~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 31:16: “Let your face shine on your servant, save me in your unfailing love.”

Let us pray. Almighty God, thank You for Your unfailing love and care that You provide to us each day. Especially we ask for Your caring and guidance on these days in which these Representatives strive to do what is needed for the progress of this State and her people. May Your grace shine upon each Representative and staff member as they work to achieve the goals set before them. Continue Your blessings upon our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us 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 Friday, February 5, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. HERBKERSMAN moved that when the House adjourns, it adjourn in memory of Robert Holzmacher of Dataw Island, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., February 4, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 362:

S. 362 -- Senator Alexander: A BILL TO AMEND SECTION 42-11-30 OF THE 1976 CODE, RELATING TO FIREFIGHTERS COVERED UNDER WORKERS' COMPENSATION LAW AND THE PRESUMPTION REGARDING IMPAIRMENT OR INJURY FROM HEART DISEASE AND/OR RESPIRATORY DISEASE, TO PROVIDE THAT THE IMPAIRMENT OR INJURY IS CONSIDERED TO HAVE ARISEN OUT OF AND IN THE COURSE OF EMPLOYMENT IF THEY HAVE SUCCESSFULLY PASSED A PHYSICAL EXAM WITHIN THE LAST TEN YEARS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**INTRODUCTION OF BILLS**

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

H. 4541 -- Reps. Whipper, Bowen, Brantley, Hodges, Alexander, Gilliard, Frye, Ott, Spires, Jefferson, Anderson, Govan, Bales, Knight, Chalk, Stavrinakis, Cato, Hutto, Erickson, Allen, Dillard, Harrison, Limehouse, Branham, Harrell, Herbkersman, Hosey, Kennedy, Mack, Miller, V. S. Moss, Rutherford, J. E. Smith, Sottile, Umphlett and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-714 SO AS TO DESIGNATE SWEETGRASS AS THE OFFICIAL CRAFT GRASS OF THE STATE OF SOUTH CAROLINA.

Referred to Committee on Invitations and Memorial Resolutions

H. 4542 -- Rep. Harrison: A BILL TO AMEND SECTION 8-13-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO DELETE THE PROHIBITION OF THE RELEASE OF INFORMATION UNTIL FINAL DISPOSITION OF AN ETHICS INVESTIGATION AND REQUIRE THAT THE INFORMATION MAY NOT BE RELEASED UNTIL A FINDING OF PROBABLE CAUSE HAS BEEN MADE.

Referred to Committee on Judiciary

H. 4543 -- Rep. Duncan: A BILL TO AMEND ARTICLE 5, CHAPTER 3, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CUTTING OF TIMBER ON LANDS HELD BY THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE TECHNICAL CORRECTIONS, TO DELETE OBSOLETE REFERENCES, TO REQUIRE THE DEPARTMENT TO COORDINATE THE CUTTING AND SALE OF SUCH TIMBER WITH THE SOUTH CAROLINA FORESTRY COMMISSION, RATHER THAN SUBMITTING THE MATTER TO THE STATE FORESTER FOR APPROVAL, TO PROVIDE THAT LAND OWNED BY THE DEPARTMENT THAT WAS PREVIOUSLY USED FOR AGRICULTURE OR MANAGED FOREST LAND MUST BE MANAGED TO PROVIDE OPTIMUM FISH AND WILDLIFE HABITAT AND TIMBER PRODUCTION, TO REVISE PROCEDURES FOR ADVERTISING FOR BIDS ON THE TIMBER, TO PROVIDE PROCEDURES FOR THE HARVEST AND SALE OF TIMBER IF AN EMERGENCY OR NATURAL DISASTER OCCURS NECESSITATING IMMEDIATE HARVESTING OF TIMBER, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT, RATHER THAN THE BOARD, TO EXECUTE DEEDS AND CONTRACTS REQUIRED IN CARRYING OUT THIS ARTICLE, AND TO PROVIDE THAT, UNLESS OTHERWISE PROVIDED FOR, THE PROCEEDS OF THESE TIMBER SALES MUST CONTINUE TO BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4544 -- Reps. Brady, White, Spires, Long, Hardwick, Bowen, Cato, Daning, Erickson, Harrison, Harvin, Scott, Umphlett and T. R. Young: A BILL TO AMEND SECTION 44-53-398, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MONITORING THE SALE OF PRODUCTS CONTAINING EPHEDRINE OR PSEUDOEPHEDRINE, SO AS TO ALSO MONITOR PHENYLPROPANOLAMINE AND THE SALE AND PURCHASE OF THESE PRODUCTS, TO MAKE IT ILLEGAL TO PURCHASE THESE PRODUCTS, TO PROVIDE THAT INFORMATION GATHERED FROM THE PURCHASER AT THE TIME OF THE SALE OF THESE PRODUCTS MUST BE ENTERED IN AN ELECTRONIC LOG, RATHER THAN A WRITTEN LOG, TO PROVIDE THAT THE INFORMATION MUST BE TRANSMITTED TO A CENTRAL DATA COLLECTION SYSTEM THAT WILL SUBMIT THIS INFORMATION TO SLED WHICH WILL MAINTAIN THIS INFORMATION TO ASSIST LAW ENFORCEMENT IN MONITORING THESE SALES AND PURCHASES, AND TO PROVIDE THAT A RETAILER OF THESE PRODUCTS MAY APPLY TO THE BOARD OF PHARMACY FOR AN EXEMPTION FROM THE ELECTRONIC LOG REQUIREMENT; AND BY ADDING CHAPTER 14 TO TITLE 23 SO AS TO PROVIDE THAT THE STATE LAW ENFORCEMENT DIVISION SHALL SERVE AS THE REPOSITORY FOR INFORMATION THE CENTRAL DATA COLLECTION GATHERS AND TRANSFERS TO SLED PERTAINING TO THE SALE AND PURCHASE OF PRODUCTS CONTAINING EPHEDRINE, PSEUDOEPHEDRINE, AND PHENYLPROPANOLAMINE.

Referred to Committee on Judiciary

H. 4545 -- Reps. D. C. Moss, V. S. Moss, Harrell and Sandifer: A BILL TO AMEND SECTION 4-29-67, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDUSTRIAL DEVELOPMENT PROJECTS REQUIRING A FEE IN LIEU OF PROPERTY TAXES AGREEMENT, SO AS TO ADD CERTAIN DEFINITIONS, TO FURTHER PROVIDE FOR THE MINIMUM LEVEL OF INVESTMENT FOR A QUALIFIED NUCLEAR PLANT FACILITY, TO PROVIDE FOR THE TIMELINE WHEN THE SPONSOR MUST ENTER INTO AN INITIAL LEASE AGREEMENT WITH THE COUNTY IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY, AND THE TIMELINES WHEN THE SPONSOR MUST MEET MINIMUM INVESTMENT REQUIREMENTS IN THE CASE OF A QUALIFIED NUCLEAR PLANT FACILITY AND PLACE THE PROJECT INTO SERVICE; TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE CERTAIN DEFINITIONS AND ADD CERTAIN DEFINITIONS; AND TO AMEND SECTION 12-44-40, AS AMENDED, RELATING TO THE REQUIRED FEE AGREEMENT BETWEEN THE SPONSOR AND THE COUNTY UNDER THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO PROVIDE THE TIME WITHIN WHICH A SPONSOR HAS TO ENTER INTO A FEE

AGREEMENT IN REGARD TO A QUALIFIED NUCLEAR PLANT FACILITY.

