lester Branham

**VETO 59-- SUSTAINED**

Part IB; Section 35.4; Page 374; CU-PSA: Spring Dairy Exhibition.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 43; Nays 68

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Bales | Barfield | Bedingfield |
| Bowers | Brantley | G. A. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| Jennings | King | Kirsh |
| Knight | Mack | McEachern |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | M. A. Pitts | Sellers |
| J. E. Smith | Vick | Weeks |
| Whipper | Williams | Willis |
| A. D. Young |  |  |

**Total--43**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bingham | Bowen | Brady |
| Branham | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Gunn | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Hutto |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McLeod | Merrill |
| Miller | Millwood | D. C. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Wylie | T. R. Young |  |

**Total--68**

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

**VETO 60-- OVERRIDDEN**

Part IB; Section 37.16; Page 377; Department of Natural Resources; County Funds.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 81; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cooper | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrison | Harvin | Hayes |
| Hiott | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Knight | Littlejohn | Loftis |
| Lowe | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Sellers |
| Skelton | D. C. Smith | J. E. Smith |
| J. R. Smith | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | A. D. Young |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Cole |
| Crawford | Daning | Delleney |
| Haley | Hamilton | Harrell |
| Huggins | Kelly | Kirsh |
| Limehouse | Long | Lucas |
| Merrill | Millwood | Nanney |
| Norman | Scott | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Stewart | Stringer | Viers |
| Willis | Wylie | T. R. Young |

**Total--33**

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

**VETO 61-- OVERRIDDEN**

Part IB; Section 37.17; Page 377; Department of Natural Resources; County Game Funds/Equipment Purchase.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 76; Nays 32

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cooper |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Knight | Littlejohn | Loftis |
| Lowe | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Skelton |
| D. C. Smith | J. E. Smith | Spires |
| Stavrinakis | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| A. D. Young |  |  |

**Total--76**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Cato |
| Cole | Crawford | Daning |
| Delleney | Haley | Hamilton |
| Harrell | Kelly | King |
| Kirsh | Limehouse | Long |
| Lucas | Merrill | Millwood |
| Nanney | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Stewart |
| Stringer | Viers | Willis |
| Wylie | T. R. Young |  |

**Total--32**

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

**VETO 62-- SUSTAINED**

Part IB; Section 37.18; Page 377; Department of Natural Resource; Wildlife Expo.

Rep. COOPER explained the Veto.

Rep. STAVRINAKIS spoke against the Veto.

The question was put, shall the Item 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 61; Nays 51

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bowen |
| Bowers | Brantley | G. A. Brown |
| R. L. Brown | Cato | Clyburn |
| Cooper | Dillard | Funderburk |
| Gilliard | Govan | Harrell |
| Harvin | Hayes | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Limehouse | Mack | McEachern |
| Merrill | Miller | Mitchell |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Ott | Owens | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sellers | Simrill |
| Skelton | J. E. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Whipper |
| White | Whitmire | Williams |
| A. D. Young |  |  |

**Total--61**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Brady | Chalk |
| Clemmons | Cole | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Gunn | Haley | Hamilton |
| Hardwick | Harrison | Hearn |
| Hiott | Huggins | Kelly |
| Kirsh | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| McLeod | Millwood | D. C. Moss |
| Nanney | Neilson | Norman |
| Parker | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Stewart |
| Stringer | Viers | Weeks |
| Willis | Wylie | T. R. Young |

**Total--51**

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

**VETO 63-- SUSTAINED**

Part IB; Section 39.14; Page 380; Parks, Recreation, and Tourism; Flexibility.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 69; Nays 41

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bannister |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cooper | Delleney |
| Dillard | Frye | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrell | Harvin | Hayes |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Limehouse | Littlejohn | Loftis |
| Mack | McEachern | McLeod |
| Merrill | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| Neilson | Ott | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Simrill |
| Skelton | J. E. Smith | Spires |
| Stavrinakis | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--69**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Barfield | Bedingfield | Bingham |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Daning |
| Erickson | Forrester | Funderburk |
| Gunn | Haley | Hamilton |
| Harrison | Hearn | Hiott |
| Huggins | Kelly | Kirsh |
| Long | Lowe | Millwood |
| Nanney | J. M. Neal | Norman |
| Owens | Parker | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stewart | Stringer |
| Viers | Willis |  |

**Total--41**

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

RECORD FOR VOTING

I mistakenly voted “yea” during the vote on Veto No. 63. It was my intent to vote “nay” so as to sustain the Veto. Representative Wylie and I received incorrect information as to which vote would allow flexibility and save money for the taxpayers.

Rep. Tom Young

RECORD FOR VOTING

I mistakenly voted “yea” during the vote on Veto No. 63. It was my intent to vote “nay” so as to sustain the Veto. Representative T. Young and I received incorrect information as to which vote would allow flexibility and save money for the taxpayers.

Rep. Bill Wylie

**VETO 64-- OVERRIDDEN**

Part IB; Section 39.15; Page 380; Parks, Recreation, and Tourism; Additional Motion Picture Bonus-Rebate.

Rep. COOPER explained the Veto.

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

Rep. SKELTON spoke against the Veto.

Rep. R. L. BROWN spoke against the Veto.

The question was put, shall the Item 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 104; Nays 7

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | M. A. Pitts | Rice |
| Rutherford | Sandifer | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--104**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Frye | Haley |
| Long | Millwood | Norman |
| Stewart |  |  |

**Total--7**

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

**VETO 64-- MOTION TO RECONSIDER TABLED**

Part IB; Section 39.15; Page 380; Parks, Recreation, and Tourism; Additional Motion Picture Bonus-Rebate.

Rep. J. E. SMITH moved to reconsider the vote whereby Veto 64 was sustained.

Rep. J. E. SMITH moved to table the motion to reconsider, which was agreed to.

**VETO 50--MOTION TO RECONSIDER TABLED**

Part IA, Section 73; Page 244; Lieutenant Governor’s Office, Section I. Administration; Personal Service; Unclassified Positions; $159,238.

Rep. G. R. SMITH moved to reconsider the vote whereby Veto 50 was sustained.

Rep. G. R. SMITH moved to table the motion to reconsider, which was agreed to.

**VETO 65-- OVERRIDDEN**

Part IB; Section 65.12; Page 406; Labor, Licensing, and Regulation; SC ERT/Urban Search and Rescue.

Rep. COOPER explained the Veto.

Rep. BINGHAM spoke against the Veto.

Rep. OTT spoke against the Veto.

Rep. GAMBRELL spoke against the Veto.

The question was put, shall the Item 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 110; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| 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 | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--110**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman | Stewart |  |

**Total--2**

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

**VETO 66-- SUSTAINED**

Part IB; Section 76.11; Page 424; State Treasurer’s Office; Printing Wage Statements.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 7; Nays 101

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| R. L. Brown | Clyburn | Hayes |
| Hosey | McLeod | Whipper |
| Williams |  |  |

**Total--7**

Those who voted in the negative are:

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

**Total--101**

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

**LEAVE OF ABSENCE**

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

**VETO 67-- SUSTAINED**

Part IB, Section 80A.57; Page 438; Budget and Control Board, EIP Benefits.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 6; Nays 101

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Funderburk | Littlejohn | McEachern |
| Rutherford | Sellers | J. E. Smith |

**Total--6**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Gilliard |
| Govan | Gunn | Haley |
| Hamilton | Harrell | Harrison |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Kelly | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| 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 |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Toole | Umphlett |
| Weeks | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--101**

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

**VETO 68-- SUSTAINED**

Part IB; Section 89.80; Page 464; General Provision; Lt. Governor Security Detail.

Rep. COOPER explained the Veto.

Rep. RUTHERFORD spoke against the Veto.

Rep. UMPHLETT moved that the House do now adjourn.

Rep. A. D. YOUNG demanded the yeas and nays which were taken, resulting as follows:

Yeas 32; Nays 77

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Bowers | G. A. Brown | Clyburn |
| Cobb-Hunter | Dillard | Gambrell |
| Gilliard | Govan | Harvin |
| Hayes | Hosey | Hutto |
| Jefferson | Kennedy | King |
| Knight | McLeod | Mitchell |
| J. H. Neal | Ott | Parks |
| Rutherford | Sellers | G. M. Smith |
| J. E. Smith | Umphlett | Vick |
| Williams | Wylie |  |

**Total--32**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | R. L. Brown |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Funderburk |
| Gunn | Haley | Hamilton |
| Harrell | Harrison | Hearn |
| Hiott | Hodges | Horne |
| Howard | Huggins | Jennings |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Neilson | Norman |
| Owens | Pinson | M. A. Pitts |
| Rice | Scott | Simrill |
| Skelton | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Toole | Weeks | Whipper |
| White | Whitmire | Willis |
| A. D. Young | T. R. Young |  |

**Total--77**

So, the House refused to adjourn.

The question then recurred to the consideration of Veto 68.

The question was put, shall the Item 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 20; Nays 86

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Dillard | Hayes |
| Hodges | Hosey | Jennings |
| King | McEachern | Miller |
| Mitchell | V. S. Moss | J. H. Neal |
| Parks | Rutherford | Sellers |
| J. E. Smith | Stavrinakis | Vick |
| Whipper | Williams |  |

**Total--20**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Cole | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrison | Harvin |
| Hearn | Hiott | Horne |
| Huggins | Hutto | Jefferson |
| Kelly | Kennedy | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Mack | McLeod | Merrill |
| Millwood | D. C. Moss | Nanney |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Weeks | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--86**

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

**VETO 69-- SUSTAINED**

Part IB; Section 89.96; Page 469; GP: Solar Power Income Tax Credit.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 52; Nays 57

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Bowers | Brady |
| Brantley | R. L. Brown | Cato |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gambrell | Gilliard |
| Gunn | Hardwick | Hayes |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Kelly |
| Kennedy | King | Knight |
| Loftis | Lowe | Mack |
| McEachern | McLeod | Miller |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Sellers |
| J. E. Smith | Spires | Stavrinakis |
| Toole | Vick | Whipper |
| Williams |  |  |

**Total--52**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Frye | Govan |
| Haley | Hamilton | Harrell |
| Harvin | Hearn | Hiott |
| Horne | Huggins | Kirsh |
| Limehouse | Littlejohn | Long |
| Lucas | Merrill | Millwood |
| D. C. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Umphlett | Weeks |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--57**

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

**VETO 70-- SUSTAINED**

Part IB; Section 89.143; Page 477; General Provisos: I-95 Corridor.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 42; Nays 67

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bowers |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Cooper |
| Dillard | Funderburk | Gilliard |
| Govan | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Jennings | King |
| Knight | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | Neilson | Ott |
| Parks | M. A. Pitts | Rutherford |
| Sellers | J. E. Smith | Vick |
| Weeks | Whipper | Williams |

**Total--42**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brady |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Gunn |
| Haley | Hamilton | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Kennedy |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| J. M. Neal | Norman | Owens |
| Parker | Pinson | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--67**

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

**VETO 70--MOTION TO RECONSIDER TABLED**

Part IB; Section 89.143; Page 477; General Provisos: I-95 Corridor.

Rep. FORRESTER moved to reconsider the vote whereby Veto 70 was sustained.

Rep. KENNEDY spoke in favor of the motion to reconsider.

Rep. KENNEDY spoke in favor of the motion to reconsider.

Rep. JENNINGS spoke in favor of the motion to reconsider.

Rep. OTT spoke in favor of the motion to reconsider.

Rep. FORRESTER moved to table the motion to reconsider.

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

Yeas 61; Nays 49

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | Rice |
| Rutherford | Sandifer | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--61**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Cooper | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | M. A. Pitts | Sellers |
| J. E. Smith | Stavrinakis | Umphlett |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--49**

So, the motion to reconsider was tabled.

**VETO 71-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 2; Budget and Control Board; SCEIS; $2,179,716.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 92; Nays 21

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bowen |
| Bowers | Brady | Branham |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Dillard | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hamilton |
| Hardwick | Harrison | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | King |
| Kirsh | Knight | Littlejohn |
| Loftis | Long | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Sellers | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bingham | Cato | Crawford |
| Delleney | Frye | Haley |
| Harrell | Kennedy | Limehouse |
| Lowe | Lucas | Merrill |
| Millwood | Nanney | Norman |
| Simrill | Stewart | Toole |
| Viers | Willis | T. R. Young |

**Total--21**

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

**VETO 72-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 3; Commission on Higher Education; SREB Dues; $413,929.

Rep. OWENS explained the Veto.

The question was put, shall the Item 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 87; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Bowers | Brady | Branham |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Daning |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Hutto |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Knight |
| Littlejohn | Loftis | Long |
| Lowe | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parks |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young | T. R. Young |

**Total--87**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Chalk |
| Cooper | Crawford | Delleney |
| Haley | Harrell | Huggins |
| Kennedy | Limehouse | Lucas |
| Merrill | Millwood | Norman |
| Parker | Pinson | Simrill |
| Stewart | Stringer | Toole |
| Viers | Willis |  |

**Total--26**

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

**VETO 73-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 6; The Senate; Reapportionment; $1,000,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 100; Nays 7

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Gambrell | Gilliard | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Horne |
| Hosey | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rutherford |
| Sandifer | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Crawford | Haley |
| Kennedy | Millwood | Norman |
| Viers |  |  |

**Total--7**

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

**VETO 74-- SUSTAINED**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 7; House of Representatives; Reapportionment; $1,000,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 57; Nays 57

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Daning | Delleney |
| Erickson | Forrester | Gambrell |
| Hamilton | Hardwick | Harrell |
| Hearn | Hiott | Horne |
| Kelly | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Owens |
| Parker | Pinson | M. A. Pitts |
| Sandifer | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--57**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Bingham |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Crawford | Dillard |
| Frye | Funderburk | Gilliard |
| Govan | Gunn | Haley |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Huggins |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Kirsh |
| Knight | Mack | McEachern |
| McLeod | Miller | Millwood |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Rice | Rutherford | Scott |
| Sellers | J. E. Smith | Stavrinakis |
| Stewart | Vick | Viers |
| Weeks | Whipper | Williams |

**Total--57**

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

**VETO 74--DEBATE ADJOURNED ON THE MOTION TO RECONSIDER**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 7; House of Representatives; Reapportionment; $1,000,000.

Rep. RUTHERFORD moved to reconsider the vote whereby Veto 74 was sustained.

Rep. COBB-HUNTER moved to table the motion to reconsider.

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

Yeas 51; Nays 63

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Clyburn | Cobb-Hunter | Crawford |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Knight | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Norman | Ott | Parks |
| Rutherford | Sellers | J. E. Smith |
| Stavrinakis | Stewart | Vick |
| Weeks | Whipper | Williams |

**Total--51**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bingham | Bowen |
| Brady | Chalk | Clemmons |
| Cole | Cooper | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Hiott | Horne |
| Huggins | Kelly | Kirsh |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Neilson | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--63**

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

Rep. COOPER moved to adjourn debate on the motion to reconsider.

Rep. GUNN moved to table the motion.

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

Yeas 49; Nays 68

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Rutherford | Sellers |
| J. E. Smith | Stavrinakis | Stewart |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--49**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Hiott |
| Horne | Huggins | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--68**

So, the House refused to table the motion to adjourn debate.

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

**VETO 75-- SUSTAINED**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 8; Budget and Control Board; Reapportionment; $20,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 27; Nays 88

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| R. L. Brown | Chalk | Cole |
| Cooper | Daning | Delleney |
| Erickson | Gambrell | Hardwick |
| Hayes | Hearn | Horne |
| Littlejohn | Loftis | Merrill |
| Miller | V. S. Moss | Pinson |
| M. A. Pitts | Sandifer | Simrill |
| Skelton | J. R. Smith | Umphlett |
| White | Whitmire | A. D. Young |

**Total--27**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| Cato | Clemmons | Clyburn |
| Cobb-Hunter | Crawford | Dillard |
| Forrester | Frye | Funderburk |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Harrell |
| Harrison | Hart | Harvin |
| Hiott | Hodges | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Millwood |
| Mitchell | D. C. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Rice | Rutherford |
| Scott | Sellers | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Toole |
| Vick | Viers | Weeks |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--88**

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

**VETO 76-- SUSTAINED**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 9; Budget and Control Board; Operating Expenses; $297,855.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 16; Nays 97

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Cato | Cooper | Gambrell |
| Hardwick | Hayes | Hutto |
| Littlejohn | Loftis | Miller |
| Rutherford | Skelton | J. E. Smith |
| Stavrinakis | Umphlett | Vick |
| White |  |  |

**Total--16**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Crawford |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Harrell | Harrison | Hart |
| Harvin | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parker | Pinson |
| Rice | Sandifer | Scott |
| Sellers | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Viers |
| Weeks | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--97**

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

**VETO 77-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 11; Department of Education; Career and Technology Education (CATE) Textbooks Resources Materials; $662,000.

Rep. COOPER explained the Veto.

Rep. LOFTIS spoke against the Veto.

The question was put, shall the Item 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 100; Nays 15

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| King | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | Rice | Rutherford |
| Sandifer | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| A. D. Young |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Bingham | Cato |
| Crawford | Haley | Kennedy |
| Kirsh | Millwood | Norman |
| Scott | G. R. Smith | Stewart |
| Stringer | Viers | T. R. Young |

**Total--15**

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

**VETO 6--RECONSIDERED AND OVERRIDDEN**

Part IA, Section 6; Page 26; Commission on Higher Education; Section II. Service Programs; Special Items; EEDA; $1,213,065.

Rep. LIMEHOUSE moved to reconsider the vote whereby Veto 6 was sustained.

Rep. CRAWFORD moved to table the motion to reconsider.

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

Yeas 37; Nays 74

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Ballentine | Bedingfield |
| Cato | Chalk | Cobb-Hunter |
| Cole | Crawford | Dillard |
| Frye | Gunn | Haley |
| Hart | Howard | Huggins |
| Kennedy | Lowe | Mack |
| McLeod | Merrill | Millwood |
| Mitchell | Norman | Parks |
| Scott | Sellers | D. C. Smith |
| G. M. Smith | G. R. Smith | Stewart |
| Stringer | Toole | Vick |
| Viers | Whipper | Willis |
| T. R. Young |  |  |

**Total--37**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anthony | Bales | Bannister |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | Clemmons | Clyburn |
| Cooper | Daning | Delleney |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrison |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lucas |
| McEachern | Miller | D. C. Moss |
| V. S. Moss | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Pinson |
| Rice | Rutherford | Sandifer |
| Simrill | Skelton | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Umphlett | Weeks |
| White | Whitmire | Williams |
| Wylie | A. D. Young |  |

**Total--74**

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

The question then recurred to the motion to reconsider.

Rep. OWENS spoke in favor of the motion to reconsider.

The motion to reconsider was agreed to.

Rep. BALES moved to adjourn debate on the Veto.

Rep. OWENS moved to table the motion, which was agreed to.

