~~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 Lamentations 3:24: “The Lord is my portion, says my soul, therefore I will hope in him.”

Let us pray. Merciful Lord, grant these men and women the desire, the courage, the wisdom, and the integrity to heed Your words in their discussions. As Your beloved children, they are called to carry out the duties of government for this State, and we ask You to give them the strength to produce results. May they acknowledge You as their guide and sustainer in life. Look in favor upon our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government. Protect our defenders of freedom 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. HORNE moved that when the House adjourns, it adjourn in memory of David L. Unwin of Summerville, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family of PFC Kalin Christopher Lee Johnson of Lexington who was killed in Afghanistan and for all the armed forces who are serving to protect our freedom.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., March 9, 2011

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 12:30 p.m. on Thursday, March 10, 2011, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. ALLISON the invitation was accepted.

**REPORTS OF STANDING COMMITTEES**

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3870 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHLAND AVENUE IN THE CITY OF SPARTANBURG "THOMAS RICE, JR. AVENUE" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS AVENUE THAT CONTAIN THE WORDS "THOMAS RICE, JR. AVENUE".

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3871 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF WEST HENRY STREET IN THE CITY OF SPARTANBURG FROM ITS INTERSECTION WITH SOUTH CHURCH STREET TO ITS INTERSECTION WITH JOHN B. WHITE BOULEVARD "J. C. STROBLE BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "J. C. STROBLE BOULEVARD".

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 3874 -- Rep. Herbkersman: A BILL 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.

Ordered for consideration tomorrow.

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

H. 3711 -- Reps. Sandifer, Hayes and D. C. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-61-210 SO AS TO PROVIDE THAT AN ENTITY THAT CONTRACTS WITH AN AUTOMOBILE CLUB LICENSED UNDER THE MOTOR CLUB SERVICES ACT FOR THE PROVISIONS OF EMERGENCY ROAD SERVICE AND TOWING SERVICE TO THE ENTITY'S CUSTOMERS IS EXEMPT FROM ALL REQUIREMENTS OF THE MOTOR CLUB SERVICES ACT.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3904 -- Reps. Jefferson, Crosby, Daning, Limehouse, Merrill and Umphlett: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE TIMBERLAND HIGH SCHOOL GIRLS BASKETBALL TEAM ON ITS IMPRESSIVE WIN OF THE 2011 CLASS AA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS, COACH, AND STAFF ON AN OUTSTANDING SEASON.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3905 -- Reps. Jefferson, Crosby, Daning, Limehouse, Merrill and Umphlett: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE TIMBERLAND HIGH SCHOOL GIRLS BASKETBALL TEAM, HEAD COACH CLEVE TOUCHBERRY, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND HONORING THE TEAM ON CAPTURING THE 2011 CLASS AA 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 Timberland High School girls basketball team, Head Coach Cleve Touchberry, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and honoring the team on capturing the 2011 Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3906 -- Reps. Whitmire, Sandifer, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, 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, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, 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, Quinn, Rutherford, Ryan, Sabb, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Williams, Willis and Young: A HOUSE RESOLUTION TO DECLARE SATURDAY, MARCH 26, 2011, AS "VIETNAM-ERA VETERANS APPRECIATION DAY" IN OCONEE COUNTY, AND TO OFFER THE GRATITUDE OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES FOR THE MILITARY SERVICE OF THESE HEROES.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3907 -- Reps. McEachern and Hart: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE KEENAN HIGH SCHOOL BOYS BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND COMMENDING THEM ON THEIR OUTSTANDING SEASON AND FOR CAPTURING THE 2011 CLASS AA 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 Keenan High School boys basketball team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and commending them on their outstanding season and for capturing the 2011 Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3908 -- Reps. McEachern and Hart: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE KEENAN HIGH SCHOOL BOYS BASKETBALL TEAM FOR CAPTURING THE 2011 CLASS AA STATE CHAMPIONSHIP TITLE, AND TO HONOR THE TEAM'S EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3909 -- Rep. Rutherford: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND M. SUE FRAZIER OF RICHLAND COUNTY FOR HER OUTSTANDING PUBLIC AND COMMUNITY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3910 -- Reps. Lucas, Barfield, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, 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, Cooper, 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, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, 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, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR WHITNEY KELLY WILLIAMS FOR HER YEARS OF DEDICATED SERVICE TO THE HOUSE OF REPRESENTATIVES, AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS IN THE PRIVATE SECTOR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3916 -- Rep. Rutherford: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR VICTORIA MARTIN THOMAS FOR HER DEDICATED SERVICE AS AN EDUCATOR SPANNING MORE THAN THREE DECADES.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 679 -- Senators Elliott, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS AND PRESIDENT BARACK OBAMA TO EXPEDITIOUSLY PURSUE IMPROVED ENERGY POLICIES AND RELATED TAX POLICIES IN AN EFFORT TO STRENGTHEN OUR NATIONAL ECONOMY AND ENHANCE THE QUALITY OF LIFE OF AMERICAN CITIZENS.

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

**INTRODUCTION OF BILLS**

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

H. 3911 -- Rep. Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE AUTHORITY CHARGED BY LAW CONDUCTING AN ELECTION SHALL ESTABLISH EARLY VOTING CENTERS, TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY RESIDENT TO VOTE OUTSIDE THEIR PRECINCT, TO PROVIDE A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY REGISTER TO VOTE AND CAST A BALLOT DURING THE EARLY VOTING PERIOD, TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS, AND TO REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS OF SECTION 30-4-80.

Referred to Committee on Judiciary

H. 3912 -- Reps. Williams, Brantley, King, Sabb, Alexander, Gambrell, Jefferson, Anderson, Clyburn, Gilliard, Hosey and J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57 TO TITLE 44 SO AS TO PROVIDE THAT THE RESTROOM FACILITIES IN ANY PLACE OF BUSINESS IN THIS STATE OF A RETAILER SELLING TANGIBLE PERSONAL PROPERTY MUST BE AVAILABLE FOR USE BY PURCHASERS OR PROSPECTIVE PURCHASERS ENTERING THIS PLACE OF BUSINESS UPON THEIR REQUEST.

Referred to Committee on Labor, Commerce and Industry

H. 3913 -- Reps. Sottile, Gilliard, Limehouse, Bikas, Crosby, Daning, Hixon and Mack: A BILL TO AMEND SECTION 56-3-1960, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY AND PERMANENT PARKING PLACARDS, SO AS TO ALLOW A PERSON TO BE ISSUED TWO PLACARDS.

Referred to Committee on Education and Public Works

H. 3914 -- Rep. Herbkersman: A BILL 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.

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

H. 3915 -- Reps. Simrill and Owens: A BILL TO AMEND SECTION 56-19-265, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTIFICATION OF LIENS OR ENCUMBRANCES ON MOTOR VEHICLES AND MOBILE HOMES TO LIENHOLDERS, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO TRANSMIT NOTICE OF LIENS OR ENCUMBRANCES ON MOTOR VEHICLES AND MOTOR HOMES TO LIENHOLDERS ELECTRONICALLY, DELETE THE REFERENCE TO NOTICE BY PAPER CERTIFICATE, AND TO MAKE CONFORMING CHANGES.

Referred to Committee on Education and Public Works

H. 3917 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO PROVIDE THAT EACH ENTITY, INCLUDING POLITICAL SUBDIVISIONS, IN A COUNTY PROVIDING WATER SERVICE WHICH IS PART OF A JOINT REGIONAL WATER ASSOCIATION AND OBTAINS ITS WATER, IN WHOLE OR IN PART, FROM A REGIONAL PRODUCING CENTER SHALL HAVE A SPECIAL WATER BOARD TO PERFORM THE FUNCTION OF ESTABLISHING WATER RATES FOR THE ENTITY BASED ON THE COST ASSOCIATED WITH THE DELIVERY OF THE WATER TO THE CUSTOMER, TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD AND OTHER FUNCTIONS IT SHALL PERFORM, AND TO PROVIDE A PROCEDURE WHERE PROPERTY OWNERS IN AN AREA SERVED BY A "FOR PROFIT" WATER COMPANY OF A CERTAIN SIZE IN THE COUNTY MAY PETITION A CONTIGUOUS ENTITY TO PROVIDE WATER SERVICE IN THE AREA IN ORDER TO UPGRADE THEIR WATER SERVICE AND FOR THE MANNER IN WHICH AND REQUIREMENTS UNDER WHICH THAT ENTITY MAY PROVIDE WATER SERVICE IN THIS AREA.

