~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 90:17: “Let the favor of the Lord our God be upon us, and prosper for us the work of our hands.”

Let us pray. O God of us all, You have made us in such a way that we long to be in Your presence, for Your presence helps us make sense of this world, and both challenges us and comforts us. In our harried lives, with our long lists of things to do, remind us that it is good to enjoy a beautiful sunrise. Bless our Nation, State, this Assembly and all who support these Representatives. Protect our defenders of freedom at home and abroad, as they protect us. Heal the wounds of our brave warriors, those seen and those hidden. 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. WEEKS moved that when the House adjourns, it adjourn in memory of Ellie Herbert Sumter of Sumter, which was agreed to.

**MESSAGE FROM THE SENATE**

Columbia, S.C., January 25, 2012

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time on Thursday, January 26, 2012, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. R. L. BROWN the invitation was accepted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4681 -- Reps. Spires, Atwater and Toole: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE WHITE KNOLL MARCHING BAND OF LEXINGTON COUNTY WITH THEIR COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2011 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the White Knoll marching band of Lexington County with their coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2011 South Carolina Class AAAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4682 -- Reps. Anthony, Agnew, Alexander, Allen, Allison, Anderson, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SCOTT WINGO FOR HIS INVALUABLE CONTRIBUTIONS TO THE CELEBRATED UNIVERSITY OF SOUTH CAROLINA BASEBALL TEAM, TO CONGRATULATE HIM ON BEING NAMED MOST OUTSTANDING PLAYER OF THE 2011 COLLEGE WORLD SERIES (CWS), AND TO WISH HIM MUCH FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4683 -- Rep. Agnew: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE ABBEVILLE HIGH SCHOOL VARSITY FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE 2011 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4684 -- Rep. Agnew: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE ABBEVILLE HIGH SCHOOL VARSITY FOOTBALL TEAM WITH THEIR COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2011 SOUTH CAROLINA CLASS A STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Abbeville High School varsity football team with their coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2011 South Carolina Class A State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4692 -- Reps. Bales, Ballentine, Brady, Butler Garrick, Harrison, Rutherford and J. E. Smith: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR H. HEATH HILL FOR HIS TIRELESS EFFORTS ON BEHALF OF THE RESIDENTS OF THE RURAL AREAS OF THE PALMETTO STATE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4685 -- Reps. Spires, Atwater and Toole: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE WHITE KNOLL HIGH SCHOOL MARCHING BAND OF LEXINGTON COUNTY FOR A SPECTACULAR PERFORMING SEASON, AND TO CONGRATULATE SCHOOL OFFICIALS, THE DIRECTORS, AND THE BAND FOR CAPTURING THE 2011 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4686 -- Reps. Harrell, R. L. Brown, Crosby, Gilliard, Horne, Limehouse, Mack, McCoy, Merrill, Ryan, Sottile, Stavrinakis and Whipper: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE WORK OF THE CANNON STREET YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) IN CHARLESTON COUNTY, AND TO CONGRATULATE THE STAFF AND MEMBERS FOR ONE HUNDRED FORTY-FIVE YEARS OF OUTSTANDING SERVICE TO THEIR COMMUNITY.

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

**INTRODUCTION OF BILLS**

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

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

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

H. 4688 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 27 TO CHAPTER 37, TITLE 12 SO AS TO ENACT THE "INCOME TAX CREDIT FOR PROPERTY TAX RELIEF ACT", TO PROVIDE INCOME TAX CREDITS FOR TAXPAYERS AT LEAST SIXTY-FIVE YEARS OF AGE IN AN AMOUNT BY WHICH THE PROPERTY TAX ON THE TAXPAYER'S PRINCIPAL RESIDENCE EXCEEDS THREE PERCENT OF THE TAXPAYER'S ADJUSTED GROSS INCOME, TO PROVIDE THAT THE PRINCIPAL RESIDENCE OF A TAXPAYER WHO QUALIFIES FOR AN INCOME TAX CREDIT AGAINST THE AD VALOREM PROPERTY TAX LIABILITY THEREON IS EXEMPT FROM ATTACHMENT, LEVY, AND SALE FOR NONPAYMENT OF COUNTY OR MUNICIPAL PROPERTY TAXES FOR A PERIOD OF TWO YEARS AFTER SUCH TAXES ON THIS PROPERTY HAVE BECOME DELINQUENT, AND TO PROVIDE THAT THE PRINCIPAL RESIDENCE OF A TAXPAYER WHO QUALIFIES FOR AN INCOME TAX CREDIT AGAINST THE AD VALOREM PROPERTY TAXES THEREON AND IS AT LEAST SEVENTY YEARS OF AGE MAY HAVE A LIEN FILED AGAINST IT FOR NONPAYMENT OF THESE TAXES, BUT IS EXEMPT FROM ATTACHMENT, LEVY, AND SALE FOR THE NONPAYMENT UNTIL SUCH TIME AS AN ASSESSABLE TRANSFER OF INTEREST OCCURS WITH REGARD TO THE PROPERTY.