The question was put, shall the Item 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 74; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Bales | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | Clemmons |
| Clyburn | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Gunn | Hardwick |
| Harrison | Harvin | Hayes |
| Hiott | Horne | Hosey |
| Hutto | Jennings | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | McEachern | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Rutherford | Sandifer | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Umphlett | Weeks |
| Whipper | White | Whitmire |
| Wylie | A. D. Young |  |

**Total--74**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Ballentine | Bedingfield |
| Bingham | G. A. Brown | R. L. Brown |
| Cato | Chalk | Cobb-Hunter |
| Cole | Crawford | Frye |
| Govan | Haley | Hamilton |
| Hodges | Howard | Huggins |
| Jefferson | Kennedy | King |
| Mack | McLeod | Merrill |
| Millwood | Nanney | Norman |
| Scott | G. R. Smith | Stringer |
| Toole | Vick | Viers |
| Williams | Willis | T. R. Young |

**Total--36**

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

**VETO 78-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 12; Department of Education; Transportation; $900,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 100; Nays 11

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Bedingfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Long | Lowe |
| Mack | McEachern | McLeod |
| Merrill | Miller | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Sandifer | Sellers | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Bingham | Cato |
| Haley | Kennedy | Lucas |
| Millwood | Norman | Scott |
| Stewart | Viers |  |

**Total--11**

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

**VETO 79-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 14; Department of Education; Governor’s School for the Arts and Humanities; $500,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 100; Nays 10

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | King |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Rutherford | Sandifer | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Spires | Stringer |
| Umphlett | Vick | Viers |
| Whipper | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Cato | Haley |
| Kirsh | Millwood | Norman |
| M. A. Pitts | Scott | Sottile |
| Stewart |  |  |

**Total--10**

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

**VETO 80-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 15; Department of Education; Governor’s School for Math and Science; $500,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 104; Nays 7

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parker | Parks |
| Pinson | 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 | Spires |
| Stavrinakis | Stringer | 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:

|  |  |  |
| --- | --- | --- |
| Ballentine | Haley | Kennedy |
| Millwood | Norman | Sottile |
| Stewart |  |  |

**Total--7**

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

**VETO 81-- OVERRIDDEN**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 16; Prosecution Coordination Commission; Operating Expenses; $1,000,000.

Rep. COOPER explained the Veto.

Rep. G. M. SMITH spoke against the Veto.

The question was put, shall the Item 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 91; Nays 21

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hardwick | Harrison |
| Harvin | Hayes | Hearn |
| Hiott | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kelly | Kirsh |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Toole | Umphlett |
| Vick | Viers | Weeks |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--91**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Crawford | Gunn |
| Haley | Hamilton | Hodges |
| Huggins | Kennedy | King |
| Lowe | Merrill | Millwood |
| Nanney | Norman | Rutherford |
| Scott | G. R. Smith | Stringer |

**Total--21**

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

**VETO 82-- OVERRIDDEN**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 17; Commission on Indigent Defense; Operating Expenses; $1,000,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 95; Nays 16

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Govan | Gunn |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Viers | Weeks | White |
| Whitmire | Williams | Wylie |
| A. D. Young | T. R. Young |  |

**Total--95**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Bingham | Cato |
| Crawford | Haley | Hamilton |
| Kennedy | Lowe | Millwood |
| Nanney | Norman | Scott |
| G. R. Smith | Stewart | Stringer |
| Willis |  |  |

**Total--16**

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

**VETO 81--MOTION TO RECONSIDER TABLED**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 16; Prosecution Coordination Commission; Operating Expenses; $1,000,000.

Rep. VICK moved to reconsider the vote whereby Veto 81 was overridden.

Rep. G. M. SMITH moved to table the motion to reconsider, which was agreed to.

**VETO 82--MOTION TO RECONSIDER TABLED**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 17; Commission on Indigent Defense; Operating Expenses; $1,000,000.

Rep. JENNINGS moved to reconsider the vote whereby Veto 82 was overridden.

Rep. COBB-HUNTER moved to table the motion to reconsider, which was agreed to.

**SPEAKER IN CHAIR**

**VETO 83-- OVERRIDDEN**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue Increased Enforcement Collections; Item 18; B&C Board, Employee Benefits; Health Plan – Employer Increase; $147,076.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 78; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Dillard | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kelly | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Mack | McEachern |
| McLeod | Miller | Mitchell |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Skelton |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | A. D. Young |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Chalk | Cole |
| Crawford | Daning | Delleney |
| Erickson | Frye | Gunn |
| Haley | Hamilton | Huggins |
| Kennedy | King | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | Scott | Simrill |
| D. C. Smith | G. M. Smith | G. R. Smith |
| Sottile | Stewart | Stringer |
| Toole | Viers | Willis |
| Wylie | T. R. Young |  |

**Total--38**

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

**VETO 84-- OVERRIDDEN**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 20; John de la Howe School; Operating Expenses; $308,765.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 96; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Knight | Limehouse |
| Littlejohn | Loftis | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Sellers | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Viers |
| Weeks | White | Whitmire |
| Williams | Willis | A. D. Young |

**Total--96**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Cato |
| Cole | Haley | Hamilton |
| Harrell | Kirsh | Long |
| Millwood | Nanney | Norman |
| Scott | Simrill | G. R. Smith |
| Stewart | Stringer | Wylie |
| T. R. Young |  |  |

**Total--19**

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

**VETO 85-- OVERRIDDEN**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 21; Wil Lou Gray Opportunity School; Operating Expenses; $308,764.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 83; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cooper | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Gunn | Hardwick | Harrell |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | King | Knight |
| Limehouse | Littlejohn | Lucas |
| Mack | McEachern | McLeod |
| Merrill | Miller | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Viers | Weeks | White |
| Whitmire | Williams |  |

**Total--83**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Cato | Cole | Crawford |
| Daning | Haley | Hamilton |
| Kirsh | Loftis | Long |
| Lowe | Millwood | Nanney |
| Norman | Scott | Simrill |
| G. M. Smith | G. R. Smith | Stewart |
| Stringer | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--26**

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

**VETO 86-- SUSTAINED**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 27; Department of Agriculture; Operating Expenses; $1,000,000.

Rep. COOPER explained the Veto.

Rep. BALES spoke in favor of the Veto.

The question was put, shall the Item 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 60; Nays 53

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Anthony | Barfield | Bingham |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Cooper |
| Dillard | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Hardwick | Harrison | Harvin |
| Hayes | Hiott | Hodges |
| Hosey | Huggins | Jefferson |
| Jennings | Kelly | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Lucas | Mack |
| Miller | Mitchell | V. S. Moss |
| J. H. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| M. A. Pitts | Rice | Sellers |
| Skelton | J. E. Smith | Spires |
| Toole | Umphlett | Vick |
| Whipper | White | Williams |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Bales |
| Ballentine | Bannister | Bedingfield |
| Cato | Chalk | Clemmons |
| Cole | Crawford | Daning |
| Delleney | Erickson | Frye |
| Gunn | Haley | Hamilton |
| Harrell | Hart | Hearn |
| Horne | Howard | Kennedy |
| King | Long | Lowe |
| McEachern | McLeod | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | Pinson | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stewart |
| Stringer | Viers | Weeks |
| Whitmire | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--53**

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

**VETO 84--MOTION TO RECONSIDER TABLED**

Part IB; Section 90.16; Page 483; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 20; John de la Howe School; Operating Expenses; $308,765.

Rep. M. A. PITTS moved to reconsider the vote whereby Veto 84 was overridden.

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

**VETO 87-- SUSTAINED**

Part IB; Section 90.17; Page 484; Statewide Revenue; Non-Recurring Revenue Transfers; Transfer of $1,000,000 from Department of Motor Vehicles to Budget & Control Board (SCEIS).

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 77; Nays 39

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bannister |
| Barfield | Bedingfield | Bowen |
| Bowers | Brady | Brantley |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Hutto |
| Jefferson | Jennings | Kelly |
| Knight | Littlejohn | Loftis |
| Mack | McLeod | Miller |
| Mitchell | V. S. Moss | Nanney |
| J. H. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Sellers |
| Skelton | D. C. Smith | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Spires | Stavrinakis | Stringer |
| Umphlett | Vick | Whipper |
| White | Whitmire | Williams |
| Wylie | A. D. Young |  |

**Total--77**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bingham | Branham | G. A. Brown |
| Cato | Chalk | Crawford |
| Daning | Delleney | Dillard |
| Frye | Gunn | Haley |
| Howard | Huggins | Kennedy |
| King | Kirsh | Limehouse |
| Long | Lowe | Lucas |
| McEachern | Merrill | Millwood |
| D. C. Moss | J. M. Neal | Norman |
| Scott | Simrill | Sottile |
| Stewart | Toole | Viers |
| Weeks | Willis | T. R. Young |

**Total--39**

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

**VETO 88-- SUSTAINED**

Part IB; Section 90.17; Page 484; Statewide Revenue; Non-Recurring Revenue Transfers; Transfer of $1,158,284 from the Educational Broadband Spectrum Lease to the SCEIS program within the Budget and Control Board.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 75; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bannister |
| Barfield | Bedingfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | Knight | Limehouse |
| Littlejohn | Loftis | Mack |
| McLeod | Mitchell | V. S. Moss |
| Nanney | J. H. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Sellers |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | Spires | Stavrinakis |
| Stringer | Umphlett | Vick |
| Whipper | White | Whitmire |
| Williams | Wylie | A. D. Young |

**Total--75**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bingham | Cato | Chalk |
| Crawford | Daning | Delleney |
| Dillard | Frye | Gunn |
| Haley | Howard | Huggins |
| Kennedy | King | Kirsh |
| Long | Lowe | Lucas |
| McEachern | Merrill | Millwood |
| D. C. Moss | J. M. Neal | Norman |
| Scott | Simrill | D. C. Smith |
| J. R. Smith | Sottile | Stewart |
| Toole | Viers | Weeks |
| Willis | T. R. Young |  |

**Total--38**

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

**VETO 89-- SUSTAINED**

Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 3; Department of Health and Environmental Control; $7,407,035.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 66; Nays 47

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Delleney |
| Dillard | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Harvin | Hayes | Hiott |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| King | Knight | Limehouse |
| Littlejohn | Mack | McEachern |
| McLeod | Miller | D. C. Moss |
| V. S. Moss | J. M. Neal | Neilson |
| Ott | Owens | Parks |
| Pinson | M. A. Pitts | Rice |
| Sellers | Skelton | J. E. Smith |
| Spires | Stavrinakis | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Cato |
| Chalk | Cole | Cooper |
| Crawford | Daning | Erickson |
| Frye | Haley | Hamilton |
| Harrell | Hearn | Horne |
| Huggins | Kelly | Kennedy |
| Kirsh | Long | Lowe |
| Lucas | Merrill | Millwood |
| Mitchell | Nanney | Norman |
| Parker | Sandifer | Scott |
| Simrill | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Toole |
| Viers | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--47**

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

**VETO 90-- SUSTAINED**

Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 6; Department of Alcohol and Other Drug; Abuse Services; $500,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 59; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Harrison |
| Harvin | Hayes | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | King | Knight |
| Littlejohn | Mack | McEachern |
| McLeod | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Rice | Sellers |
| Skelton | J. E. Smith | Sottile |
| Spires | Stavrinakis | Vick |
| Weeks | Whipper | Whitmire |
| Williams | A. D. Young |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Delleney | Erickson |
| Forrester | Frye | Haley |
| Hamilton | Hardwick | Harrell |
| Hearn | Huggins | Kelly |
| Kennedy | Kirsh | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| Nanney | Norman | Parker |
| Pinson | M. A. Pitts | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Toole |
| Umphlett | Viers | White |
| Willis | Wylie | T. R. Young |

**Total--54**

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

**VETO 91-- OVERRIDDEN**

Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 7; Commission for the Blind; $100,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 73; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Crawford | Dillard |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Gunn |
| Hardwick | Harrison | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Lowe | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Sellers |
| Skelton | G. M. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Toole | Weeks |
| Whipper | Whitmire | Williams |
| Wylie |  |  |

**Total--73**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Chalk |
| Cole | Cooper | Delleney |
| Erickson | Haley | Hamilton |
| Huggins | Kennedy | Loftis |
| Long | Lucas | Millwood |
| Nanney | Norman | Rice |
| Sandifer | Scott | Simrill |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Stringer | Umphlett | Viers |
| White | Willis | T. R. Young |

**Total--33**

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

**VETO 92-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(22); State Library; $1,172,758.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 77; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Mack |
| McEachern | McLeod | Mitchell |
| V. S. Moss | J. H. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Sandifer | Sellers | Skelton |
| D. C. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Umphlett |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | T. R. Young |  |

**Total--77**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Cole | Cooper |
| Crawford | Frye | Haley |
| Hamilton | Harrell | Huggins |
| Kennedy | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| Nanney | Norman | Rice |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Stewart |
| Stringer | Toole | Viers |

**Total--33**

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

**VETO 93-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(23); Forestry Commission; $500,000.

Rep. COOPER explained the Veto.

Rep. HIOTT spoke against the Veto.

The question was put, shall the Item 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 84; Nays 29

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Daning | Delleney | Dillard |
| Forrester | Frye | Funderburk |
| Gambrell | Govan | Gunn |
| Hardwick | Harrison | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kelly | King |
| Kirsh | Knight | Limehouse |
| Loftis | Lucas | Mack |
| McEachern | McLeod | Merrill |
| Miller | Mitchell | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Sellers |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | A. D. Young |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Chalk |
| Cole | Crawford | Erickson |
| Haley | Hamilton | Harrell |
| Huggins | Kennedy | Littlejohn |
| Long | Lowe | Millwood |
| D. C. Moss | Nanney | Norman |
| Scott | G. R. Smith | J. R. Smith |
| Stewart | Stringer | Viers |
| Wylie | T. R. Young |  |

**Total--29**

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

**VETO 94-- SUSTAINED**

Part III; Section 2; Page 487; (A)(24); Department of Agriculture; $200,000.

Rep. COOPER explained the Veto.

Rep. HIOTT spoke against the Veto.

The question was put, shall the Item 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 70; Nays 44

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Delleney | Dillard |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrison | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Knight |
| Loftis | Lowe | Lucas |
| Mack | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sellers | Skelton |
| D. C. Smith | J. E. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | Whitmire | Williams |
| Willis |  |  |

**Total--70**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Bedingfield | Bingham |
| Cato | Cole | Cooper |
| Crawford | Daning | Erickson |
| Frye | Gunn | Haley |
| Hamilton | Harrell | Horne |
| Huggins | Kennedy | Limehouse |
| Littlejohn | Long | McEachern |
| Merrill | Millwood | Nanney |
| Norman | Sandifer | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Toole | Umphlett |
| Viers | White | Wylie |
| A. D. Young | T. R. Young |  |

**Total--44**

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

**VETO 95-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(25); Clemson University – PSA; $2,600,000.

Rep. COOPER explained the Veto.

Rep. SKELTON spoke against the Veto.

The question was put, shall the Item 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 83; Nays 29

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Clemmons |
| Clyburn | Cobb-Hunter | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Lucas | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Sellers | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| Spires | Stavrinakis | Toole |
| Umphlett | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | A. D. Young |  |

**Total--83**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Chalk | Cole | Cooper |
| Crawford | Daning | Haley |
| Hamilton | Harrell | Kennedy |
| Limehouse | Long | Lowe |
| Merrill | Millwood | Nanney |
| Norman | Scott | Simrill |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Viers |
| Wylie | T. R. Young |  |

**Total--29**

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

**VETO 95--MOTION TO RECONSIDER TABLED**

Part III; Section 2; Page 487; (A)(25); Clemson University – PSA; $2,600,000.

Rep. HIOTT moved to reconsider the vote whereby Veto 95 was overridden.

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

**VETO 96-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(26); South Carolina State University – PSA; $500,000.

Rep. COOPER explained the Veto.

Rep. SKELTON spoke against the Veto.

The question was put, shall the Item 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 80; Nays 30

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Sellers | Skelton | D. C. Smith |
| G. M. Smith | J. E. Smith | Spires |
| Stavrinakis | Toole | Umphlett |
| Vick | Weeks | Whipper |
| Whitmire | Williams |  |

**Total--80**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Cato | Chalk |
| Cole | Cooper | Crawford |
| Daning | Haley | Hamilton |
| Kelly | Long | Lowe |
| Merrill | Millwood | Nanney |
| Norman | Scott | Simrill |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Viers |
| Willis | Wylie | T. R. Young |

**Total--30**

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

**VETO 97-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(28); Administrative Law Court; $100,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 80; Nays 34

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kelly | King |
| Knight | Limehouse | Long |
| Lucas | Mack | McEachern |
| McLeod | Miller | Mitchell |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Pinson | Rice |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Vick | Viers | Weeks |
| Whipper | Whitmire | Williams |
| A. D. Young | T. R. Young |  |

**Total--80**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Chalk | Cooper | Crawford |
| Daning | Frye | Gunn |
| Haley | Hamilton | Harrell |
| Huggins | Kennedy | Kirsh |
| Littlejohn | Lowe | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | Parker | M. A. Pitts |
| Scott | D. C. Smith | J. R. Smith |
| Stewart | Stringer | Toole |
| Umphlett | White | Willis |
| Wylie |  |  |

**Total--34**

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

**VETO 98-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(31); Prosecution Coordination Commission; $500,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 78; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Delleney | Dillard |
| Erickson | Funderburk | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kelly | King |
| Knight | Long | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Vick | Weeks |
| Whipper | Whitmire | Williams |
| Willis | A. D. Young | T. R. Young |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Cooper | Crawford | Daning |
| Forrester | Frye | Gunn |
| Haley | Hamilton | Harrell |
| Huggins | Kennedy | Kirsh |
| Limehouse | Littlejohn | Lowe |
| Merrill | Millwood | D. C. Moss |
| Nanney | Norman | Parker |
| Scott | G. R. Smith | J. R. Smith |
| Stringer | Toole | Umphlett |
| White | Wylie |  |

**Total--35**

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

**VETO 96--MOTION TO RECONSIDER TABLED**

Part III; Section 2; Page 487; (A)(26); South Carolina State University – PSA; $500,000.

Rep. CLYBURN moved to reconsider the vote whereby Veto 96 was overridden.

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

**VETO 99-- OVERRIDDEN**

Part III; Section 2; Page 487; (A)(32); Commission on Indigent Defense; $700,000.

Rep. COOPER explained the Veto.

Rep. G. M. SMITH spoke against the Veto.

The question was put, shall the Item 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 88; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kelly |
| King | Kirsh | Knight |
| Loftis | Long | Lucas |
| Mack | McEachern | McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | Whitmire |
| Williams | Willis | A. D. Young |
| T. R. Young |  |  |

**Total--88**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Chalk | Cooper |
| Crawford | Haley | Hamilton |
| Huggins | Kennedy | Limehouse |
| Littlejohn | Lowe | Merrill |
| Millwood | Nanney | Norman |
| Scott | G. R. Smith | J. R. Smith |
| Stringer | White | Wylie |

**Total--24**

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

**VETO 100-- OVERRIDDEN**

Part III; Section 2; Page 488; (A)(34); Law Enforcement Training Council; $120,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 74; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Dillard |
| Erickson | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| King | Kirsh | Knight |
| Long | Lowe | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Simrill |
| Skelton | D. C. Smith | J. E. Smith |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | A. D. Young |  |

**Total--74**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Cato |
| Chalk | Cole | Cooper |
| Daning | Delleney | Forrester |
| Haley | Hamilton | Harrell |
| Huggins | Kelly | Kennedy |
| Littlejohn | Loftis | Lucas |
| Merrill | Millwood | Nanney |
| Norman | Scott | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stewart | Stringer | Viers |
| Willis | Wylie | T. R. Young |

**Total--36**

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

**VETO 101-- SUSTAINED**

Part III; Section 2; Page 488; (A)(36); Secretary of State; $40,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 45; Nays 66

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bannister | Barfield |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Forrester |
| Funderburk | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | Jennings |
| Kelly | King | Loftis |
| Mack | McEachern | McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Ott |
| Parker | Sandifer | Sellers |
| Skelton | G. M. Smith | J. E. Smith |
| Vick | Whipper | Williams |

**Total--45**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Bales | Ballentine |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Frye | Gambrell |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hearn |
| Horne | Huggins | Hutto |
| Kennedy | Knight | Limehouse |
| Littlejohn | Long | Lowe |
| Lucas | Miller | Millwood |
| Nanney | Neilson | Norman |
| Owens | Pinson | M. A. Pitts |
| Rice | Scott | Simrill |
| D. C. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Toole |
| Umphlett | Viers | Weeks |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--66**

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

**VETO 102-- OVERRIDDEN**

Part III; Section 2; Page 488; (A)(37); Leg Dept. – Codification of Law and Legislative Council; $100,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 84; Nays 30

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Clemmons | Clyburn |
| Cobb-Hunter | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Hutto |
| Jefferson | Jennings | Kelly |
| Knight | Limehouse | Loftis |
| Long | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Sandifer | Sellers | Skelton |
| G. M. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bannister | Bedingfield |
| Bingham | Chalk | Cole |
| Crawford | Haley | Hamilton |
| Howard | Huggins | Kennedy |
| King | Kirsh | Littlejohn |
| Lucas | Millwood | Nanney |
| Norman | Rice | Scott |
| Simrill | D. C. Smith | G. R. Smith |
| J. R. Smith | Stewart | Stringer |
| Wylie | A. D. Young | T. R. Young |

**Total--30**

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

**VETO 94--RECONSIDERED AND OVERRIDDEN**

Part III; Section 2; Page 487; (A)(24); Department of Agriculture; $200,000.