Referred to Committee on Ways and Means

H. 4546 -- Reps. Sandifer, Harrell, Bingham, Cato, Cooper, Duncan, Harrison, Howard, Ott and White: A JOINT RESOLUTION TO ESTABLISH THE SELF-DIRECTED SEMI-INDEPENDENT AGENCY PILOT PROJECT SO AS TO CREATE CERTAIN PROFESSIONAL AND OCCUPATIONAL LICENSING BOARDS AS SEPARATE AND DISTINCT INDIVIDUAL STATE AGENCIES TO THE EXTENT PROVIDED FOR IN THIS JOINT RESOLUTION AS OF JANUARY 1, 2011, TO PROVIDE FOR THEIR POWERS AND DUTIES WITH REGARD TO THEIR FISCAL, REGULATORY, AND OPERATIONAL RESPONSIBILITIES, AND TO PROVIDE THAT THIS JOINT RESOLUTION IS REPEALED JULY 1, 2015, UNLESS EXTENDED BY THE GENERAL ASSEMBLY.

Referred to Committee on Labor, Commerce and Industry

H. 4547 -- Rep. Rutherford: A BILL TO AMEND SECTION 56-5-1520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM SPEED LIMITS ALLOWABLE ALONG THE STATE'S HIGHWAYS, AND PENALTIES FOR TRAVELING AT SPEEDS GREATER THAN THE SPEED LIMIT, SO AS TO PROVIDE AN ALTERNATE PENALTY FOR DRIVING IN EXCESS OF THE POSTED SPEED LIMIT BUT NOT IN EXCESS OF TEN MILES AN HOUR AND TO PROVIDE FOR THE DISTRIBUTION OF THE FINE.

Referred to Committee on Judiciary

H. 4551 -- Reps. Sandifer, Thompson, Bedingfield, Hayes, Brady, Mack, Harrell, Cato, Ott, Harrison, Duncan, J. R. Smith, White, Cooper, Hutto, Horne and Cobb-Hunter: A BILL TO AMEND SECTION 23-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITION OF TERMS ASSOCIATED WITH THE PUBLIC SAFETY COMMUNICATIONS CENTER, SO AS TO REVISE THE DEFINITION OF SEVERAL EXISTING TERMS AND TO PROVIDE DEFINITIONS FOR SEVERAL NEW TERMS; TO AMEND SECTION 23-47-20, AS AMENDED, RELATING TO 911 SYSTEM SERVICE REQUIREMENTS, SO AS TO DELETE "A CAPABILITY TO HAVE CELLULAR PHONES ROUTED TO 911" AS A SYSTEM REQUIREMENT AND TO ADD "ROUTING AND CAPABILITIES TO RECEIVE AND PROCESS CMRS SERVICE AND VOIP SERVICE CAPABLE OF MAKING 911 CALLS" AS A SYSTEM REQUIREMENT; TO AMEND SECTION 23-47-50, RELATING TO SUBSCRIBER BILLING OR 911 SERVICE, SO AS TO PROVIDE THAT FOR THE BILLING OF 911 CHARGES FOR LOCAL EXCHANGE ACCESS FACILITIES THAT ARE CAPABLE OF SIMULTANEOUSLY CARRYING FIVE OR MORE OUTGOING 911 VOICE CALLS, TO REVISE THE 911 CHARGE THAT PREPAID WIRELESS TELECOMMUNICATIONS SERVICE IS SUBJECT TO AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23-47-65, RELATING TO THE CMRS EMERGENCY TELEPHONE ADVISORY COMMITTEE, SO AS TO REVISE THE NAME OF THE COMMITTEE AND ITS MEMBERSHIP, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THAT THE COMMITTEE AND THE STATE BUDGET AND CONTROL BOARD ARE AUTHORIZED TO REGULATE PREPAID WIRELESS SELLERS; BY ADDING SECTION 23-47-67 SO AS TO IMPOSE A VOIP 911 CHARGE ON EACH LOCAL EXCHANGE ACCESS FACILITY, AND TO PROVIDE FOR THE COLLECTION OF THE CHARGE AND ITS DISTRIBUTION; BY ADDING SECTION 23-47-68 SO AS TO IMPOSE A PREPAID WIRELESS 911 CHARGE, AND TO PROVIDE FOR ITS COLLECTION AND DISTRIBUTION; BY ADDING SECTION 23-47-69 SO AS TO LIMIT THE CHARGES THAT MAY BE IMPOSED FOR 911 SERVICE; AND TO AMEND SECTION 23-47-70, RELATING TO LIABILITY FOR DAMAGES THAT MAY OCCUR FROM A GOVERNMENTAL AGENCY PROVIDING 911 SERVICE, SO AS TO PROVIDE FOR LIABILITY WHEN 911 SERVICE IS PROVIDED AND WHEN IT IS NOT PROVIDED PURSUANT TO TARIFFS ON FILE WITH THE PUBLIC SERVICE COMMISSION AND TO MAKE A TECHNICAL CHANGE.

Referred to Committee on Labor, Commerce and Industry

H. 4552 -- Reps. Brady, Sandifer and Crawford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-225 SO AS TO ESTABLISH CERTAIN REQUIREMENTS FOR ISSUING MEDICARE SUPPLEMENT POLICIES, INCLUDING, BUT NOT LIMITED TO, PROHIBITING SUCH POLICIES FROM DUPLICATING BENEFITS PROVIDED BY MEDICARE; PROHIBITING EXCLUSION OF OR LIMITING BENEFITS FOR LOSSES INCURRED MORE THAN SIX MONTHS FROM THE EFFECTIVE DATE OF COVERAGE BECAUSE IT INVOLVED A PREEXISTING CONDITION; TO REQUIRE THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS ESTABLISHING SPECIFIC STANDARDS FOR MEDICARE SUPPLEMENT POLICY PROVISIONS AND MINIMUM STANDARDS FOR BENEFITS, CLAIMS PAYMENT, MARKETING PRACTICES AND TO CONFORM SUCH POLICIES TO FEDERAL REQUIREMENTS; TO REQUIRE INSURERS OFFERING MEDICARE SUPPLEMENT POLICIES TO PERSONS SIXTY-FIVE YEARS OF AGE AND OLDER TO ALSO OFFER SUCH POLICIES TO PERSONS WHO ARE ENROLLED IN MEDICARE BECAUSE OF DISABILITY OR END-STAGE RENAL DISEASE; TO PROVIDE ENROLLMENT TIME REQUIREMENTS; TO PROVIDE THAT CERTAIN THIRD PARTY PAYMENTS MAY NOT BE PROHIBITED; AND TO SPECIFY THAT PREMIUM DIFFERENCES CHARGED PERSONS RECEIVING MEDICARE UNDER DIFFERENT ELIGIBILITY CRITERIA MUST NOT BE EXCESSIVE, INADEQUATE, OR UNFAIRLY DISCRIMINATORY.

Referred to Committee on Labor, Commerce and Industry

H. 4553 -- Rep. Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-13-35 SO AS TO PROVIDE THAT A LAW ENFORCEMENT OFFICER WHO IS OPERATING HIS LAW ENFORCEMENT VEHICLE OUTSIDE HIS JURISDICTION MAY STOP ANOTHER VEHICLE, ISSUE A TRAFFIC TICKET, OR MAKE AN ARREST UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Judiciary

H. 4554 -- Reps. Stringer and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING CHAPTER 29, TITLE 23 RELATING TO THE SUBVERSIVE ACTIVITIES REGISTRATION ACT.