Referred to Committee on Labor, Commerce and Industry

H. 3918 -- Rep. White: A BILL TO AMEND CHAPTER 1, TITLE 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION OF THE DIVISION OF AERONAUTICS WITHIN THE DEPARTMENT OF COMMERCE, SO AS TO MOVE THE FUNCTIONS, DUTIES, AND RESPONSIBILITIES OF THE DIVISION OF AERONAUTICS TO THE DEPARTMENT OF TRANSPORTATION, TO REVISE CERTAIN PROVISIONS RELATING TO THE OPERATION OF INTRASTATE SCHEDULED AIRLINE SERVICE, COUNTY AVIATION COMMISSIONS, THE USE OF STATE-OWNED AIRCRAFT, AND THE USE OF ALCOHOLIC BEVERAGES BY FLIGHT CREW MEMBERS, TO MAKE TECHNICAL CHANGES, AND TO REVISE CERTAIN PENALTIES; TO AMEND CHAPTER 3, TITLE 55, RELATING TO THE UNIFORM STATE LAWS FOR AERONAUTICS, SO AS TO MAKE TECHNICAL CHANGES, REVISE CERTAIN PROVISIONS RELATING TO THE DEFINITION OF VARIOUS FORMS OF AIRCRAFT, THE OWNERSHIP OF AIRSPACE, THE LANDING OF AN AIRCRAFT ON LANDS OR WATERS, TO PROVIDE THAT IT IS ILLEGAL TO POINT, AIM, OR DISCHARGE A LASER DEVICE AT CERTAIN AIRCRAFT, AND PROVIDE PENALTIES; TO AMEND CHAPTER 5, TITLE 55, RELATING TO THE UNIFORM STATE AERONAUTICAL REGULATORY LAW, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT CONTAINS VARIOUS TERMS AND THEIR DEFINITIONS, TO DELETE THE PROVISION THAT REQUIRES THE STATE BUDGET AND CONTROL BOARD TO PROVIDE OFFICES FOR THE DIVISION OF AERONAUTICS, TO REVISE THE DIVISION'S RESPONSIBILITIES RELATING TO ITS REGULATION OF CERTAIN AIR NAVIGATION AND AIRPORT FACILITIES, THE CONSTRUCTION OF AIRPORTS, THE REPORTS IT FILES WITH THE FEDERAL AVIATION ADMINISTRATION, AND THE OPERATION OF THE DIVISION, TO PROVIDE PENALTIES FOR VIOLATIONS OF PROVISIONS OF THIS CHAPTER, AND TO REVISE PROVISIONS RELATING TO THE USE OF MONIES CONTAINED IN THE STATE AVIATION FUND; TO AMEND CHAPTER 9, TITLE 55, RELATING TO THE UNIFORM SOUTH CAROLINA AIRPORTS ACT, SO AS TO MAKE TECHNICAL CHANGES, TO PROVIDE THAT THIS CHAPTER ALSO APPLIES TO COUNTIES, AIRPORT COMMISSIONS, AND SPECIAL PURPOSE DISTRICTS, TO DELETE OBSOLETE TERMS, TO REVISE THE PROJECTS THAT MAY BE FUNDED FROM MONIES CONTAINED IN AIRPORT FACILITIES ACCOUNTS, AND TO PROVIDE FOR THE TERM "AIRPORT HAZARD" AND TO PROVIDE ITS DEFINITION AND THE REGULATION OF AN AIRPORT HAZARD; TO AMEND CHAPTER 11, TITLE 55, RELATING TO THE CREATION AND OPERATION OF CERTAIN AIRPORTS WITHIN THE STATE, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE CERTAIN OBSOLETE TERMS, TO REVISE THE PROCESS FOR THE MAKING OF CERTAIN CONTRACTS FOR THE CONSTRUCTION, ERECTION, MAINTENANCE, AND REPAIR OF CERTAIN AIRPORT FACILITIES TO ALLOW FOR THE SALE OF ALCOHOLIC BEVERAGES AT CERTAIN AIRPORT FACILITIES, TO REVISE CERTAIN PENALTIES, TO REVISE THE DEFINITION OF A QUORUM FOR A CERTAIN AIRPORT COMMISSION, TO EXPAND THE AUTHORITY OF CERTAIN AIRPORT COMMISSIONS TO ADOPT RULES AND PROMULGATE REGULATIONS, TO PROVIDE THAT IT IS UNLAWFUL TO ENGAGE IN CERTAIN ACTIVITIES UPON CERTAIN AIRPORT PROPERTY, TO DELETE THE TERM "SECRETARY" AND ITS DEFINITION, AND REPLACE IT WITH THE TERM "EXECUTIVE DIRECTOR" AND ITS DEFINITION AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 13, TITLE 55, RELATING TO THE PROTECTION OF AIRPORTS AND AIRPORT PROPERTY, SO AS TO PROVIDE THAT THE DIVISION OF AERONAUTICS SHALL CREATE MAPS OF THE STATE'S PUBLIC USE AIRPORTS AND DISTRIBUTE THEM TO VARIOUS LOCAL GOVERNMENTAL AGENCIES FOR VARIOUS PURPOSES, AND TO DEFINE THE TERM "AIRPORT SAFETY ZONES", TO PROVIDE THAT POLITICAL SUBDIVISIONS MAY ASSIST WITH THE PROTECTION OF AREAS THAT POSE HAZARDS TO AIR TRAFFIC, AND TO REVISE THE PENALTIES FOR VIOLATIONS OF THIS CHAPTER; TO AMEND CHAPTER 15, TITLE 55, RELATING TO RELOCATION ASSISTANCE, SO AS TO DELETE THE TERM "DEPARTMENT OF COMMERCE" AND REPLACE IT WITH THE TERM "DEPARTMENT OF TRANSPORTATION", AND TO MAKE TECHNICAL CHANGES; TO AMEND CHAPTER 17, TITLE 55, RELATING TO REGIONAL AIRPORT DISTRICTS, SO AS TO REVISE THE PROVISION THAT REVISES THE TYPE OF AIR CARRIERS REGULATED BY THIS CHAPTER, AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 13-1-20, RELATING TO CERTAIN RESPONSIBILITIES OF THE DEPARTMENT OF COMMERCE, SO AS TO DELETE ITS RESPONSIBILITY TO DEVELOP STATE PUBLIC AIRPORTS AND AN AIR TRANSPORTATION SYSTEM; TO AMEND SECTION 13-1-30, AS AMENDED, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF COMMERCE, SO AS TO REVISE THE PROVISIONS RELATING TO THE DIVISION OF AERONAUTICS; TO AMEND SECTION 13-1-1000, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO REVISE THE DEFINITION OF THE TERM "DEPARTMENT"; TO AMEND SECTION 13-1-1010, RELATING TO THE AERONAUTICS COMMISSION, SO AS TO PROVIDE THAT IT IS NO LONGER A DIVISION OF THE DEPARTMENT OF COMMERCE, BUT A DIVISION OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTIONS 57-1-20, 57-1-30, AND 57-1-450, ALL AS AMENDED, RELATING TO THE DUTIES, FUNCTIONS, AND RESPONSIBILITIES OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT IT SHALL HAVE A DIVISION OF AERONAUTICS, OVERSEE THE SAFETY AND DEVELOPMENT OF THE STATE'S PUBLIC USE AIRPORTS, PROVIDE SAFE RELIABLE AIR TRANSPORTATION FOR STATE GOVERNMENT AND BUSINESS PROSPECTS, AND PROVIDE THAT ITS DIRECTOR MUST BE APPOINTED BY THE GOVERNOR; AND TO REPEAL CHAPTER 8, TITLE 55, RELATING TO THE UNIFORM AIRCRAFT FINANCIAL RESPONSIBILITY ACT.

Referred to Committee on Judiciary

H. 3919 -- Reps. King, Rutherford, Gilliard, Mitchell and Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-1-265 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY, BY CONCURRENT RESOLUTION, SHALL GRADE THE GOVERNOR'S ACCOMPLISHMENTS AND PERFORMANCE FOR THE FISCAL YEAR, AND TO SPECIFY THE CATEGORIES ON WHICH THE GOVERNOR MUST BE GRADED.

Rep. KING asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. BEDINGFIELD objected.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Battle | Bedingfield | Bikas |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Hamilton | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | 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 | Ott | Owens |
| Parker | Parks | Pitts |
| Pope | Rutherford | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| 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, March 10.

|  |  |
| --- | --- |
| Terry Alexander | Jerry Govan |
| Chris Hart | Harold Mitchell |
| Lewis E. Pinson | Ted Vick |
| Thad Viers | Richard "Rick" Quinn |

**Total Present--117**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**SPECIAL PRESENTATION**

Reps. AGNEW and GAMBRELL presented to the House the Abbeville High School football team, the 2010 Class A, Division 1 Champions, their coaches and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3041 |
| Date: | ADD: |
| 03/10/11 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3631 |
| Date: | ADD: |
| 03/10/11 | PITTS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3083 |
| Date: | ADD: |
| 03/10/11 | LONG |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3226 |
| Date: | ADD: |
| 03/10/11 | HIXON and TAYLOR |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3226 |
| Date: | ADD: |
| 03/10/11 | BARFIELD, LOFTIS, CORBIN, CLEMMONS and HEARN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3267 |
| Date: | ADD: |
| 03/10/11 | PITTS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3470 |
| Date: | ADD: |
| 03/10/11 | LOFTIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3713 |
| Date: | ADD: |
| 03/10/11 | HIXON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3658 |
| Date: | ADD: |
| 03/10/11 | HORNE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3407 |
| Date: | ADD: |
| 03/10/11 | LUCAS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3865 |
| Date: | ADD: |
| 03/10/11 | QUINN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3864 |
| Date: | ADD: |
| 03/10/11 | QUINN |

**MOTION ADOPTED**

Rep. COOPER moved that H. 3700, the General Appropriation Bill for Fiscal Year 2011-2012, be set for Special Order on Monday, March 14, 2011, immediately after roll call and after roll call every day thereafter, and continue each day until given second reading, which was agreed to.

**MOTION ADOPTED**

Rep. COOPER moved that H. 3701, the Joint Resolution appropriating the Capital Reserve Fund for Fiscal Year 2010-2011, be set for Special Order immediately following second reading of H. 3700, and immediately after roll call every day thereafter, and continue each day until given second reading, which was agreed to.

**MOTION ADOPTED**

Rep. COOPER moved that while debating H. 3700 on second reading that the Bills on the Calendar be printed by number only, which was agreed to.

**MOTION ADOPTED**

Rep. COOPER moved that when the House adjourns today that it adjourn to meet in Local Session on Friday, March 11, 2011, and convene at 11:00 a.m., Monday, March 14, 2011, in Statewide Session, which was agreed to.

**MOTION ADOPTED**

Rep. COOPER moved that H. 3700 be set for Special Order for third reading immediately after second reading of H. 3701, and immediately after roll call every day thereafter, and continue each day thereafter until given third reading, which was agreed to.

**MOTION ADOPTED**

Rep. COOPER moved that H. 3701 be set for Special Order for third reading immediately after third reading of H. 3700, and immediately after roll call every day thereafter, and continue each day thereafter until given third reading, which was agreed to.

**SENT TO THE SENATE**

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

H. 3790 -- Rep. Sellers: A BILL TO CREATE THE BAMBERG COUNTY WATER AND SEWER AUTHORITY; TO PROVIDE FOR ITS DUTIES, RESPONSIBILITIES, AND POWERS; AND TO PROVIDE FOR THE APPOINTMENT AND TERMS OF THE AUTHORITY'S MEMBERS.

H. 3806 -- Reps. Toole, Bingham, Quinn, Frye, Huggins, Atwater, Spires, McLeod, Ballentine and Ott: A JOINT RESOLUTION TO PROVIDE A PROPERTY TAX CREDIT FOR PROPERTY TAX YEAR 2011 FOR OWNER-OCCUPIED RESIDENTIAL PROPERTY SITUATED IN LEXINGTON COUNTY SCHOOL DISTRICT NOS. 1 AND 4 AS THE SOLE REMEDY FOR REFUNDING OVERPAYMENTS OF PROPERTY TAX ON SUCH PROPERTY FOR PROPERTY TAX YEARS 2007 AND 2008 AS A RESULT OF THE OPINION OF THE SOUTH CAROLINA SUPREME COURT IN THE CASE OF BERKELEY COUNTY SCHOOL DISTRICT ET AL. V. SOUTH CAROLINA DEPARTMENT OF REVENUE, AND TO PROVIDE FOR THE CALCULATION OF THE CREDIT AND OTHER REFUNDS RESULTING FROM THE CASE, AND TO PROVIDE THOSE ELIGIBLE TO RECEIVE THE CREDIT.

H. 3438 -- Reps. G. M. Smith and Weeks: A BILL TO AMEND SECTION 29-15-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LIENS FOR REPAIR OR STORAGE, SO AS TO EXCLUDE FROM THESE LIENS THE CONTENTS OF A TOWED, STORED, OR REPAIRED MOTOR VEHICLE, TRAILER, MOBILE HOME, WATERCRAFT, OR OTHER ITEM OR OBJECT SUBJECT TO TOWING, STORAGE, OR REPAIR.