Referred to Committee on Ways and Means

H. 4689 -- Reps. Hiott, Skelton and Owens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-143 SO AS TO PROVIDE HEALTH AND SANITARY REQUIREMENTS FOR HOME-BASED FOOD PRODUCTION OPERATIONS, INCLUDING PROCEDURES FOR PROTECTING FOOD ITEMS PREPARED FOR SALE BY THESE OPERATIONS, AND FOOD ITEM PACKAGING AND LABELING REQUIREMENTS; TO PROVIDE THAT THESE OPERATIONS MAY NOT SELL FOOD ITEMS AT WHOLESALE; TO PROVIDE THAT THESE OPERATIONS ARE NOT RETAIL FOOD ESTABLISHMENTS; AND TO PROVIDE A PROCESS WHEREBY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY INVESTIGATE COMPLAINTS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4690 -- Reps. Owens, J. M. Neal, Patrick and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "JASON FLATT ACT" BY ADDING SECTION 59-26-110 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE TWO HOURS OF TRAINING IN YOUTH SUICIDE AWARENESS AND PREVENTION AS A REQUIREMENT FOR THE RENEWAL OF CREDENTIALS FOR INDIVIDUALS EMPLOYED IN MIDDLE SCHOOLS AND HIGH SCHOOLS; TO REQUIRE THE DEPARTMENT TO DEVELOP GUIDELINES FOR TRAINING AND MATERIALS THAT MAY BE USED BY SCHOOLS AND SCHOOL DISTRICTS AND TO PROVIDE THAT SCHOOL DISTRICTS MAY APPROVE TRAINING MATERIALS FOR TRAINING THEIR EMPLOYEES; TO PROVIDE THAT THIS TRAINING REQUIREMENT MAY BE SATISFIED THROUGH SELF REVIEW OF SUICIDE PREVENTION MATERIALS; AND TO PROVIDE THAT NO CAUSE OF ACTION RESULTS FROM THE IMPLEMENTATION OF THIS ACT.

Referred to Committee on Education and Public Works

H. 4691 -- Rep. Atwater: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-1-90, SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOT DISCRIMINATE AGAINST MOTORCYCLES, MOTORCYCLE OPERATORS, OR MOTORCYCLE PASSENGERS.

Referred to Committee on Education and Public Works

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, January 26.

|  |  |
| --- | --- |
| Kris Crawford | Todd Rutherford |
| Joseph Neal  Ted Vick | Chris Hart |

**Total Present--114**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HAMILTON a leave of absence for the day due to a family commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANDERSON a leave of absence for the remainder of the day to attend a funeral.

**DOCTOR OF THE DAY**

Announcement was made that Dr. John C. Ropp of Hartsville was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. LONG presented to the House the Nation Ford High School Marching Band, the 2011 AAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. KING presented to the House the South Pointe High School "Stallions" Football Team, the 2011 AAAA Division II Champions, their coaches and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3793 |
| Date: | ADD: |
| 01/26/12 | MUNNERLYN, WEEKS, PUTNAM, GILLIARD, BRANHAM, ALEXANDER, JEFFERSON, CLEMMONS and SPIRES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4043 |
| Date: | ADD: |
| 01/26/12 | YOUNG |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4458 |
| Date: | ADD: |
| 01/26/12 | V. S. MOSS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4463 |
| Date: | ADD: |
| 01/26/12 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4475 |
| Date: | ADD: |
| 01/26/12 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4488 |
| Date: | ADD: |
| 01/26/12 | V. S. MOSS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4571 |
| Date: | ADD: |
| 01/26/12 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4574 |
| Date: | ADD: |
| 01/26/12 | V. S. MOSS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4575 |
| Date: | ADD: |
| 01/26/12 | V. S. MOSS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4586 |
| Date: | ADD: |
| 01/26/12 | G. M. SMITH |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4592 |
| Date: | ADD: |
| 01/26/12 | LIMEHOUSE, POPE, CLEMMONS, J. R. SMITH and BEDINGFIELD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4614 |
| Date: | ADD: |
| 01/26/12 | LOFTIS and CLEMMONS |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3793 |
| Date: | REMOVE: |
| 01/26/12 | STAVRINAKIS |

**SENT TO THE SENATE**

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

H. 4627 -- Reps. Merrill, Stavrinakis, Harrison, King, Knight, Williams, Jefferson, Johnson, Sabb, Munnerlyn, Anderson, G. A. Brown, Allison, Horne, Agnew, Gambrell, McCoy, Ryan, Mack, Gilliard, Sottile, Hardwick, Hearn, Weeks, Simrill, Pope, Delleney, Dillard, Sandifer, Erickson, Herbkersman, Brantley, Crosby, Daning, Brady, Quinn, Spires, Frye, Pitts, Southard, Butler Garrick, Pinson, Tallon, Long, Parker, Hodges, Whitmire, Anthony, Bannister, Putnam, Edge, Allen, Thayer, Funderburk, Lucas, Cobb-Hunter, Howard, Harrell, Bowers, Patrick, Whipper, Bowen, White, Murphy and R. L. Brown: A JOINT RESOLUTION TO SUSPEND THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL FOR ALL DECISIONS SUBSEQUENT TO 2007 PERTAINING TO THE NAVIGABILITY, DEPTH, DREDGING, WASTEWATER AND SLUDGE DISPOSAL, AND RELATED COLLATERAL ISSUES OF THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER BECAUSE THE AUTHORITY OF THE SAVANNAH RIVER MARITIME COMMISSION SUPERSEDES AND REPLACES THE AUTHORITY OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL WITH REGARD TO ALL ACTIONS CONCERNING THE SOUTH CAROLINA PORTION OF THE SAVANNAH RIVER BY ENACTMENT OF ACT 56 OF 2007, EFFECTIVE MAY 1, 2007.

