~~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 Deuteronomy 6:13: “Fear the Lord your God, serve him only and take your oaths in his name.”

Let us pray. Almighty and gracious God, thank You for the gift of life, and the gift of public service to the people of this State. Enhance these men and women with wisdom, strength, courage, and integrity, that they may serve You in truth and dignity. Look in favor upon our Nation, State, her leaders and all who serve in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Hear us, O Lord, as we pray. Amen.

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

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

**R. 193, H. 3584--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 11, 2010

The Honorable Robert W. Harrell, Jr.

Speaker of the House of Representatives

Post Office Box 11867

Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

 I am hereby vetoing H. 3584, R. 193, which increases the tax on cigarettes by 50 cents per pack and takes an additional $1.3 billion out of the South Carolina economy over the next decade. As in past years, this decision has not come easy as I’ve spoken with passionate

advocates whom I respect on both sides of the issue over the last several weeks.

 Yet we are where we have always been. We continue to heartily back proposals to increase the cigarette tax, and we continue to insist that this tax hike be coupled with commensurate tax relief in order to fuel our state’s economy and spur job creation. And while our administration does not begrudge those in the Legislature who have – in the face of a certainly challenging budget year – been tempted to raise taxes and grow government spending, this penchant for plucking dollars from the private sector and giving them to government, we believe, represents an addiction to spending that will have long-term consequences for our state’s fiscal health.

 Indeed, this addiction to spending has already had disastrous effects. After growing state government spending by an unsustainable 40 percent from 2004 to 2008, the state budget has now been whittled back from over $7 billion to around $5 billion. Yet what’s forgotten is that total state spending, including federal funds and fees paid by South Carolinians, has actually increased by 14.5 percent since 2007. So instead of following the belt-tightening lead of families across the state by doing more with less, state government has actually expanded its reach into the pockets of taxpayers and to all corners of our state.

 In our desire not to raise the overall tax burden on South Carolinians, there are many tax cuts that could offset raising cigarette taxes, and our proposal has been a simple one. Reduce the personal income tax burden on working South Carolinians because better spending decisions are usually made in their houses versus the State House. Though we have made some progress on reducing the individual income tax burden on families in this state, our income tax rates continue to punish even the smallest success.

 First, the current tax structure still largely resembles the same rate we had 60 years ago. At that time, former Sen. Strom Thurmond was still a freshman in the U.S. Senate and computers took up floors, not desktops. Yet, the annual median income meant that working families were near the bottom of the tax brackets. Today, we have what economist Dr. Russ Sobel calls, “the highest flat rate income tax in the U.S.”

|  |  |  |  |
| --- | --- | --- | --- |
| Tax Rate | Beginning Income (1959) | Beginning Income (2008) | 1959 Brackets Adjusted for Inflation |
| 2.5% | $0 | NA | $0 |
| 3% | $2,000 | $2,670 | $14,797 |
| 4% | $4,000 | $5,340 | $29,595 |
| 5% | $6,000 | $8,010 | $44,392 |
| 6% | $8,000 | $10,680 | $59,189 |
| 7% | $10,000 | $13,350 | $73,986 |

 As you can see in the chart above, the income triggers in our tax code have changed very little over the past 50 years, and it is demanding far more from South Carolinians than when it originally started. In 1959, the median family income was $3,821, which meant the average South Carolina family paid in the three percent income tax bracket. In 2008, the median family median income was $52,913. So, even after deductions that have been added over the years, the average South Carolina family qualifies for the highest income tax bracket. This will only continue to worsen because our tax brackets are indexed at half the rate of inflation, adding more “top earners” to our tax rolls every year. By doing nothing each year, we effectively continue to raise taxes on working South Carolina families.

 Second, when confronting a budget shortfall, tax increases should be a last resort. As we offered during the budget debate last year and again this year, the effect of Washington’s stimulus solution was merely to kick the can down the road on tough decisions. While we’ve withstood wave after wave of budget cuts, the budget debate next year will be even harder as policymakers come to terms with a $1.2 billion budget hole with stimulus funds spent.

 Instead, we should use this opportunity to make reforms to our government and design a leaner, more efficient model going forward that will cost our citizens less and deliver necessary services. Government already costs South Carolinians nearly 140 percent of the national average. Through a series of budget cuts, we have a government that remains larger, duplicative, and inefficient, just not as well funded.