Referred to Committee on Judiciary

S. 717 -- Senators Coleman, Setzler, Land, Campbell and Hayes: A BILL TO AMEND SECTIONS 12-36-2120 AND 12-37-220, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS AND PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT MACHINERY, EQUIPMENT, BUILDING AND OTHER RAW MATERIALS, AND ELECTRICITY USED BY A FACILITY OWNED BY A TAX EXEMPT ORGANIZATION INVESTING AT LEAST TWENTY MILLION DOLLARS OVER THREE YEARS IN THE FACILITY WHEN THAT FACILITY IS USED PRINCIPALLY FOR RESEARCHING AND TESTING THE IMPACT OF NATURAL HAZARDS SUCH AS WIND, FIRE, EARTHQUAKE, AND HAIL ON BUILDING MATERIALS USED IN RESIDENTIAL, COMMERCIAL, AND AGRICULTURAL BUILDINGS.

Referred to Committee on Ways and Means

S. 783 -- Senator McConnell: A BILL TO AMEND SECTION 51-13-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE GOVERNING BOARD OF THE PATRIOTS POINT DEVELOPMENT AUTHORITY, SO AS TO PROVIDE FOR THREE ADDITIONAL MEMBERS OF THE BOARD AND THE MANNER OF THEIR TERMS AND APPOINTMENT.

Referred to Committee on Judiciary

S. 897 -- Senators McConnell, Leatherman, Peeler, Setzler, Rose, Elliott, Courson, Sheheen, Campbell, Campsen and Bryant: A JOINT RESOLUTION TO CREATE THE COMMISSION ON STREAMLINING GOVERNMENT AND REDUCTION OF WASTE AND PROVIDE FOR THE MEMBERSHIP, POWERS, DUTIES, AND FUNCTIONS OF THE COMMISSION; TO PROVIDE A PROCEDURE FOR THE SUBMISSION, CONSIDERATION, APPROVAL, AND IMPLEMENTATION OF RECOMMENDATIONS OF THE COMMISSION; TO PROVIDE FOR STAFF SUPPORT AND FINANCES FOR THE COMMISSION; TO PROVIDE FOR COOPERATION WITH AND SUPPORT FOR THE COMMISSION; TO PROVIDE FOR THE APPLICABILITY OF OTHER LAWS; AND TO PROVIDE FOR ITS TERMINATION.

Referred to Committee on Judiciary

S. 910 -- Senator Land: A BILL TO AMEND SECTION 6-21-185 OF THE 1976 CODE, RELATING TO A SPECIAL PURPOSE DISTRICT MORTGAGE TO SECURE CERTAIN BONDS OR LOANS, TO REMOVE LIMITATIONS FROM THE AUTHORITY OF SUCH DISTRICT TO MORTGAGE ITS PROPERTY UNDER THE REVENUE BOND ACT FOR UTILITIES; TO ADD SECTION 6-17-95 TO AUTHORIZE A SPECIAL PURPOSE DISTRICT PROVIDING HOSPITAL, NURSING HOME, OR CARE FACILITIES TO BORROW MONEY IN A MANNER THAT IS CONSISTENT WITH SECTION 44-7-60; TO ADD SECTION 6-11-101 TO CLARIFY THE POWERS OF HOSPITAL DISTRICTS.

Referred to Committee on Ways and Means

S. 914 -- Senator Land: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-13-120, TO SET THE SIZE LIMITS AT FOURTEEN INCHES TOTAL LENGTH AND THE CATCH LIMIT AT FIVE PER DAY FOR BLACK BASS IN LAKES MARION AND MOULTRIE AND THE UPPER SANTEE RIVER.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 975 -- Senator Campsen: A BILL TO AMEND SECTION 50-11-65 OF THE 1976 CODE, RELATING TO THE TRAINING OF BIRD DOGS, TO DEFINE "TRAINING BIRDS", TO PROVIDE FOR THE USE OF TRAINING BIRDS DURING THE CLOSED SEASON, AND TO PROVIDE THAT TRAINING MUST HAVE MINIMAL DISTURBANCE ON WILD BIRDS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1043 -- Senator Cleary: A BILL TO AMEND CHAPTER 5, TITLE 50 OF THE 1976 CODE, RELATING TO THE MARINE RESOURCES ACT, BY ADDING SECTION 50-5-17 TO ESTABLISH THE FLOUNDER POPULATION STUDY PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF NATURAL RESOURCES TO CLARIFY THE LOCATION IN WHICH THE PROGRAM WILL OPERATE, TO CLARIFY THAT PROHIBITED ARTIFICIAL ILLUMINATION IS GENERATED BY MOTOR FUEL POWERED GENERATORS, AND TO PROVIDE THAT THE PROGRAM WILL END ON JUNE 30, 2014; AND TO REPEAL SECTION 50-5-2017 OF THE 1976 CODE, AS ADDED BY ACT 47 OF 2009.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1066 -- Senators O'Dell and Sheheen: A BILL TO AMEND CHAPTER 6, TITLE 12 OF THE 1976 CODE, BY ADDING SECTION 12-6-3595 TO PROVIDE A TAX CREDIT EQUAL TO ONE HUNDRED PERCENT OF AN AMOUNT CONTRIBUTED TO THE SOUTH CAROLINA EXISTING MANUFACTURERS' RETENTION AND GROWTH FUND, TO PROVIDE THAT THE CREDIT MAY NOT EXCEED FIVE HUNDRED THOUSAND DOLLARS FOR A SINGLE TAXPAYER AND NOT TO EXCEED AN AGGREGATE OF FOUR MILLION DOLLARS FOR EACH TAX YEAR, AND TO PROVIDE THE PROCESS AND REQUIREMENTS FOR CLAIMING THE CREDIT.

Referred to Committee on Ways and Means

S. 1085 -- Senators Leatherman, Leventis, Massey, Ford, Ryberg, Setzler, Nicholson, Fair, Bryant, Alexander, Cromer, Land, Rankin, McConnell, O'Dell, Thomas, Courson, L. Martin, Campbell, Matthews, McGill, Hayes, Rose, Campsen and Knotts: A BILL TO AMEND SECTION 11-11-310 OF THE 1976 CODE, RELATING TO THE GENERAL RESERVE FUND, TO INCREASE THE PERCENTAGE AMOUNT REQUIRED TO BE DEPOSITED IN THE GENERAL RESERVE FUND FROM THREE TO FIVE PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, AND TO PROVIDE THAT THE PERCENTAGE AMOUNT MAY BE INCREASED OR DECREASED BY A TWO-THIRDS VOTE OF EACH HOUSE; TO AMEND SECTION 11-11-320, RELATING TO THE CAPITAL RESERVE FUND, TO PROVIDE THAT IF IN ANY FISCAL YEAR IN WHICH THE GENERAL RESERVE FUND DOES NOT MAINTAIN THE APPLICABLE PERCENTAGE AMOUNT, MONIES FROM THE CAPITAL RESERVE FUND FIRST MUST BE USED, TO THE EXTENT NECESSARY, TO FULLY REPLENISH THE REQUISITE PERCENTAGE AMOUNT IN THE GENERAL RESERVE FUND; TO REPEAL SECTION 11-11-325; TO AMEND SECTION 11-9-890, RELATING TO ACTIONS TO AVOID A YEAR-END DEFICIT, TO EXTEND THE TIME PERIOD IN WHICH ACTION MAY BE TAKEN INTO THE THIRD QUARTER, TO REDUCE THE PERCENTAGE BELOW THE PROJECTED AMOUNT THAT IS REQUIRED TO TAKE ACTION FROM FOUR TO TWO PERCENT, TO REDUCE THE TIME IN WHICH THE BUDGET AND CONTROL BOARD MUST TAKE ACTION FROM FIFTEEN TO SEVEN DAYS, AND TO PROVIDE THAT IF NO ACTION IS TAKEN, THE DIRECTOR OF THE OFFICE OF STATE BUDGET MUST REDUCE GENERAL FUND APPROPRIATIONS BY THE REQUISITE AMOUNT; AND TO AMEND SECTION 1-11-495, RELATING TO A REDUCTION IN THE RATE OF EXPENDITURE, TO PROVIDE THAT ANY CUT IS SUBJECT TO ANY BILL OR RESOLUTION ENACTED BY THE GENERAL ASSEMBLY.