**H. 4595--DEBATE ADJOURNED**

Rep. ALLISON moved to adjourn debate upon the following Bill until Tuesday, January 31, which was adopted:

H. 4595 -- Reps. Bingham, Allison, Anthony and White: A BILL TO AMEND ACT 73 OF 2011, RELATING TO THE 2011-2012 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.54, SECTION 1A, PART IB, DIRECTING THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY PROVIDING THAT THE DOLLAR AMOUNT DIRECTED TO BE TRANSFERRED MUST BE "UP TO" THAT AMOUNT AND NOT THE SPECIFIC AMOUNT STIPULATED.

**H. 4592--POINT OF ORDER**

The following Bill was taken up:

H. 4592 -- Reps. Sandifer, Erickson, Toole, Brady, Gambrell, Bales, Whitmire, Allison, Bedingfield, G. R. Smith, Bannister, Nanney, Corbin, Clemmons, Delleney, Simrill, Horne, D. C. Moss, Frye, Hearn, Stringer, Ryan, Bowen, Harrison, Bingham, Owens, Southard, Patrick, Crosby, Edge, Herbkersman, Funderburk, Pinson, Parker, Long, Thayer, Anderson, Sottile, Hiott, Taylor, J. R. Smith, Putnam, Weeks, Hardwick, Hamilton, Murphy, V. S. Moss, Lucas, Forrester, G. M. Smith, Limehouse and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-41-45 SO AS TO PROVIDE A CIVIL PENALTY FOR VIOLATIONS OF PROHIBITIONS AGAINST MAKING FALSE STATEMENTS RELATED TO UNEMPLOYMENT COMPENSATION, TO PROVIDE FOR THE USE OF MONEY RECEIVED FROM FINES CREATED BY THIS PENALTY, AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MAY NEVERTHELESS ENTER A CERTAIN WRITTEN CONSENT AGREEMENT WITH A PERSON ALLEGED TO BE GUILTY; TO AMEND SECTION 41-41-10, RELATING TO OBTAINING OR INCREASING AN EMPLOYMENT SECURITY BENEFIT BY USE OF FALSE STATEMENTS OR FALSE REPRESENTATIONS, OR BY THE FAILURE TO DISCLOSE MATERIAL FACTS, SO AS TO REMOVE CIVIL PENALTIES AND TO IMPOSE CRIMINAL PENALTIES AND A REQUIREMENT OF RESTITUTION; AND TO AMEND SECTION 41-41-30, RELATING TO THE PREVENTION OR REDUCTION OF EMPLOYMENT SECURITY BENEFITS OR CONTRIBUTIONS BY AN EMPLOYER, SO AS TO DELETE CIVIL PENALTIES AND TO IMPOSE CRIMINAL PENALTIES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4434--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4434 -- Reps. White, Gambrell and Thayer: A BILL TO AMEND ACT 794 OF 1966, AS AMENDED, RELATING TO THE PENDLETON DISTRICT HISTORICAL AND RECREATIONAL COMMISSION OF ANDERSON, OCONEE, AND PICKENS COUNTIES, SO AS TO PROVIDE THAT EFFECTIVE MARCH 1, 2012, THE NAME OF THE PENDLETON DISTRICT AGRICULTURAL MUSEUM MUST BE THE "BART GARRISON AGRICULTURAL MUSEUM OF SOUTH CAROLINA".

Rep. FRYE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

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

**Total--102**

Those who voted in the negative are:

**Total--0**

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

**H. 4434--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FRYE, with unanimous consent, it was ordered that H. 4434 be read the third time tomorrow.

**H. 4475--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4475 -- Reps. Young, Clyburn, Taylor, Hixon, Frye, Southard and Clemmons: A BILL TO AMEND SECTION 47-9-710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF EQUINE LIABILITY IMMUNITY, SO AS TO INCLUDE TRAIL RIDING IN THE DEFINITION OF "EQUINE ACTIVITY"; AND TO AMEND SECTION 47-9-730, RELATING TO WARNING SIGNS REQUIRED TO BE POSTED BY EQUINE PROFESSIONALS AND EQUINE ACTIVITY SPONSORS, SO AS TO INCLUDE A REQUIREMENT THAT WARNING SIGNS ARE TO BE POSTED AT THE ENTRANCE TO RIDING TRAILS.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 to H. 4475 (COUNCIL\MS\7673AHB12), which was adopted:

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

/ SECTION 1. Section 47‑9‑710(3)(a) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(3) ‘Equine activity’ means:

(a) an equine show, fair, competition, performance, ~~or~~ parade, or trail riding that involves a breed of equine and an equine discipline, including, but not limited to, dressage, hunter and jumper horse shows, grand prix jumping, three‑day events, combined training, rodeos, driving, pulling, cutting, polo, steeplechasing, English and Western performance riding, ~~endurance~~ trail riding and Western games, and hunting;”

SECTION 2. Section 47-9-710(4) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(4) ‘Equine activity sponsor’ means an individual, a group, a club, a partnership, or a corporation, whether the sponsor is operating for profit or nonprofit, which sponsors, organizes, or provides the facilities for an equine activity, including, but not limited to, a pony club, 4‑H club, hunt club, riding club, school and college‑sponsored class, program, and activity, therapeutic riding program, and an operator, instructor, and promoter of an equine facility, including, but not limited to, a stable, clubhouse, ponyride string, fair, and an arena at which the activity is held or a landowner who has given permission for the use of his land in an equine activity either by easement or other means.”