Rep. UMPHLETT moved to reconsider the vote whereby Veto 94 was sustained.

Rep. CRAWFORD moved to table the motion to reconsider.

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

Yeas 19; Nays 93

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bales | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Cooper | Crawford | Harrell |
| Huggins | Millwood | Norman |
| Simrill | G. M. Smith | G. R. Smith |
| Stewart | Viers | Wylie |
| T. R. Young |  |  |

**Total--19**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Sellers | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Weeks | Whipper |
| White | Williams | Willis |

**Total--93**

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

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

Rep. KENNEDY moved that the House recede until 12:05 A.M., which was not agreed to.

Rep. VICK spoke against the Veto.

The question was put, shall the Item 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 87; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Hart |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Knight |
| Limehouse | Loftis | Lucas |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Sellers | Skelton | D. C. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | A. D. Young |

**Total--87**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bales | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Crawford | Haley | Hamilton |
| Harrell | Huggins | Littlejohn |
| Merrill | Millwood | Nanney |
| Norman | Scott | Simrill |
| G. M. Smith | G. R. Smith | Stewart |
| Stringer | Viers | Wylie |
| T. R. Young |  |  |

**Total--25**

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

**VETO 89--RECONSIDERED AND SUSTAINED**

Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 3; Department of Health and Environmental Control; $7,407,035.

Rep. SANDIFER moved to reconsider the vote whereby Veto 89 was sustained.

Rep. CRAWFORD moved to table the motion to reconsider.

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

Yeas 29; Nays 75

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Cato |
| Chalk | Cole | Cooper |
| Crawford | Daning | Erickson |
| Frye | Harrell | Harvin |
| Lowe | Lucas | Millwood |
| Nanney | Norman | Parker |
| D. C. Smith | G. R. Smith | Sottile |
| Stewart | Viers | Willis |
| Wylie | T. R. Young |  |

**Total--29**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Bowers |
| Brady | Brantley | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Delleney | Dillard |
| Forrester | Funderburk | Gambrell |
| Govan | Gunn | Hardwick |
| Harrison | Hart | Hayes |
| Hearn | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Kelly | Kennedy |
| King | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Mack | McEachern | McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Williams |

**Total--75**

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

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

Rep. SANDIFER spoke against the Veto.

Rep. CRAWFORD spoke in favor of the Veto.

Rep. MCLEOD spoke against the Veto.

Rep. SKELTON spoke against the Veto.

Rep. G. R. SMITH spoke in favor of the Veto.

The question was put, shall the Item 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 77; Nays 40

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Dillard | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hiott | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kelly |
| Kennedy | King | Knight |
| Limehouse | Littlejohn | Loftis |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Skelton |
| G. M. Smith | J. E. Smith | Spires |
| Stavrinakis | Umphlett | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams |  |

**Total--77**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Cole | Cooper | Crawford |
| Daning | Delleney | Frye |
| Haley | Hamilton | Harrell |
| Hearn | Horne | Huggins |
| Kirsh | Long | Lowe |
| Lucas | Merrill | Millwood |
| Nanney | Norman | Scott |
| Simrill | D. C. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stewart |
| Stringer | Toole | Viers |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--40**

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

**VETO 8--MOTION TO RECONSIDER TABLED**

Part IA, Section 14; Page 43; South Carolina State University; I. Education & General; A. Unrestricted; Special Items; Teacher Training & Development; $478,786.

Rep. LIMEHOUSE moved to reconsider the vote whereby Veto 8 was sustained.

Rep. HAMILTON moved to table the motion to reconsider.

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

Yeas 60; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Haley | Hamilton |
| Harrell | Hearn | Huggins |
| Kelly | Kirsh | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stewart |
| Stringer | Toole | Umphlett |
| Viers | White | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Bowers | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Limehouse | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parks |
| Rutherford | Sellers | Skelton |
| J. E. Smith | Stavrinakis | Vick |
| Weeks | Whipper | Williams |

**Total--54**

So, the motion to reconsider was tabled.

Rep. HART moved that the House do now adjourn.

Rep. A. D. YOUNG demanded the yeas and nays which were taken, resulting as follows:

Yeas 23; Nays 79

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bowers | Cobb-Hunter |
| Dillard | Gilliard | Hart |
| Harvin | Hosey | Hutto |
| Jefferson | Kennedy | King |
| Mack | McLeod | Mitchell |
| Rutherford | Sellers | J. E. Smith |
| Spires | Vick |  |

**Total--23**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Hodges | Horne |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Long |
| Lowe | Lucas | McEachern |
| Merrill | Miller | Millwood |
| D. C. Moss | V. S. Moss | Nanney |
| J. M. Neal | Neilson | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stewart |
| Stringer | Toole | Viers |
| Weeks | White | Whitmire |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**Total--79**

So, the House refused to adjourn.

**VETO 1--RECONSIDERED AND OVERRIDDEN**

Part IA, Section 1; Page 2; Department of Education; Section V. Standards and Learning; Special Items; High Schools That Work; $1,403,145.

Rep. FORRESTER moved to reconsider the vote whereby Veto 1 was sustained.

Rep. NORMAN moved to table the motion to reconsider.

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

Yeas 34; Nays 74

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Chalk | Cole |
| Cooper | Crawford | Frye |
| Haley | Hamilton | Harrell |
| Huggins | Kennedy | Kirsh |
| Long | Lowe | Merrill |
| Millwood | Nanney | Norman |
| Pinson | M. A. Pitts | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stewart | Stringer |
| Toole | Viers | Willis |
| T. R. Young |  |  |

**Total--34**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowers |
| Brady | Branham | Brantley |
| R. L. Brown | Clemmons | Clyburn |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kelly | King | Knight |
| Limehouse | Littlejohn | Loftis |
| Lucas | Mack | McEachern |
| McLeod | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Rice |
| Rutherford | Scott | Sellers |
| Simrill | Skelton | D. C. Smith |
| J. R. Smith | Stavrinakis | Vick |
| Weeks | Whipper | White |
| Whitmire | A. D. Young |  |

**Total--74**

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

The question then recurred to the motion to reconsider.

Rep. BALLENTINE spoke against the motion to reconsider.

Rep. WHITMIRE spoke in favor of the motion to reconsider.

Rep. ANTHONY spoke in favor of the motion to reconsider.

Rep. G. R. SMITH spoke against the motion to reconsider.

Rep. LOFTIS spoke in favor of the motion to reconsider.

Rep. VIERS spoke against the motion to reconsider.

Rep. SKELTON spoke in favor of the motion to reconsider.

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

Yeas 72; Nays 37

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Knight | Littlejohn | Loftis |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| Rice | Rutherford | Sellers |
| Skelton | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |

**Total--72**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bedingfield |
| Bingham | Cato | Chalk |
| Cole | Cooper | Crawford |
| Frye | Haley | Hamilton |
| Harrell | Huggins | Kelly |
| Kirsh | Limehouse | Long |
| Lowe | Lucas | Merrill |
| Millwood | Nanney | Norman |
| M. A. Pitts | Scott | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Stringer | Toole |
| Umphlett | Viers | Willis |
| T. R. Young |  |  |

**Total--37**

So, the motion to reconsider was agreed to.

The question was put, shall the Item 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 78; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hardwick |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Hutto | Jefferson | Jennings |
| Kelly | Kennedy | King |
| Knight | Littlejohn | Loftis |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Rice |
| Rutherford | Sandifer | Sellers |
| Skelton | J. E. Smith | J. R. Smith |
| Spires | Stavrinakis | Umphlett |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Bingham |
| Cato | Chalk | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Haley | Hamilton | Harrell |
| Howard | Huggins | Kirsh |
| Limehouse | Long | Lowe |
| Lucas | Merrill | Millwood |
| J. H. Neal | Norman | M. A. Pitts |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | Stringer | Toole |
| Viers | Willis | T. R. Young |

**Total--33**

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

**VETO 1--MOTION TO RECONSIDER TABLED**

Part IA, Section 1; Page 2; Department of Education; Section V. Standards and Learning; Special Items; High Schools That Work; $1,403,145.

Rep. SKELTON moved to reconsider the vote whereby Veto 1 was overridden.

Rep. WHITMIRE moved to table the motion to reconsider, which was agreed to by a division vote of 67 to 26.

**VETO 103-- SUSTAINED**

Part III; Section 2; Page 488; (A)(38); Budget and Control Board, State Auditor’s Office; $111,948.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 42; Nays 68

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cobb-Hunter | Dillard |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hart |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | Jennings |
| King | Mack | McEachern |
| McLeod | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Parks |
| Rutherford | Sellers | J. E. Smith |
| Spires | Vick | Weeks |
| Whipper | White | Williams |

**Total--42**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hearn | Hiott |
| Horne | Huggins | Hutto |
| Kelly | Kennedy | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | Norman | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Stringer | Toole | Umphlett |
| Viers | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--68**

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

**VETO 90--MOTION TO RECONSIDER TABLED**

Part IB; Section 90.18; Page 484; Statewide Revenue; Health Care Maintenance of Effort Funding; Item 6; Department of Alcohol and Other Drug; Abuse Services; $500,000.

Rep. KENNEDY moved to reconsider the vote whereby Veto 90 was sustained.

Rep. PARKER moved to table the motion to reconsider.

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

Yeas 56; Nays 50

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Huggins | Kelly | Kirsh |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| Merrill | Millwood | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Parker | Pinson | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Willis |
| Wylie | T. R. Young |  |

**Total--56**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowers | Branham |
| Brantley | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Hiott | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | Knight |
| Mack | McEachern | McLeod |
| Miller | Mitchell | J. H. Neal |
| Neilson | Ott | Owens |
| M. A. Pitts | Rice | Rutherford |
| Sellers | Skelton | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--50**

So, the motion to reconsider was tabled.

**VETO 104-- SUSTAINED**

Part III; Section 2; Page 488; (A)(39); Department of Archives and History; $200,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 60; Nays 48

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowers | Brady |
| Branham | Brantley | R. L. Brown |
| Clyburn | Cobb-Hunter | Cole |
| Delleney | Dillard | Erickson |
| Funderburk | Gambrell | Gilliard |
| Gunn | Hardwick | Harrison |
| Harvin | Hayes | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kelly | King | Knight |
| Mack | McEachern | McLeod |
| Merrill | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Pinson | M. A. Pitts |
| Rutherford | Sellers | Simrill |
| Skelton | J. E. Smith | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams | Willis |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Cato | Chalk | Clemmons |
| Cooper | Crawford | Daning |
| Forrester | Frye | Govan |
| Haley | Hamilton | Harrell |
| Hearn | Hiott | Huggins |
| Kennedy | Kirsh | Limehouse |
| Littlejohn | Loftis | Lowe |
| Lucas | Millwood | D. C. Moss |
| Nanney | Norman | Owens |
| Parker | Rice | Sandifer |
| Scott | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stringer |
| Toole | Umphlett | Viers |
| White | Wylie | T. R. Young |

**Total--48**

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

**VETO 105-- OVERRIDDEN**

Part III; Section 2; Page 488; (A)(40); Arts Commission; $250,000.

Rep. COOPER explained the Veto.

Rep. HARRISON spoke against the Veto.

The question was put, shall the Item 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 88; Nays 20

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| R. L. Brown | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hardwick | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | King |
| Knight | Limehouse | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Weeks | Whipper | Whitmire |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--88**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Bedingfield | Cato |
| Crawford | Daning | Haley |
| Hamilton | Harrell | Kennedy |
| Littlejohn | Millwood | D. C. Moss |
| Nanney | Norman | Scott |
| G. R. Smith | J. R. Smith | Stringer |
| Viers | White |  |

**Total--20**

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

**VETO 106-- SUSTAINED**

Part III; Section 2; Page 488; (A)(44); State Museum; $50,000.

Rep. COOPER explained the Veto.

The question was put, shall the Item 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 62; Nays 45

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Bales | Bannister |
| Bowen | Bowers | Brady |
| Brantley | R. L. Brown | Clyburn |
| Cobb-Hunter | Cole | Delleney |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hardwick | Harrison | Hart |
| Hayes | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kelly | King |
| Knight | Mack | McEachern |
| McLeod | Miller | Mitchell |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rutherford | Sandifer |
| Sellers | Skelton | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Vick | Weeks | Whipper |
| Whitmire | Williams |  |

**Total--62**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Cato |
| Chalk | Clemmons | Cooper |
| Crawford | Daning | Erickson |
| Forrester | Frye | Haley |
| Hamilton | Harrell | Harvin |
| Hiott | Horne | Huggins |
| Kirsh | Limehouse | Littlejohn |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | Nanney |
| Norman | Rice | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Stringer | Toole |
| Umphlett | Viers | White |
| Willis | Wylie | T. R. Young |

**Total--45**

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

**VETO 40--RECONSIDERED AND SUSTAINED**

Part IA, Section 37; Page 146; Department of Natural Resources; Section II. Programs & Services; H. Marine Resources; 1. Marine Conservation and Management; Unclassified Positions; $25,000.

Rep. MERRILL moved to reconsider the vote whereby Veto 40 was sustained, which was agreed to by a division vote of 49-36.

The question was put, shall the Item 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 64; Nays 41

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Bowers |
| Branham | Brantley | R. L. Brown |
| Chalk | Clyburn | Delleney |
| Dillard | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Harrell | Harrison |
| Hart | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Loftis | Lowe | Mack |
| McEachern | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sellers | Skelton | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Umphlett | Vick | Whipper |
| Williams |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Frye |
| Haley | Hamilton | Hardwick |
| Harvin | Huggins | Kelly |
| Littlejohn | Long | Lucas |
| Millwood | Nanney | Sandifer |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Stringer |
| Toole | Viers | Weeks |
| White | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--41**

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

**VETO 104--MOTION TO RECONSIDER TABLED**

Part III; Section 2; Page 488; (A)(39); Department of Archives and History; $200,000.

Rep. GOVAN moved to reconsider the vote whereby Veto 104 was sustained.

Rep. FORRESTER moved to table the motion to reconsider.

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

Yeas 53; Nays 51

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cooper | Crawford |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrison | Hayes | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Limehouse | Lucas |
| Merrill | Millwood | Nanney |
| Norman | Owens | Parker |
| M. A. Pitts | Rice | Scott |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Wylie | T. R. Young |  |

**Total--53**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Barfield | Bowers | Branham |
| Brantley | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Lowe |
| Mack | McEachern | McLeod |
| Miller | Mitchell | D. C. Moss |
| V. S. Moss | J. M. Neal | Neilson |
| Ott | Pinson | Sandifer |
| Sellers | Skelton | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams | Willis |

**Total--51**

So, the motion to reconsider was tabled.

**VETO 107-- DEBATE ADJOURNED**

Part IV; Page 489-490; Enhanced Federal Medical Assistance Percentage.

Rep. COOPER explained the Veto.

Rep. SELLERS spoke against the Veto.

Rep. BINGHAM moved cloture on Veto No. 107.

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

Yeas 62; Nays 44

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Daning | Delleney |
| Forrester | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Kirsh | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Scott | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--62**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Funderburk |
| Gilliard | Govan | Gunn |
| Hart | Harvin | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Jennings | Kennedy |
| King | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Sellers |
| J. E. Smith | Stavrinakis | Weeks |
| Whipper | Williams |  |

**Total--44**

So, cloture was ordered.

Rep. KENNEDY moved that the House recede until 11:45 p.m.

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

Yeas 26; Nays 72

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Anderson | Anthony |
| Bales | Bowers | Brantley |
| G. A. Brown | Cobb-Hunter | Dillard |
| Govan | Gunn | Hart |
| Harvin | Hosey | Howard |
| Jefferson | Kennedy | King |
| Knight | Mack | McLeod |
| Mitchell | J. H. Neal | Rutherford |
| J. E. Smith | Williams |  |

**Total--26**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allison |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cole | Daning |
| Delleney | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Hutto | Jennings | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lucas |
| McEachern | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| J. M. Neal | Neilson | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Viers |
| Weeks | White | Whitmire |
| Willis | Wylie | T. R. Young |

**Total--72**

So, the House refused to recede.

The question then recurred to the consideration of Veto No. 107.

Rep. BINGHAM moved to adjourn debate on the Veto.

Rep. HART moved to table the motion to adjourn debate on the Veto.

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

Yeas 38; Nays 61

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Branham |
| G. A. Brown | R. L. Brown | Clyburn |
| Cobb-Hunter | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Mitchell | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Rutherford | J. E. Smith | Weeks |
| Whipper | Williams |  |

**Total--38**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Brady | Cato | Chalk |
| Clemmons | Cooper | Daning |
| Delleney | Frye | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Hutto | Limehouse | Littlejohn |
| Loftis | Long | Lucas |
| Merrill | Miller | Millwood |
| D. C. Moss | Nanney | Norman |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| T. R. Young |  |  |

**Total--61**

So, the House refused to table the motion to adjourn debate.

RECORD FOR VOTING

I am opposing Veto No. 107. This money does not exist. It has not been passed by Congress or signed by the President. It is irresponsible to make promises with false money.

Rep. Nikki Haley

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

**H. 3245--CONFERENCE REPORT ADOPTED**

**H. 3245--Conference Report**

The General Assembly, Columbia, S.C., June 16, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 3245 -- Reps. Delleney, Nanney, Simrill, G.R. Smith, G.M. Smith, Lucas, Cooper, Stringer, Parker, Allison, Pinson, Hamilton, Erickson, J.R. Smith, Clemmons, Bedingfield, E.H. Pitts, Owens, Rice, Hiott, Littlejohn, Stewart, Viers, Willis, Loftis, Toole, Wylie, Vick, Millwood, Haley, Duncan, Ballentine, Frye and Barfield: A BILL TO AMEND SECTION 44‑41‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, AMONG OTHER THINGS, TO PREREQUISITES TO PERFORMING AN ABORTION, SO AS TO PROVIDE THAT IF AN ULTRASOUND IS PERFORMED, AN ABORTION MUST NOT BE PERFORMED SOONER THAN TWENTY‑FOUR HOURS, RATHER THAN SIXTY MINUTES, FOLLOWING THE COMPLETION OF THE ULTRASOUND, TO REQUIRE THE WOMAN TO BE INFORMED OF THE PROCEDURE TO BE INVOLVED AND THE PROBABLE GESTATIONAL AGE OF THE EMBRYO OR FETUS, AND TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED SOONER THAN TWENTY‑FOUR HOURS, RATHER THAN ONE HOUR, AFTER THE WOMAN RECEIVES CERTAIN WRITTEN MATERIALS.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 44‑41‑330(C) and (D) of the 1976 Code are amended to read:

“(C) No abortion may be performed sooner than ~~one hour~~ twenty‑four hours after the woman receives the written materials and certifies this fact to the physician or the physician’s agent.