Referred to Committee on Ways and Means

S. 1142 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SECRETARY OF STATE, RELATING TO UNIFORM REAL PROPERTY RECORDING ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4078, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Judiciary

**HOUSE RESOLUTION**

The following was introduced:

H. 4548 -- Rep. Horne: A HOUSE RESOLUTION TO CONGRATULATE COLTON NATHANIEL ANDERSON OF SUMMERVILLE FOR ACHIEVING THE ELITE RANK OF EAGLE SCOUT, COMMEND HIM FOR HIS HARD WORK AND DETERMINATION IN REACHING THIS GOAL, AND WISH HIM EVERY SUCCESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4549 -- Reps. Simrill, King, Delleney, Kirsh and Norman: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE THE MEMBERS OF THE ROCK HILL HIGH SCHOOL DRUMLINE, AND TO CONGRATULATE THESE YOUNG

ARTISTS FOR ACCOMPLISHING THEIR GOAL OF BREAKING THE WORLD RECORD FOR THE LONGEST CONTINUOUS GROUP DRUM ROLL.

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

**CONCURRENT RESOLUTION**

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

H. 4550 -- Reps. Kirsh and Norman: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THE GREAT STATE OF SOUTH CAROLINA AND TO DECLARE FEBRUARY 16, 2010, "YORK COUNTY DAY" IN SOUTH CAROLINA.

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

**HOUSE RESOLUTION**

The following was introduced:

H. 4555 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MATTIE E. LEGRANT OF BISHOPVILLE, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1143 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR REVEREND THOMAS "TOMMY" MILTON KNOTTS, AND TO COMMEND HIM FOR HIS YEARS OF ENTHUSIASTIC AND DEDICATED SERVICE TO THE SOUTH CAROLINA ASSOCIATION OF CONSERVATION DISTRICTS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1155 -- Senator Sheheen: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE DIMETRY GIOVONNI "VONNIE" HOLLIDAY FOR HIS CELEBRATED CAREER AS A PROFESSIONAL FOOTBALL PLAYER AND FOR HIS OUTSTANDING CONTRIBUTIONS TO THE BETTERMENT OF KERSHAW COUNTY.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1156 -- Senator Davis: A CONCURRENT RESOLUTION TO COMMEND THE UNIVERSITY OF SOUTH CAROLINA-BEAUFORT UPON CELEBRATION OF FIFTY YEARS OF SERVICE AS A MEMBER OF SOUTH CAROLINA'S PUBLIC FLAGSHIP UNIVERSITY SYSTEM.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1157 -- Senator Courson: A CONCURRENT RESOLUTION TO CONGRATULATE KARIS MAZYCK OF RICHLAND COUNTY ON BEING NAMED THE 2010 MIDDLE SCHOOL ASSISTANT PRINCIPAL OF THE YEAR FOR THE STATE OF SOUTH CAROLINA, TO COMMEND HER FOR HER YEARS OF DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA, AND TO WISH HER MUCH SUCCESS IN ALL HER FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1158 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. SHERRY A. WALTERS OF LEXINGTON COUNTY, TO CONGRATULATE HER UPON THE OCCASION OF BEING NAMED THE 2010 HIGH SCHOOL ASSISTANT PRINCIPAL OF THE YEAR FOR THE STATE OF SOUTH CAROLINA, AND TO COMMEND HER FOR HER DEDICATED SERVICE TO EDUCATION IN SOUTH CAROLINA.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1159 -- Senator Courson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MRS. LAYNE PUTNAM OF ANDERSON COUNTY, TO CONGRATULATE HER UPON THE OCCASION OF BEING NAMED THE 2010 ELEMENTARY SCHOOL ASSISTANT PRINCIPAL OF THE YEAR FOR THE STATE OF SOUTH CAROLINA, AND TO COMMEND HER FOR HER OUTSTANDING CONTRIBUTIONS TO EDUCATION IN SOUTH CAROLINA.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The following was taken up for immediate consideration:

S. 1165 -- Senator Hayes: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THE GREAT STATE OF SOUTH CAROLINA AND TO DECLARE FEBRUARY 16, 2010, "YORK COUNTY DAY" IN SOUTH CAROLINA.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1173 -- Senators Elliott, Malloy and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE DOUGLAS JENNINGS, JR., OF MARLBORO COUNTY FOR TWENTY YEARS OF SELFLESS AND DEDICATED SERVICE IN THE HOUSE OF REPRESENTATIVES ON BEHALF OF THE CITIZENS OF SOUTH CAROLINA, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

Whereas, the members of the South Carolina General Assembly learned with sincere regret that Douglas Jennings, Jr., will retire from the House of Representatives at the conclusion of his current term; and

Whereas, after he received a bachelor of arts degree from Clemson University in 1978, Douglas Jennings earned his law degree from the University of South Carolina Law School in 1982; and

Whereas, he served as a legislative assistant in the United States House of Representatives from 1978 to 1979 and then became a research assistant to the South Carolina Senate Judiciary Committee from 1979 to 1982; and

Whereas, from 1982 to 1988, Mr. Jennings served as the assistant solicitor of the Fourth Judicial Circuit while also serving on the Pee Dee Tourism Commission during the same years, and he served his community further as the chairman of the Boy Scout Troop 625 Commission from 1983 to 1985; and

Whereas, he served with distinction on the board of visitors of Francis Marion University from 1985 to 1991 and as the president of the Marlboro County Election Commission from 1986 to 1991; and

Whereas, in 1987, he served as the campaign chairman for the Marlboro County United Way and in 1988 as the president; and

Whereas, Representative Jennings entered the South Carolina House of Representatives in 1991, serving there as the House Minority Leader from 2001 to 2003; and he currently serves as the chairman of North Eastern Strategic Alliance Interstate 73 (NESA I 73) Committee; and

Whereas, he was named to the Clemson Board of Visitors from 1997 to 1999 and received the Governor’s prestigious Rural Economic Leadership Award in 1999, and in 2002, he received an honorary doctorate from Francis Marion University; and

Whereas, his broad involvement in his community has made him effective in his role as president of the Rotary Club in Bennettsville and as an elder in the First Presbyterian Church of Bennettsville; and

Whereas, the members of the General Assembly will miss the enthusiastic and energetic service that Douglas Jennings, Jr., their colleague and friend, has given to the House of Representatives, and hope that he will enjoy deep fulfillment in the years to come. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly of the State of South Carolina, by this resolution, recognize and commend the Honorable Douglas Jennings, Jr., of Marlboro County for twenty years of selfless and dedicated service in the House of Representatives on behalf of the citizens of South Carolina, and wish him much success and happiness in all his future endeavors.

Be it further resolved that a copy of this resolution be presented to the Honorable Douglas Jennings, Jr.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, February 16.

|  |  |
| --- | --- |
| Wendell Gilliard | Anne Parks |
| Leon Stavrinakis | Thad Viers |
| David Mack | Douglas Jennings |
| Jackson "Seth" Whipper | Vida Miller |
| Joseph Neal |  |

**Total Present--120**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. STEWART a temporary leave of absence due to business reasons.