H. 3786 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF ARCHIVES AND HISTORY, RELATING TO REHABILITATION OF DESIGNATED HISTORIC BUILDINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4135, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3574 -- Reps. Merrill, Quinn, Bingham, Toole, Atwater, G. M. Smith, Frye, Spires, Stavrinakis and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-545 SO AS TO PROVIDE THAT A MEMBER OF A STATE BOARD OR STATE COMMISSION MAY NOT BE EMPLOYED BY THE BOARD OR COMMISSION ON WHICH HE SERVES, OR AN ENTITY GOVERNED BY THAT BOARD OR COMMISSION, DURING THE TERM OF HIS SERVICE OR FOR ONE YEAR AFTER HIS TENURE ON THE BOARD OR COMMISSION ENDS.

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 628 -- Senators Rose and Matthews: A BILL TO AMEND SECTION 3, ACT 267 OF 1987, RELATING TO THE AUTHORITY OF THE DORCHESTER COUNTY SCHOOL DISTRICTS TO SET THE TAX MILLAGE FOR EACH RESPECTIVE DISTRICT'S ANNUAL OPERATING BUDGET, SO AS TO PROVIDE THAT EACH DISTRICT MAY NOT EXCEED THE MILLAGE CAP IMPOSED BY SECTION 6-1-320 WITHOUT THE APPROVAL OF THE DORCHESTER COUNTY COUNCIL; AND TO AMEND ACT 593 OF 1992, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO CHANGE THE LIMIT FROM FIVE PERCENT TO FIFTEEN PERCENT.

**ORDERED TO THIRD READING**

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

H. 3667 -- Rep. Bannister: A BILL TO AMEND SECTION 16-3-655, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL SEXUAL CONDUCT WITH A MINOR OFFENSES, SO AS TO PROVIDE FOR CRIMINAL SEXUAL CONDUCT IN THE THIRD DEGREE WHEN THE ACTOR IS OVER THE AGE OF FOURTEEN AND COMMITS CERTAIN ACTS WITH A CHILD UNDER THE AGE OF SIXTEEN, TO PROVIDE AN EXCEPTION FOR CERTAIN CONSENSUAL CONDUCT, AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 16-15-140 RELATING TO COMMITTING OR ATTEMPTING TO COMMIT A LEWD ACT UPON A CHILD UNDER THE AGE OF SIXTEEN.

Rep. BANNISTER explained the Bill.

**H. 3667--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 3667 be read the third time tomorrow.

**H. 3669--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3669 -- Reps. Harrison and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-7-385 SO AS TO PROVIDE THAT WITH CERTAIN EXCEPTIONS, THE ATTORNEY GENERAL MUST APPROVE ANY CIVIL ACTION UNDERTAKEN BY A SOLICITOR OF THIS STATE EITHER UNDER HIS OWN SIGNATURE IN HIS OFFICIAL CAPACITY ON BEHALF OF THE STATE OR BY OUTSIDE COUNSEL RETAINED AS PROVIDED BY LAW BY THE SOLICITOR IN HIS OFFICIAL CAPACITY ON BEHALF OF THE STATE; AND TO AMEND SECTION 15-3-570, RELATING TO ACTIONS TO SECURE A PENALTY OR FORFEITURE BY A PRIVATE PARTY FOR A PENALTY OR FORFEITURE GIVEN TO THE PRIVATE PARTY, OR UPON FAILURE OF THE PRIVATE PARTY TO COMMENCE THE ACTION WITHIN THE TIME PRESCRIBED BY THE ATTORNEY GENERAL OR THE SOLICITOR OF THE CIRCUIT WHERE THE OFFENSE WAS COMMITTED ON BEHALF OF THE STATE, SO AS TO DELETE THE AUTHORITY OF THE SOLICITOR OF THE CIRCUIT WHERE THE OFFENSE WAS COMMITTED TO BRING THE ACTION.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\DKA\3548SD11), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Article 5, Chapter 7, Title 1 of the 1976 Code is amended by adding:

“Section 1‑7‑385. Except in actions for forfeiture proceedings initiated by or pursuant to a seizure by a law enforcement agency, for estreatment of bail bonds, for nuisance actions pursuant to Chapter 43, Title 15, or in matters where the Attorney General’s approval is not required by law by specific exception to the provisions of this section, the Attorney General must approve any civil action undertaken by a solicitor of this State either under his own signature in his official capacity on behalf of the State or by outside counsel retained as provided by law by the solicitor in his official capacity on behalf of the State.” /

Amend further, by striking SECTION 3 and inserting:

/SECTION 3. This act takes effect upon approval by the Governor, but only applies to any civil action commenced after the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY explained the amendment.

The amendment was then adopted.

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

**H. 3669--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. DELLENEY, with unanimous consent, it was ordered that H. 3669 be read the third time tomorrow.

**H. 3631--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3631 -- Reps. Harrison, Funderburk, Pitts, Anderson, R. L. Brown, Govan, Hodges, Allen, White, Edge, Whipper, Hiott, Limehouse, Horne, Vick, Herbkersman, Agnew, Viers, Hardwick, Harrell, Sellers, Skelton, Gambrell, Young and Taylor: A BILL TO AMEND SECTION 48-34-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR CONDUCTING A PRESCRIBED FIRE, SO AS TO FURTHER SPECIFY SUPERVISION REQUIREMENTS FOR A PRESCRIBED FIRE MANAGER AND TO REFERENCE SPECIFIC REGULATORY AND STATUTORY PROVISIONS APPLICABLE TO CONDUCTING A PRESCRIBED FIRE; AND TO AMEND SECTION 48-34-50, RELATING TO LIABILITY FOR DAMAGES CAUSED BY A PRESCRIBED FIRE, SO AS TO PROVIDE THAT A PROPERTY OWNER, LESSEE, AGENT, OR EMPLOYEE IS NOT LIABLE FOR DAMAGES CAUSED BY THE RESULTING SMOKE OF A PRESCRIBED FIRE UNLESS GROSS NEGLIGENCE IS PROVEN.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\NBD\11447AC11), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 1 of the bill and inserting:

/SECTION 1. Section 48‑34‑40 of the 1976 Code is amended to read:

“Section 48‑34‑40. Prescribed fires conducted pursuant to this chapter:

(1) must have a prescribed fire plan prepared before authorization to burn is given by the State Commission of Forestry, and the plan must be on site and followed during the burn;

(2) must have at least one certified prescribed fire manager present ~~and~~ who must consider both fire behavior and smoke management issues while supervising the burn from ignition until it is declared safe according to certification guidelines;

(3) are considered in the public interest and do not constitute a public or private nuisance when conducted pursuant to state air pollution statutes, smoke management guidelines, as provided for in Regulations 61‑62.2, or a successor regulation thereto, and ~~regulations~~ other statutory provisions applicable to the use of prescribed fire, as provided for in Chapter 35 and Chapter 2, Title 50; and

(4) are considered a property right of the property owner.”

Renumber sections to conform.

Amend title to conform.

Rep. HARRISON explained the amendment.

The amendment was then adopted.

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

**H. 3631--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HARRISON, with unanimous consent, it was ordered that H. 3631 be read the third time tomorrow.

**H. 3249--INTERRUPTED DEBATE**

The following Bill was taken up:

H. 3249 -- Reps. G. M. Smith, Taylor and G. R. Smith: A BILL TO AMEND SECTION 61-6-4020, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSPORTATION OF ALCOHOLIC LIQUORS IN A MOTOR VEHICLE, SO AS TO CLARIFY THAT THE LUGGAGE COMPARTMENT OR CARGO AREA IN WHICH ONE MAY LAWFULLY TRANSPORT A CONTAINER OF ALCOHOLIC LIQUOR WITH A BROKEN OR OPENED SEAL OR CAP IS NOT LIMITED TO A CLOSED TRUNK THAT IS ACCESSIBLE ONLY FROM THE EXTERIOR OF THE VEHICLE SO LONG AS THE LUGGAGE COMPARTMENT OR CARGO AREA IS SEPARATE AND DISTINCT FROM THE DRIVER'S AND PASSENGERS' COMPARTMENTS; AND TO PROVIDE THAT A PERSON'S DRIVER'S LICENSE MAY NOT BE SUSPENDED FOR A VIOLATION OF THIS SECTION.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\GGS\22053ZW11):

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

/ SECTION 1. Section 61‑6‑4020 of the 1976 Code is amended to read:

“Section 61‑6‑4020. (A) A person who is twenty‑one years of age or older may transport lawfully acquired alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed; but if the cap or seal on the container has been opened or broken, it is unlawful to transport the liquors in a motor vehicle, except in ~~the~~ a trunk, luggage compartment, or cargo area that is separate and distinct from the driver’s and passengers’ compartments. For purposes of this exception, the luggage compartment or cargo area is not required to be a closed trunk that is accessible only from the exterior of the motor vehicle. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. A person’s driver’s license may not be suspended for a violation of this section. For purposes of this section, alcoholic liquors means all distilled spirits regardless of the percentage of alcohol by volume that they contain.

(B) Section 61-6-4290 and 61-6-4300 do not apply to violations of this statute.”

SECTION 2. A person whose driver’s license is currently suspended due solely to a violation of Section 61-6-4020 is eligible for immediate reinstatement upon payment of the reinstatement fee to the Department of Motor Vehicles.

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

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

**LEAVE OF ABSENCE**

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

Rep. BANNISTER continued speaking.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of Amendment No. 1.

**RECURRENCE TO THE MORNING HOUR**

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

**INTRODUCTION OF BILLS**

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

H. 3920 -- Rep. Bingham: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, INCLUDING THE DEFINITION OF "INTERMEDIATE CARE FACILITY FOR THE MENTALLY RETARDED", SO AS TO SUBSTITUTE "PERSONS WITH INTELLECTUAL DISABILITY" FOR "THE MENTALLY RETARDED"; TO AMEND CHAPTER 20, TITLE 44, RELATING TO THE SOUTH CAROLINA MENTAL RETARDATION, RELATED DISABILITIES, HEAD INJURIES, AND SPINAL CORD INJURIES ACT, INCLUDING THE CREATION, GOVERNANCE, AND OPERATION OF THE SOUTH CAROLINA DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, CHAPTER 21, TITLE 44, RELATING TO THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS FAMILY SUPPORT SERVICES, SECTION 44-23-10, AND ARTICLES 3 AND 5 OF CHAPTER 23, TITLE 44, RELATING TO PROVISIONS APPLICABLE TO BOTH MENTALLY ILL AND MENTALLY RETARDED PERSONS, CHAPTER 26, TITLE 44, RELATING TO THE RIGHTS OF MENTAL RETARDATION CLIENTS, ALL SO AS TO CHANGE THE TERM “MENTAL RETARDATION” TO “INTELLECTUAL DISABILITY” AND THE TERM “MENTALLY RETARDED” TO “PERSON WITH INTELLECTUAL DISABILITY”; TO PROVIDE THAT THE TERMS “INTELLECTUAL DISABILITY" AND "PERSON WITH INTELLECTUAL DISABILITY” HAVE REPLACED AND HAVE THE SAME MEANINGS AS THE FORMER TERMS “MENTAL RETARDATION” AND “MENTALLY RETARDED”; AND TO DIRECT STATE AGENCIES, BOARDS, COMMITTEES, AND COMMISSIONS AND POLITICAL SUBDIVISIONS OF THE STATE AND THE CODE COMMISSIONER TO SUBSTITUTE THE TERM “INTELLECTUAL DISABILITY” FOR “MENTAL RETARDATION” AND THE TERM "PERSON WITH INTELLECTUAL DISABILITY" FOR "MENTALLY RETARDED" IN RULES, REGULATIONS, POLICIES, PROCEDURES, STATUTES, ORDINANCES, AND PUBLICATIONS WHEN THESE RULES, REGULATIONS, POLICIES, PROCEDURES, STATUTES, ORDINANCES, OR PUBLICATIONS ARE AMENDED, REVISED, OR REPUBLISHED.