(D) If the clinic or other facility where the abortion is to be performed or induced mails the printed materials described in Section 44‑41‑340 to the woman upon whom the abortion is to be performed or induced or if the woman obtains the information at the county health department and if the woman verifies in writing, before the abortion, that the printed materials were received by her more than ~~one hour~~ twenty‑four hours before the abortion is scheduled to be performed or induced, that the information described in item (A)(1) has been provided to her, and that she has been informed of her opportunity to review the information referred to in item (A)(2), then the waiting period required pursuant to subsection (C) does not apply.”

SECTION 2. Amend Section 44-41-340(A) to include appropriately numbered new subitems to read:

“( ) a list of healthcare providers, facilities, and clinics that offer to perform ultrasounds free of charge. The list must be arranged geographically and shall include the name, address, hours of operation, and telephone number of each entity listed. A healthcare provider, facility, or clinic that would like to be included on this list may contact the department and provide the required information. The department must update this list annually before September first;

( ) a plainly worded explanation of how a woman may calculate the gestational age of her embryo or fetus;

( )a scientifically accurate statement concerning the contribution that each parent makes to the genetic constitution of their biological child;

( ) forms for notifications, certifications, and verifications required by Section 44-41-330.”

SECTION 3. Amend Section 44-41-340 by adding an appropriately numbered new subsection to read:

“(D)(1) The materials required under this section must be available on the department’s Internet website in a format suitable for downloading. The website must be capable of permitting the user to print a time and date stamped certification identifying when the materials are downloaded.

(2) The department’s Internet website must also provide a link to the Internet website maintained by healthcare providers, facilities, and clinics that offer to perform ultrasounds free of charge that have requested to be placed on the list maintained by the department.”

SECTION 4. Section 44-41-380 of the 1976 Code is amended to read:

“Section 44-41-380. If any provision, word, phrase, or clause of Article 3, Chapter 41, Title 44 of the 1976 Code ~~as added by this act [1995 Act No. 1]~~, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions, words, phrases, clauses, or applications of Article 3, Chapter 41, Title 44 which can be given effect without the invalid provision, word, phrase, clause, or application, and, to this end, the provisions, words, phrases, and clauses of Article 3, Chapter 41, Title 44 are declared to be severable.”

SECTION 5. The provisions of this act are severable. If any section, subsection, paragraph, item, subitem, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 6. This act takes effect upon approval of the Governor./

Amend title to conform.

/s/Sen. C. Bradley Hutto /s/Rep. F. G. Delleney, Jr.

/s/Sen. John M. Knotts, Jr. /s/Rep. Wendy K. Nanney

/s/Sen. Kevin L. Bryant /s/Rep. Ted M. Vick

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

Rep. DELLENEY explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 79; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | G. A. Brown |
| Cato | Chalk | Clemmons |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Haley |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | Miller |
| Millwood | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Weeks | White |
| Whitmire | Willis | Wylie |
| T. R. Young |  |  |

**Total--79**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Bales |
| R. L. Brown | Cobb-Hunter | Dillard |
| Gunn | Hart | Harvin |
| Hodges | Hosey | Howard |
| Hutto | Jefferson | Kennedy |
| King | Knight | Mack |
| Mitchell | J. H. Neal | Rutherford |
| Sellers | J. E. Smith | Whipper |
| Williams |  |  |

**Total--25**

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

**ACTING SPEAKER BINGHAM IN CHAIR**

**S. 901--CONFERENCE REPORT REJECTED**

**S. 901--Conference Report**

The General Assembly, Columbia, S.C., June 15, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 901 -- Senators McConnell, Elliott and Courson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-500, SO AS TO PROVIDE THAT WHEN THE GOVERNOR LEAVES THE STATE, HE MUST NOTIFY THE LIEUTENANT GOVERNOR, WHETHER OR NOT THE POWER OF THE GOVERNOR’S OFFICE IS TRANSFERRED TO THE LIEUTENANT GOVERNOR; AND BY ADDING SECTION 1‑3‑630, SO AS TO DEFINE “EMERGENCY”, “FULL AUTHORITY”, AND “TEMPORARY ABSENCE” IN ORDER TO CLARIFY WHEN A LIEUTENANT GOVERNOR HAS THE FULL AUTHORITY TO ACT IN AN EMERGENCY IN THE EVENT OF THE TEMPORARY ABSENCE OF THE GOVERNOR FROM THE STATE.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 1-3-500 of the 1976 Code is amended by adding:

“Section 1-3-500. Whenever the Governor leaves the State, he must notify the Lieutenant Governor. This section applies whether or not the power of the Governor’s office is transferred to the Lieutenant Governor.”

SECTION 2. Chapter 3, Title 1 of the 1976 Code is amended by adding:

“Section 1‑3‑630. (A) For purposes of this section:

(1) ‘Emergency’ means:

(a) an unlawful assemblage, violence or threats of violence, or a public health emergency, as defined in Section 44‑4‑130, that warrants a gubernatorial proclamation of emergency as provided in Section 1‑3‑420; or

(b) an attack, as defined in Section 1‑9‑20(d); or

(c) a potentially destructive and life-threatening major flood, storm, nuclear accident, or other natural or man-made calamity affecting the health, welfare, and safety of the lives and property of the people of the State; or

(d) the necessary authority to conduct the affairs of the Office of the Governor that may be lost or abandoned during the temporary absence of a Governor including, but not limited to, the:

(i) veto power, and

(ii) authority to execute documents concerning extradition of fugitives from justice, and

(iii) authority to execute documents and exercise duties essential to the administration of criminal justice.

(2) ‘Full authority’ means the ability to exercise the Governor’s powers, responsibilities, obligations, and authorities as provided by general law and in the State Constitution without assuming the office of the Governor.

(3) ‘Temporary absence’ means that:

(a) the Governor is outside the boundaries of the State; and

(b) within a twelve-hour period, either by communicating in person or by telecommunications device, the Governor is not available or is unable to respond to:

(i) his staff, or

(ii) the Director of the South Carolina Law Enforcement Division or his designee.

(B) As provided in Article IV, Section 11 of the South Carolina Constitution, in the event of the temporary absence of the Governor from the State, the Lieutenant Governor has full authority to act in an emergency.

(C) Prior to assuming full authority to act in an emergency, the Lieutenant Governor must verify with the Governor’s staff and the Director of the South Carolina Law Enforcement Division or his designee that the Governor has not been in communication for a period of twelve or more hours and that attempts to contact the Governor have not received a response or indication of the Governor’s whereabouts or availability.

(D) After receiving this verification, the Lieutenant Governor must immediately file with the Office of the Secretary of State a proclamation declaring his full authority to act in the emergency. The proclamation is effective upon issuance and remains in full force and effect as provided by general law and the State Constitution.

(E) The powers that the Lieutenant Governor may exercise pursuant to Article IV, Section 11 of the South Carolina Constitution and this section in the temporary absence of the Governor cannot be restricted prior to the departure of the Governor from this State. The discretion of the Lieutenant Governor includes all of the gubernatorial powers which the Governor himself would possess were he present, limited by the terms of the constitutional provision itself, which require only that those powers may be exercised by the Lieutenant Governor during the temporary absence of the Governor and that those powers also must be of an emergency nature.”

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

Amend title to conform.

/s/Sen. Larry A. Martin /s/Rep. James H. Harrison

/s/Sen. John M. “Jake” Knotts, Jr. /s/Rep. Walton J. McLeod

/s/Sen. Creighton B. Coleman /s/Rep. Garry R. Smith

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

Rep. HARRISON explained the Conference Report.

**SPEAKER IN CHAIR**

Rep. HARRISON continued speaking.

The yeas and nays were taken resulting as follows:

Yeas 12; Nays 98

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bales | R. L. Brown | Daning |
| Gunn | Hutto | Jennings |
| Rice | Sandifer | Simrill |
| J. R. Smith | Spires | Stavrinakis |

**Total--12**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | Brantley |
| G. A. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kelly |
| Kennedy | King | 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 | M. A. Pitts | Rutherford |
| Scott | Sellers | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Stringer | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | T. R. Young |  |

**Total--98**

So, the Conference Report was rejected.

**S. 348--CONFERENCE REPORT ADOPTED**

**S. 348--Conference Report**

The General Assembly, Columbia, S.C., June 16, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 348 -- Senators Fair, Sheheen, S. Martin, Lourie, Shoopman, Knotts and Rose: A BILL TO AMEND SECTION 16‑3‑95, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INFLICTION OF GREAT BODILY INJURY UPON A CHILD, SO AS TO PROVIDE A MINIMUM TERM OF IMPRISONMENT OF TWO YEARS FOR A PERSON WHO IS CONVICTED OF THIS OFFENSE AND WHO IS REGISTERED WITH OR LICENSED BY THE DEPARTMENT OF SOCIAL SERVICES PURSUANT TO CHILDCARE FACILITIES LICENSURE REQUIREMENTS; TO PROVIDE THAT NO PORTION OF THE SENTENCE MAY BE SUSPENDED; AND BY ADDING SECTION 63‑13‑825 SO AS TO REQUIRE FAMILY CHILDCARE OPERATORS AND CAREGIVERS ANNUALLY TO COMPLETE A MINIMUM OF TWO HOURS OF TRAINING APPROVED BY THE DEPARTMENT OF SOCIAL SERVICES.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Article 7, Chapter 13, Title 63 of the 1976 Code is amended by adding:

“Section 63‑13‑825. (A) An operator of a family childcare home and any person employed by or who contracts with an operator of a family childcare home, annually shall complete and provide documentation to the Department of Social Services of a minimum of two hours of training approved by the department.

(B) The department shall indicate on its website those family childcare homes that are, and those that are not, in compliance with this section and may include, but are not limited to, the amount of training the operator and other persons employed by or under contract with a family childcare home have reported to the department.”

SECTION 2. Section 16-3-740 (B) is amended to read:

“(B) Upon the request of a victim who has been exposed to body fluids during the commission of a criminal offense, or upon the request of the legal guardian of a victim who has been exposed to body fluids during the commission of a criminal offense, the solicitor must, ~~at any time~~ within forty-eight hours, excluding weekends and legal holidays as defined in Chapter 5 of Title 53, after the offender is charged, or ~~at any time~~ within forty-eight hours, excluding weekends and legal holidays, as defined in Chapter 5 of Title 53, after a petition has been filed against an offender in family court, petition the court to have the offender tested for Hepatitis B and HIV. An offender must not be tested under this section for Hepatitis B and HIV without a court order. To obtain a court order, the solicitor must demonstrate the following:

(1) the victim or the victim’s legal guardian requested the tests;

(2) there is probable cause that the offender committed the offense;

(3) there is probable cause that during the commission of the offense there was a risk that body fluids were transmitted from one person to another; and

(4) the offender has received notice of the petition and notice of his right to have counsel represent him at a hearing.

The results of the tests must be kept confidential and disclosed only to the solicitor who obtained the court order. The solicitor shall then notify only those persons designated in subsection (C).”

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

Amend title to conform.

/s/Sen. C. Bradley Hutto /s/Rep. R. Keith Kelly

/s/Sen. Michael T. Rose /s/Rep. J. Todd Rutherford

/s/Sen. Phillip W. Shoopman /s/Rep. F. Michael Sottile

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

Rep. KELLY explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | Kelly |
| 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 | Rice | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Toole | Umphlett | Vick |
| Viers | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | T. R. Young |  |

**Total--107**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Kennedy |  |  |

**Total--1**

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

**H. 4225--CONFERENCE REPORT ADOPTED**

**H. 4225--Conference Report**

The General Assembly, Columbia, S.C., June 16, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4225 -- Reps. Rutherford, McLeod and Weeks: A BILL TO AMEND SECTION 16‑3‑1400, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE ON THE VICTIM ASSISTANCE PROGRAM, SO AS TO PROVIDE THAT THE TERM “VICTIM SERVICE PROVIDER” DOES NOT INCLUDE MAGISTRATE OR MUNICIPAL JUDGES AND THEIR STAFF.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Section 16‑3‑1400 of the 1976 Code, as last amended by Act 271 of 2008, is further amended to read:

“Section 16‑3‑1400. For ~~the purpose~~ purposes of this article:

(1) ‘victim service provider’ means a person:

(a) who is employed by a local government or state agency and whose job duties involve providing victim assistance as mandated by South Carolina law; or

(b) whose job duties involve providing direct services to victims and who is employed by an organization that is incorporated in South Carolina, holds a certificate of authority in South Carolina, or is registered as a charitable organization in South Carolina, and the organization’s mission is victim assistance or advocacy and the organization is privately funded or receives funds from federal, state, or local governments to provide services to victims~~; and~~.

‘Victim service provider’ does not include a municial court judge, magistrates court judge, circuit court judge, special circuit court judge, or family court judge.

(2) ‘witness’ means ~~any~~ a person who has been or is expected to be summoned to testify for the prosecution or who by reason of having relevant information is subject to call or likely to be called as a witness for the prosecution, whether or not ~~any~~ an action or proceeding ~~has yet been~~ is commenced.”

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

Amend title to conform.

Sen. C. Bradley Hutto Rep. R. Keith Kelly

Sen. Michael T. Rose Rep. F. Gregory Delleney, Jr.

Sen. Phillip W. Shoopman Rep. J. Todd Rutherford

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

Rep. KELLY explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hardwick | Harrell |
| Harvin | Hayes | Hearn |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | 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 |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| T. R. Young |  |  |

**Total--97**

Those who voted in the negative are:

**Total--0**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 336, H. 4966 by a vote of 2 to 0:

R. 336, H. 4966 -- Rep. Funderburk: AN ACT 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.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has sustained the Veto by the Governor on R. 256, S. 962 by a vote of 0 to 45:

R. 256, S. 962) -- Senators Knotts and Ford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17‑5‑115 SO AS TO PROVIDE THAT A DEPUTY CORONER MAY BE TRAINED AND CLASSIFIED AS A CLASS III OFFICER, AND PROVIDE THAT A DEPUTY CORONER WHO IS A CLASS III OFFICER MAY NOT ENFORCE THE STATE’S GENERAL CRIMINAL LAWS; AND TO AMEND SECTION 17-5-130, RELATING TO QUALIFICATIONS FOR A PERSON TO BECOME A CORONER, SO AS TO REVISE THE LIST OF QUALIFICATIONS, TO ESTABLISH THE PROCEDURES FOR FILING TO BECOME A CANDIDATE FOR THE OFFICE OF CORONER, AND TO PROVIDE THE QUALIFICATIONS FOR A PERSON TO BECOME A DEPUTY CORONER.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 278, H. 4250 by a vote of 37 to 5:

R. 278, H. 4250 -- Reps. Erickson, Hodges and Littlejohn: AN ACT TO AMEND SECTION 59‑53‑2410, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES,

SO AS TO CREATE THE TECHNICAL COLLEGE OF THE LOWCOUNTRY ENTERPRISE CAMPUS AUTHORITY AND THE HORRY‑GEORGETOWN TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITY.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Elliott, Verdin and Knotts of the Committee of Free Conference on the part of the Senate on S. 1392:

S. 1392 -- Transportation Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DISTINGUISHED SERVICE MEDAL" SPECIAL LICENSE PLATES, "SECOND AMENDMENT" SPECIAL LICENSE PLATES, "DISTINGUISHED SERVICE CROSS" SPECIAL LICENSE PLATES, "DEPARTMENT OF NAVY" SPECIAL LICENSE PLATES, "PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS" SPECIAL LICENSE PLATES, "STATE FLAG" SPECIAL LICENSE PLATES, "SOUTH CAROLINA HIGHWAY PATROL-RETIRED" LICENSE PLATES, "I SUPPORT LIBRARIES" SPECIAL LICENSE PLATES, "SOUTH CAROLINA EDUCATOR" SPECIAL LICENSE PLATES, "COON HUNTERS" LICENSE PLATES, "BEACH MUSIC" SPECIAL LICENSE PLATES, "CITADEL ALUMNI ASSOCIATION 'BID RED'" SPECIAL LICENSE PLATES, "LARGE MOUTH BASS" SPECIAL LICENSE PLATES, "HIGH SCHOOL" SPECIAL LICENSE PLATES, AND "SOUTH CAROLINA WILDLIFE FEDERATION" SPECIAL LICENSE PLATES; BY ADDING SECTIONS 56-3-2240, 56-3-2241, 56-3-2242, 56-3-2243, 56-3-2244, AND 56-3-2245 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "HISTORIC" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-7330, RELATING TO THE ISSUANCE OF "BOY SCOUTS OF AMERICA" SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF "EAGLE SCOUTS OF AMERICA" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56-3-1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-3-10410, RELATING TO THE ISSUANCE OF "VETERAN" SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN "VETERAN" LICENSE PLAES; TO AMEND SECTION 56-3-3310, AS AMENDED, RELATING TO THE ISSUANCE OF "PURPLE HEART" SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56-3-8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT'S USE OF THE ORGANIZATION'S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56-3-8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on S. 1392:

S. 1392 -- Transportation Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DISTINGUISHED SERVICE MEDAL" SPECIAL LICENSE PLATES, "SECOND AMENDMENT" SPECIAL LICENSE PLATES, "DISTINGUISHED SERVICE CROSS" SPECIAL LICENSE PLATES, "DEPARTMENT OF NAVY" SPECIAL LICENSE PLATES, "PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS" SPECIAL LICENSE PLATES, "STATE FLAG" SPECIAL LICENSE PLATES, "SOUTH CAROLINA HIGHWAY PATROL-RETIRED" LICENSE PLATES, "I SUPPORT LIBRARIES" SPECIAL LICENSE PLATES, "SOUTH CAROLINA EDUCATOR" SPECIAL LICENSE PLATES, "COON HUNTERS" LICENSE PLATES, "BEACH MUSIC" SPECIAL LICENSE PLATES, "CITADEL ALUMNI ASSOCIATION 'BID RED'" SPECIAL LICENSE PLATES, "LARGE MOUTH BASS" SPECIAL LICENSE PLATES, "HIGH SCHOOL" SPECIAL LICENSE PLATES, AND "SOUTH CAROLINA WILDLIFE FEDERATION" SPECIAL LICENSE PLATES; BY ADDING SECTIONS 56-3-2240, 56-3-2241, 56-3-2242, 56-3-2243, 56-3-2244, AND 56-3-2245 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "HISTORIC" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-7330, RELATING TO THE ISSUANCE OF "BOY SCOUTS OF AMERICA" SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF "EAGLE SCOUTS OF AMERICA" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56-3-1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-3-10410, RELATING TO THE ISSUANCE OF "VETERAN" SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN "VETERAN" LICENSE PLAES; TO AMEND SECTION 56-3-3310, AS AMENDED, RELATING TO THE ISSUANCE OF "PURPLE HEART" SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56-3-8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT'S USE OF THE ORGANIZATION'S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56-3-8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 901:

S. 901 -- Senators McConnell, Elliott and Courson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-3-500, SO AS TO PROVIDE THAT WHEN THE GOVERNOR LEAVES THE STATE, HE MUST NOTIFY THE LIEUTENANT GOVERNOR, WHETHER OR NOT THE POWER OF THE GOVERNOR’S OFFICE IS TRANSFERRED TO THE LIEUTENANT GOVERNOR; AND BY ADDING SECTION 1-3-630, SO AS TO DEFINE "EMERGENCY", "FULL AUTHORITY", AND "TEMPORARY ABSENCE" IN ORDER TO CLARIFY WHEN A LIEUTENANT GOVERNOR HAS THE FULL AUTHORITY TO ACT IN AN EMERGENCY IN THE EVENT OF THE TEMPORARY ABSENCE OF THE GOVERNOR FROM THE STATE.