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Jeffery K. Smith of West Columbia was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3745 |
| Date: | ADD: |
| 02/16/10 | HAYES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4200 |
| Date: | ADD: |
| 02/16/10 | LUCAS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4228 |
| Date: | ADD: |
| 02/16/10 | BOWERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4282 |
| Date: | ADD: |
| 02/16/10 | DANING |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4284 |
| Date: | ADD: |
| 02/16/10 | BOWERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4343 |
| Date: | ADD: |
| 02/16/10 | LUCAS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4448 |
| Date: | ADD: |
| 02/16/10 | BOWERS, ALLEN, V. S. MOSS, WHITMIRE, LITTLEJOHN, G. R. SMITH, HAYES, COBB-HUNTER, J. R. SMITH and BRANTLEY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4478 |
| Date: | ADD: |
| 02/16/10 | LUCAS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4509 |
| Date: | ADD: |
| 02/16/10 | G. R. SMITH |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4520 |
| Date: | ADD: |
| 02/16/10 | NEILSON |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4478 |
| Date: | REMOVE: |
| 02/16/10 | COBB-HUNTER |

**S. 963--AMENDED AND SENT TO THE SENATE**

The following Bill was taken up:

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

Rep. BINGHAM proposed the following Amendment No. 1 (COUNCIL\DKA\3864DW10), which was adopted:

Amend the bill, as and if amended, beginning on page 1 and line 28, by striking Section 7‑7‑380 in its entirety, as contained in SECTION 1, and inserting:

/ “Section 7‑7‑380. (A) In Lexington County there are the following voting precincts:

Amicks Ferry

~~Barr Road~~

Barr Road 1

Barr Road 2

Batesburg

Bethany

Beulah Church

Boiling Springs

Boiling Springs South

Bush River

Cayce No. 1

Cayce No. 2

Cayce No. 3

Cayce 2A

Cedar Crest

Chalk Hill

Challedon

Chapin

Coldstream

Congaree 1

Congaree 2

Cromer

Dreher Island

Dutchman Shores

Edenwood

Edmund

Emmanuel Church

Fairview

Faith Church

Gardendale

Gaston 1

Gaston 2

Gilbert

Grenadier

Hollow Creek

Hook’s Store

Irmo

Kitti Wake

Lake Murray 1

Lake Murray 2

Leaphart Road

Leesville

Lexington No. 1

Lexington No. 2

Lexington No. 3

Lexington No. 4

Lincreek

Mack‑Edisto

Midway

Mims

Mt. Hebron

Mount Horeb

Murraywood

Oakwood

Old Barnwell Road

Old Lexington

~~Park Road~~

Park Road 1

Park Road 2

Pelion 1

Pelion 2

Pilgrim Church

~~Pine Ridge~~

Pine Ridge 1

Pine Ridge 2

Pineview

Pond Branch

Providence Church

Quail Hollow

Quail Valley

Red Bank

~~Red Bank South~~

Red Bank South 1

Red Bank South 2

Ridge Road

Round Hill

Saluda River

Sand Hill

Sandy Run

Seven Oaks

Sharpe’s Hill

Springdale

Springdale South

St. Davids

St. Michael

Summit

Swansea 1

Swansea 2

West Columbia No. 1

West Columbia No. 2

West Columbia No. 3

West Columbia No. 4

Westover

White Knoll

Whitehall

Woodland Hills.

 (B) The polling places of the various voting precincts in Lexington County must be designated by the Registration and Elections Commission for Lexington County. The precinct lines defining the precincts in subsection (A) are as shown on the official map prepared by and on file with the Office of Research and Statistics of the State Budget and Control Board designated as document ~~P‑63‑07~~ P‑63‑10 and as shown on copies provided to the Registration and Elections Commission for Lexington County by the Office of Research and Statistics. The official map may not be changed except by act of the General Assembly.” /

Renumber sections to conform.

Amend title to conform.

The amendment was then adopted.

The Bill was read the third time and ordered returned to the Senate with amendments.

**H. 4479--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4479 -- Reps. Clemmons, M. A. Pitts, D. C. Moss and Crawford: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO INCLUDE DETENTION OFFICERS AND TELECOMMUNICATIONS PERSONNEL WITHIN THE CATEGORY OF LAW ENFORCEMENT OFFICERS ELIGIBLE TO CLAIM THE EIGHT DOLLARS A DAY SUBSISTENCE ALLOWANCE DEDUCTION FOR LAW ENFORCEMENT OFFICERS, FIRE FIGHTERS, AND EMERGENCY MEDICAL SERVICE PERSONNEL.

Reps. CLEMMONS, G. R. SMITH, WHITE, HARDWICK, HEARN, CRAWFORD, LOWE, G. M. SMITH, SANDIFER, M. A. PITTS, ERICKSON, CHALK, BEDINGFIELD and HAYES requested debate on the Bill.

**H. 3585--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3585 -- Reps. T. R. Young, Brantley, Spires, Allison, Bales, Bedingfield, Cole, Crawford, Delleney, Horne, McEachern, Merrill, Parker, Scott, G. R. Smith, Viers, A. D. Young and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-1065 SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "VEHICLE" AND "FALSE OR SECRET COMPARTMENT", TO PROVIDE THAT IT IS UNLAWFUL TO OWN OR OPERATE A VEHICLE WITH A FALSE OR SECRET COMPARTMENT, TO INSTALL A FALSE OR SECRET COMPARTMENT IN A VEHICLE, AND TO SELL OR TRADE A VEHICLE WITH A FALSE OR SECRET COMPARTMENT, AND TO PROVIDE A PENALTY.

Reps. KENNEDY, HART, GOVAN, R. L. BROWN, GUNN and KING requested debate on the Bill.

**H. 3066--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3066 -- Reps. Ballentine, Haley, J. R. Smith, Hamilton, Wylie, Simrill, Huggins, E. H. Pitts, Cobb-Hunter, Harrell, G. M. Smith, Gullick, J. E. Smith, Merrill, Phillips, Jennings, Owens, G. R. Smith, Daning, Rice, Knight, Funderburk, Harrison, Crawford, Kirsh, Bedingfield, Allison, Stringer, T. R. Young, Agnew, Gunn, Bingham, Toole, Millwood, Stavrinakis, Miller, Battle, Hutto and Erickson: A BILL TO AMEND SECTION 8-13-365, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO MAKE IT APPLICABLE TO COUNTY, SCHOOL BOARD, AND MUNICIPAL ELECTIONS IN ADDITION TO STATEWIDE ELECTIONS; AND TO AMEND SECTION 8-13-1308, AS AMENDED, RELATING TO THE REQUIREMENT TO FILE CERTIFIED CAMPAIGN REPORTS BY CANDIDATES AND COMMITTEES, SO AS TO REQUIRE THAT THEY MUST BE FILED FORTY-EIGHT HOURS AFTER THEIR RECEIPT STARTING AFTER THE FILING OF THE PRE-ELECTION REPORT.

Reps. BALLENTINE, GUNN, SKELTON, HIOTT, CLEMMONS, J. E. SMITH, HARDWICK, HALEY, SELLERS, HART, BALES, KENNEDY, ALLISON, MILLWOOD, FORRESTER, HORNE, ERICKSON, WYLIE, HAMILTON, G. R. SMITH and BEDINGFIELD requested debate on the Bill.

**H. 4475--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4475 -- Reps. T. R. Young, Sellers, Bedingfield, Norman, J. R. Smith, Stringer, Wylie, Millwood, Gunn, Scott, D. C. Smith, Stewart, Ballentine, H. B. Brown, Hart, Hearn, Haley, Funderburk and Willis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SECRETARY OF STATE FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SECRETARY OF STATE MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SECRETARY OF STATE SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SECRETARY OF STATE MAY BE REMOVED FROM OFFICE.