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

**H. 3249--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

H. 3249 -- Reps. G. M. Smith, Taylor and G. R. Smith: A BILL TO AMEND SECTION 61-6-4020, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSPORTATION OF ALCOHOLIC LIQUORS IN A MOTOR VEHICLE, SO AS TO CLARIFY THAT THE LUGGAGE COMPARTMENT OR CARGO AREA IN WHICH ONE MAY LAWFULLY TRANSPORT A CONTAINER OF ALCOHOLIC LIQUOR WITH A BROKEN OR OPENED SEAL OR CAP IS NOT LIMITED TO A CLOSED TRUNK THAT IS ACCESSIBLE ONLY FROM THE EXTERIOR OF THE VEHICLE SO LONG AS THE LUGGAGE COMPARTMENT OR CARGO AREA IS SEPARATE AND DISTINCT FROM THE DRIVER'S AND PASSENGERS' COMPARTMENTS; AND TO PROVIDE THAT A PERSON'S DRIVER'S LICENSE MAY NOT BE SUSPENDED FOR A VIOLATION OF THIS SECTION.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\GGS\22053ZW11), which was adopted:

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

/ SECTION 1. Section 61‑6‑4020 of the 1976 Code is amended to read:

“Section 61‑6‑4020. (A) A person who is twenty‑one years of age or older may transport lawfully acquired alcoholic liquors to and from a place where alcoholic liquors may be lawfully possessed or consumed; but if the cap or seal on the container has been opened or broken, it is unlawful to transport the liquors in a motor vehicle, except in ~~the~~ a trunk, luggage compartment, or cargo area that is separate and distinct from the driver’s and passengers’ compartments. For purposes of this exception, the luggage compartment or cargo area is not required to be a closed trunk that is accessible only from the exterior of the motor vehicle. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned for not more than thirty days. A person’s driver’s license may not be suspended for a violation of this section. For purposes of this section, alcoholic liquors means all distilled spirits regardless of the percentage of alcohol by volume that they contain.

(B) Section 61-6-4290 and 61-6-4300 do not apply to violations of this statute.”

SECTION 2. A person whose driver’s license is currently suspended due solely to a violation of Section 61-6-4020 is eligible for immediate reinstatement upon payment of the reinstatement fee to the Department of Motor Vehicles.

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

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

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

**H. 3249--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 3249 be read the third time tomorrow.

**H. 3041--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3041 -- Reps. J. R. Smith, Thayer, Harrison, G. R. Smith, Taylor, G. M. Smith, Hixon, Patrick and Clemmons: A BILL TO AMEND SECTIONS 59-71-40 AND 59-71-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO A SCHOOL BOND ELECTION, SO AS TO PROVIDE THAT THE ELECTION MUST BE HELD ON THE DATE OF A GENERAL ELECTION OR ON THE DATE OF A PRIMARY ELECTION.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\AGM\18871BH11), which was adopted:

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

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section [7‑13‑200](http://intranet.scstatehouse.gov/code/t07c013.htm#7-13-200). (A) An entity authorized by law to conduct a referendum, ballot measure, or other election event at which a person is not elected to an office shall conduct this event, at which qualified electors are allowed to cast a ballot, on one of four dates as provided in subsection (B).

(B) The dates on which a referendum, ballot measure, or other election event may be held are:

(1) the second Tuesday in March;

(2) the second Tuesday in June unless there is a regularly scheduled primary election on the second Tuesday in June;

(3) the second Tuesday in September; or

(4) the Tuesday after the first Monday in November.

(C) Notwithstanding another provision of law, if an entity is required to conduct a referendum, ballot measure, or other election event at which a person is not elected to office, it must be conducted on one of the four dates established in subsection (B) after and nearest to the date established by another provision of law.

(D) The provisions of this section do not apply to amendments proposed to the Constitution of this State or the United States Constitution.”

SECTION 2. This act takes effect upon approval by the Governor and applies to a referendum, ballot question, or other election event at which a person is not elected to office after July 1, 2011. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

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

**H. 3041--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that H. 3041 be read the third time tomorrow.

**H. 3562--POINT OF ORDER**

The following Bill was taken up:

H. 3562 -- Reps. Ott, Hardwick, Brady, Spires, Butler Garrick, Vick, Bales, Jefferson, McEachern, Brannon, Munnerlyn, Knight, Sabb, Gambrell, Anderson, Hiott, Hodges, Dillard, Allen, Battle, Hosey, Weeks, Erickson and Long: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 26 TO TITLE 50 SO AS TO ENACT "CHANDLER'S LAW" SO AS TO PROVIDE FOR REGULATION OF THE OPERATION OF ALL-TERRAIN VEHICLES INCLUDING MINIMUM AGE REQUIREMENTS FOR THE OPERATION OF ALL-TERRAIN VEHICLES, SAFETY COURSE COMPLETION REQUIREMENTS, SAFETY EQUIPMENT REQUIREMENTS, AND PASSENGER RIDING REQUIREMENTS, TO PROVIDE FOR THE ENFORCEMENT OF THE PROVISIONS CONTAINED IN THIS CHAPTER, TO PROVIDE THAT ALL-TERRAIN VEHICLES ARE EXEMPT FROM AD VALOREM TAXES, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; AND BY ADDING ARTICLE 9 TO CHAPTER 19, TITLE 56 SO AS TO PROVIDE A PROCEDURE FOR THE TITLING OF ALL-TERRAIN VEHICLES.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 (COUNCIL\SWB\5180CM11):

Amend the bill, as and if amended, Section 50‑26‑30(A), as contained in SECTION 1, by deleting / nine / on line 8, page 2, and inserting / six /

Amend the bill further, Section 50‑26‑40(H), as contained in SECTION 1, by deleting Section 50‑26‑40(H), and inserting:

/ (H) It is unlawful to operate an all‑terrain vehicle in a reckless manner. /

Amend the bill further, Section 50‑26‑70, as contained in SECTION 1, page 3, by deleting Section 50‑26‑70 and inserting:

/ Section 50‑26‑70. This chapter does not apply to:

(1) an owner, operator, lessor, or renter of a farm or ranch, or that person’s employees, immediate family, or household members, when operating an all‑terrain vehicle while engaged in farming or ranching operations; or

(2) a person using an all‑terrain vehicle for hunting or trapping purposes if the person otherwise is lawfully engaged in those activities.” /

Renumber sections to conform.

Amend title to conform.

Rep. AGNEW explained the amendment.

**POINT OF ORDER**

Rep. G. M. SMITH 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. 3226--RECALLED AND REFERRED TO COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

On motion of Rep. BEDINGFIELD, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary and was referred to the Committee on Labor, Commerce and Industry:

H. 3226 -- Reps. Bedingfield, Stringer, G. R. Smith, Simrill, Harrison, Allison, G. M. Smith, Bingham, Viers, Ballentine, Harrell, Young, Herbkersman, Hixon, Taylor, Barfield, Loftis, Corbin, Clemmons and Hearn: A BILL TO ENACT THE “SOUTH CAROLINA REGULATORY REFORM ACT”; TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-122 SO AS TO PROVIDE THE GENERAL ASSEMBLY OR A COMMITTEE OF THE GENERAL ASSEMBLY MAY NOT AMEND OR OTHERWISE CHANGE AN AMENDMENT UNDER GENERAL ASSEMBLY REVIEW, AND ONLY THE AGENCY THAT SUBMITTED THE REGULATION FOR REVIEW MAY AMEND OR OTHERWISE CHANGE THE LANGUAGE OF A REGULATION IT SUBMITS FOR GENERAL ASSEMBLY REVIEW; TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO THE APPROVAL OF PROPOSED REGULATIONS, SO AS TO DELETE THE PROVISION OF AN AUTOMATIC APPROVAL AND TO INSTEAD PROVIDE AN AUTOMATIC VOTE IN THE HOUSE AND SENATE; AND TO AMEND SECTION 1-23-125, AS AMENDED, RELATING TO CERTAIN NOTICE REQUIREMENTS, SO AS TO MAKE CONFORMING CHANGES.

**OBJECTION TO RECALL**

Rep. HART asked unanimous consent to recall H. 3919 from the Committee on Judiciary.

Rep. HAMILTON objected.

**OBJECTION TO RECALL**

Rep. KING asked unanimous consent to recall H. 3919 from the Committee on Judiciary.

Rep. D. C. MOSS objected.

**H. 3003--DEBATE ADJOURNED**

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

H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V. S. Moss, Norman, Parker, G. M. Smith, G. R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J. R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D. C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE "SOUTH CAROLINA ELECTION REFORM ACT"; TO AMEND SECTION 7-13-710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 7-5-125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 56-1-3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO AMEND SECTION 7-13-25, SO AS TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING FIFTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7-3-20, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7-15-320, SO AS TO REFERENCE THE EARLY VOTING PERIOD PURSUANT TO SECTION 7-13-25 AND TO PROVIDE FOR CASTING OF AN ABSENTEE BALLOT BY PAPER OR BY A VOTING MACHINE AND ABSENTEE BALLOT CENTERS; TO AMEND SECTION 7-1-25, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO ADD SECTION 7-5-675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO AMEND SECTIONS 7-15-330, 7-15-385, AND 7-5-230, ALL RELATING TO ELECTION LAWS, SO AS TO MAKE TECHNICAL CHANGES.

Rep. CLEMMONS moved to adjourn debate upon the Senate Amendments until Tuesday, March 15, which was agreed to.