Very Respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3245:

H. 3245 -- Reps. Delleney, Nanney, Simrill, G. R. Smith, G. M. Smith, Lucas, Cooper, Stringer, Parker, Allison, Pinson, Hamilton, Erickson, J. R. Smith, Clemmons, Bedingfield, E. H. Pitts, Owens, Rice, Hiott, Littlejohn, Stewart, Viers, Willis, Loftis, Toole, Wylie, Vick, Millwood, Haley, Duncan, Ballentine, Frye and Barfield: A BILL TO AMEND SECTION 44-41-330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, AMONG OTHER THINGS, TO PREREQUISITES TO PERFORMING AN ABORTION, SO AS TO PROVIDE THAT IF AN ULTRASOUND IS PERFORMED, AN ABORTION MUST NOT BE PERFORMED SOONER THAN TWENTY-FOUR HOURS, RATHER THAN SIXTY MINUTES, FOLLOWING THE COMPLETION OF THE ULTRASOUND, TO REQUIRE THE WOMAN TO BE INFORMED OF THE PROCEDURE TO BE INVOLVED AND THE PROBABLE GESTATIONAL AGE OF THE EMBRYO OR FETUS, AND TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED SOONER THAN TWENTY-FOUR HOURS, RATHER THAN ONE HOUR, AFTER THE WOMAN RECEIVES CERTAIN WRITTEN MATERIALS.

Very Respectfully,

President

Received as information.

**H. 3245--ORDERED ENROLLED FOR RATIFICATION**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on S. 107:

S. 107 -- Senators Ryberg, Bryant, Massey, Peeler, L. Martin and Alexander: A BILL TO AMEND SECTION 16-3-654 OF THE 1976 CODE, RELATING TO CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE, TO INCLUDE SEXUAL BATTERY WHEN THE VICTIM IS A STUDENT SIXTEEN YEARS OF AGE OR OLDER AND THE ACTOR IS A PERSON EMPLOYED AT A PUBLIC OR PRIVATE SECONDARY SCHOOL, UNDER CERTAIN CIRCUMSTANCES.

Very Respectfully,

President

Received as information.

**S. 107--CONFERENCE REPORT ADOPTED**

**S. 107--Conference Report**

The General Assembly, Columbia, S.C., June 16, 2010

The COMMITTEE OF CONFERENCE, to whom was referred:

S. 107 -- Senators Ryberg, Bryant, Massey, Peeler, L. Martin and Alexander: A BILL TO AMEND SECTION 16‑3‑654 OF THE 1976 CODE, RELATING TO CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE, TO INCLUDE SEXUAL BATTERY WHEN THE VICTIM IS A STUDENT SIXTEEN YEARS OF AGE OR OLDER AND THE ACTOR IS A PERSON EMPLOYED AT A PUBLIC OR PRIVATE SECONDARY SCHOOL, UNDER CERTAIN CIRCUMSTANCES.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Article 7, Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Section 16‑3‑755. (A) For purposes of this section:

(1) ‘Aggravated coercion’ means that the person affiliated with a public or private secondary school in an official capacity threatens to use force or violence of a high and aggravated nature to overcome the student, if the student reasonably believes that the person has the present ability to carry out the threat, or threatens to retaliate in the future by the infliction of physical harm, kidnapping, or extortion, under circumstances of aggravation, against the student.

(2) ‘Aggravated force’ means that the person affiliated with a public or private secondary school in an official capacity uses physical force or physical violence of a high and aggravated nature to overcome the student or includes the threat of the use of a deadly weapon.

(3) ‘Person affiliated with a public or private secondary school in an official capacity’ means an administrator, teacher, substitute teacher, teacher’s assistant, student teacher, law enforcement officer, school bus driver, guidance counselor, or coach who is affiliated with a public or private secondary school but is not a student enrolled in the school.

(4) ‘Secondary school’ means either a junior high school or a high school.

(5) ‘Sexual battery’ means sexual intercourse, cunnilingus, fellatio, anal intercourse, or any intrusion, however slight, of any part of a person’s body or of any object into the genital or anal openings of another person’s body, except when such intrusion is accomplished for medically recognized treatment or diagnostic purposes.

(6) ‘Student’ means a person who is enrolled in a school.

(B) If a person affiliated with a public or private secondary school in an official capacity engages in sexual battery with a student enrolled in the school who is sixteen or seventeen years of age, and aggravated coercion or aggravated force is not used to accomplish the sexual battery, the person affiliated with the public or private secondary school in an official capacity is guilty of a felony and, upon conviction, must be imprisoned for not more than five years.

(C) If a person affiliated with a public or private secondary school in an official capacity engages in sexual battery with a student enrolled in the school who is eighteen years of age or older, and aggravated coercion or aggravated force is not used to accomplish the sexual battery, the person affiliated with the public or private secondary school in an official capacity is guilty of a misdemeanor and, upon conviction, must be fined not more than five hundred dollars or imprisoned for thirty days, or both.

(D) If a person affiliated with a public or private secondary school in an official capacity has direct supervisory authority over a student enrolled in the school who is eighteen years of age or older, and the person affiliated with the public or private secondary school in an official capacity engages in sexual battery with the student, and aggravated coercion or aggravated force is not used to accomplish the sexual battery, the person affiliated with the public or private secondary school in an official capacity is guilty of a felony and, upon conviction, must be imprisoned for not more than five years.

(E) This section does not apply if the person affiliated with a public or private secondary school in an official capacity is lawfully married to the student at the time of the act.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

Amend title to conform.

Sen. C. Bradley Hutto Rep. Thomas R. Young

Sen. Michael T. Rose Rep. J. Derham Cole

Sen. Phillip W. Shoopman Rep. Douglas Jennings, Jr.

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

Rep. T. R. YOUNG explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | 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 |
| D. C. Moss | V. S. Moss | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parks | Pinson | M. A. Pitts |
| Rice | Rutherford | Sandifer |
| Scott | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Toole | Umphlett | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | T. R. Young |  |

**Total--107**

Those who voted in the negative are:

**Total--0**

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

**S. 107--ORDERED ENROLLED FOR RATIFICATION**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**S. 1392--FREE CONFERENCE POWERS GRANTED**

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

S. 1392 -- Transportation Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DISTINGUISHED SERVICE MEDAL" SPECIAL LICENSE PLATES, "SECOND AMENDMENT" SPECIAL LICENSE PLATES, "DISTINGUISHED SERVICE CROSS" SPECIAL LICENSE PLATES, "DEPARTMENT OF NAVY" SPECIAL LICENSE PLATES, "PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS" SPECIAL LICENSE PLATES, "STATE FLAG" SPECIAL LICENSE PLATES, "SOUTH CAROLINA HIGHWAY PATROL-RETIRED" LICENSE PLATES, "I SUPPORT LIBRARIES" SPECIAL LICENSE PLATES, "SOUTH CAROLINA EDUCATOR" SPECIAL LICENSE PLATES, "COON HUNTERS" LICENSE PLATES, "BEACH MUSIC" SPECIAL LICENSE PLATES, "CITADEL ALUMNI ASSOCIATION 'BID RED'" SPECIAL LICENSE PLATES, "LARGE MOUTH BASS" SPECIAL LICENSE PLATES, "HIGH SCHOOL" SPECIAL LICENSE PLATES, AND "SOUTH CAROLINA WILDLIFE FEDERATION" SPECIAL LICENSE PLATES; BY ADDING SECTIONS 56-3-2240, 56-3-2241, 56-3-2242, 56-3-2243, 56-3-2244, AND 56-3-2245 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "HISTORIC" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-7330, RELATING TO THE ISSUANCE OF "BOY SCOUTS OF AMERICA" SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF "EAGLE SCOUTS OF AMERICA" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56-3-1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-3-10410, RELATING TO THE ISSUANCE OF "VETERAN" SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN "VETERAN" LICENSE PLAES; TO AMEND SECTION 56-3-3310, AS AMENDED, RELATING TO THE ISSUANCE OF "PURPLE HEART" SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56-3-8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT'S USE OF THE ORGANIZATION'S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56-3-8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hamilton | Hardwick |
| Harrell | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Long | Lucas |
| Mack | 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 | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Kennedy |  |  |

**Total--1**

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

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. BARFIELD, BRANHAM and DANING to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**S. 1392--FREE CONFERENCE REPORT ADOPTED**

**S. 1392--Free Conference Report**

The General Assembly, Columbia, S.C., June 16, 2010

The COMMITTEE OF FREE CONFERENCE, to whom was referred:

S. 1392 -- Transportation Committee: A BILL TO AMEND CHAPTER 3, TITLE 56 OF THE 1976 CODE, RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSING, TO PROVIDE FOR CERTAIN SPECIALTY LICENSE PLATES; TO AMEND SECTION 56-3-10810, RELATING TO ‘BOY SCOUTS OF AMERICA’ SPECIAL LICENSE PLATES, TO PROVIDE FOR ‘EAGLE SCOUT’ SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2150, RELATING TO SPECIAL LICENSE PLATES FOR CERTAIN ELECTED OFFICIALS, TO PROVIDE THAT CORONERS MAY BE PROVIDED WITH TWO LICENSE PLATES; TO AMEND SECTION 56‑3‑1240, RELATING TO THE LOCATION ON VEHICLES WHERE LICENSE PLATES MUST BE ATTACHED, TO PROVIDE THAT A FRAME MAY BE PLACED AROUND A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 56‑3‑10410, RELATING TO A SPECIAL MOTOR VEHICLE LICENSE PLATE FOR VETERANS, TO PROVIDE FOR A DISABLED VETERAN SPECIAL LICENSE PLATE.

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

That the same do pass with the following amendments:

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

/ SECTION 1. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 108

‘Distinguished Service Medal’ Special License Plates

Section 56‑3‑10810. (A) The Department of Motor Vehicles may issue ‘Distinguished Service Medal’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in section 56‑3‑20 registered in their names who have been awarded the Distinguished Service Medal. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section must contain an illustration of the Distinguished Service Medal. The application for this special license plate must include proof that the applicant is a recipient of the Distinguished Service Medal. Not more than two license plates may be issued to a person.

(B) This special license plate is exempt from the provisions contained in Section 56‑3‑8100.”

SECTION 2. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 109

‘Second Amendment’ Special License Plates

Section 56‑3‑10910. (A) The Department of Motor Vehicles may issue ‘Second Amendment’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20 registered in their names. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the Criminal Justice Academy.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 3. Article 23, Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Section 56‑3‑2240. The Department of Motor Vehicles may issue a ‘Historic’ special motor vehicle license plate for use on a private passenger carrying motor vehicle, as defined in Section 56‑3‑630, or a motorcycle as defined in Section 56‑3‑20, that is twenty‑five years of age or older at the time of applying for the special plate. The applicant for a ‘Historic’ license plate must be the owner of the motor vehicle or motorcycle and must be a resident of this State.

Section 56‑3‑2241.The special license plate must be of the same size and general design as a regular motor vehicle or motorcycle license plate. The Department of Motor Vehicles shall imprint the special license plates with the word ‘Historic’, with numbers the department may determine. The license plate must be for a biennial period that expires twenty‑four months from the month it is issued.

Section 56‑3‑2242. A license plate issued pursuant to this article may be transferred to another vehicle or motorcycle that meets the requirements of Section 56‑3‑2240 and is owned by the same person upon application being made and being approved by the Department of Motor Vehicles. It is unlawful for any person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle or motorcycle except the one authorized by the department.

Section 56‑3‑2243. The provisions of this article do not affect the registration and licensing of motor vehicles or motorcycles as required by other provisions of this chapter, but are cumulative to those other provisions. Any person violating the provisions of this article or any person who (a) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (b) conceals a material fact, or (c) otherwise commits fraud in the application or in the use of any special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.

Section56‑3‑2244. The fee for the plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty‑five dollars. Notwithstanding another provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the department in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be placed in the state’s general fund.

Section 56‑3‑2245. The guidelines for the production, collection and distribution of fees for a ‘Historic’ special license plate must meet the requirements of Section 56‑3‑8100.”

SECTION 4. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 110

‘Distinguished Service Cross’ Special License Plates

Section 56‑3‑11010. (A) The Department of Motor Vehicles may issue ‘Distinguished Service Cross’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20 registered in their names who have been awarded the Distinguished Service Cross. The fee for this special license plate is the regular motor vehicle license fee contained in Article 5, Chapter 3 of this title. The license plates issued pursuant to this section must contain an illustration of the Distinguished Service Cross. The application for this special license plate must include proof that the applicant is a recipient of the Distinguished Service Cross. Not more than two license plates may be issued to a person.

(B) This special license plate is exempt from the provisions contained in Section 56‑3‑8100.”

SECTION 5. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 111

‘Department of the Navy’ Special License Plates

Section 56‑3‑11110. (A) The Department of Motor Vehicles may issue ‘Department of the Navy’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 6. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 112

‘Parents and Spouses of Active Duty Overseas Veterans’

Special License Plates

Section 56‑3‑11210. (A) The Department of Motor Vehicles may issue ‘Parents and Spouses of Active Duty Overseas Veterans’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 7. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 113

‘State Flag’ Special License Plates

Section 56‑3‑11310. (A) The Department of Motor Vehicles may issue special ‘State Flag’ motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. The fee for this special license plate is twenty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The design of the license plate must replicate the color, layout, and design of the state flag. The blue used for the license plate must be the official state color as established in Section 1‑1‑710.

(C) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(D) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 8. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 114

‘South Carolina Highway Patrol‑Retired’ License Plates

Section 56‑3‑11410. (A) The Department of Motor Vehicles may issue ‘South Carolina Highway Patrol‑Retired’ license plates for use on private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in a person’s name in this State who served as a South Carolina Highway Patrolman or State Trooper and who honorably retired. An application for this special motor vehicle license plate must include certification from the South Carolina Highway Patrol that the applicant honorably retired.

(B) The requirements for production, collection and distribution of fees for a license plate are those set forth in Section 56‑3‑8100. The Department of Motor Vehicles shall imprint the special license plates with the insignia of the South Carolina Highway Patrol and the words ‘South Carolina Highway Patrol‑Retired’ with numbers the department may determine.

(C) Only one special license plate authorized by this section may be issued to a person. A license plate issued pursuant to this section may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles.

(D) Any person issued a special license plate pursuant to this section who is convicted of any felony, classified misdemeanor, traffic violation requiring a suspension of driving privileges, crime involving dishonesty or moral turpitude, or other crime punishable by imprisonment for one year or more, shall surrender the special license plate to the Department of Motor Vehicles within three days of the date of the conviction.

(E) The provisions of this section do not affect the registration and licensing of motor vehicles required by other provisions of this chapter, but are cumulative to those other provisions.

(F) A person violating the provisions of this section or a person who:

(1) fraudulently gives false or fictitious information in any application for a special license plate authorized by this section;

(2) conceals a material fact or otherwise commits fraud in the application for a special license plate issued pursuant to this section;

(3) permits the special license plate to be displayed on any vehicle except the one authorized by the Department of Motor Vehicles; or

(4) who fails to surrender the special license plate as required by this section, is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than two hundred dollars or by imprisonment for not more than thirty days, or both.”

SECTION 9. Section 56‑3‑7330 of the 1976 Code, as added by Act 398 of 2006, is amended to read:

“Section 56‑3‑7330. ~~The Department of Motor Vehicles may issue “Boy Scouts of America” special license plates to owners of private passenger motor vehicles registered in their names. The requirements for production and distribution of the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. Any portion of the additional thirty‑dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the South Carolina Indian Waters Council, Boy Scouts of America, to then be distributed to the other five Boy Scout councils serving counties in South Carolina.~~ (A) The Department of Motor Vehicles may issue ‘Boy Scouts of America’ special license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. the requirements for production, collection and distribution of fees for the plate are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee of thirty dollars. Any portion of the additional thirty‑dollar fee not set aside by the Comptroller General to defray costs of production and distribution must be distributed to the South Carolina Indian Waters Council, Boy Scouts of America, to then be distributed to the other five Boy Scout councils serving counties in South Carolina.

(B)(1) The Department of Motor Vehicles may issue ‘Eagle Scouts of America’ special license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in section 56‑3‑20, registered in their names who have been awarded the Eagle Scout Award from the Boy Scouts of America. The motor vehicle owner must present the department with official documentation that states that he was awarded the Eagle Scout Award, along with his application for this special license plate. The fee for this special license plate is thirty dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3, Title 56. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The special license plate must be imprinted with an emblem, seal, symbol, or design agreed to by all of the Boy Scout councils serving counties in South Carolina.

(2) The fees collected pursuant to this section above the cost of production must be distributed to the South Carolina Indian Waters Council, Boy Scouts of America, to then be distributed to the other five Boy Scout councils serving counties in South Carolina.

(3) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 10. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 116

‘I Support Libraries’ Special License Plates

Section 56‑3‑11610. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names which must have imprinted on the plate ‘I Support Libraries’. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be equally distributed between the South Carolina Association of School Librarians and the South Carolina Library Association.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 11. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 117

‘South Carolina Educator’ Special License Plates

Section 56‑3‑11710. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names which must have imprinted on the plate ‘South Carolina Educator’. The application for this special license plate must include proof that the applicant is a public or private kindergarten through twelfth grade school teacher. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of the production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 12. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 118

‘Coon Hunters’ License Plates

Section 56‑3‑11810. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles, as defined in Section 56‑3‑20, registered in their names which must have imprinted on the plate ‘Coon Hunters’. This special license plate must be of the same size and general design of regular motor vehicle license plates. This special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be distributed to the South Carolina State Coon Hunters Association Youth Fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 13. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 119

‘Beach Music’ Special License Plates

Section 56‑3‑11910. (A) The Department of Motor Vehicles may issue ‘Beach Music’ special motor vehicle license plates to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names which may have imprinted on the plate an emblem, a seal, or other symbol chosen by the department in consultation with the South Carolina Arts Commission reflecting the status of beach music as the official state popular music pursuant to Section 1‑1‑689. License plate number ‘one’ for the beach music license plate is reserved for the president of the Beach Music Association International or its successor organization if that individual is otherwise eligible to register a qualifying motor vehicle in this State. License plate number ‘two’ for the beach music license plate is reserved for the Chairman of the Board of Trustees of Coastal Carolina University if that individual is otherwise eligible to register a motor vehicle in this State. The special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of twenty dollars.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the general fund.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 14. Chapter 3, Title 56 of the 1976 code is amended by adding:

“Article 120

Citadel Alumni Association ‘Big Red’ Special License Plate

Section 56‑3‑12010. (A) The Department of Motor Vehicles may issue Citadel Alumni Association ‘Big Red’ special license plates to owners of private passenger carrying motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names. The fee for each special license plate is seventy‑five dollars every two years in addition to the regular motor vehicle license fee set forth in Article 5, Chapter 3 of this title. Each special license plate must be of the same size and general design of regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected pursuant to this section above the cost of producing the license plates must be distributed to the Citadel Alumni Association.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 15. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 121

‘Largemouth Bass’ Special License Plates

Section 56‑3‑12210. (A) The Department of Motor Vehicles may issue ‘Largemouth Bass’ special motor vehicle license plates to owners of private passenger carrying motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in their names. The license plate shall have the image of a largemouth bass imprinted on it. The design of the plate and the largemouth bass image utilized must be selected through a public process conducted by the Department of Natural Resources. This special license plate must be of the same size and general design of regular motor vehicle license plates. The special license plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(B) The fees collected pursuant to this section above the cost of production must be distributed to the Department of Natural Resources, which shall only use the funds to promote bass fishing throughout the State.