SECTION 3. Section 47‑9‑730(A) of the 1976 Code, as added by Act 182 of 1993, is amended to read:

“(A) An equine professional and an equine activity sponsor shall post and maintain signs which contain the warning notice specified in subsection (B). These signs must be placed in a clearly visible location on or near stables, corrals, or arenas where the equine professional or the equine activity sponsor conducts equine activities or once at the primary entrance to any riding trail maintained or operated by the activity sponsor. The warning notice specified in subsection (B) must appear on the sign in black letters with each letter a minimum of one inch in height. A written contract entered into by an equine professional or by an equine activity sponsor to provide professional services, instruction, or rental of equipment, tack, or an equine to a participant, whether or not the contract involves equine activities on or off the location or site of the business of the equine professional or the equine activity sponsor, must contain in clearly readable print the warning notice specified in subsection (B).”

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

Renumber sections to conform.

Amend title to conform.

Rep. FRYE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

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

**Total--105**

Those who voted in the negative are:

**Total--0**

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

**H. 4475--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FRYE, with unanimous consent, it was ordered that H. 4475 be read the third time tomorrow.

**H. 4664--POINT OF ORDER**

The following Bill was taken up:

H. 4664 -- Rep. Clyburn: A BILL TO AMEND SECTION 11-50-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY, SO AS TO PROVIDE FOR THE APPOINTMENT OF CERTAIN MEMBERS OF THE GOVERNING BOARD OF THE AUTHORITY.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4665--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4665 -- Reps. Hixon, Clyburn, J. R. Smith, Spires, Taylor and Young: A BILL TO AMEND ACT 571 OF 1967, AS AMENDED, RELATING TO THE EDGEFIELD COUNTY WATER AND SEWER AUTHORITY, THE BOUNDARIES OF WHICH PURSUANT TO THIS ACT INCLUDE AREAS IN EDGEFIELD AND AIKEN COUNTIES, SO AS TO REVISE THE MANNER IN WHICH THE EXISTING MEMBERS OF THE GOVERNING BODY OF THE AUTHORITY ARE APPOINTED, AND TO ADD TWO MEMBERS TO THE GOVERNING BODY OF THE AUTHORITY FROM THE AREAS IN AIKEN COUNTY SERVED BY THE AUTHORITY.

Rep. HIXON explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cole | Corbin |
| Crosby | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gilliard |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | King |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Owens |
| Parks | Patrick | Pinson |
| Pope | Putnam | Quinn |
| Rutherford | Ryan | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Toole | Viers |
| White | Whitmire | Willis |
| Young |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

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

**H. 4665--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HIXON, with unanimous consent, it was ordered that H. 4665 be read the third time tomorrow.

**H. 3793--POINT OF ORDER**

The following Bill was taken up:

H. 3793 -- Reps. Thayer, Whitmire, H. B. Brown, G. R. Smith, Gambrell, Bowen, Hardwick, Clemmons, Mitchell, Parks, Atwater, Butler Garrick, Pinson, Corbin, Norman, Viers, Erickson, Hearn, Murphy, Allison, McCoy, Govan, Agnew, Hosey, Hiott, Patrick, Chumley, Brannon, Battle, Brady, R. L. Brown, Clyburn, Cobb-Hunter, Cole, Daning, Delleney, Funderburk, Hamilton, Harrison, Hayes, Henderson, Horne, Lucas, D. C. Moss, V. S. Moss, Nanney, J. M. Neal, Owens, Pitts, Pope, Ryan, Sabb, Sandifer, Simrill, J. R. Smith, Stringer, Tallon, Taylor, White, Cooper, Quinn, Lowe, Barfield, Munnerlyn, Weeks, Putnam, Gilliard, Branham, Alexander, Jefferson and Spires: A BILL TO AMEND SECTION 44-53-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I CONTROLLED SUBSTANCES, INCLUDING HALLUCINOGENICS, SO AS TO ADD METHYLONE, MDPV, MEPHEDRONE, METHO-XYMETHCATHINONE, AND FLUROROMETHCATHINONE, COMMONLY REFERRED TO AS "BATH SALTS", TO THE LIST OF SCHEDULE I DRUGS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4571--POINT OF ORDER**

The following Bill was taken up:

H. 4571 -- Reps. Rutherford and Weeks: A BILL TO AMEND ACT 13 OF 2011, RELATING TO THE REPEAL OF SECTION 56-1-745 WHICH RELATES TO THE SUSPENSION OF A DRIVER'S LICENSE OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION, SO AS TO PROVIDE THAT THE REPEAL OF THIS PROVISION APPLIES TO ALL ACTIONS, RIGHTS, DUTIES, OR LIABILITIES FOUNDED ON IT PENDING ON AND BEFORE APRIL 12, 2011, AND ALTERS, DISCHARGES, RELEASES AND EXTINGUISHES ANY PENALTY, FORFEITURE, OR LIABILITY INCURRED UNDER THE REPEALED SECTION.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4463--POINT OF ORDER**