Reps. T. R. YOUNG, KENNEDY, SELLERS, DUNCAN, HART, CLEMMONS, SKELTON, JEFFERSON, HIOTT, LITTLEJOHN, SCOTT, MILLWOOD, ALLISON, FORRESTER, KING, J. R. SMITH, SIMRILL, KIRSH, WYLIE, PARKER, BRANTLEY, HAMILTON, G. R. SMITH and BEDINGFIELD requested debate on the Bill.

**H. 3797--POINT OF ORDER**

The following Bill was taken up:

H. 3797 -- Rep. Harrison: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-11-2025 SO AS TO PROVIDE A PROCEDURE BY WHICH THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, THAT PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO DISSOLVE AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY BY RESOLUTION OF THE GOVERNING BODY OF THE COUNTY AND THE LEGISLATIVE DELEGATION OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6-11-2140; AND TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY.

The Committee on Judiciary proposed the following Amendment No. 1 (COUNCIL\DKA\3886DW10):

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

/ SECTION 1. Article 15, Chapter 11, Title 6 of the 1976 Code is amended by adding:

 “Section 6‑11‑2025. (A) Notwithstanding the provisions of this article, the governing body of a special purpose district must be appointed by the governing body of the county in which the district is located if it:

 (1) is created by act of the General Assembly;

 (2) provides only recreational services; and

 (3) has boundaries that consist of the entirety of the unincorporated area of the county.

 (B) After the appointment as provided in this section occurs, the governing body of the county may transfer, by ordinance, all assets and liabilities of the district to the county. The district then becomes a department of the county and all powers, duties, and responsibilities of that district must be determined by the governing body of the county. The governing body of the county may reconstitute the board of the district as it determines.

 (C) For purposes of calculating the millage limitation imposed pursuant to Section 6‑1‑320 for a county, any millage for operating purposes imposed by the transferred district is considered to have been imposed by the county.”

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

Renumber sections to conform.

Amend title to conform.

Rep. HARRISON explained the amendment.

**POINT OF ORDER**

Rep. RUTHERFORD 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. 3800--POINT OF ORDER**

The following Bill was taken up:

H. 3800 -- Reps. Toole, Erickson, Brady, Bowen, Brantley, Parker, Allison, Cato, Crawford, Dillard, Duncan, Gullick, Gunn, Horne, Hosey, Jefferson, Littlejohn, Millwood, Mitchell, Pinson, Stringer, Willis, Wylie, A. D. Young and J. E. Smith: A BILL TO AMEND SECTION 63-7-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT ABUSE OR NEGLECT OF A CHILD, SO AS TO INCLUDE A SCHOOL ATTENDANCE OFFICER, SCHOOL ADMINISTRATOR, FOSTER PARENT, JUVENILE JUSTICE WORKER, AND GUARDIAN AD LITEM FOR A CHILD AMONG THE PEOPLE WHO MUST REPORT CERTAIN ALLEGATIONS OF CHILD ABUSE OR NEGLECT, AND TO ENCOURAGE OTHER PEOPLE TO REPORT THIS ABUSE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4207--POINT OF ORDER**

The following Bill was taken up:

H. 4207 -- Reps. Clemmons and Wylie: A BILL TO AMEND SECTION 7-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE QUALIFICATIONS FOR REGISTRATION TO VOTE, SO AS TO AUTHORIZE A UNITED STATES CITIZEN OUTSIDE THE UNITED STATES UNDER CERTAIN CONDITIONS TO BE ELIGIBLE TO REGISTER AND VOTE WHERE HIS PARENT IS A QUALIFIED ELECTOR; AND TO AMEND SECTION 7-15-110, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO AUTHORIZE A PERSON TO VOTE BY ABSENTEE BALLOT IF HE OR A PARENT LAST RESIDED IN THIS STATE IMMEDIATELY BEFORE HIS OR HIS PARENT'S DEPARTURE FROM THE UNITED STATES.

**POINT OF ORDER**

Rep. HART 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.

**S. 19--POINT OF ORDER**

The following Bill was taken up:

S. 19 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-116-45 SO AS TO PROVIDE THAT EVERY POLICE/SECURITY DEPARTMENT SHALL IMPLEMENT POLICIES AND PROCEDURES TO GOVERN THEIR OPERATIONS; TO AMEND SECTIONS 59-116-10, 59-116-20, 59-116-30, 59-116-50, 59-116-60, 59-116-80, 59-116-100, AND 59-116-120, RELATING TO THE ESTABLISHMENT, POWERS, AND OPERATION OF CAMPUS SECURITY DEPARTMENTS, SO AS TO REVISE THE DEFINITION OF THE TERMS "CAMPUS" AND "CAMPUS POLICE OFFICER", AND TO DEFINE THE TERM "CAMPUS SECURITY OFFICER", TO MAKE TECHNICAL CHANGES, TO REVISE THE JURISDICTIONAL BOUNDARY OF A CONSTABLE AND SECURITY OFFICER, AND TO REVISE THE MARKINGS THAT MAY APPEAR ON A CAMPUS POLICE OFFICER'S VEHICLE AND TO PROVIDE FOR THE USE OF CAMPUS UNMARKED VEHICLES; AND TO REPEAL SECTION 59-116-70, RELATING TO THE POSTING OF A BOND BY A CAMPUS POLICE OFFICER BEFORE THE ASSUMPTION OF THEIR DUTIES.

The Judiciary Committee proposed the following Amendment No. 1 (COUNCIL\SWB\7038CM10):

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

/ SECTION 1. Chapter 116, Title 59 of the 1976 Code is amended by adding:

 “Section 59‑116‑45. Every campus police and security department with approval from the governing body of the private institution concerned, shall implement policies and procedures to provide for effective and efficient operations of the department and to direct employees or agents of the department with associated duties and responsibilities.”

SECTION 2. Section 59‑116‑10 of the 1976 Code is amended to read:

 “Section 59‑116‑10. As used in this chapter:

 (1) ‘Campus’ means the ~~grounds and~~ buildings, grounds, or properties owned, ~~and~~ occupied, or controlled by a private college or university ~~for education purposes~~ and the streets and roads through, ~~and contiguous to the grounds~~ and contiguous to the property of the private college or university and not more than one hundred yards beyond its boundary. (2) ‘College or university’ means a state chartered two‑ or four‑year private educational institution of higher learning located in this State.

 (3) ‘Campus police officer’ means an employee of a private college or university whose duties include the enforcement of the laws of this State~~;~~, the preservation of public order~~;~~, the protection of life and property~~;~~, the prevention, detection, or investigation of a crime~~;~~, or a combination of those duties. It does not include personnel of a private company which provides security services on a contract basis for the institution concerned.

 (4) ‘Campus security officer’ means an employee of a private college or university whose duties include the enforcement of the laws of this State as governed by S.C. Code of Regulations R. 73‑400 through 73‑422, and Chapter 18 of Title 40 of the South Carolina Code of Laws, the preservation of public order, the protection of life and property, the prevention and detection of a crime, or a combination of those duties. It does not include personnel of a private company which provides security services on a contract basis for the institution concerned.”

SECTION 3. Section 59‑116‑20 of the 1976 Code is amended to read:

 “Section 59‑116‑20. The ~~board of trustees~~ governing body of each private college or university may establish a ~~safety and security~~ police department and appoint and employ campus police and security officers to carry out the functions of the department. While on duty, uniformed campus police and security officers shall wear distinctive uniforms prescribed by the ~~board of trustees~~ governing body or its designees.

 The police officers must be commissioned as constables pursuant to Section 23‑1‑60 and take the oath of office prescribed by ~~law and~~ the ~~state~~ State Constitution for those officers.