(C) The guidelines for the production, collection and distribution of fees for a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 16. Section 56‑3‑2150 of the 1976 Code, as last amended by Act 177 of 2008, is further amended to read:

“Section 56‑3‑2150. The Department of Motor Vehicles may issue special motor vehicle license plates to former members of the South Carolina Delegation of the United States Congress, retired judicial officers elected by the General Assembly or confirmed by the United States Senate, respectively, members of municipal and county councils, county coroners, and mayors of this State for private passenger motor vehicles owned by them. The department also may issue special motor vehicle license plates to former members of the General Assembly who are eligible to receive retirement benefits under the General Assembly Retirement System for private passenger motor vehicles and vehicles classified as private passenger motor vehicles in Section 56‑3‑630 owned by them. The biennial fee for these special license plates is the same as the fee provided in Section 56‑3‑2020, and only one plate may be issued to former members of the South Carolina Delegation of the United States Congress, retired judicial officers elected by the General Assembly or confirmed by the United States Senate, respectively, a councilman, ~~coroner,~~ a mayor, or a member of the General Assembly who is receiving retirement benefits. A coroner may be issued two license plates. ~~The plate~~ These license plates must be issued or revalidated biennially for the regular registration and licensing period.”

SECTION 17. Section 56‑3‑1240 of the 1976 Code is amended to read:

“Section 56‑3‑1240. License plates issued for motor vehicles must be attached to the outside rear of the vehicle, open to view. However, on truck tractors and road tractors the plates must be attached to the outside front of the vehicle provided that single unit commercial motor vehicles with a gross vehicle weight rating in excess of twenty‑six thousand pounds may have the license plate on either the outside front or rear of the vehicle. Every license plate, at all times, must be fastened securely in a horizontal and upright position to the vehicle for which it was issued so as to prevent the plate from swinging. However, if a motorcycle is equipped with vertically mounted license plate brackets, its license plate must be mounted vertically with its top fastened along the right vertical edge. The bottom of the plate must be at a height of not less than twelve inches from the ground in a place and position clearly visible as provided in Section 56‑5‑4530, and it must be maintained free from foreign materials and in a clearly legible condition. No other license plate, lighting equipment, except as permitted in Section 56‑5‑4530, tag, sign, monogram, tinted cover, or inscription of metal or other material may be displayed above, ~~around,~~ or upon the plate other than that which is authorized and issued by the Department of Motor Vehicles for the purpose of validating the plate. It is not unlawful to place a decal or a frame on the license plate if it does not obscure any letters or numbers. A motor vehicle owner may attach a trailer hitch to a motor vehicle provided the hitch does not obscure more than two inches of the license plate issued to the motor vehicle. It is unlawful to operate or drive a motor vehicle with the license plate missing and a person who is convicted for violating this section must be punished as provided by Section 56‑3‑2520.”

SECTION 18. Section 56‑3‑10410 of the 1976 Code, as added by Act 297 of 2008, is amended to read:

“Section 56‑3‑10410. (A) The department may issue a ‘Veteran’ special motor vehicle license plate for use on a private passenger motor vehicle, as defined in Section 56‑3‑630, or motorcycle, as defined in Section 56‑3‑20, registered in a person’s name in this State who served in the United States Armed Forces, active or reserve components, and who was honorably discharged from service. An application for this special motor vehicle license plate must include official military documentation showing the applicant was honorably discharged from service. Only two plates may be issued to a person.

(B) The requirements for production, collection and distribution of fees for a special ~~and distribution of the~~ plate under this section are those set forth in Section 56‑3‑8100. The biennial fee for this plate is the regular registration fee set forth in Article 5, Chapter 3 of this title. The Department of Motor Vehicles shall imprint the special license plates with the word ‘Veteran’, with numbers the department may determine.

(C) A license plate issued pursuant to this article may be transferred to another vehicle of the same weight class owned by the same person upon application being made and being approved by the Department of Motor Vehicles. It is unlawful for a person to whom the plate has been issued to knowingly permit it to be displayed on any vehicle except the one authorized by the department.

(D) The provisions of this article do not affect the registration and licensing of motor vehicles as required by other provisions of this chapter but are cumulative to those other provisions. A person violating the provisions of this article or a person who (1) fraudulently gives false or fictitious information in any application for a special license plate, as authorized in this article, (2) conceals a material fact, or (3) otherwise commits fraud in the application or in the use of a special license plate issued is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.

(E) If a person who qualifies for the special license plate issued under this section also meets all requirements for the handicapped license plate issued pursuant to Section 56‑3‑1910(B), then the license plate issued pursuant to this section shall also include the distinguishing wheelchair symbol used on license plates issued pursuant to Section 56‑3‑1910(B).

(F) If a person who qualifies for a special license plate issued under this section also is certified by the Veterans’ Administration or County Veterans’ Affairs office with a service related disability, then the license plate issued under this section shall also include the word ‘disabled’.”

SECTION 19. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 122

High School Special License Plates

Section 56‑3‑12210. (A) The Department of Motor Vehicles may issue to owners of private passenger motor vehicles, as defined in Section 56‑3‑630, or motorcycles as defined in Section 56‑3‑20, registered in a person’s name, special motor vehicle license plates which may have imprinted on them an emblem, a seal, or other symbol the department considers appropriate of a public or independent high school located in this State. A school may submit to the department for its approval the emblem, seal, or other symbol it desires to be used for its respective special license plate. A school also may request a change in the emblem, seal, or other symbol once the existing inventory of the license plate has been exhausted. The fee for this special license plate is seventy dollars every two years in addition to the regular motor vehicle registration fee set forth in Article 5, Chapter 3 of this title. This special license plate must be of the same size and general design of regular motor vehicle license plates. The special license plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month they are issued.

(B) The fees collected pursuant to this section must be distributed to a separate fund for each of the respective high schools. Each fund must be administered by the school and may be used only for academic scholarships. Funds collected for state schools must be deposited with the State Treasurer. Funds collected for independent institutions must be deposited in an account designated by the respective school. The distribution is thirty dollars to the department and forty dollars to the school for each special license plate sold for the respective school.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 20. Chapter 3, Title 56 of the 1976 Code is amended by adding:

“Article 123

‘South Carolina Wildlife Federation’ Special License Plates

Section 56‑3‑12310. (A) The Department of Motor Vehicles may issue ‘South Carolina Wildlife Federation’ or ‘Palmetto Wild’ or both, special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630, or motorcycles as defined in section 56‑3‑20, registered in their names which may have imprinted on them an emblem, seal, symbol, or design of the South Carolina Wildlife Federation. The South Carolina Wildlife Federation must submit to the department for its approval the emblem, seal, symbol, or design it wishes to display on the plates. The South Carolina Wildlife Federation must submit to the department written authorization for use of any copyrighted or registered logos, trademarks, or designs. The South Carolina Wildlife Federation may request a change in the emblem, seal, or symbol not more than once every five years. The plates must be issued or revalidated for a biennial period which expires twenty‑four months from the month they are issued. The fee for the plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars.

(B) Notwithstanding another provision of law, from the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the department to defray the expenses of the department in producing and administering the plates. The remaining funds collected from the special motor vehicle license fee must be distributed to the South Carolina Wildlife Federation for conservation programs in South Carolina.

(C) The guidelines for the production of a special license plate under this section must meet the requirements of Section 56‑3‑8100.”

SECTION 21. Section 56‑3‑3310 of the 1976 Code, as last amended by Act 297 of 2008, is further amended to read:

“Section 56‑3‑3310. The department may issue ~~a~~ no more than three permanent special motor vehicle license ~~plate~~ plates to a recipient of the Purple Heart for use on ~~a~~ his private passenger motor ~~vehicle~~ vehicles, as defined in Section 56‑3‑630, or ~~motorcycle~~ motorcycles as defined in Section 56‑3‑20, registered in his name. There is no fee for the issuance of up to two license ~~plate~~ plates, and not more than ~~two~~ three license plates may be issued to a person. The fee for the third plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of thirty dollars. The application for a special plate must include proof the applicant is a recipient of the Purple Heart.”

SECTION 22. Section 56‑3‑8000 of the 1976 Code, as last amended by Act 353 of 2008, is further amended to read:

“Section 56‑3‑8000. (A) The Department of Motor Vehicles may issue special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630, and motorcycles as defined in Section 56‑3‑20, registered in their names which may have imprinted on the plate an emblem, a seal, or other symbol the department considers appropriate of an organization which has obtained certification pursuant to either Section 501(C)(3), 501(C)(6), 501(C)(7), or 501(C)(8) of the Federal Internal Revenue Code and maintained this certification for a period of five years. The special license plate must be the same size and general design of regular motor vehicle license plates and must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The biennial fee for this special license plate is the regular registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee to be requested by the individual or organization seeking issuance of the plate. The initial fee amount requested may be changed only every five years from the first year the plate is issued. Of the additional fee collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates. Any of the remaining fee not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate.

(B) If the organization seeking issuance of the plate does not request an additional fee above the regular registration fee, the department may collect an additional fee of ten dollars.

(C) Of the additional fee collected pursuant to subsections (A) and (B), the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.

(D) Any of the remaining additional fee collected pursuant to subsection (B) not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate, or to the general fund, if no additional fee is requested by the organization.

(E) Before the department produces and distributes a plate pursuant to this section, it must receive:

(1) for fiscal year 2010-2011, four hundred or more prepaid applications for the special license plate, collected and provided by the sponsoring organization, or ~~four~~ five thousand nine hundred dollars from the ~~individual or~~ organization ~~seeking issuance of the license plate~~. For all subsequent fiscal years, it must receive six hundred or more prepaid applications for the special license plate, collected and provided by the sponsoring organization, or seven thousand five hundred dollars from the organization; and

(2) a plan to market the sale of the special license plate which must be approved by the department. If the individual or organization seeking issuance of the plate submits ~~four~~ seven thousand five hundred dollars, the Comptroller General shall place that money into a restricted account to be used by the department to defray the initial cost of producing the special license plate.

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

~~(D)~~(G) License plates issued pursuant to this section shall not contain a reference to a private or public college or university in this State or use symbols, designs, or logos of these institutions without the institution’s written authorization.

~~(E)~~(H) Before a design is approved, the organization must submit to the department written authorization of legal authority for the use of any copyrighted or registered logo, trademark, or design, and the organization’s acceptance of legal responsibility for the use.

~~(F)~~(I) The department may alter, modify, or refuse to produce any special license plate that it deems offensive or fails to meet community standards. If the department alters, modifies, or refuses to produce a special license plate, the organization or individual applying for the license plate may appeal the department’s decision to a special joint legislative committee. This committee shall be comprised of two members from the House Education and Public Works Committee and two members from the Senate Transportation Committee.

Appointments to the joint legislative committee shall be made by the chairmen of the House Education and Public Works Committee and the Senate Transportation Committee. The department’s decision may be reversed by a majority of the joint legislative committee. If the committee reverses the department’s decision, the department must issue the license plate pursuant to the committee’s decision. However, the provision contained in ~~subitem (B) of this section~~ subsection (E) also must be met. The joint legislative committee may also review all license plates issued by the department and instruct the department to cease issuing or renewing a plate it deems offensive or fails to meet community standards.

~~(G)~~(J) ~~For~~ Each new classification of special vehicle license plate including, but not limited to, motorcycle license plates, created pursuant to this section must meet the requirements of Articles 81 and 82, Chapter 3, Title 56 as appropriate.”

SECTION 23. Section 56‑3‑8100 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑8100. (A) Before the Department of Motor Vehicles produces and distributes a special license plate created by the General Assembly after January 1, 2006, it must receive:

(1) for fiscal year 2010-2011, four hundred prepaid applications for the special license plate, collected and provided by the sponsoring individual or organization, or ~~four~~ five thousand nine hundred dollars from the sponsoring individual or organization ~~seeking issuance of the license plate~~. For all subsequent fiscal years, it must receive six hundred or more prepaid applications for the special license plate, collected and provided by the sponsoring organization, or seven thousand five hundred dollars from the organization;

(2) a plan to market the sale of the special license plate which must be approved by the department; and

(3) the emblem, a seal, or other symbol to be used for the plate and, if necessary, written authorization for the department to use a logo, trademark, or design that is copyrighted or registered and acceptance of legal responsibility for the use. If the individual or organization seeking issuance of the plate submits ~~four~~ seven thousand five hundred dollars, the Comptroller General shall place that money into a restricted account to be used by the department to defray the initial cost of producing the special license plate.

(B) The fee for all special license plates created by the General Assembly after January 1, 2006, is the regular biennial registration fee set forth in Article 5, Chapter 3 of this title plus an additional fee to be requested by the individual or organization seeking issuance of the plate, as authorized by law. The initial fee amount requested can only be changed every five years from the first year the plate is issued. Each special license plate must be of the same size and general design of regular motor vehicle license plates. Each special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month the special license plate is issued.

(C) If the individual or organization seeking issuance of the plate does not request an additional fee above the regular registration fee, and no other additional fee is prescribed by law, the department may collect an additional fee of ten dollars.

(D) Of the additional fee collected pursuant to ~~this~~ ~~section~~ subsections (B) and (C), the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of producing and administering special license plates.

(E) Any of the remaining additional fee collected pursuant to subsections (B) and (C) not placed in the restricted account must be distributed to an organization designated by the individual or organization seeking issuance of the license plate, or to the general fund, if no additional fee is requested by the organization.

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

~~(E)~~(G) If the department receives less than three hundred biennial applications and renewals for plates created pursuant to Article 12, Chapter 3, Title 56; Article 14, Chapter 3, Title 56; Article 31, Chapter 3, Title 56; Article 39, Chapter 3, Title 56; Article 40, Chapter 3, Title 56; Article 43, Chapter 3, Title 56; Article 45, Chapter 3, Title 56; Article 49, Chapter 3, Title 56; Article 50, Chapter 3, Title 56; Article 60, Chapter 3, Title 56; Article 70, Chapter 3, Title 56; Article 72, Chapter 3, Title 56; and Article 76, Chapter 3, Title 56, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

~~(F)~~(H) The provisions contained in subsection (A)(1) and (2) do not apply to the production and distribution of the Korean War Veterans Special License Plates contained in Article 68, Chapter 3, Title 56.

~~(G)~~(I) For each new classification of special vehicle license plate, including, but not limited to, motorcycle license plates, created pursuant to this section, must meet the requirements of Articles 81 and 82, Chapter 3, Title 56 as appropriate.”

SECTION 24. The provisions of this act are severable. If any section, subsection, paragraph, item, subitem, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of the act, the General Assembly hereby declaring that it would have passed each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 25. Section 3 of this act takes effect six months after approval by the Governor, the remaining sections of this act take effect upon approval by the Governor. /

Amend title to read:

/ TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “DISTINGUISHED SERVICE MEDAL” SPECIAL LICENSE PLATES, “SECOND AMENDMENT” SPECIAL LICENSE PLATES, “DISTINGUISHED SERVICE CROSS” SPECIAL LICENSE PLATES, “DEPARTMENT OF NAVY” SPECIAL LICENSE PLATES, “PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS” SPECIAL LICENSE PLATES, “STATE FLAG” SPECIAL LICENSE PLATES, “SOUTH CAROLINA HIGHWAY PATROL‑RETIRED” LICENSE PLATES, “I SUPPORT LIBRARIES” SPECIAL LICENSE PLATES, “SOUTH CAROLINA EDUCATOR” SPECIAL LICENSE PLATES, “COON HUNTERS” LICENSE PLATES, “BEACH MUSIC” SPECIAL LICENSE PLATES, “CITADEL ALUMNI ASSOCIATION ‘BID RED’” SPECIAL LICENSE PLATES, “LARGE MOUTH BASS” SPECIAL LICENSE PLATES, “HIGH SCHOOL” SPECIAL LICENSE PLATES, AND “SOUTH CAROLINA WILDLIFE FEDERATION” SPECIAL LICENSE PLATES; BY ADDING SECTIONS 56‑3‑2240,56‑3‑2241, 56‑3‑2242, 56‑3‑2243, 56‑3‑2244, AND 56‑3‑2245 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “HISTORIC” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑7330, RELATING TO THE ISSUANCE OF “BOY SCOUTS OF AMERICA” SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF “EAGLE SCOUTS OF AMERICA” SPECIAL LICENSE PLATES; TO AMEND SECTION 56‑3‑2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56‑3‑1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑3‑10410, RELATING TO THE ISSUANCE OF “VETERAN” SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN “VETERAN” LICENSE PLAES; TO AMEND SECTION 56‑3‑3310, AS AMENDED, RELATING TO THE ISSUANCE OF “PURPLE HEART” SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56‑3‑8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT’S USE OF THE ORGANIZATION’S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56‑3‑8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES. /

Sen. Daniel B. Verdin III Rep. Joseph S. Daning

Sen. John M. Knotts, Jr. Rep. Liston D. Barfield

Sen. Dick Elliott Rep. Lester P. Branham

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

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Gunn | Hamilton |
| Hardwick | Harrison | Hart |
| Harvin | Hearn | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Hutto |
| Jefferson | Jennings | King |
| Kirsh | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| 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 | Rutherford | Sandifer |
| Scott | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Viers |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wylie | T. R. Young |  |

**Total--104**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Kennedy |  |  |

**Total--1**

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

**S. 1392--ORDERED ENROLLED FOR RATIFICATION**

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

**S. 1502--AMENDED, ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1502 -- Senators McConnell and L. Martin: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO ARTICLE III, SECTION 9 OF THE CONSTITUTION OF THIS STATE AND SECTION 2-1-180 OF THE 1976 CODE, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 3, 2010, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT NOON ON TUESDAY, JUNE 15, 2010, AND CONTINUE IN SESSION FOR NO LONGER THAN THREE LEGISLATIVE DAYS, FOR THE CONSIDERATION OF CERTAIN MATTERS, TO FURTHER PROVIDE THAT IF THE GENERAL APPROPRIATIONS BILL OR ANY OTHER BILL PROVIDING FOR THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR FISCAL YEAR 2010-2011 HAS NOT BEEN ENROLLED FOR RATIFICATION BY 5:00 P.M. ON THURSDAY JUNE 3, 2010, THEN EACH HOUSE SHALL REMAIN IN SESSION AFTER THIS TIME FOR CONSIDERATION OF ANY MATTER RELATING TO THE GENERAL APPROPRIATIONS BILL OR ANY OTHER BILL PROVIDING FOR THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR FISCAL YEAR 2010-2011 AND SHALL REMAIN IN SESSION UNTIL SUCH BILL IS ENROLLED FOR RATIFICATION AND TO PROVIDE THAT AFTER SUCH BILL IS ENROLLED, EACH HOUSE SHALL STAND ADJOURNED TO MEET ON THE SECOND TUESDAY FOLLOWING AND SHALL REMAIN IN SESSION FOR NO LONGER THAN THREE LEGISLATIVE DAYS FOR THE CONSIDERATION OF CERTAIN MATTERS, AND UPON ADJOURNMENT, EACH HOUSE SHALL STAND ADJOURNED TO MEET AT A TIME MUTUALLY AGREED UPON BY THE PRESIDENT *PRO TEMPORE* OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES FOR THE CONSIDERATION OF CERTAIN MATTERS, AND TO PROVIDE THAT UNLESS ADJOURNED EARLIER THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE NO LATER THAN NOON ON TUESDAY, JANUARY 11, 2011.