The following Bill was taken up:

H. 4463 -- Reps. Harrison, Clyburn, Murphy, McLeod and Weeks: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT TO MAGISTRATES OR MUNICIPAL COURT, SO AS TO CLARIFY THE TYPES OF CASES THAT MAY BE TRANSFERRED INCLUDES CRIMINAL CASES ORIGINALLY CHARGED AND THOSE IN WHICH THE CHARGES ARE REDUCED FOR PURPOSES OF A GUILTY PLEA, TO ALLOW DEFENDANTS TO WAIVE CERTAIN RIGHTS, AND TO REQUIRE THE APPROVAL OF A CIRCUIT COURT JUDGE REGARDING TERMS OF COURT OF THE MAGISTRATES AND MUNICIPAL COURTS FOR THE DISPOSITION OF TRANSFERRED CASES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4549--POINT OF ORDER**

The following Bill was taken up:

H. 4549 -- Rep. Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-3-70 SO AS TO REQUIRE A THIRD-PARTY VOTER REGISTRATION ORGANIZATION OPERATING IN THIS STATE TO REGISTER AND FILE CERTAIN INFORMATION WITH THE STATE ELECTION COMMISSION; TO PROVIDE THAT A THIRD-PARTY VOTER REGISTRATION ORGANIZATION MUST PROMPTLY DELIVER ALL COLLECTED REGISTRATION APPLICATIONS TO THE APPROPRIATE REGISTRATION OFFICE, AND TO PROVIDE PENALTIES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4614--POINT OF ORDER**

The following Bill was taken up:

H. 4614 -- Reps. Pitts, Lucas, Hearn, Brannon, Weeks, Spires, Loftis and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT-ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING "JOINT CUSTODY" AND "SOLE CUSTODY", REQUIRING PARENTS TO JOINTLY PREPARE AND SUBMIT A PARENTING PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS; REQUIRING THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, REQUIRING THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, STATING FINDINGS OF FACT AS TO WHY OR WHY NOT JOINT CUSTODY WAS AWARDED, PROVIDING MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER, PROVIDING FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD, AND AUTHORIZING A PARENT TO SEEK ARBITRATION OF AN ISSUE THAT CANNOT BE RESOLVED BETWEEN THE PARENTS; AND TO AMEND SECTION 63-5-30, RELATING TO THE RIGHTS AND DUTIES OF PARENTS TO THEIR CHILDREN, SO AS TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL POWERS, RIGHTS, AND DUTIES CONCERNING ALL MATTERS AFFECTING THEIR CHILDREN.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**MOTION ADOPTED**

Rep. WHITE moved that when the House adjourns on Tuesday, January 31, it stand adjourned to meet at 11:30 a.m. on Wednesday, February 1, which was agreed to.

**MOTION ADOPTED**

Rep. CHUMLEY moved that upon the completion of the Ratification of Acts, the House stand adjourned, which was agreed to.

**RATIFICATION OF ACTS**

At 11:45 a.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R112, S. 258) -- Senators Sheheen, Campsen, Davis, Rose, Ryberg, McConnell, Massey, Rankin, Setzler, Knotts and Alexander: AN ACT To amend SECTION 1‑3‑240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO PROVIDE THAT THE STATE INSPECTOR GENERAL MAY BE REMOVED BY THE GOVERNOR FOR MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY; AND BY ADDING Chapter 6 to TITLE 1 SO AS TO Create the Office of the State Inspector General, TO providE that the State Inspector General IS appointed by the Governor with THE ADVICE AND CONSENT OF THE SENATE, TO AUTHORIZE THE STATE INSPECTOR GENERAL to address fraud, waste, abuse, and wrongdoing within THE South Carolina eXECUTIVE government agencies, AND TO PROVIDE FOR THE POWERS, DUTIES, AND FUNCTIONS OF THE OFFICE.

(R113, H. 3095) -- Reps. Clemmons, Erickson, Stavrinakis, McCoy, Bowen, Sandifer, Whitmire, Hixon, J.R. Smith, Allison, Long, Toole, Weeks, Atwater, Hardwick, Agnew, Govan and Bales: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27‑1‑70 SO AS TO PROHIBIT REAL PROPERTY TRANSFER FEE COVENANTS, AND TO PROVIDE RELATED DEFINITIONS AND POLICY FINDINGS.

(R114, H. 3122) -- Rep. J.M. Neal: AN ACT TO AMEND SECTION 56‑3‑180, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES ISSUANCE OF SPECIAL PERMITS TO MOVE VEHICLES DURING AN EMERGENCY, SO AS TO DELETE THE TERM “MOVE” AND REPLACE IT WITH THE TERM “OPERATE”, TO DELETE THE PROVISION THAT RESTRICTS THE ISSUANCE OF THE PERMITS TO EMERGENCY SITUATIONS, TO REMOVE THE RESTRICTION PLACED ON THE NUMBER OF PERMITS THAT MAY BE ISSUED FOR A VEHICLE, AND TO REVISE THE INFORMATION THAT MUST BE SPECIFIED ON THE PERMIT.