 The jurisdiction of such a ~~constable~~ police officer is limited to the campus grounds and streets and roads through and contiguous to ~~them~~ the property of the private college or university not more than one hundred yards beyond its boundary, except as provided in Section 59‑116‑30(A)(2).”

SECTION 4. Section 59‑116‑30 of the 1976 Code is amended to read:

 “Section 59‑116‑30. (A) Campus police officers are peace officers. While in the performance of the duties of their employment, they have all the powers of municipal and county police officers to make arrests for both felonies and misdemeanors and possess all of the common law and statutory powers, privileges, and immunities of police officers. Campus police officers shall:

 (1) preserve the peace, maintain order, and prevent unlawful use of force or violence or other unlawful conduct on the campuses of their respective institutions and protect all persons and property located there from injury, harm, and damage;

 (2) enforce and assist the officials of their respective institutions in the enforcement of the laws of the State and county and municipal ordinances, and the lawful regulations of the institution, and assist and cooperate with other law enforcement agencies and officers. Campus police officers shall exercise powers granted in this chapter ~~only upon the real property owned by their respective institutions~~ as defined in ~~item (1) of~~ Section 59‑116‑10 and Section 59‑116‑20 and while travelling to and from an institution-sponsored event, while on the property of the location visited, while escorting a college or university employee or student, or while performing duties as required by the normal business practices of the institution; and

 (3) provide notice to the chief law enforcement executive of any jurisdiction in which a private college or university plans to sponsor any off-campus event. This notice shall take place at least twenty-four hours before commencement of the event.

 (B) Campus police officers may arrest persons outside the territory described in subsection (A) when the person arrested has committed a criminal offense within that territory, and the arrest is made during the person’s immediate and continuous flight from that territory.

 (C) ~~Safety and security~~ Police/security departments created and operated by the ~~boards of trustees~~ governing bodies of private institutions under this chapter for the purposes of this chapter are campus ~~police~~ police/security departments. ~~and the sworn~~ Sworn campus police officers of the department are campus police officers and security officers of the department are security officers. As contained in this section, ‘campus security officer’ means an employee of a private college or university whose duties include the enforcement of the laws of this State as governed by S.C. Code of Regulations R. 73‑400 through 73‑422, and Chapter 18 of Title 40 of the South Carolina Code of Laws, the preservation of public order, the protection of life and property, and the prevention and detection of a crime, or a combination of those duties. It does not include personnel of a private company which provides security services on a contract basis for the institution concerned.

 (D) Campus police officers may designate and operate emergency vehicles and patrol cars in the manner provided by law for municipal and county law enforcement officers. ~~Such a vehicle~~ These regular assigned patrol vehicles or units must bear distinctive and conspicuous lettering ~~which reads “campus police” on the sides and rear of the vehicle~~ and markings on the sides and rear of the vehicle which provide clear identification of the agency and institution. The chief law enforcement executive for each agency or institution may designate unmarked vehicles assigned to administrative, special, or investigative duties which must be operated in the manner provided by law for municipal and county law enforcement officers.

 The provisions of this chapter may not be construed as a diminution or modification of the authority or responsibility of a municipal police department, sheriff, constable, or other peace officer either on the property of an institution or otherwise.”

SECTION 5. Section 59‑116‑50 of the 1976 Code is amended to read:

 “Section 59‑116‑50. The ~~public safety director~~ chief law enforcement executive or other appropriate official, with the approval of the governing ~~board~~ body of the private institution concerned, shall establish within the ~~security~~ police department a system of ranks and grades and a promotion policy to insure efficient operation of the department and the establishment of responsibility ~~in~~ within it.”

SECTION 6. Section 59‑116‑60(B) of the 1976 Code is amended to read:

 “(B) ~~Safety and security~~ Campus police departments may install, maintain, and operate radio systems on radio frequencies under licenses issued by the Federal Communications Commission, or its successor.”

SECTION 7. Section 59‑116‑80(A) of the 1976 Code is amended to read:

 “(A) It is unlawful for a person to falsely represent himself to be a campus police officer, or agent, or an employee of a ~~safety and security~~ campus security department of a private college or university, ~~or~~ and acting upon their representation to arrest, detain, search, or question ~~in any manner~~ the person or property of a person, nor may a person without the authority of the governing ~~board~~ body of the institution wear its official uniform, insignia, badge, or identification of the department.”

SECTION 8. Section 59‑116‑100 of the 1976 Code is amended to read:

 “Section 59‑116‑100. Persons arrested by a campus police or security officer must be processed in the manner persons arrested are processed by municipal and county law enforcement officers.”

SECTION 9. Section 59‑116‑120 of the 1976 Code is amended to read:

 “Section 59‑116‑120. The provisions of this chapter may not be construed to prevent private colleges and universities from employing or continuing to employ security guards, gatekeepers, and other security personnel, and the chapter applies only to those ~~security~~ police and security officers who are granted the additional law enforcement authority including the power to arrest provided for officers who fulfill the requirements and meet the standards prescribed in this chapter.”

SECTION 10. Section 59‑116‑70 of the 1976 Code is repealed.

SECTION 11. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. KELLY explained the amendment.

**POINT OF ORDER**

Rep. SIMRILL 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.

**S. 191--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 191 -- Senators McConnell, Malloy, Campsen, Sheheen, Ford, Rose, Campbell and Knotts: A BILL TO ENACT THE SOUTH CAROLINA REDUCTION OF RECIDIVISM ACT OF 2009, SO AS TO PROVIDE LAW ENFORCEMENT OFFICERS WITH THE STATUTORY AUTHORITY TO REDUCE RECIDIVISM RATES, APPREHEND CRIMINALS AND PROTECT POTENTIAL VICTIMS FROM CRIMINAL ENTERPRISES BY AUTHORIZING WARRANTLESS SEARCHES AND SEIZURES OF PROBATIONERS AND PAROLEES; TO AMEND SECTION 20-7-8305, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF JUVENILE PAROLE, SO AS TO PROVIDE THAT BEFORE A JUVENILE MAY BE CONDITIONALLY RELEASED, THE JUVENILE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 20-7-8320, RELATING TO CONDITIONAL RELEASE, SO AS TO PROVIDE THAT THE JUVENILE MUST BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-19-110, RELATING TO THE PROCEDURE FOR CONDITIONAL RELEASE OF YOUTHFUL OFFENDERS, SO AS TO PROVIDE THAT BEFORE A YOUTHFUL OFFENDER MAY BE CONDITIONALLY RELEASED, THE YOUTHFUL OFFENDER MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-710, RELATING TO THE GUIDELINES, ELIGIBILITY CRITERIA, AND IMPLEMENTATION OF A SUPERVISED FURLOUGH PROGRAM, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-720, RELATING TO INMATES WHO MAY BE PLACED WITHIN CERTAIN PROGRAMS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON SUPERVISED FURLOUGH, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-13-1330, RELATING TO A COURT INMATE'S AGREEMENT TO TERMS AND CONDITIONS, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; TO AMEND SECTION 24-21-410, RELATING TO THE COURT BEING AUTHORIZED TO SUSPEND IMPOSITION OF SENTENCE FOR PROBATION AFTER CONVICTION, SO AS TO PROVIDE THAT BEFORE A DEFENDANT MAY BE PLACED ON PROBATION, THE DEFENDANT MUST AGREE TO BE SUBJECT TO SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-430, RELATING TO THE CONDITIONS OF PROBATION, SO AS TO PROVIDE THAT THE CONDITIONS IMPOSED MUST INCLUDE THE REQUIREMENT THAT THE PROBATIONER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-560, RELATING TO COMMUNITY SUPERVISION PROGRAMS, SO AS TO PROVIDE THAT THE CONDITIONS OF PARTICIPATION MUST INCLUDE THE REQUIREMENT THAT THE OFFENDER MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT BASED ON REASONABLE SUSPICIONS; TO AMEND SECTION 24-21-640, RELATING TO THE CIRCUMSTANCES WARRANTING PAROLE, SO AS TO PROVIDE THAT BEFORE AN INMATE MAY BE RELEASED ON PAROLE, THE INMATE MUST AGREE TO SEARCH AND SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE; AND TO AMEND SECTION 24-21-645, RELATING TO THE ORDER AUTHORIZING PAROLE, SO AS TO PROVIDE THAT THE CONDITIONS OF PAROLE MUST INCLUDE THE REQUIREMENT THAT THE PAROLEE MUST PERMIT SEARCH OR SEIZURE WITH OR WITHOUT A SEARCH WARRANT AND WITH OR WITHOUT CAUSE.