**SENT TO THE SENATE**

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

H. 3410 -- Reps. Owens, Cooper, Harrell, Branham, Limehouse, Atwater, Bikas, Govan, Loftis, Skelton, Taylor, Young, Williams, Daning, Quinn, Brannon, J. M. Neal, Bowen, Patrick, Norman, Whitmire, Willis, Thayer, Erickson, Weeks, Munnerlyn, McEachern, Vick, Sandifer, Viers, Hixon, Huggins, Clemmons, Henderson and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA HIGHER EDUCATION EFFICIENCY AND ADMINISTRATIVE POLICIES ACT OF 2011"; TO AMEND SECTIONS 2-47-30, 2-47-35, 2-47-40, AND 2-47-50, AS AMENDED, RELATING THE JOINT BOND REVIEW COMMITTEE, SO AS TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY STATE AGENCIES AND FOR THE APPROVAL OF THESE PROJECTS; BY ADDING SECTION 2-47-53 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF PERMANENT IMPROVEMENT PROJECTS BY PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO DEFINE PERMANENT IMPROVEMENT PROJECTS WITH RESPECT TO THOSE INSTITUTIONS, TO ALLOW THE COMMITTEE TO REQUEST ASSISTANCE WITH THE REVIEW OF PROJECTS, AND TO DEFINE PERMANENT IMPROVEMENT PROJECTS WITH RESPECT TO THOSE INSTITUTIONS; BY ADDING SECTION 2-47-54 SO AS TO ALLOW PUBLIC INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO GROUND LEASE AGREEMENTS WITH A PRIVATE ENTITY AND TO PROVIDE REQUIREMENTS FOR THOSE AGREEMENTS; BY ADDING SECTION 59-53-168 SO AS TO REQUIRE THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION TO ESTABLISH A TIERED SYSTEM FOR CATEGORIZING TECHNICAL COLLEGES WITH RESPECT TO FINANCIAL STRENGTH AND OTHER FACTORS BY WHICH TECHNICAL COLLEGES MAY APPLY FOR CERTAIN EFFICIENCY POLICIES GRANTED BY THE BOARD AND TO REQUIRE THE BOARD TO ESTABLISH AN ADVISORY BOARD AND REPORT TO THE GENERAL ASSEMBLY; TO AMEND SECTIONS 59-53-290, 59-53-630, 59-53-740, 59-53-1784, AND 59-53-2430, ALL RELATING TO LEASE AGREEMENTS OF TECHNICAL COLLEGES, SO AS TO PROVIDE FOR THE FAVORABLE REVIEW OF THE AGREEMENT BY THE JOINT BOND REVIEW COMMITTEE AND ITS APPROVAL BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND SECTION 1-11-65, RELATING TO APPROVAL OF REAL PROPERTY TRANSACTIONS BY THE STATE BUDGET AND CONTROL BOARD AND ACCEPTANCE OF THE TRANSFER OF TANGIBLE PERSONAL PROPERTY BY A STATE ENTITY, SO AS TO EXEMPT CERTAIN REAL PROPERTY TRANSACTIONS MADE FOR OR BY THESE INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTIONS 59-147-42 AND 59-147-43 AND TO AMEND SECTION 59-147-30, AS AMENDED, RELATING TO THE PROCEDURES FOR THE ISSUANCE OF REVENUE BONDS UNDER THE HIGHER EDUCATION REVENUE BOND ACT, ALL SO AS TO REVISE THESE PROCEDURES AND THE PURPOSES FOR WHICH THE BONDS MAY BE USED; BY ADDING ARTICLE 7 TO CHAPTER 101, TITLE 59 SO AS TO PROVIDE FOR CERTAIN PROVISIONS APPLICABLE TO BOND ACTS FOR INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 11-35-1210, AS AMENDED, RELATING TO CERTIFICATION OF THE BUDGET AND CONTROL BOARD TO ALLOW GOVERNMENTAL BODIES TO MAKE DIRECT PROCUREMENTS, SO AS TO PROVIDE FOR APPROVAL OF PROCUREMENT AUTHORITY BY THE STATE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION; TO AMEND SECTION 11-35-1550, AS AMENDED, RELATING TO SMALL PURCHASES UNDER THE CONSOLIDATED PROCUREMENT CODE AND BID PROCEDURES ON PROCUREMENTS UP TO FIFTY THOUSAND DOLLARS, SO AS TO INCREASE THE AMOUNT OF AUTHORIZED SMALL PURCHASES BY PUBLIC INSTITUTIONS OF HIGHER LEARNING AND TO AUTHORIZE THESE INSTITUTIONS TO USE PURCHASING CARDS FOR THESE PURCHASES IN THE AMOUNT AUTHORIZED; TO AMEND SECTION 11-35-3310, AS AMENDED, RELATING TO INDEFINITE DELIVERY CONTRACTS FOR CONSTRUCTION, ARCHITECTURAL-ENGINEERING AND LAND SURVEYING SERVICES, SO AS TO RAISE THE PERMITTED AMOUNTS OF THESE CONTRACTS; TO AMEND SECTION 11-35-4810, AS AMENDED, RELATING TO COOPERATIVE PURCHASES OF PUBLIC ENTITIES UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO ESTABLISH CERTAIN EXCEPTIONS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING IN REGARD TO NOTICE AND ELIGIBLE VENDORS; TO AMEND SECTION 1-7-170, RELATING TO THE REQUIRED APPROVAL OF THE ATTORNEY GENERAL BEFORE AN AGENCY OR DEPARTMENT OF THIS STATE MAY ENGAGE AN ATTORNEY AT LAW ON A FEE BASIS AND EXCEPTIONS TO THIS REQUIREMENT, SO AS TO ESTABLISH A SPECIAL APPROVAL PROCEDURE FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING; BY ADDING SECTION 59-101-55 SO AS TO PROVIDE THAT STATE APPROPRIATED FUNDS MAY NOT BE USED TO PROVIDE OUT-OF-STATE SUBSIDIES TO STUDENTS ATTENDING STATE-SUPPORTED INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 59-101-620, RELATING TO LIMITATIONS ON EDUCATIONAL FEE WAIVERS OFFERED BY PUBLIC INSTITUTIONS OF HIGHER LEARNING, SO AS TO REVISE THESE LIMITATIONS FOR CERTAIN INSTITUTIONS AND TO PROVIDE FOR ANNUAL REPORTING REQUIREMENTS TO THE COMMISSION ON HIGHER EDUCATION IN REGARD TO THESE WAIVERS; BY ADDING SECTION 59-112-115 SO AS TO PROVIDE THAT WHEN THE GOVERNING BOARD OF A FOUR-YEAR AND GRADUATE LEVEL PUBLIC INSTITUTION OF HIGHER LEARNING IN THIS STATE ADOPTS A CHANGE TO THE TUITION OR FEES IMPOSED ON STUDENTS, THE CHANGE ONLY MAY BE IMPLEMENTED BY THE INSTITUTION AFTER A PUBLICALLY RECORDED ROLL CALL VOTE, AND A MAJORITY VOTE SHALL BE REQUIRED TO IMPLEMENT ANY CHANGE TO THE TUITION OR FEES, AND TO PROVIDE REPORTING REQUIREMENTS; AND TO AMEND SECTION 1-11-55, RELATING TO LEASING OF REAL PROPERTY FOR GOVERNMENTAL BODIES, SO AS TO ALLOW PUBLIC INSTITUTIONS OF HIGHER LEARNING TO ENTER INTO LEASE AGREEMENTS UP TO ONE HUNDRED THOUSAND DOLLARS ANNUALLY UPON APPROVAL BY THE INSTITUTIONAL BOARDS.

H. 3419 -- Reps. Merrill, Bingham, Young, Taylor, Hixon, J. R. Smith, Clemmons, Stavrinakis, Bowers, Edge, Ballentine and Knight: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TAXPAYER FAIRNESS ACT" BY ADDING SECTION 12-4-397 SO AS TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA DEPARTMENT OF REVENUE MUST INTERPRET TAX STATUTES OF THIS STATE, TO PROVIDE THAT TERMS IN THE TAX STATUTES OF THIS STATE MAY NOT BE GIVEN BROADER MEANING THAN INTENDED BY POLICY DOCUMENTS AND REGULATIONS OF THE DEPARTMENT OF REVENUE, TO PROVIDE THAT AMBIGUITY IN TAX STATUTES MUST BE RESOLVED IN FAVOR OF THE TAXPAYER, TO REQUIRE THE DEPARTMENT TO REPORT AMBIGUITIES TO CERTAIN MEMBERS OF THE GENERAL ASSEMBLY, AND TO DEFINE "TAX STATUTES OF THIS STATE".

H. 3368 -- Reps. G. R. Smith, Harrell, Bingham, Harrison, Cooper, Huggins, Bowen, Brady, Atwater, Parker, Clemmons, Crawford, D. C. Moss, Pinson, Loftis, Lowe, Allison, Bedingfield, Owens, Frye, Hardwick, Lucas, Quinn, Hamilton, Toole, Bannister, Whitmire, Stringer, Ballentine, Henderson, Nanney, Hearn, Bikas, V. S. Moss, Sottile, Gambrell, J. R. Smith, Corbin, Brannon, McCoy, Crosby, Barfield, Cole, Daning, Delleney, Hixon, Horne, Long, Murphy, Sandifer, G. M. Smith, Spires, Taylor, Young, Viers, Simrill, Pope, Edge, Ryan, Forrester and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY 15, 2010, FOR FISCAL YEAR 2010-2011, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND TO DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED, TO PROVIDE FOR THE PRIORITY USES OF THE REVENUES OF THIS FUND, TO PROVIDE FOR THE APPROPRIATION OF FUND REVENUES AFTER THESE PRIORITIES ARE MET, TO REQUIRE THAT APPROPRIATION OF REVENUES OF THIS FUND MUST BE BY A JOINT RESOLUTION ORIGINATING IN THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT THIS LIMIT FIRST APPLIES FOR FISCAL YEAR 2011-2012.

STATEMENT FOR THE JOURNAL

If I had been present for the vote on H. 3368, the Spending Limitations Bill, I would have definitely voted in favor of it. I strongly support the concept of putting realistic and enforceable limitations on the amount of general fund dollars that may be expended by our State government.

I was absent from the Chamber when this most important legislation was given second reading, due to a family commitment.

Rep. William E. Sandifer III

**H. 3780--ADOPTED**

The following House Resolution was taken up:

H. 3780 -- Rep. Rutherford: A HOUSE RESOLUTION TO URGE APPROPRIATE STATE AGENCIES, AS WELL AS PRIVATE ORGANIZATIONS, TO DEVELOP AND IMPLEMENT POLICIES AND PROGRAMS TO HELP REDUCE OVERWEIGHT AND OBESITY AMONG SOUTH CAROLINA'S YOUTH.

The Resolution was adopted.

**H. 3784--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3784 -- Reps. Gilliard and King: A CONCURRENT RESOLUTION TO REQUEST PRESIDENT BARACK H. OBAMA TO INCLUDE IN HIS 2012 FEDERAL BUDGET FUNDING FOR THE U. S. ARMY CORPS OF ENGINEERS TO CONDUCT A FEASIBILITY STUDY REGARDING THE DEEPENING OF CHARLESTON HARBOR TO AT LEAST FIFTY FEET SO THAT IT CAN ACCOMMODATE LARGER CONTAINER SHIPS EXPECTED TO CALL AT THE PORT WHEN THE EXPANSION OF THE PANAMA CANAL OPENS IN 2014.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. CROSBY.