Rep. HARRELL proposed the following Amendment No. 1 (COUNCIL\AGM\18125AB10), which was adopted:

Amend the concurrent resolution, as and if amended, by striking all after the resolving words and inserting:

/ (A) Pursuant to the provisions of Article III, Section 9 of the South Carolina Constitution and Section 2‑1‑180 of the 1976 Code, and the provisions of this resolution, the Sine Die adjournment date for the General Assembly for the 2010 session is recognized and extended to permit the General Assembly to continue in session after Thursday, June 3, 2010, under the terms and conditions stipulated in this resolution and for this purpose each house agrees that when the Senate and the House of Representatives adjourn on Thursday, June 3, 2010, not later than 5:00 p.m. or at any time prior, each house shall stand adjourned to meet in statewide session on Tuesday, June 15, 2010, at 12:00 noon and to continue in statewide session, if necessary, not later than 5:00 p.m. on Thursday, June 17, 2010. Further, each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

(1) receipt and consideration of legislation necessary to address any shortfall in revenue meeting the conditions of Section 11‑9‑890;

(2) receipt and consideration of gubernatorial vetoes;

(3) receipt and consideration of resolutions affecting Sine Die adjournment;

(4) receipt, consideration, and confirmation of appointments;

(5) receipt and consideration of resolutions expressing sympathy or congratulations;

(6) receipt and consideration of local legislation which has the unanimous consent of the affected delegation;

(7) concurrence and nonconcurrence in amendments to bills returned from the other house;

(8) appointment of members to conference and free conference committees; and

(9) receipt and consideration of conference and free conference reports.

(B) The President *Pro Tempore* of the Senate and the Speaker of the House of Representatives may set a mutually agreed upon time prior to Sine Die adjournment for officers of the Senate and House to ratify acts.

(C) When the Senate and the House of Representatives adjourn on Thursday, June 17, 2010, not later than 5:00 p.m. or at any time prior, each house shall stand adjourned to meet in statewide session at dates and times mutually agreed upon by the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives, provided that no such meeting may exceed three consecutive legislative days. Further, each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

(1) receipt and consideration of legislation necessary to address any shortfall in revenue meeting the conditions of Section 11‑9‑890;

(2) receipt and consideration of gubernatorial vetoes;

(3) receipt and consideration of resolutions affecting Sine Die adjournment;

(4) receipt and consideration of resolutions expressing sympathy or congratulations; and

(5) receipt, consideration, and confirmation of appointments.

(D) Upon adjournment of a statewide session called pursuant to subsection (C), or upon adjournment provided in subsection (A) if no statewide session is called pursuant to subsection (C), unless adjourned earlier, the General Assembly shall stand adjourned Sine Die at noon on January 11, 2011.

(E) No provision of this resolution shall prohibit or limit the ability of the House of Representatives or the Senate from meeting in organizational session pursuant to the provisions of Article III, Section 9 of the South Carolina Constitution. /

Renumber sections to conform.

Amend title to conform.

Rep. HARRELL explained the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

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

**Total--109**

Those who voted in the negative are:

**Total--0**

The Concurrent Resolution, as amended, was adopted and sent to the Senate.

**SPEAKER IN CHAIR**

**ROLL CALL**

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

Yeas 112; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| Brantley | G. A. Brown | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | 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 |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Scott | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--112**

Those who voted in the negative are:

**Total--0**

STATEMENT OF ATTENDANCE

I was not present for Session on Thursday, June 17, 2010, as I was attending a Women in Government Conference, for which I am a member of the Board of Directors and the Southern Regional Director.

Rep. Joan Brady

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 303, S. 783 by a vote of 36 to 6:

R. 303, S. 783 -- Senator McConnell: AN ACT TO AMEND SECTION 51‑13‑720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE GOVERNING BOARD OF THE PATRIOTS POINT DEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR THREE ADDITIONAL MEMBERS OF THE BOARD AND THE MANNER OF THEIR TERMS AND APPOINTMENT.

Very respectfully,

President

Received as information.

**R. 303, S. 783--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

R. 303, S. 783 -- Senator McConnell: AN ACT TO AMEND SECTION 51-13-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE GOVERNING BOARD OF THE PATRIOTS POINT DEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR THREE ADDITIONAL MEMBERS OF THE BOARD AND THE MANNER OF THEIR TERMS AND APPOINTMENT.

Rep. J. E. SMITH explained 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 103; Nays 1

Those who voted in the affirmative are:

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

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 299, S. 405 by a vote of 39 to 1:

R. 299, S. 405 -- Senator Cleary: 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 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 FOR PROPERTY TAX PURPOSES AS A PRIMARY OR SECONDARY RESIDENCE; TO AMEND SECTION 12‑37‑714, AS AMENDED, RELATING TO BOATS WITH A SITUS IN THIS STATE FOR PURPOSES OF PROPERTY TAX, SO AS TO ALLOW A COUNTY, BY ORDINANCE TO REVISE WITHIN SPECIFIED LIMITS SITUS REQUIREMENTS BASED ON PRESENCE; TO AMEND SECTION 12‑37‑224, AS AMENDED, RELATING TO WATERCRAFT, CAMPER TRAILERS, AND RECREATIONAL VEHICLES ELIGIBLE TO BE A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF PROPERTY TAX, SO AS 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, IS CONSIDERED A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF PROPERTY TAX, TO PROVIDE THOSE ELIGIBLE TO APPLY FOR THIS CLASSIFICATION AND THE NUMBER OF SUCH APPLICATIONS ALLOWED; AND TO AMEND SECTION 50‑23‑295, AS AMENDED, RELATING TO RESTRICTIONS ON THE TRANSFER OF A CERTIFICATE OF TITLE TO A WATERCRAFT OR OUTBOARD MOTOR SUBJECT TO DELINQUENT PROPERTY TAXES AND ENFORCEMENT OF THESE RESTRICTIONS, SO AS TO MAKE IT UNLAWFUL KNOWINGLY TO SELL A WATERCRAFT SUBJECT TO DELINQUENT PROPERTY TAXES, PROVIDE A PENALTY FOR VIOLATIONS, AND PROVIDE A CIVIL REMEDY WITH TREBLE DAMAGES TO A WATERCRAFT BUYER AGAINST A SELLER WHO FALSELY SIGNED THE REQUIRED CERTIFICATE THAT PROPERTY TAXES ON THE WATERCRAFT ARE CURRENT.

Very respectfully,

President

Received as information.

**R. 299, S. 405--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

R. 299, S. 405 -- Senator Cleary: 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 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 FOR PROPERTY TAX PURPOSES AS A PRIMARY OR SECONDARY RESIDENCE; TO AMEND SECTION 12-37-714, AS AMENDED, RELATING TO BOATS WITH A SITUS IN THIS STATE FOR PURPOSES OF PROPERTY TAX, SO AS TO ALLOW A COUNTY, BY ORDINANCE TO REVISE WITHIN SPECIFIED LIMITS SITUS REQUIREMENTS BASED ON PRESENCE; TO AMEND SECTION 12-37-224, AS AMENDED, RELATING TO WATERCRAFT, CAMPER TRAILERS, AND RECREATIONAL VEHICLES ELIGIBLE TO BE A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF PROPERTY TAX, SO AS 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, IS CONSIDERED A PRIMARY OR SECONDARY RESIDENCE FOR PURPOSES OF PROPERTY TAX, TO PROVIDE THOSE ELIGIBLE TO APPLY FOR THIS CLASSIFICATION AND THE NUMBER OF SUCH APPLICATIONS ALLOWED; AND TO AMEND SECTION 50-23-295, AS AMENDED, RELATING TO RESTRICTIONS ON THE TRANSFER OF A CERTIFICATE OF TITLE TO A WATERCRAFT OR OUTBOARD MOTOR SUBJECT TO DELINQUENT PROPERTY TAXES AND ENFORCEMENT OF THESE RESTRICTIONS, SO AS TO MAKE IT UNLAWFUL KNOWINGLY TO SELL A WATERCRAFT SUBJECT TO DELINQUENT PROPERTY TAXES, PROVIDE A PENALTY FOR VIOLATIONS, AND PROVIDE A CIVIL REMEDY WITH TREBLE DAMAGES TO A WATERCRAFT BUYER AGAINST A SELLER WHO FALSELY SIGNED THE REQUIRED CERTIFICATE THAT PROPERTY TAXES ON THE WATERCRAFT ARE CURRENT.

Rep. MILLER explained 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 103; Nays 2

Those who voted in the affirmative are:

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

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman | Parker |  |

**Total--2**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 305, S. 950 by a vote of 30 to 12:

(R 305) S. 950 -- Senator Elliott: AN ACT TO AMEND SECTIONS 5‑37‑20, 5‑37‑35, 5‑37‑40, AS AMENDED, 5‑37‑50, AS AMENDED, AND 5‑37‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE MUNICIPAL IMPROVEMENT DISTRICT ACT, SO AS TO CLARIFY THAT AN EASEMENT FOR MAINTENANCE IN CHANNELS, CANALS, OR WATERWAYS IS SUFFICIENT PROPERTY INTEREST TO PROCEED WITH AN ASSESSED DISTRICT; TO AUTHORIZE SOME PORTION OF THE BONDS ISSUED TO FUND ASSESSMENTS MAY BE BACKED BY THE TAXING POWER OF A MUNICIPALITY; AND TO PROVIDE AN EXCEPTION OF AN OWNER OF RESIDENTIAL PROPERTY TO BE REQUIRED TO CONSENT TO INCLUSION IN AN IMPROVEMENT DISTRICT WHEN THE SOLE IMPROVEMENTS ARE THE WIDENING AND DREDGING OF CANALS.

Very respectfully,

President

Received as information.

**R. 305, S. 950--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 305) S. 950 -- Senator Elliott: AN ACT TO AMEND SECTIONS 5‑37‑20, 5‑37‑35, 5‑37‑40, AS AMENDED, 5‑37‑50, AS AMENDED, AND 5‑37‑100, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE MUNICIPAL IMPROVEMENT DISTRICT ACT, SO AS TO CLARIFY THAT AN EASEMENT FOR MAINTENANCE IN CHANNELS, CANALS, OR WATERWAYS IS SUFFICIENT PROPERTY INTEREST TO PROCEED WITH AN ASSESSED DISTRICT; TO AUTHORIZE SOME PORTION OF THE BONDS ISSUED TO FUND ASSESSMENTS MAY BE BACKED BY THE TAXING POWER OF A MUNICIPALITY; AND TO PROVIDE AN EXCEPTION OF AN OWNER OF RESIDENTIAL PROPERTY TO BE REQUIRED TO CONSENT TO INCLUSION IN AN IMPROVEMENT DISTRICT WHEN THE SOLE IMPROVEMENTS ARE THE WIDENING AND DREDGING OF CANALS.

Rep. LOFTIS explained the Veto.

The question was put, shall the Item 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 99; Nays 7

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Brantley | R. L. Brown | Cato |
| Chalk | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Crawford | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Horne | Hosey | Howard |
| Hutto | Jefferson | Jennings |
| Kelly | King | Kirsh |
| Knight | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Ott |
| Owens | Parker | Parks |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Huggins | Millwood |
| Nanney | Norman | Toole |
| T. R. Young |  |  |

**Total--7**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 254, S. 850 by a vote of 32 to 9:

(R. 254) S. 850 -- Senator McGill: AN ACT TO AMEND SECTION 12‑6‑5060, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION ON A STATE INDIVIDUAL INCOME TAX RETURN OF A VOLUNTARY CONTRIBUTION BY THE TAXPAYER TO CERTAIN FUNDS, SO AS TO PROVIDE THAT A TAXPAYER MAY CONTRIBUTE TO THE SOUTH CAROLINA FORESTRY COMMISSION FOR USE IN THE STATE FOREST SYSTEM AND TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FOR USE IN ITS PROGRAMS AND OPERATIONS; AND TO AMEND SECTION 12‑54‑250, AS AMENDED, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO REQUIRE PAYMENT WITH IMMEDIATELY AVAILABLE FUNDS, SO AS TO DELETE PROVISIONS RELATING TO SIMULTANEOUS ACTS FOR PURPOSES OF INTEREST AND PENALTIES.

Very respectfully,

President

Received as information.

**R. 254, S. 850--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 254) S. 850 -- Senator McGill: AN ACT TO AMEND SECTION 12-6-5060, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION ON A STATE INDIVIDUAL INCOME TAX RETURN OF A VOLUNTARY CONTRIBUTION BY THE TAXPAYER TO CERTAIN FUNDS, SO AS TO PROVIDE THAT A TAXPAYER MAY CONTRIBUTE TO THE SOUTH CAROLINA FORESTRY COMMISSION FOR USE IN THE STATE FOREST SYSTEM AND TO THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES FOR USE IN ITS PROGRAMS AND OPERATIONS; AND TO AMEND SECTION 12-54-250, AS AMENDED, RELATING TO THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO REQUIRE PAYMENT WITH IMMEDIATELY AVAILABLE FUNDS, SO AS TO DELETE PROVISIONS RELATING TO SIMULTANEOUS ACTS FOR PURPOSES OF INTEREST AND PENALTIES.

Rep. WHITE explained 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 103; Nays 1

Those who voted in the affirmative are:

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

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 302, S. 717 by a vote of 33 to 10:

(R. 302) S. 717 -- Senators Coleman, Setzler, Land, Campbell and Hayes: AN ACT TO AMEND SECTION 12‑36‑2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT MACHINERY, EQUIPMENT, BUILDING AND OTHER RAW MATERIALS, AND ELECTRICITY USED BY A FACILITY OWNED BY A TAX EXEMPT ORGANIZATION INVESTING AT LEAST TWENTY MILLION DOLLARS OVER THREE YEARS IN THE FACILITY WHEN THAT FACILITY IS USED PRINCIPALLY FOR RESEARCHING AND TESTING THE IMPACT OF NATURAL HAZARDS SUCH AS WIND, FIRE, EARTHQUAKE, AND HAIL ON BUILDING MATERIALS USED IN RESIDENTIAL, COMMERCIAL, AND AGRICULTURAL BUILDINGS.

Very respectfully,

President

Received as information.

**R. 303, S. 717--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 302) S. 717 -- Senators Coleman, Setzler, Land, Campbell and Hayes: AN ACT TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT MACHINERY, EQUIPMENT, BUILDING AND OTHER RAW MATERIALS, AND ELECTRICITY USED BY A FACILITY OWNED BY A TAX EXEMPT ORGANIZATION INVESTING AT LEAST TWENTY MILLION DOLLARS OVER THREE YEARS IN THE FACILITY WHEN THAT FACILITY IS USED PRINCIPALLY FOR RESEARCHING AND TESTING THE IMPACT OF NATURAL HAZARDS SUCH AS WIND, FIRE, EARTHQUAKE, AND HAIL ON BUILDING MATERIALS USED IN RESIDENTIAL, COMMERCIAL, AND AGRICULTURAL BUILDINGS.

Rep. DELLENEY explained the Veto.

Rep. KIRSH spoke against 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 103; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Branham | Brantley | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Horne |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | Kennedy | King |
| Kirsh | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | 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 |
| Rutherford | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Toole | Umphlett |
| Vick | Viers | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |
| T. R. Young |  |  |

**Total--103**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Scott |  |  |

**Total--1**

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

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 298, S. 337 by a vote of 29 to 9:

(R. 298) S. 337 -- Senators Cleary, Peeler and Elliott: AN ACT TO AMEND SECTION 44‑1‑60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPEALS FROM DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEW OF CERTIFICATE OF NEED DECISIONS AND CONTESTED CASE HEARINGS, INCLUDING NOTICE REQUIREMENTS, FILING FEES FOR REQUESTING A FINAL REVIEW, AND TIMES WITHIN WHICH A CONTESTED CASE HEARING MUST BE REQUESTED; TO AMEND SECTION 44‑7‑130, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITIONS OF “HEALTH CARE FACILITY”, “PERSON”, “RESIDENTIAL TREATMENT FACILITY FOR CHILDREN AND ADOLESCENTS”, AND “LIKE EQUIPMENT WITH SIMILAR CAPABILITIES”, TO DELETE THE DEFINITION OF “CHIROPRACTIC INPATIENT FACILITY”, AND TO DEFINE “BIRTHING CENTER” AND “FREESTANDING EMERGENCY SERVICE”; TO AMEND SECTION 44‑7‑150, RELATING TO DUTIES OF THE DEPARTMENT IN CARRYING OUT THE PURPOSES OF THE CERTIFICATE OF NEED PROGRAM, SO AS TO FURTHER SPECIFY THE ESTABLISHMENT AND COLLECTION OF FEES FOR THIS PROGRAM IN REGULATION, INCLUDING THE DEPARTMENT RETAINING FEES IN EXCESS OF SEVEN HUNDRED FIFTY THOUSAND DOLLARS FOR THE ADMINISTRATIVE COSTS OF THIS PROGRAM; TO AMEND SECTION 44‑7‑160, RELATING TO ACTIVITIES AND SERVICES REQUIRED TO OBTAIN A CERTIFICATE OF NEED, SO AS TO DELETE OBSOLETE PROVISIONS AND TO DELETE PROVISIONS RELATING TO ACQUISITION OR CHANGE IN OWNERSHIP OF A HEALTH CARE FACILITY, ACQUISITION OF A HEALTH CARE FACILITY BEFORE AN AGREEMENT TO ACQUIRE THE FACILITY IS REACHED, AND EXPENDITURES FOR PREPARING TO DEVELOP A PROJECT REQUIRING A CERTIFICATE OF NEED; TO AMEND SECTION 44‑7‑170, AS AMENDED, RELATING TO EXEMPTIONS FROM CERTIFICATE OF NEED, SO AS TO FURTHER SPECIFY EXEMPTION REQUIREMENTS FOR RESEARCH PURPOSES, TO PROVIDE THAT REPLACEMENT OF LIKE EQUIPMENT IS EXEMPT IF CERTAIN CONDITIONS ARE MET AND TO DELETE FROM EXEMPTION PURCHASES OF REAL ESTATE FOR DEVELOPMENT REQUIRING A CERTIFICATE OF NEED; TO AMEND SECTION 44‑7‑180, RELATING TO THE COMPOSITION OF THE HEALTH PLANNING COMMITTEE, SO AS TO INCLUDE AN ADMINISTRATOR OF A FOR‑PROFIT NURSING HOME AMONG GROUPS THAT MUST BE REPRESENTED ON THE COMMITTEE AND TO PROVIDE FOR A CHAIRMAN AND VICE CHAIRMAN OF THE COMMITTEE; TO AMEND SECTION 44‑7‑190, RELATING TO PROJECT REVIEW CRITERIA USED IN THE CERTIFICATE OF NEED PROCESS, SO AS TO PRESCRIBE THE USE OF WEIGHTED CRITERIA; TO AMEND SECTION 44‑7‑200, RELATING TO THE APPLICATION PROCESS FOR A CERTIFICATE OF NEED, SO AS TO DELETE FEE PROVISIONS THAT ARE OTHERWISE PROVIDED FOR IN THIS ACT, TO CLARIFY CERTIFICATE OF NEED APPLICATION PROCEDURES AND COMMUNICATIONS, TO PROHIBIT STATE AND FEDERAL OFFICIALS FROM COMMUNICATING WITH THE DEPARTMENT ONCE A CERTIFICATE OF NEED APPLICATION HAS BEEN FILED AND TO PROVIDE AN EXCEPTION; TO AMEND SECTION 44‑7‑210, RELATING TO CERTIFICATE OF NEED REVIEW PROCEDURES, SO AS TO FURTHER SPECIFY THESE PROCEDURES, INCLUDING INITIATION OF THE REVIEW PERIOD, DURATION OF THE REVIEW PROCESS, AND TIME FRAMES FOR ISSUING DECISIONS AND RENDERING FINAL AGENCY DECISIONS, AND TO FURTHER SPECIFY REVIEW AND CONTESTED CASE PROCEDURES FOR CERTIFICATE OF NEED CASES, INCLUDING LIMITATIONS ON THE NUMBER OF WITNESSES THAT MAY BE CALLED AND THE NUMBER OF INTERROGATORIES AND REQUESTS FOR ADMISSIONS THAT MAY BE SERVED AND WHO MAY BE DEPOSED; TO AMEND SECTION 44‑7‑220, RELATING TO JUDICIAL REVIEW OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD DECISIONS, SO AS TO CORRECT THAT CERTIFICATE OF NEED APPEALS ARE HEARD BY THE ADMINISTRATIVE LAW COURT RATHER THAN THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD AND TO FURTHER PROVIDE FOR JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT CERTIFICATE OF NEED DECISIONS; TO AMEND SECTION 44‑7‑230, RELATING TO VARIOUS REQUIREMENTS FOR AND LIMITATIONS OF A CERTIFICATE OF NEED, SO AS TO PROVIDE THAT A CERTIFICATE OF NEED IS VALID FOR ONE YEAR FROM ISSUANCE, RATHER THAN FOR SIX MONTHS, AND TO PROVIDE THAT EXTENSIONS MAY BE GRANTED FOR NINE MONTHS, RATHER THAN FOR SIX MONTHS; TO AMEND SECTION 44‑7‑260, AS AMENDED, RELATING TO CERTAIN FACILITIES AND SERVICES REQUIRED TO BE LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO DELETE CHIROPRACTIC INPATIENT FACILITIES AND TO ADD BIRTHING CENTERS; TO AMEND SECTION 44‑7‑270, RELATING TO ANNUAL HEALTH FACILITY LICENSURE PROCEDURES, SO AS TO AUTHORIZE THE DEPARTMENT TO PRESCRIBE IN REGULATION PERIODS FOR LICENSURE AND RENEWAL AND TO AUTHORIZE IMPOSING A FEE FOR INSPECTIONS; TO AMEND SECTION 44‑7‑280, RELATING TO THE ISSUANCE OF HEALTH FACILITY LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT TO PROVIDE IN REGULATION FOR PERIODS OF LICENSURE; TO AMEND SECTION 44‑7‑315, AS AMENDED, RELATING TO THE DISCLOSURE OF INFORMATION OBTAINED BY THE DEPARTMENT THROUGH HEALTH LICENSING, SO AS TO INCLUDE LICENSING OF ACTIVITIES AND TO DELETE OBSOLETE LANGUAGE; TO AMEND SECTION 44‑7‑320, RELATING TO GROUNDS FOR THE DENIAL, SUSPENSION, OR REVOCATION OF LICENSES AND THE IMPOSITION OF FINES, SO AS TO ALLOW BOTH SANCTIONS AGAINST A LICENSE AND THE IMPOSITION OF A FINE; BY ADDING SECTION 44‑7‑225 SO AS TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT SHALL CONSIDER THE SOUTH CAROLINA HEALTH PLAN IN EFFECT WHEN A CERTIFICATE OF NEED APPLICATION WAS FILED AND MAY CONSIDER THE PLAN IN EFFECT WHEN MAKING A DECISION ON THE CERTIFICATE OF NEED; BY ADDING SECTION 44‑7‑285 SO AS TO REQUIRE HEALTH CARE FACILITIES TO NOTIFY THE DEPARTMENT OF A CHANGE IN FACILITY OWNERSHIP OR CONTROLLING INTEREST; BY ADDING SECTION 44‑7‑295 SO AS TO AUTHORIZE THE DEPARTMENT TO ENTER ALL LICENSED AND UNLICENSED HEALTH CARE FACILITIES TO INSPECT FOR COMPLIANCE WITH HEALTH LICENSURE AND CERTIFICATE OF NEED REQUIREMENTS; TO AMEND SECTION 1‑23‑600, AS AMENDED, RELATING TO ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT IF AN ATTORNEY IS CALLED TO APPEAR IN ANOTHER COURT IN THIS STATE, THE ACTION IN THE ADMINISTRATIVE LAW COURT HAS PRIORITY AS APPROPRIATE; AND TO REPEAL SECTION 44‑7‑185 RELATING TO A TASK FORCE UNDER THE HEALTH CARE PLANNING AND OVERSIGHT COMMITTEE, TO STUDY HEART SURGERY AND THERAPEUTIC HEART CATHETERIZATIONS.