(R115, H. 3301) -- Reps. Clemmons, Bowers, Bales, Anderson, Pinson, R.L. Brown and Erickson: AN ACT TO AMEND SECTION 23‑43‑85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STANDARDS FOR PLACEMENT OF MODULAR HOMES, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A MODULAR HOME USED AS A DISPLAY MODEL MAY BE PLACED FOR ITS FIRST RESIDENTIAL USE.

(R116, H. 3617) -- Reps. Pitts, R.L. Brown, Allen, Bales, Brady, Knight, Ballentine, McLeod, Willis, Toole, Sellers and Whipper: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 48‑1‑95 SO AS TO PROVIDE THAT A WASTEWATER UTILITY MUST NOTIFY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL WITHIN TWENTY-FOUR HOURS OF A SIGNIFICANT SPILL; TO PROVIDE THAT IF A UTILITY HAS HAD MORE THAN TWO SIGNIFICANT SPILLS PER ONE HUNDRED MILES OF ITS SEWAGE COLLECTION SYSTEM WITHIN THE YEAR UP TO AND INCLUDING THE DATE OF THIS SIGNIFICANT SPILL, THE DEPARTMENT SHALL ORDER THE UTILITY TO COMPLETE A COMPREHENSIVE REVIEW OF ITS SYSTEM OR IF THE UTILITY HAS A CAPACITY, MANAGEMENT, OPERATIONS, AND MAINTENANCE PLAN, TO ORDER THE UTILITY TO UPDATE THIS PLAN; AND TO REQUIRE THE UTILITY TO PROVIDE PUBLIC NOTICE OF A SIGNIFICANT SPILL.

(R117, H. 3731) -- Reps. Owens, Brantley, Daning, Brannon, Atwater, Patrick, Erickson, Bowen, R.L. Brown, Crosby, Long, Taylor and Willis: AN ACT TO AMEND SECTION 56‑27‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TERM AND COST OF A PROFESSIONAL HOUSEMOVING LICENSE, SO AS TO REVISE THE ANNUAL RENEWAL FEE; AND TO AMEND SECTION 57‑3‑130, AS AMENDED, RELATING TO THE DEPARTMENT OF TRANSPORTATION’S SPECIAL PERMITS THAT AUTHORIZE A PERSON TO OPERATE OR MOVE A VEHICLE THAT EXCEEDS A CERTAIN SIZE, SO AS TO PROVIDE THAT THE DEPARTMENT MAY DETERMINE THE MAXIMUM SPEEDS AT WHICH PERMITTED LOADS MAY OPERATE, TO PROVIDE THAT FOR A LOAD TRAVELING UNDER POLICE ESCORT, THE ESCORT OFFICER MAY EXERCISE DISCRETION WHEN TEMPORARILY MOVING OUT OF THE TRAVELED WAY, AND TO PROVIDE AN ADDITIONAL IMPACT FEE FOR LOADS THAT EXCEED FIVE HUNDRED THOUSAND POUNDS.

(R118, H. 3744) -- Reps. Erickson and Sandifer: AN ACT TO AMEND SECTION 40‑65‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM PROVISIONS CONCERNING SOIL CLASSIFIERS, SO AS TO REVISE THE EXEMPTIONS.

(R119, H. 3873) -- Rep. Vick: AN ACT TO AMEND SECTION 50‑5‑1507, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ZONES, SEASONS, TIMES, CATCH AND SIZE LIMITS, METHODS, AND EQUIPMENT FOR TAKING HERRING, SO AS TO REVISE THE SEASONS, TIMES, AND SIZE AND TAKE LIMITS FOR HERRING, AND THE METHODS AND EQUIPMENT WHICH APPLY AND TO PROVIDE FOR THE AREAS IN WHICH CERTAIN OF THESE PROVISIONS APPLY.

(R120, H. 3864) -- Reps. Hardwick, Quinn, Barfield, Hearn, Tallon, Herbkersman, Hiott, Hodges, G.M. Smith, Pinson, Ballentine, D.C. Moss, Mitchell, J.H. Neal, R.L. Brown, Whipper, Toole, Forrester, Butler Garrick, Hayes, Chumley, J.E. Smith, Atwater, Owens, Bikas, Crosby, Hixon, Murphy, Stringer, Clemmons, Pitts, Edge, Viers, Dillard, Ryan, Vick, J.R. Smith, Knight, Long, Huggins, Ott and Weeks: AN ACT TO AMEND ARTICLE 1, CHAPTER 13, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON FISHING GENERALLY, SO AS TO REVISE THE PROVISIONS OF THE ARTICLE TO GOVERN CERTAIN FISHING ACTIVITIES IN THE FRESHWATERS OF THIS STATE AND TO PROVIDE PENALTIES FOR SPECIFIC VIOLATIONS; BY ADDING ARTICLE 2 TO CHAPTER 13, TITLE 50 SO AS TO PROVIDE FOR CERTAIN REGULATION OF AND THE PROTECTION FOR FRESHWATER GAME FISH; BY ADDING SECTION 50‑13‑1995 SO AS TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY PERMIT THE FEDERAL GOVERNMENT TO CONDUCT FISH AND SCIENTIFIC INVESTIGATIONS IN THE WATERS OF THIS STATE IN CONNECTION WITH HATCHERY OPERATIONS OR MANAGEMENT OF THOSE SPECIES UNDER FEDERAL JURISDICTION; AND TO REPEAL SECTIONS 50‑13‑610 RELATING TO LAWFUL TAKING OF FISH IN GAME ZONE NO. 1; 50‑13‑620 RELATING TO PENALTIES APPLICABLE TO FISHING VIOLATIONS IN GAME ZONE NO. 1; 50‑13‑680 RELATING TO PERMITS REQUIRED FOR TAKING FISH IN CERTAIN PONDS IN MARLBORO COUNTY; 50‑13‑690 RELATING TO THE USE OF NETS OR OTHER DEVICES TO TAKE NONGAME FISH FROM PRIVATE PONDS IN CHESTERFIELD COUNTY; 50‑13‑730 RELATING TO THE USE OF NETS TO TAKE NONGAME FISH IN THE FRESHWATERS OF THIS STATE; AND 50‑13‑2010 RELATING TO THE SHELLEY LAKE FISH SANCTUARY IN MARION COUNTY.