**LEAVE OF ABSENCE**

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

**H. 3333--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3333 -- Reps. Sandifer, Toole, Bowers, Hayes, Erickson and Brady: A BILL TO AMEND SECTION 38-1-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS USED IN TITLE 38 RELATING TO THE DEPARTMENT OF INSURANCE, SO AS TO AMEND THE DEFINITION OF "ADMITTED ASSETS" TO INCLUDE THOSE ON THE MOST RECENT STATUTORY FINANCIAL STATEMENT OF THE INSURER FILED WITH THE DEPARTMENT OF INSURANCE PURSUANT TO THE PROVISIONS OF SECTION 38-13-80; TO AMEND SECTION 38-9-10, RELATING TO CAPITAL AND SURPLUS REQUIRED OF STOCK INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES THAT MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38-9-20, RELATING TO THE SURPLUS REQUIRED OF MUTUAL INSURERS, SO AS TO CHANGE THE MARKETABLE SECURITIES WHICH MAY BE REQUIRED BY THE DIRECTOR OF INSURANCE; TO AMEND SECTION 38-9-210, RELATING TO THE REDUCTION FROM LIABILITY FOR THE REINSURANCE CEDED BY A DOMESTIC INSURER, SO AS TO CHANGE THE SECURITIES LISTED THAT QUALIFY AS SECURITY; TO AMEND SECTION 38-10-40, RELATING TO THE PROTECTED CELL ASSETS OF A PROTECTED CELL, SO AS TO CHANGE A CODE REFERENCE; TO AMEND SECTION 38-33-130, RELATING TO THE SECURITY DEPOSIT OF A HEALTH MAINTENANCE ORGANIZATION, SO AS TO DELETE THE REQUIREMENT THAT A HEALTH MAINTENANCE ORGANIZATION SHALL ISSUE A CONVERSION POLICY TO AN ENROLLEE UPON THE TERMINATION OF THE ORGANIZATION; AND TO AMEND SECTION 38-55-80, RELATING TO LOANS TO DIRECTORS OR OFFICERS BY AN INSURER, SO AS TO CHANGE A CODE REFERENCE.

Rep. BRADY explained the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hart | Hearn |
| Henderson | Herbkersman | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Pitts |
| Pope | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Vick | Viers |
| Whipper | White | Whitmire |
| Williams | Young |  |

**Total--107**

Those who voted in the negative are:

**Total--0**

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

**H. 3333--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 3333 be read the third time tomorrow.

**H. 3414--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3414 -- Reps. Sandifer, Toole, Bowers, Hayes, Erickson and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-90-213 SO AS TO PROVIDE CERTAIN FEATURES AND REQUIREMENTS CONCERNING A PROTECTED CELL; BY ADDING SECTION 38-90-215 SO AS TO PERMIT THE FORMATION OF A PROTECTED CELL AND TO PROVIDE REQUIREMENTS FOR ITS CREATION, OWNERSHIP AND OPERATION; BY ADDING SECTION 38-90-457 SO AS TO PROVIDE FOR THE FORMATION OF A PROTECTED CELL OF A SPECIAL PURPOSE FINANCIAL CAPTIVE; TO AMEND SECTION 33-9-100, RELATING TO ARTICLES OF DOMESTICATION FOR A FOREIGN CORPORATION, SO AS TO CHANGE THE WORD “STATE” TO “JURISDICTION”; TO AMEND SECTION 38-90-180, AS AMENDED, RELATING TO APPLICABILITY OF PROVISIONS RELATING TO INSURANCE REORGANIZATIONS, RECEIVERSHIPS, INJUNCTIONS, AND SPONSORED CAPTIVE INSURANCE COMPANY ASSETS AND CAPITAL PROVISIONS, SO AS TO PROVIDE FOR THE APPLICABILITY OF THE TERMS AND CONDITIONS OF CHAPTERS 26 AND 27, TITLE 38, TO A CAPTIVE INSURANCE COMPANY AND A PROTECTED CELL OF THIS COMPANY, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY OBTAIN PERMISSION OF THE CIRCUIT COURT TO CONSERVE, REHABILITATE, OR LIQUIDATE ONE OR MORE PROTECTED CELLS, INDEPENDENTLY, WITHOUT CAUSING OR OTHERWISE EFFECTING CERTAIN ACTIONS, TO PROVIDE A DIRECTOR MAY NOT SEEK TO HAVE A SPONSORED CAPTIVE INSURANCE COMPANY DECLARED INSOLVENT IF AT LEAST ONE OF ITS PROTECTED CELLS REMAINS SOLVENT, AND TO PROVIDE THIS SECTION DOES NOT PREVENT THE DIRECTOR FROM TAKING CERTAIN ACTIONS TO THE CONSERVATION OR REHABILITATION OF A SPONSORED CAPTIVE INSURANCE COMPANY IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-90-210, RELATING TO FORMATION OF A SPONSORED CAPTIVE INSURANCE COMPANY AND ESTABLISHING PROTECTED CELLS, SO AS TO ADD CONDITIONS UNDER WHICH A SPONSORED CAPTIVE INSURANCE COMPANY MAY ESTABLISH AND MAINTAIN ONE OR MORE PROTECTED CELLS TO INSURE RISKS OF ONE OR MORE OF ITS PARTICIPANTS; TO AMEND SECTION 38-90-220, AS AMENDED, RELATING TO REQUIREMENTS APPLICABLE TO SPONSORS, SO AS TO PROVIDE THE DIRECTOR MAY APPROVE AN ADDITIONAL ENTITY UNDER CERTAIN CONDITIONS; TO AMEND SECTION 38-90-230, AS AMENDED, RELATING TO PARTICIPANTS IN SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE THE PARTICIPANT WHOSE RISKS ARE INSURED THROUGH CERTAIN PROTECTED CELL ENTITIES, THE SPONSOR, OR THE SPONSORED CAPTIVE INSURANCE COMPANY MUST BE THE OWNER OF THAT PROTECTED CELL ENTITY UNLESS OTHERWISE APPROVED BY THE DIRECTOR; TO AMEND SECTION 38-90-235, RELATING TO TERMS, CONDITIONS, AND EXCEPTIONS FOR PROTECTED CELL INSURANCE COMPANIES APPLICABLE TO SPONSORED CAPTIVE INSURANCE COMPANIES, SO AS TO PROVIDE FOR THE LAW THAT GOVERNS IN THE EVENT OF A CONFLICT; AND TO AMEND SECTION 38-90-485, RELATING TO THE EFFECT OF THE CREATION, NAMING, AND MANAGEMENT OF ASSETS OF A PROTECTED CELL, SO AS TO PROVIDE AN EXCEPTION FOR CERTAIN PROTECTED CELLS.

Rep. BRADY explained the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 105; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Battle | Bedingfield |
| Bikas | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | R. L. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Delleney | Dillard | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Parker | Parks |
| Pinson | Pitts | Pope |
| Quinn | Rutherford | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Viers | Whipper | White |
| Whitmire | Williams | Young |

**Total--105**

Those who voted in the negative are:

**Total--0**

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

**H. 3414--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 3414 be read the third time tomorrow.

**H. 3403--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, March 15, which was adopted:

H. 3403 -- Reps. Delleney, Simrill, Lucas, Hiott, Limehouse, Bowen, Bedingfield, Pinson, G. M. Smith, J. R. Smith, Bingham, Frye, V. S. Moss, Corbin, Bikas, Cooper, Allison, Parker, Toole, G. R. Smith, Henderson, Atwater, McCoy, Ballentine, Brannon, Clemmons, D. C. Moss, Hixon, Pitts, Young, Sandifer, Quinn, Willis, Viers, Pope, Stringer, Nanney, Hamilton, Owens and Huggins: A BILL TO AMEND SECTION 2-7-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONSTRUCTION OF THE WORDS "PERSON" AND "PARTY" AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, SO AS TO PROVIDE FURTHER FOR THE CONSTRUCTION OF "PERSON", "HUMAN BEING", "CHILD", AND "INDIVIDUAL", SO THAT THEY INCLUDE EVERY INFANT MEMBER OF THE SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE".

**H. 3408--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, March 15, which was adopted:

H. 3408 -- Reps. Delleney, Lucas, Simrill, Hiott, Limehouse, Bowen, Bedingfield, Pinson, J. R. Smith, G. M. Smith, Bingham, Thayer, V. S. Moss, Brannon, Bikas, Cooper, Allison, Toole, Parker, G. R. Smith, Frye, Atwater, Henderson, McCoy, Ballentine, Clemmons, Hixon, D. C. Moss, Pitts, Young, Quinn, Willis, Viers, Sandifer, Stringer, Nanney, Hamilton and Owens: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5, TO CHAPTER 41, TITLE 44, TO ENACT THE "FREEDOM OF CONSCIENCE ACT" SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, DISCIPLINING, OR DISCRIMINATING AGAINST AN EMPLOYEE WHO ADVISES THE EMPLOYER THAT HE OR SHE REFUSES TO PARTICIPATE IN CERTAIN ACTIVITIES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROVIDE THAT A HEALTH CARE FACILITY IS NOT REQUIRED TO ADMIT A PATIENT, OR TO ALLOW THE USE OF THE FACILITY FOR PROCEDURES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB AND TO PROVIDE THAT CERTAIN HEALTH CARE PROVIDERS AND EMPLOYEES OF SUCH PROVIDERS WHO PROVIDED NOTICE THAT THEY WILL NOT PARTICIPATE IN SUCH ACTIVITIES MUST NOT BE REQUIRED TO PARTICIPATE, MUST NOT BE DISCIPLINED DUE TO SUCH REFUSAL, AND ARE IMMUNE FROM LIABILITY FOR ANY DAMAGES CAUSED BY SUCH REFUSAL; TO PROVIDE THAT THE STATE MUST NOT REQUIRE AN INSURANCE PLAN OR ISSUER TO COVER PROCEDURES INCLUDING, BUT LIMITED TO, PROCEDURES RELATING TO EMBRYONIC TISSUE OR DEVELOPMENT OF A CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROHIBIT A HEALTH CARE FACILITY, SCHOOL, OR EMPLOYER FROM DISCRIMINATING AGAINST A PERSON REGARDING ADMISSION, HIRING OR FIRING, TERMS OF EMPLOYMENT, OR STUDENT OR STAFF STATUS BECAUSE THE PERSON REFUSES, WHETHER OR NOT IN WRITING, TO PARTICIPATE IN PROCEDURES INCLUDING, BUT NOT LIMITED TO, PROCEDURES RELATED TO EMBRYONIC TISSUE OR A DEVELOPING CHILD IN AN ARTIFICIAL OR NATURAL WOMB; TO PROVIDE THAT A PERSON MUST NOT BE REQUIRED TO PARTICIPATE IN, MAKE FACILITIES AVAILABLE FOR, OR PROVIDE PERSONNEL FOR PROCEDURES INCLUDING, BUT LIMITED TO, PROCEDURES RELATING TO EMBRYONIC TISSUE OR DEVELOPMENT OF A CHILD IN AN ARTIFICIAL OR NATURAL WOMB IF THE ACTIVITY IS CONTRARY TO THE PERSON'S CONSCIENCE; TO PROHIBIT DISCRIMINATION AGAINST A PERSON ESTABLISHING OR OPERATING A HEALTH CARE FACILITY BECAUSE THE FACILITY DECLINES TO PARTICIPATE IN A HEALTH CARE SERVICE THAT IS CONTRARY TO THE FACILITY'S CONSCIENCE; AND TO PROVIDE THAT A PERSON ADVERSELY AFFECTED BY CONDUCT THAT IS IN VIOLATION OF THIS ARTICLE MAY BRING A CIVIL ACTION FOR EQUITABLE RELIEF AND IF THE PERSON PREVAILS, THE COURT SHALL AWARD ATTORNEY'S FEES.