Very respectfully,

President

Received as information.

**R. 298, S. 337--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 298) S. 337 -- Senators Cleary, Peeler and Elliott: AN ACT TO AMEND SECTION 44-1-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPEALS FROM DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS GIVING RISE TO CONTESTED CASES, SO AS TO REVISE AND CLARIFY PROCEDURES FOR REVIEW OF CERTIFICATE OF NEED DECISIONS AND CONTESTED CASE HEARINGS, INCLUDING NOTICE REQUIREMENTS, FILING FEES FOR REQUESTING A FINAL REVIEW, AND TIMES WITHIN WHICH A CONTESTED CASE HEARING MUST BE REQUESTED; TO AMEND SECTION 44-7-130, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITIONS OF "HEALTH CARE FACILITY", "PERSON", "RESIDENTIAL TREATMENT FACILITY FOR CHILDREN AND ADOLESCENTS", AND "LIKE EQUIPMENT WITH SIMILAR CAPABILITIES", TO DELETE THE DEFINITION OF "CHIROPRACTIC INPATIENT FACILITY", AND TO DEFINE "BIRTHING CENTER" AND "FREESTANDING EMERGENCY SERVICE"; TO AMEND SECTION 44-7-150, RELATING TO DUTIES OF THE DEPARTMENT IN CARRYING OUT THE PURPOSES OF THE CERTIFICATE OF NEED PROGRAM, SO AS TO FURTHER SPECIFY THE ESTABLISHMENT AND COLLECTION OF FEES FOR THIS PROGRAM IN REGULATION, INCLUDING THE DEPARTMENT RETAINING FEES IN EXCESS OF SEVEN HUNDRED FIFTY THOUSAND DOLLARS FOR THE ADMINISTRATIVE COSTS OF THIS PROGRAM; TO AMEND SECTION 44-7-160, RELATING TO ACTIVITIES AND SERVICES REQUIRED TO OBTAIN A CERTIFICATE OF NEED, SO AS TO DELETE OBSOLETE PROVISIONS AND TO DELETE PROVISIONS RELATING TO ACQUISITION OR CHANGE IN OWNERSHIP OF A HEALTH CARE FACILITY, ACQUISITION OF A HEALTH CARE FACILITY BEFORE AN AGREEMENT TO ACQUIRE THE FACILITY IS REACHED, AND EXPENDITURES FOR PREPARING TO DEVELOP A PROJECT REQUIRING A CERTIFICATE OF NEED; TO AMEND SECTION 44-7-170, AS AMENDED, RELATING TO EXEMPTIONS FROM CERTIFICATE OF NEED, SO AS TO FURTHER SPECIFY EXEMPTION REQUIREMENTS FOR RESEARCH PURPOSES, TO PROVIDE THAT REPLACEMENT OF LIKE EQUIPMENT IS EXEMPT IF CERTAIN CONDITIONS ARE MET AND TO DELETE FROM EXEMPTION PURCHASES OF REAL ESTATE FOR DEVELOPMENT REQUIRING A CERTIFICATE OF NEED; TO AMEND SECTION 44-7-180, RELATING TO THE COMPOSITION OF THE HEALTH PLANNING COMMITTEE, SO AS TO INCLUDE AN ADMINISTRATOR OF A FOR-PROFIT NURSING HOME AMONG GROUPS THAT MUST BE REPRESENTED ON THE COMMITTEE AND TO PROVIDE FOR A CHAIRMAN AND VICE CHAIRMAN OF THE COMMITTEE; TO AMEND SECTION 44-7-190, RELATING TO PROJECT REVIEW CRITERIA USED IN THE CERTIFICATE OF NEED PROCESS, SO AS TO PRESCRIBE THE USE OF WEIGHTED CRITERIA; TO AMEND SECTION 44-7-200, RELATING TO THE APPLICATION PROCESS FOR A CERTIFICATE OF NEED, SO AS TO DELETE FEE PROVISIONS THAT ARE OTHERWISE PROVIDED FOR IN THIS ACT, TO CLARIFY CERTIFICATE OF NEED APPLICATION PROCEDURES AND COMMUNICATIONS, TO PROHIBIT STATE AND FEDERAL OFFICIALS FROM COMMUNICATING WITH THE DEPARTMENT ONCE A CERTIFICATE OF NEED APPLICATION HAS BEEN FILED AND TO PROVIDE AN EXCEPTION; TO AMEND SECTION 44-7-210, RELATING TO CERTIFICATE OF NEED REVIEW PROCEDURES, SO AS TO FURTHER SPECIFY THESE PROCEDURES, INCLUDING INITIATION OF THE REVIEW PERIOD, DURATION OF THE REVIEW PROCESS, AND TIME FRAMES FOR ISSUING DECISIONS AND RENDERING FINAL AGENCY DECISIONS, AND TO FURTHER SPECIFY REVIEW AND CONTESTED CASE PROCEDURES FOR CERTIFICATE OF NEED CASES, INCLUDING LIMITATIONS ON THE NUMBER OF WITNESSES THAT MAY BE CALLED AND THE NUMBER OF INTERROGATORIES AND REQUESTS FOR ADMISSIONS THAT MAY BE SERVED AND WHO MAY BE DEPOSED; TO AMEND SECTION 44-7-220, RELATING TO JUDICIAL REVIEW OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD DECISIONS, SO AS TO CORRECT THAT CERTIFICATE OF NEED APPEALS ARE HEARD BY THE ADMINISTRATIVE LAW COURT RATHER THAN THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD AND TO FURTHER PROVIDE FOR JUDICIAL REVIEW OF ADMINISTRATIVE LAW COURT CERTIFICATE OF NEED DECISIONS; TO AMEND SECTION 44-7-230, RELATING TO VARIOUS REQUIREMENTS FOR AND LIMITATIONS OF A CERTIFICATE OF NEED, SO AS TO PROVIDE THAT A CERTIFICATE OF NEED IS VALID FOR ONE YEAR FROM ISSUANCE, RATHER THAN FOR SIX MONTHS, AND TO PROVIDE THAT EXTENSIONS MAY BE GRANTED FOR NINE MONTHS, RATHER THAN FOR SIX MONTHS; TO AMEND SECTION 44-7-260, AS AMENDED, RELATING TO CERTAIN FACILITIES AND SERVICES REQUIRED TO BE LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO DELETE CHIROPRACTIC INPATIENT FACILITIES AND TO ADD BIRTHING CENTERS; TO AMEND SECTION 44-7-270, RELATING TO ANNUAL HEALTH FACILITY LICENSURE PROCEDURES, SO AS TO AUTHORIZE THE DEPARTMENT TO PRESCRIBE IN REGULATION PERIODS FOR LICENSURE AND RENEWAL AND TO AUTHORIZE IMPOSING A FEE FOR INSPECTIONS; TO AMEND SECTION 44-7-280, RELATING TO THE ISSUANCE OF HEALTH FACILITY LICENSES, SO AS TO AUTHORIZE THE DEPARTMENT TO PROVIDE IN REGULATION FOR PERIODS OF LICENSURE; TO AMEND SECTION 44-7-315, AS AMENDED, RELATING TO THE DISCLOSURE OF INFORMATION OBTAINED BY THE DEPARTMENT THROUGH HEALTH LICENSING, SO AS TO INCLUDE LICENSING OF ACTIVITIES AND TO DELETE OBSOLETE LANGUAGE; TO AMEND SECTION 44-7-320, RELATING TO GROUNDS FOR THE DENIAL, SUSPENSION, OR REVOCATION OF LICENSES AND THE IMPOSITION OF FINES, SO AS TO ALLOW BOTH SANCTIONS AGAINST A LICENSE AND THE IMPOSITION OF A FINE; BY ADDING SECTION 44-7-225 SO AS TO PROVIDE THAT THE ADMINISTRATIVE LAW COURT SHALL CONSIDER THE SOUTH CAROLINA HEALTH PLAN IN EFFECT WHEN A CERTIFICATE OF NEED APPLICATION WAS FILED AND MAY CONSIDER THE PLAN IN EFFECT WHEN MAKING A DECISION ON THE CERTIFICATE OF NEED; BY ADDING SECTION 44-7-285 SO AS TO REQUIRE HEALTH CARE FACILITIES TO NOTIFY THE DEPARTMENT OF A CHANGE IN FACILITY OWNERSHIP OR CONTROLLING INTEREST; BY ADDING SECTION 44-7-295 SO AS TO AUTHORIZE THE DEPARTMENT TO ENTER ALL LICENSED AND UNLICENSED HEALTH CARE FACILITIES TO INSPECT FOR COMPLIANCE WITH HEALTH LICENSURE AND CERTIFICATE OF NEED REQUIREMENTS; TO AMEND SECTION 1-23-600, AS AMENDED, RELATING TO ADMINISTRATIVE LAW COURT HEARINGS AND PROCEEDINGS, SO AS TO PROVIDE THAT IF AN ATTORNEY IS CALLED TO APPEAR IN ANOTHER COURT IN THIS STATE, THE ACTION IN THE ADMINISTRATIVE LAW COURT HAS PRIORITY AS APPROPRIATE; AND TO REPEAL SECTION 44-7-185 RELATING TO A TASK FORCE UNDER THE HEALTH CARE PLANNING AND OVERSIGHT COMMITTEE, TO STUDY HEART SURGERY AND THERAPEUTIC HEART CATHETERIZATIONS.

Rep. HARVIN explained 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 96; Nays 13

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bingham | Bowen | Bowers |
| Branham | Brantley | R. L. Brown |
| Cato | Chalk | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Funderburk | Gambrell |
| Gilliard | Govan | 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 | Miller | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Ott | Owens |
| Parker | Parks | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Toole |
| Umphlett | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Wylie |

**Total--96**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Frye | Gunn |
| Hamilton | McLeod | Merrill |
| Millwood | Nanney | Norman |
| Scott | Stringer | Viers |
| T. R. Young |  |  |

**Total--13**

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

**R. 293, H. 4657--GOVERNOR'S VETOES**

Debate was resumed on the Governor's Vetoes to the Appropriations Bill, the pending question being the consideration of Vetoes.

**VETO 74-- RECONSIDERED AND SUSTAINED**

Part IB; Section 90.16; Page 482; Statewide Revenue; Nonrecurring Revenue – Increased Enforcement Collections; Item 7; House of Representatives; Reapportionment; $1,000,000.

Rep. CLEMMONS spoke in favor of the motion to reconsider.

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

Yeas 58; Nays 52

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bowen | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Kelly |
| Kirsh | Limehouse | Littlejohn |
| Loftis | Long | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Owens |
| Parker | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| T. R. Young |  |  |

**Total--58**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Ballentine | Bedingfield | Bingham |
| Bowers | Branham | Brantley |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kennedy | King | Knight |
| Mack | McEachern | McLeod |
| Miller | Millwood | Mitchell |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Parks | Rutherford |
| Sellers | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--52**

So, the motion to reconsider was agreed to.

The question was put, shall the Item 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 52

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bowen | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | Skelton |
| G. M. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Toole |
| Umphlett | Viers | White |
| Whitmire | Willis | Wylie |
| T. R. Young |  |  |

**Total--58**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bedingfield | Bingham | Bowers |
| Branham | Brantley | R. L. Brown |
| Clyburn | Cobb-Hunter | Crawford |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Knight | Mack |
| McEachern | McLeod | Miller |
| Millwood | Mitchell | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Parks | Rutherford | Sellers |
| G. R. Smith | J. E. Smith | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--52**

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

**VETO 107-- SUSTAINED**

Part IV; Page 489-490; Enhanced Federal Medical Assistance Percentage.

Rep. J. E. SMITH moved to adjourn debate on the veto until Tuesday, June 29.

Rep. CRAWFORD moved to table the motion to adjourn debate on the Veto.

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

Yeas 63; Nays 44

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Branham | Cato |
| Chalk | Clemmons | Cole |
| Cooper | Crawford | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Toole | Umphlett |
| Viers | White | Whitmire |
| Willis | Wylie | T. R. Young |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Brantley | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Funderburk | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hodges | Hosey |
| Howard | Hutto | Jefferson |
| Jennings | Kennedy | King |
| Knight | Mack | McEachern |
| McLeod | Miller | Mitchell |
| J. H. Neal | J. M. Neal | Ott |
| Parks | Sellers | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--44**

So, the motion to adjourn debate was tabled.

The question then recurred to the consideration of the Veto.

The question was put, shall the Item 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 46; Nays 62

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Bowers | Branham | Brantley |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Govan | Gunn | Hart |
| Harvin | Hayes | Hodges |
| Hosey | Howard | Hutto |
| Jefferson | Jennings | Kennedy |
| King | Knight | Mack |
| McEachern | McLeod | Miller |
| Mitchell | J. H. Neal | J. M. Neal |
| Ott | Parks | Sellers |
| J. E. Smith | Spires | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--46**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Cato | Chalk |
| Clemmons | Cole | Cooper |
| Crawford | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Hiott | Horne | Huggins |
| Kelly | Kirsh | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Merrill |
| Millwood | D. C. Moss | V. S. Moss |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stringer |
| Toole | Umphlett | Viers |
| White | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--62**

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

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

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

Yeas 92; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Branham | Brantley | R. L. Brown |
| Cato | Clyburn | Cobb-Hunter |
| Cooper | Crawford | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gilliard | Govan | Gunn |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Harvin |
| Hayes | Hearn | Hiott |
| Hodges | Hosey | Howard |
| Huggins | Hutto | Jefferson |
| Jennings | Kelly | Kennedy |
| King | Knight | Limehouse |
| Littlejohn | Loftis | Long |
| Lowe | Lucas | Mack |
| McLeod | Merrill | Miller |
| Millwood | Mitchell | D. C. Moss |
| V. S. Moss | J. H. Neal | J. M. Neal |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Simrill | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Toole |
| Umphlett | Vick | Viers |
| White | Whitmire | Willis |
| Wylie | T. R. Young |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Weeks |  |  |

**Total--1**

STATEMENT FOR THE JOURNAL

Upon adjournment I attempted to note a motion to reconsider the vote whereby Veto No. 42 was sustained and I was unable to do so because the Speaker ordered the Bill removed from the House Chamber immediately and delivered to the Senate.

Rep. James E. Smith, Jr.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5100 -- Reps. Barfield, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, 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, 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 THE COASTAL CAROLINA UNIVERSITY BASEBALL TEAM FOR ITS OUTSTANDING SEASON AND FOR CAPTURING THE 2010 BIG SOUTH TOURNAMENT CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

H. 5103 -- Reps. Erickson, 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, 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 RECOGNIZE AND HONOR CAPTAIN GEORGE R. HULL, UNITED STATES NAVY, UPON THE OCCASION OF HIS RETIREMENT, AND TO COMMEND HIM FOR HIS YEARS OF FAITHFUL SERVICE IN THE UNITED STATES ARMED FORCES.

H. 5107 -- Reps. Rutherford, Bales, Ballentine, Brady, Gunn, Harrison, Hart, Howard, McEachern, J. H. Neal, J. E. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, 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, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Haley, Hamilton, Hardwick, Harrell, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. 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 REMEMBER THE LATE ELLIOTT ERNEST FRANKS III OF COLUMBIA, FORMER PRESIDENT AND CHIEF EXECUTIVE OFFICER OF THE SOUTH CAROLINA JOB-ECONOMIC DEVELOPMENT AUTHORITY, ON THE OCCASION OF THE UNVEILING OF THE SIGN ANNOUNCING THE INTERCHANGE ON HIGHWAY 277 AT SUNSET BOULEVARD AND BELTLINE BOULEVARD IN COLUMBIA AS BEING NAMED IN HIS HONOR.

**ADJOURNMENT**

At 1:00 a.m. the House, in accordance with the motion of Rep. GAMBRELL, adjourned in accordance with S. 1435, the Sine Die Resolution, in memory of Joshua Smith of Honea Path, to meet again in accordance with the provisions of S. 1435.

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