(R121, H. 3865) -- Reps. Hardwick, Quinn, Barfield, Hearn, Tallon, Ballentine, D.C. Moss, Mitchell, J.H. Neal, Hodges, G.M. Smith, Pinson, Herbkersman, Hiott, R.L. Brown, Whipper, Forrester, Toole, Hayes, Butler Garrick, Chumley, J.E. Smith, Atwater, Huggins, Clemmons, Pitts, Edge, Dillard, Ryan, Vick, J.R. Smith, Knight, Long, Crosby, Hixon, Murphy, Stringer, Owens, Bikas, Viers, Ott and Weeks: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑1‑160 SO AS TO PERMIT THE DEPARTMENT TO RELEASE A SEIZED VEHICLE, BOAT, MOTOR, OR FISHING DEVICE UNDER CERTAIN CONDITIONS; TO AMEND ARTICLE 3, CHAPTER 13, TITLE 50, RELATING TO USE OF SEINES, TRAPS, AND LIKE DEVICES, SO AS TO REVISE AND FURTHER PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THESE DEVICES MAY BE USED AND TO PROVIDE PENALTIES FOR VIOLATIONS; BY ADDING ARTICLE 5 TO CHAPTER 13, TITLE 50 SO AS TO PROVIDE FOR CERTAIN UNLAWFUL FRESHWATER ACTIONS AND TO PROVIDE PENALTIES FOR VIOLATIONS; TO AMEND ARTICLE 6, CHAPTER 13, TITLE 50, RELATING TO THE PROTECTION OF NONGAME FISH, SO AS TO FURTHER PROVIDE FOR THE USE OF NONGAME FISHING DEVICES AND THE TAKING OF NONGAME FISH IN THE FRESHWATERS OF THIS STATE, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS AND FOR SPECIFIED EXCEPTIONS TO THESE PROVISIONS; TO AMEND ARTICLE 11, CHAPTER 13, TITLE 50, RELATING TO THE SALE AND TRAFFICKING IN FISH, SO AS TO REVISE CERTAIN PROVISIONS IN THE ARTICLE PERTAINING TO PROHIBITED PRACTICES IN REGARD TO THE SALE OR TRAFFICKING IN FISH AND ADD OTHER PROVISIONS WITH PENALTIES FOR VIOLATIONS; TO AMEND ARTICLE 13, CHAPTER 13, TITLE 50, RELATING TO FISH HATCHERIES AND SANCTUARIES AND PROPAGATION, SO AS TO REVISE AND FURTHER PROVIDE FOR ACTIONS THE DEPARTMENT MAY TAKE IN REGARD TO FISH HATCHERIES, SANCTUARIES, AND THE PROPAGATION OF FISH AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO AMEND ARTICLE 13, CHAPTER 19, TITLE 50, RELATING TO THE HORRY COUNTY FISH AND GAME COMMISSION, SO AS TO DELETE THE PROVISIONS OF THE ARTICLE AND INSTEAD PROVIDE FOR THE PERMITTED USE OF NONGAME DEVICES ON THE LITTLE PEE DEE RIVER FOR A PERIOD OF THREE YEARS; AND TO REPEAL SECTIONS 50‑13‑1450 RELATING TO PRIMA FACIE EVIDENCE OF USING EXPLOSIVES TO TAKE FISH, 50‑13‑385 RELATING TO MINIMUM SIZE FOR LARGE MOUTH BASS IN LAKE WYLIE, 50‑13‑390 RELATING TO DAILY LIMIT ON ARKANSAS BLUE CATFISH, AND 50‑13‑400 RELATING TO LAKE MURRAY CRAPPIE CREEL AND SIZE LIMITS.

(R122, H. 3895) -- Reps. Tallon, Bannister, Brantley, Allison, Parker, Chumley, Knight, Brannon, Hearn, Allen, Sellers, Bowen, Corbin, Patrick, Cole, Dillard, Erickson, Forrester, Henderson, Herbkersman, McCoy, Mitchell, V.S. Moss, Pinson, Rutherford, Sabb, G.R. Smith, Thayer, Tribble, Willis and King: AN ACT TO AMEND SECTION 17‑15‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPEARANCE BONDS, SO AS TO PROVIDE THAT AN APPEARANCE BOND IS VALID FOR A CERTAIN TIME PERIOD IN CIRCUIT AND MAGISTRATES OR MUNICIPAL COURTS UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE A PROCEDURE TO RELIEVE THE SURETY OF LIABILITY WHEN THE TIME PERIOD HAS RUN.