**H. 3496--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3496 -- Reps. Brady, Butler Garrick, Spires, Erickson and Long: A BILL TO AMEND SECTION 44-29-135, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONFIDENTIALITY OF SEXUALLY TRANSMITTED DISEASE RECORDS, SO AS TO DELETE THE PROVISION REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE SCHOOL DISTRICT SUPERINTENDENT AND SCHOOL NURSE IF A MINOR IS ATTENDING A SCHOOL IN THE DISTRICT AND HAS ACQUIRED IMMUNODEFICIENCY SYNDROME OR IS INFECTED WITH THE HUMAN IMMUNODEFICIENCY VIRUS; AND BY ADDING SECTION 59-10-220 SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDATIONS ON UNIVERSAL PRECAUTIONS FOR BLOODBORNE DISEASE EXPOSURE.

Rep. BRADY explained the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 83; Nays 18

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Anthony | Atwater | Bales |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | R. L. Brown |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Crawford |
| Crosby | Daning | Dillard |
| Edge | Erickson | Gambrell |
| Gilliard | Govan | Hardwick |
| Harrell | Harrison | Hart |
| Hearn | Henderson | Herbkersman |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | King | Knight |
| Limehouse | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Pinson | Pitts | Pope |
| Quinn | Rutherford | Sabb |
| Sandifer | Sellers | Skelton |
| G. M. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Whipper | Williams |  |

**Total--83**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Bikas | Chumley |
| Corbin | Delleney | Forrester |
| Frye | Hamilton | McCoy |
| Nanney | Owens | Parker |
| Ryan | Simrill | G. R. Smith |
| Viers | White | Young |

**Total--18**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3496. If I had been present, I would have voted in favor of the Bill.

Rep. Bruce Bannister

**OBJECTION TO MOTION**

Rep. BRADY asked unanimous consent that H. 3496 be read a third time tomorrow.

Rep. SIMRILL objected.

**H. 3113--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3113 -- Reps. Clemmons and Viers: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPEN SEASON FOR ANTLERED DEER, SO AS TO REVISE THE OPEN SEASON DATES FOR GAME ZONE 4.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 (COUNCIL\SWB\5154CM11), which was adopted:

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

/ SECTION 1. Section 50-1-60 of the 1976 Code is amended to read:

“Section 50-2-60. For the purpose of protection and management of wildlife, the State is divided into six zones:

(1) Game Zone 1 consists of all properties north of the main line of the Norfolk Southern Railroad from the Georgia state line to South Carolina Highway 183 in Westminster, then north of South Carolina Highway 183 to intersection of South Carolina Highway 183 and the Norfolk Southern Railroad main line in Greenville and then north of the main line of the Norfolk Southern Railroad to the Spartanburg County Line.

(2) Game Zone 2 consists of the counties of Abbeville, Anderson, Chester, Cherokee, Edgefield, Fairfield, Greenwood, Lancaster, Laurens, McCormick, Newberry, Saluda, Spartanburg, Union, York; and those portions of the counties of Greenville, Oconee, and Pickens south of the main line of the Norfolk Southern Railroad from the Georgia state line to South Carolina Highway 183 in Westminster, then south of South Carolina Highway 183 to the intersection of South Carolina Highway 183 and the Norfolk Southern Railroad main line in Greenville and then south of the main line of the Norfolk Southern Railroad to the Spartanburg County Line.

(3) Game Zone 3 consists of the counties of Aiken, Lexington, and Richland.

(4) Game Zone 4 consists of the counties of Chesterfield, Dillon, Florence, ~~Horry,~~ Kershaw, Marion, and Marlboro.

(5) Game Zone 5 consists of the counties of Clarendon, Darlington, Georgetown, Horry, Lee, Sumter, and Williamsburg.

(6) Game Zone 6 consists of the counties of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Colleton, Dorchester, Hampton, Orangeburg, and Jasper.”

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

Renumber sections to conform.

Amend title to conform.

Rep. VICK explained the amendment.

The amendment was then adopted.

Rep. McLEOD proposed the following Amendment No. 2 (COUNCIL\SWB\5177CM11), which was tabled:

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

/ SECTION 1. Section 50‑1‑60 of the 1976 Code is amended to read:

“Section 50‑2‑60. For the purpose of protection and management of wildlife, the State is divided into six zones:

(1) Game Zone 1 consists of all properties north of the main line of the Norfolk Southern Railroad from the Georgia state line to South Carolina Highway 183 in Westminster, then north of South Carolina Highway 183 to intersection of South Carolina Highway 183 and the Norfolk Southern Railroad main line in Greenville and then north of the main line of the Norfolk Southern Railroad to the Spartanburg County line.

(2) Game Zone 2 consists of the counties of Abbeville, Anderson, Chester, Cherokee, Edgefield, Fairfield, Greenwood, Lancaster, Laurens, McCormick, ~~Newberry,~~ Saluda, Spartanburg, Union, York; and those portions of the counties of Greenville, Oconee, and Pickens south of the main line of the Norfolk Southern Railroad from the Georgia state line to South Carolina Highway 183 in Westminster, then south of South Carolina Highway 183 to the intersection of South Carolina Highway 183 and the Norfolk Southern Railroad main line in Greenville and then south of the main line of the Norfolk Southern Railroad to the Spartanburg County line.

(3) Game Zone 3 consists of the counties of Aiken, Lexington, Newberry, and Richland.

(4) Game Zone 4 consists of the counties of Chesterfield, Dillon, Florence, ~~Horry,~~ Kershaw, Marion, and Marlboro.

(5) Game Zone 5 consists of the counties of Clarendon, Darlington, Georgetown, Horry, Lee, Sumter, and Williamsburg.

(6) Game Zone 6 consists of the counties of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Calhoun, Charleston, Colleton, Dorchester, Hampton, Jasper, and Orangeburg.”

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

Renumber sections to conform.

Amend title to conform.

Rep. MCLEOD explained the amendment.

Rep. VICK spoke upon the amendment.

Rep. MCLEOD spoke in favor of the amendment.

Rep. VICK moved to table the amendment.

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

Yeas 59; Nays 42

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Barfield |
| Bedingfield | Bikas | Bingham |
| Bowen | Brady | Brannon |
| R. L. Brown | Chumley | Clemmons |
| Cole | Corbin | Crawford |
| Crosby | Delleney | Edge |
| Forrester | Gambrell | Hamilton |
| Hardwick | Harrell | Hearn |
| Hixon | Hodges | Horne |
| Knight | Loftis | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Owens | Parker |
| Pitts | Pope | Quinn |
| Rutherford | Ryan | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Taylor |
| Thayer | Toole | Vick |
| Viers | Whipper | White |
| Whitmire | Young |  |

**Total--59**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Atwater | Bales |
| Battle | Bowers | Branham |
| Brantley | Clyburn | Cobb-Hunter |
| Dillard | Erickson | Frye |
| Gilliard | Govan | Hart |
| Henderson | Hosey | Howard |
| Huggins | Jefferson | King |
| Mack | McCoy | McEachern |
| McLeod | Mitchell | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | Sabb |
| Sellers | Skelton | Spires |
| Stavrinakis | Tallon | Williams |

**Total--42**

So, the amendment was tabled.

Rep. ANTHONY spoke against the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 84; Nays 14

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Barfield | Battle |
| Bedingfield | Bikas | Bingham |
| Bowen | Brady | Brannon |
| Clemmons | Clyburn | Cole |
| Crawford | Crosby | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Neilson |
| Ott | Owens | Parker |
| Parks | Pinson | Pitts |
| Pope | Quinn | Rutherford |
| Ryan | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Viers | Whipper | White |
| Whitmire | Williams | Young |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Atwater | Bales |
| Bowers | Brantley | Cobb-Hunter |
| Gilliard | Govan | Howard |
| Mack | McLeod | J. H. Neal |
| Sabb | Sellers |  |

**Total--14**

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

**H. 3113--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that H. 3113 be read the third time tomorrow.

**H. 3658--DEBATE ADJOURNED**

Rep. CLEMMONS moved to adjourn debate upon the following Bill until Tuesday, March 15, which was adopted:

H. 3658 -- Reps. Clemmons, Harrell, Loftis, Herbkersman, Merrill, Corbin, Norman, D. C. Moss, Quinn, Bowen, Forrester, McCoy, Lucas, Bedingfield, Hamilton, Bingham, Hardwick, Owens, Bikas, Parker, Cooper, Erickson, Frye, V. S. Moss, Long, G. R. Smith, Atwater, Huggins, Murphy, Hearn, Whitmire, Brannon, Chumley, Tallon, Taylor, Limehouse, Patrick, Crosby, Thayer, Sottile, Crawford, Viers, Allison, Ballentine, Barfield, Cole, Daning, Delleney, Edge, Gambrell, Harrison, Henderson, Hixon, Lowe, Nanney, Pinson, Pitts, Sandifer, Simrill, G. M. Smith, J. R. Smith, Toole, Willis and Horne: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SOUTH CAROLINA EMPLOYER FREE SPEECH ACT" BY ADDING SECTION 41-7-110 SO AS TO PROVIDE THAT AN EMPLOYER IN THIS STATE IS NOT REQUIRED TO POST, PHYSICALLY, ELECTRONICALLY, OR OTHERWISE, NOTICES INFORMING EMPLOYEES OF THEIR RIGHTS UNDER THE NATIONAL LABOR RELATIONS ACT, COURT DECISIONS IMPLEMENTING THOSE RIGHTS, OR INFORMATION PERTAINING TO THE ENFORCEMENT OF THOSE RIGHTS, AND TO PROVIDE DEFINITIONS.

**S. 277--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 277 -- Senators Peeler, Campsen, Rose, Ryberg, McConnell, Bright, Knotts, O'Dell, S. Martin and Alexander: A BILL TO RATIFY AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF SUFFRAGE, BY ADDING SECTION 12 TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR ORGANIZATION.

Rep. COBB-HUNTER moved to adjourn debate on the Bill, which was not agreed to by a division vote of 32 to 60.

Rep. HARRISON explained the Bill.