Reps. KELLY, LITTLEJOHN, SKELTON, HIOTT, R. L. BROWN, COLE, PARKER, FORRESTER, MILLWOOD, CATO, WYLIE, BEDINGFIELD, G. R. SMITH, SELLERS, DUNCAN, M. A. PITTS, CLYBURN, CRAWFORD and DANING requested debate on the Bill.

**H. 4281--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4281 -- Rep. J. M. Neal: A BILL TO AMEND SECTION 56-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF CERTAIN TERMS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, SO AS TO PROVIDE A DEFINITION FOR THE TERM "MOPED"; TO AMEND SECTION 56-3-20, RELATING TO THE DEFINITION OF CERTAIN TERMS CONTAINED IN THE "SOUTH CAROLINA MOTOR VEHICLE REGISTRATION AND LICENSING ACT", SO AS TO DELETE THE DEFINITION FOR THE TERM "MOPED"; AND TO REPEAL SECTIONS 56-1-1710 AND 56-5-165, BOTH RELATING TO DEFINITIONS FOR THE TERM "MOPED".

The Education and Public Works Committee proposed the following Amendment No. 1 (COUNCIL\SWB\7033CM10), which was adopted:

Amend the bill, as and if amended, Section 56-1-10(25) as contained in SECTION 1, page 1, by deleting / not to exceed / on lines 31 and 32, and inserting / no more than /.

When amended Section 56-1-10(25) shall read:

/ “(25) ‘Moped’ means every self‑propelled cycle with a motor of not more than fifty cubic centimeters which produces no more than two brake horsepower and which is not capable of propelling the vehicle at a speed in excess of thirty miles an hour on level ground with or without pedals to permit propulsion by human power. If an internal combustion engine is used, the moped must have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.” /

Renumber sections to conform.

Amend title to conform.

Rep. BRANHAM explained the amendment.

The amendment was then adopted.

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

**H. 4244--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4244 -- Rep. Limehouse: A BILL TO AMEND SECTION 59-130-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COLLEGE OF CHARLESTON BOARD OF TRUSTEES, SO AS TO ADD AN ADDITIONAL TRUSTEE TO BE APPOINTED BY THE COLLEGE OF CHARLESTON ALUMNI ASSOCIATION BOARD OF DIRECTORS, TO SET HIS TERM, AND TO PROVIDE CRITERIA FOR HIS SELECTION.

Rep. SKELTON explained the Bill.

Rep. COBB-HUNTER moved to adjourn debate on the Bill until Wednesday, February 17, which was agreed to.

**H. 4250--POINT OF ORDER**

The following Bill was taken up:

H. 4250 -- Reps. Erickson, Hodges and Littlejohn: A BILL TO AMEND SECTION 59-53-2410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TECHNICAL COLLEGE ENTERPRISE CAMPUS AUTHORITIES, SO AS TO CREATE THE TECHNICAL COLLEGE OF THE LOWCOUNTRY ENTERPRISE CAMPUS AUTHORITY.

**POINT OF ORDER**

Rep. LOFTIS 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. 3429--POINT OF ORDER**

The following Bill was taken up:

H. 3429 -- Rep. Umphlett: A BILL TO AMEND SECTION 44-34-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A TATTOO FACILITY ENGAGING IN ANOTHER RETAIL BUSINESS, SO AS TO PROVIDE A TATTOO FACILITY MAY PROVIDE THE RETAIL SALE OF MERCHANDISE WITH IMAGES AND LANGUAGE PROMOTING THE ART AND CULTURE OF TATTOOING.

**POINT OF ORDER**

Rep. G. R. 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. 3735--POINT OF ORDER**

The following Bill was taken up:

H. 3735 -- Rep. Vick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ANN S. PERDUE INDEPENDENT AUTOPSY FAIRNESS ACT OF 2009", BY ADDING SECTION 44-43-730 SO AS TO PROVIDE THAT IF A PERSON DIES IN A HOSPITAL, THE HOSPITAL SHALL OFFER IN WRITING TO THE PATIENT'S FAMILY THE RIGHT OF HAVING AN AUTOPSY PERFORMED; AND TO AMEND SECTION 17-5-530, RELATING TO CIRCUMSTANCES REQUIRING THE CORONER OR MEDICAL EXAMINER TO BE NOTIFIED OF CERTAIN DEATHS, SO AS TO REQUIRE SUCH NOTIFICATION WHEN A PERSON DIES IN A HEALTH CARE FACILITY WITHIN TWENTY FOUR HOURS OF ENTERING A HEALTH CARE FACILITY OR OF HAVING AN INVASIVE SURGICAL PROCEDURE PERFORMED.

**POINT OF ORDER**

Rep. DUNCAN 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.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4335 -- Reps. T. R. Young, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie and A. D. Young: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2010 AS "NATIONAL CHILDREN'S DENTAL HEALTH MONTH" AND FRIDAY, FEBRUARY 5, 2010, AS "GIVE KIDS A SMILE DAY" IN SOUTH CAROLINA, IN ORDER TO PROMOTE ORAL HEALTH AND JOIN IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

H. 4426 -- Reps. Hardwick, Viers, Merrill, Stavrinakis, Limehouse, Sottile, Erickson, Chalk, Edge, Hearn and Herbkersman: A CONCURRENT RESOLUTION TO DESIGNATE JUNE 12, 2010, AS "NATIONAL MARINA DAY IN SOUTH CAROLINA" IN ORDER TO HONOR SOUTH CAROLINA'S MARINAS FOR THEIR CONTRIBUTIONS TO THE COMMUNITY AND TO EDUCATE POLITICIANS, CIVIC LEADERS, AND THE PUBLIC ON THE MANY AND VARIED CONTRIBUTIONS OF MARINAS AND THE IMPORTANT ROLE THEY PLAY AS FAMILY-FRIENDLY GATEWAYS TO BOATING, AND TO REQUEST THAT OUR STATE JOIN HANDS WITH OTHER STATES AND THOUSANDS OF WATERFRONT COMMUNITIES ACROSS THE UNITED STATES IN CELEBRATING THIS DAY.

H. 4499 -- Rep. Duncan: A CONCURRENT RESOLUTION TO DECLARE THAT THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY HEREBY JOIN THE CELEBRATION OF NATIONAL FUTURE FARMERS OF AMERICA (FFA) WEEK, FEBRUARY 20-27, 2010, BY COMMENDING ALL FFA MEMBERS AND ALUMNI FOR THEIR DEDICATION TO MAINTAINING A STRONG AND VIABLE AGRICULTURAL INDUSTRY THROUGH EDUCATION, LEADERSHIP, AND SERVICE.

**ADJOURNMENT**

At 1:00 p.m. the House, in accordance with the motion of Rep. HERBKERSMAN, adjourned in memory of Robert Holzmacher of Dataw Island, to meet at 10:00 a.m. tomorrow.

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