(R123, H. 3914) -- Rep. Herbkersman: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 20 TO CHAPTER 23, TITLE 57 SO AS TO DESIGNATE CERTAIN HIGHWAYS IN BEAUFORT COUNTY AS SCENIC HIGHWAYS AND SCENIC BYWAYS; AND TO REPEAL ACT 714 OF 1978 WHICH DESIGNATED CERTAIN PORTIONS OF HIGHWAYS IN BEAUFORT COUNTY AS SCENIC HIGHWAYS.

(R124, H. 3947) -- Reps. Rutherford and Bales: AN ACT TO AMEND SECTION 55‑11‑320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE RICHLAND‑LEXINGTON AIRPORT COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION MUST BE APPOINTED BY THE RICHLAND AND LEXINGTON COUNTY LEGISLATIVE DELEGATIONS AND THE COLUMBIA CITY COUNCIL AND NO LONGER BY THE GOVERNOR, AND DELETE AN OBSOLETE PROVISION.

(R125, H. 4005) -- Reps. Corbin, Hardwick, Stringer, Loftis, Ryan, Bannister, Agnew, Barfield, V.S. Moss, Thayer, Murphy, Hearn, Norman, Gambrell, Sottile, Limehouse, Chumley, Bikas, Crawford, Clemmons, Crosby, Daning, Delleney, Hamilton, Hayes, Hixon, Hodges, D.C. Moss, Nanney, Owens, Patrick, Pinson, Pitts, Pope, Simrill, G.R. Smith, J.R. Smith, Tallon, Taylor, White and Young: AN ACT TO AMEND SECTION 39‑25‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING ADULTERATED OR MISBRANDED FOOD AND COSMETICS, SO AS TO PROVIDE A DEFINITION FOR THE TERM “HONEY”, TO PROVIDE STANDARDS FOR THE PROCESSING AND PACKAGING OF HONEY FOR SALE, TO EXEMPT CERTAIN BEEKEEPERS FROM CERTAIN INSPECTIONS AND REGULATIONS RELATING TO THE PROCESSING, EXTRACTION, AND PACKAGING OF HONEY, AND TO PROVIDE LABELING REQUIREMENTS FOR HONEY.

(R126, H. 4192) -- Reps. Pitts and Harrison: AN ACT TO AMEND SECTION 1‑30‑90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN AGENCIES, BOARDS, AND COMMISSIONS THAT WERE TRANSFERRED TO, INCORPORATED IN, AND ADMINISTERED AS PART OF THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO DELETE THE LAW ENFORCEMENT TRAINING COUNCIL.

(R127, H. 4594) -- Rep. Hodges: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE MICROENTERPRISE DEVELOPMENT STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 20, 2012, TO SEPTEMBER 1, 2012.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4591 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 917 IN DILLON COUNTY FROM 1131 SOUTH CAROLINA HIGHWAY 917 EAST TO 608 SOUTH CAROLINA HIGHWAY 917 EAST "BRIGADIER GENERAL CARROLL G. ALLEN, SR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "BRIGADIER GENERAL CARROLL G. ALLEN, SR. HIGHWAY".

H. 4630 -- Reps. Harrell, Lucas, Hardwick, Harrison, Howard, Owens, Sandifer, White, Bingham and Ott: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JEAN HOEFER TOAL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 8, 2012.

H. 4635 -- Reps. Funderburk, Erickson, Brady, Stavrinakis, Agnew, Ott, McLeod, McCoy, Sottile, Allison, Delleney, Gambrell, Hamilton, Harrell, Herbkersman, Horne, Limehouse, Long, Murphy, Pitts, Pope, Simrill, G. R. Smith, Thayer, Weeks, Willis, Bowers and V. S. Moss: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO DESIGNATE IN SOUTH CAROLINA THE SOUTHERN CAMPAIGN OF THE REVOLUTION NATIONAL HERITAGE AREA, WHICH IS AN AREA UNDER CONSIDERATION FOR THIS NATIONAL HERITAGE AREA DESIGNATION DUE TO ITS HISTORICAL SIGNIFICANCE AND SOUTH CAROLINA'S VITAL ROLE IN THE AMERICAN REVOLUTION.

H. 4685 -- Reps. Spires, Atwater and Toole: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE WHITE KNOLL HIGH SCHOOL MARCHING BAND OF LEXINGTON COUNTY FOR A SPECTACULAR PERFORMING SEASON, AND TO CONGRATULATE SCHOOL OFFICIALS, THE DIRECTORS, AND THE BAND FOR CAPTURING THE 2011 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

H. 4686 -- Reps. Harrell, R. L. Brown, Crosby, Gilliard, Horne, Limehouse, Mack, McCoy, Merrill, Ryan, Sottile, Stavrinakis and Whipper: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE WORK OF THE CANNON STREET YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) IN CHARLESTON COUNTY, AND TO CONGRATULATE THE STAFF AND MEMBERS FOR ONE HUNDRED FORTY-FIVE YEARS OF OUTSTANDING SERVICE TO THEIR COMMUNITY.

**ADJOURNMENT**

At 11:50 a.m. the House, in accordance with the motion of Rep. WEEKS, adjourned in memory of Ellie Herbert Sumter of Sumter, to meet at 10:00 a.m. tomorrow.

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