Rep. COBB-HUNTER spoke against the Bill.

Rep. SKELTON spoke in favor of the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 81; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bannister | Barfield | Battle |
| Bedingfield | Bikas | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Chumley |
| Clemmons | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Edge |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Henderson | Herbkersman | Hixon |
| Horne | Huggins | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. M. Neal |
| Neilson | Ott | Owens |
| Parker | Pinson | Pitts |
| Pope | Quinn | Ryan |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Viers |
| White | Whitmire | Young |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Gilliard |
| Govan | Hart | Hodges |
| Hosey | Jefferson | King |
| Mack | Mitchell | J. H. Neal |
| Parks | Rutherford | Sabb |
| Sellers | Whipper | Williams |

**Total--24**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 277. If I had been present, I would have voted in favor of the Bill.

Rep. Mark Willis

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 277. If I had been present, I would have voted in favor of the Bill.

Rep. Bruce Bannister

**OBJECTION TO MOTION**

Rep. BEDINGFIELD asked unanimous consent that S. 277 be read a third time tomorrow.

Rep. KING objected.

**MOTION ADOPTED**

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

**RATIFICATION OF ACTS**

At 12:35 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R4, S. 213) -- Senators McConnell, Campsen and Knotts: AN ACT TO DIRECT THE SOUTH CAROLINA CODE COMMISSIONER TO INCLUDE BEGINNING WITH THE 2011 CUMULATIVE SUPPLEMENT TO THE CODE OF LAWS OF SOUTH CAROLINA, 1976, CERTAIN REPORTER’S COMMENTS IN REGARD TO VARIOUS PROVISIONS OF THE SOUTH CAROLINA PROBATE CODE IN TITLE 62, AMENDED BY ACT 244 OF 2010.

(R5, S. 337) -- Senator Coleman: AN ACT TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO REVISE THE DATE BY WHICH A PERSON SHALL FILE A STATEMENT OF CANDIDACY IN ORDER TO RUN FOR A SEAT ON THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES.

(R6, S. 345) -- Senators Setzler, McGill, Land, Reese, Elliott, Williams, Nicholson, Lourie, Coleman, Sheheen, Matthews, Leventis, Alexander, Pinckney, Malloy, O’Dell, S. Martin, Peeler and L. Martin: A JOINT RESOLUTION TO PROVIDE THAT THE GOVERNING BODY OF ANY SCHOOL DISTRICT OF THIS STATE MAY WAIVE UP TO FIVE SCHOOL DAYS MISSED BY STUDENTS ATTENDING SCHOOLS AND CHARTER SCHOOLS DUE TO INCLEMENT WEATHER DURING THE 2010‑2011 SCHOOL YEAR FROM THE MAKE‑UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO INCLEMENT WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT FOR ANY DISTRICT WHICH WAIVES DAYS AS PERMITTED ABOVE, THE DAYS ARE ALSO WAIVED FOR STUDENTS PARTICIPATING IN HOME SCHOOL PROGRAMS APPROVED BY THE DISTRICT BOARD OF TRUSTEES OF THE DISTRICT IN WHICH THE STUDENT RESIDES.

(R7, S. 430) -- Senators L. Martin and Alexander: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS ATTENDING DANIEL HIGH SCHOOL IN THE PICKENS COUNTY SCHOOL DISTRICT ON AUGUST 18, 2010, DUE TO A WATER MAIN BREAK, IS EXEMPT FROM THE MAKE‑UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

(R8, S. 563) -- Senators Rose and Matthews: AN ACT TO AMEND ACT 1627 OF 1972, AS AMENDED, RELATING TO THE DORCHESTER COUNTY CAREER AND TECHNOLOGY CENTER BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE DORCHESTER COUNTY COUNCIL SHALL APPOINT ALL MEMBERS OF THE BOARD OF TRUSTEES.

(R9, S. 628) -- Senators Rose and Matthews: AN ACT TO AMEND SECTION 3, ACT 267 OF 1987, RELATING TO THE AUTHORITY OF THE DORCHESTER COUNTY SCHOOL DISTRICTS TO SET THE TAX MILLAGE FOR EACH RESPECTIVE DISTRICT’S ANNUAL OPERATING BUDGET, SO AS TO PROVIDE THAT EACH DISTRICT MAY NOT EXCEED THE MILLAGE CAP IMPOSED BY SECTION 6‑1‑320 WITHOUT THE APPROVAL OF THE DORCHESTER COUNTY COUNCIL; AND TO AMEND ACT 593 OF 1992, RELATING TO THE LIMIT ON CASH RESERVES THAT MAY BE MAINTAINED BY DORCHESTER COUNTY SCHOOL DISTRICTS 2 AND 4, SO AS TO CHANGE THE LIMIT FROM FIVE PERCENT TO FIFTEEN PERCENT.

(R10, H. 3243) -- Reps. Pinson, Pitts and Parks: AN ACT TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50 IN GREENWOOD COUNTY, SO AS TO PROVIDE THAT IF THE NUMBER OF CANDIDATES FOR THE BOARD OF TRUSTEES IS EQUAL TO OR LESS THAN THE NUMBER OF POSITIONS TO BE FILLED, THE COUNTY ELECTION COMMISSION SHALL DECLARE THOSE CANDIDATES ELECTED.

(R11, H. 3286) -- Rep. Bingham: AN ACT TO AMEND SECTION 41‑27‑260, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EMPLOYMENT EXEMPT FROM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, SO AS TO MAKE TECHNICAL CORRECTIONS AND REMOVE AN EXCEPTION TO AN EXEMPTION FOR REAL ESTATE AGENTS COMPENSATED SOLELY BY COMMISSION; TO AMEND SECTION 41‑27‑410, AS AMENDED, RELATING TO A CONTINGENCY ASSESSMENT, SO AS TO CHANGE ARCANE REFERENCES, AND TO REMOVE A CERTAIN CATEGORY OF EMPLOYER FROM THIS ASSESSMENT; TO AMEND SECTION 41‑27‑610, AS AMENDED, RELATING TO THE FAILURE TO PERFORM CERTAIN ACTS ARE CONSIDERED TO HAVE OCCURRED, SO AS TO SPECIFY THE CITY OF THIS LOCATION; TO AMEND SECTION 41‑29‑150, AS AMENDED, RELATING TO CERTAIN RECORDKEEPING REQUIREMENTS AND ASSOCIATED INSPECTION AND CONFIDENTIALITY REQUIREMENTS, SO AS TO INCREASE THE FINE FOR A VIOLATION; TO AMEND SECTION 41‑29‑170, AS AMENDED, RELATING TO PERMITTED DISCLOSURE OF CERTAIN INFORMATION, SO AS TO PROVIDE THE DEPARTMENT MAY PROVIDE CERTAIN INFORMATION, TO PROVIDE FOR THE DISCLOSURE OF THIS INFORMATION TO CERTAIN PRIVATE PARTIES; TO AMEND SECTION 41‑29‑180, AS AMENDED, RELATING TO A MANDATE ON THE DEPARTMENT TO MINIMIZE REPORTING CONTENTS AND FREQUENCY, SO AS TO DELETE A PROHIBITION ON REQUIRING CERTAIN REPORTS MORE THAN QUARTERLY; TO AMEND SECTION 41‑29‑250, AS AMENDED, RELATING TO THE MANDATORY PUBLICATION AND FURNISHING OF CERTAIN MATERIAL BY THE DEPARTMENT, SO AS TO ELIMINATE A REQUIREMENT THAT THE DEPARTMENT MAKE THIS INFORMATION AVAILABLE ON REQUEST AND IMPOSE A REQUIREMENT THAT THE DEPARTMENT MAKE THIS INFORMATION AVAILABLE ON ITS INTERNET WEBSITE; TO AMEND SECTION 41‑29‑270, AS AMENDED, RELATING TO THE EMERGENCY UNEMPLOYMENT COMPENSATION SYSTEM, SO AS TO MAKE THE OBLIGATION OF THE DEPARTMENT TO PROMULGATE REGULATIONS NEEDED FOR AN EMERGENCY UNEMPLOYMENT COMPENSATION SYSTEM OPTIONAL RATHER THAN MANDATORY, AND TO PROVIDE THE DEPARTMENT MAY PROMULGATE THESE REGULATIONS IN THE EVENT OF A NATURAL DISASTER AS DECLARED BY THE PRESIDENT; TO AMEND SECTION 41‑31‑10, AS AMENDED, RELATING TO THE GENERAL RATE OF CONTRIBUTION TO THE UNEMPLOYMENT INSURANCE TRUST FUND, SO AS TO CHANGE THIS RATE TO THE TAX RATE ASSIGNED TO RATE CLASS TWENTY, SUBJECT TO EXCEPTIONS; TO AMEND SECTION 41‑31‑30, AS AMENDED, RELATING TO THE CLASSIFICATION OF EMPLOYERS FOR THE PURPOSE OF RATE CONTRIBUTIONS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL CLASSIFY EMPLOYERS BASED ON THE TOTAL TAXABLE WAGES REPORTED; TO AMEND SECTION 41‑31‑55, AS AMENDED, RELATING TO ADDITIONAL SURCHARGES IMPOSED WHEN THE UNEMPLOYMENT INSURANCE TRUST FUND IS INSOLVENT, SO AS TO PROVIDE FOR THE MANNER IN WHICH THE FUNDS MUST BE DEPOSITED; TO AMEND ARTICLE 3, CHAPTER 33, TITLE 41, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE ADMINISTRATION FUND, SO AS TO MAKE TECHNICAL AND CONFORMING CHANGES; TO AMEND ARTICLE 5, CHAPTER 33, TITLE 41, RELATING TO THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SPECIAL ADMINISTRATION FUNDS, SO AS TO MAKE TECHNICAL CHANGES, CONFORMING CHANGES, TO CREATE THE DEPARTMENT OF WORKFORCE AND EMPLOYMENT INTEREST ASSESSMENT FUND, AND PROVIDE FOR THE FUNDING AND MANAGEMENT OF THE FUND; TO AMEND SECTION 41‑35‑320, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, SO AS TO MODIFY THE DEFINITION OF A STATE ‘ON’ INDICATOR; AND TO AMEND SECTION 41‑35‑615, RELATING TO CLAIMS AND NOTICE PROVISIONS CONCERNING EMPLOYERS, SO AS TO CHANGE THE TIME WITHIN WHICH AN EMPLOYER MAY NOT BE REQUIRED TO RESPOND TO THIS NOTICE.

(R12, H. 3436) -- Reps. D.C. Moss and V.S. Moss: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ACT 606 OF 1973 RELATING TO THE CREATION AND DUTIES OF THE CHEROKEE COUNTY HISTORICAL COMMISSION.

(R13, H. 3551) -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 4A AND 14 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2011.

**ADJOURNMENT**

At 12:58 p.m. the House, in accordance with the motion of Rep. HORNE, adjourned in memory of David L. Unwin of Summerville, to meet at 10:00 a.m. tomorrow.

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