 In my most recent Executive Budget, we’ve proposed a series of measures to save $250 million. We don’t believe those are the only solutions, but they are a good starting point. For instance, if we consolidated school districts, we could put $25 million directly into the classrooms around the state. We have proposed consolidating the administrative functions of the Technical College System that would generate roughly $20 million in budget savings. Representative Garry Smith proposed closing the Commission on Human Affairs, whose functions are either or could be performed by the Secretary of State’s office. The proposal came close to being adopted by the House, but fell short by a few votes. The ideas are there and we should be working on reducing those costs first rather than demanding more from our taxpayers.

 Third, tax burdens matter in being able to remain competitive in an increasingly competitive environment. With another budget hole next year, the appetite to raise taxes will become even greater. We cannot be sure where the tipping point is on tax increases, for usually when it happens, it is too late. Two examples of that are north of us on the I-95 corridor, Maryland and New Jersey. In 2008, Maryland passed an income tax increase that forced one in eight of the taxpayers to simply leave the state. According to Bank of America, the State of Maryland lost $1 billion of its net tax base as a result of the migration out of state.

 Similarly, Boston College's Center on Wealth and Philanthropy released a report this year examining wealth and charitable giving in New Jersey from 1999 to 2008. The study indicated that from 1999 to 2003, $98 billion of capital came to the state due to in-migration. In the subsequent four years, New Jersey lost $70 billion in personal wealth, lowering the taxable wage base. According to the researchers, the catalyst was an increase in taxes that drove money to neighboring lower tax states, New York and Pennsylvania. The third most popular destination was Florida, where there is no income or estate tax.

 Fourth, this cigarette tax increase will not solve the health care problem in South Carolina. According to the Office of State Budget, the revenue from this increase will fall short of covering Medicaid growth in less than two years. With the recent passage of ObamaCare legislation in Washington, D.C., almost half a million South Carolinians will be added to the state’s Medicaid rolls, costing state taxpayers an additional $914 million over the next decade. More comprehensive, market-based health care reform is necessary, and indeed this tax hike may end up exacerbating the current problem by pushing needed reform that much further down the road.

 If the General Assembly sends me legislation that increases the cigarette tax, but offsets it with cuts in other places, I would sign it immediately. I encourage you and your colleagues to reject the notion that we can ask more from our taxpayers without delivering lower cost government and encouraging economic activity. We remain committed to working with you and the General Assembly to accomplish these goals in the weeks and months ahead.

 For these reasons, I am vetoing and returning without my signature H. 3584, R. 193.

Sincerely,

Mark Sanford

Governor

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 6, 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. 1146:

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

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 6, 2010

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 171, H. 3395 by a vote of 27 to 8:

(R171) H. 3395 -- Reps. Harrell, Thompson, Cooper, Erickson, Bingham, A.D. Young, Edge, Bedingfield, J.R. Smith, G.R. Smith, D.C. Smith, Bannister, Brady, Cato, Chalk, Forrester, Gambrell, Hamilton, Hiott, Horne, Long, Nanney, Parker, E.H. Pitts, Rice, Scott, Sottile, Stewart, Viers, White, Willis, Toole, Neilson, Bales, T.R. Young and Wylie: AN ACT TO AMEND SECTION 11‑11‑310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL RESERVE FUND, SO AS TO MAKE CONFORMING AMENDMENTS TO REFLECT ANY CHANGE IN THE AMOUNT REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND PURSUANT TO THE CONSTITUTION OF THIS STATE AND THE RATE AND MANNER OF REPLENISHMENT OF THAT AMOUNT; TO AMEND SECTION 11‑11‑320, AS AMENDED, RELATING TO THE CAPITAL RESERVE FUND, SO AS TO FURTHER PROVIDE FOR THE MANNER IN WHICH REVENUES IN THE FUND MUST BE USED IN EACH FISCAL YEAR INCLUDING A REQUIREMENT THAT THE CAPITAL RESERVE FUND MAY NOT BE USED TO OFFSET A MIDYEAR BUDGET REDUCTION; TO AMEND SECTION 11‑9‑890, RELATING TO THE DELINEATION OF FISCAL YEAR REVENUE ESTIMATES BY QUARTERS AND ACTIONS REQUIRED TO AVOID YEAR‑END DEFICITS, SO AS TO REVISE PROCEDURES REQUIRED TO REDUCE GENERAL FUND APPROPRIATIONS AND EXPENDITURES AND THE CRITERIA WHICH REQUIRES SUCH REDUCTIONS; TO AMEND SECTION 1‑11‑495, RELATING TO MONITORING REVENUES AND EXPENDITURES TO DETERMINE YEAR‑END DEFICITS, SO AS TO FURTHER PROVIDE FOR WHEN REDUCTIONS BY THE STATE BUDGET AND CONTROL BOARD MAY BE ORDERED, TO PROVIDE THAT THE REDUCTIONS ARE SUBJECT TO ANY BILL OR RESOLUTION ENACTED BY THE GENERAL ASSEMBLY, AND TO ADD A REQUIREMENT THAT TO RECOGNIZE A DEFICIT REQUIRES FOUR VOTES OF THE MEMBERS OF THE STATE BUDGET AND CONTROL BOARD; TO REPEAL SECTION 11‑11‑325 RELATING TO BUDGET SHORTFALLS AND THE REQUIREMENT THAT THE STATE BUDGET AND CONTROL BOARD FIRST MUST REDUCE THE CAPITAL RESERVE FUND BEFORE MANDATING CUTS TO OPERATING APPROPRIATIONS IF A REVENUE SHORTFALL IS PROJECTED; AND TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS UNDER WHICH THESE PROVISIONS TAKE EFFECT.

Very respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 4951 -- Reps. Horne, Harrell, Knight and A. D. Young: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE PINEWOOD PREPARATORY SCHOOL SPEED AND STRENGTH TEAM ON WINNING THE 2010 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4952 -- Reps. Horne, Harrell, Knight and A. D. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE PINEWOOD PREPARATORY SCHOOL SPEED AND STRENGTH 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 2010 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4953 -- Reps. Horne, Harrell, Knight and A. D. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE PINEWOOD PREPARATORY SCHOOL BOYS GOLF TEAM FOR CAPTURING THE 2010 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE, AND TO HONOR THESE EXCEPTIONAL PLAYERS, COACHES, AND STAFF.

The Resolution was adopted.

**HOUSE RESOLUTION**

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

H. 4954 -- Reps. Horne, Harrell, Knight and A. D. Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE PINEWOOD PREPARATORY SCHOOL BOYS GOLF 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 2010 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4955 -- Reps. Huggins, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Chalk, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JAMES S. KONDUROS OF RICHLAND COUNTY FOR HIS DEDICATED SERVICE TO HIS CAREER AND COMMUNITY, AND TO WISH HIM ALL THE BEST UPON THE WINDING DOWN OF THE OPERATIONS OF THE PSARAS FOUNDATION AND PSARAS FUND, INC.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4956 -- Reps. Chalk, 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, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE HILTON HEAD PREPARATORY SCHOOL GIRLS BASKETBALL TEAM FOR WINNING THE 2010 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION (SCISA) CLASS AAA STATE CHAMPIONSHIP TITLE, AND TO CONGRATULATE THE PLAYERS, COACHES, AND SCHOOL OFFICIALS ON YET ANOTHER VICTORIOUS SEASON.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4957 -- Rep. Hamilton: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR PRINCE OF PEACE CATHOLIC SCHOOL OF GREENVILLE COUNTY, AND TO COMMEND THE STUDENTS, TEACHERS, AND ADMINISTRATORS FOR HOLDING HIGH ACADEMIC STANDARDS AND MAINTAINING STRONG CHRISTIAN VALUES.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1413 -- Senators Hayes, Peeler, Mulvaney and Coleman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 49 IN YORK COUNTY FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAYS 274 AND 557 TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 55 "CORPORAL KEVIN CUSACK MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "CORPORAL KEVIN CUSACK MEMORIAL HIGHWAY".

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

**CONCURRENT RESOLUTION**

The following was taken up for immediate consideration:

S. 1430 -- Senators Setzler, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Mulvaney, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR LUCAS GLOVER, CHAMPION GOLFER, FOR HIS OUTSTANDING ACHIEVEMENTS IN THE WORLD OF PROFESSIONAL GOLF, TO CONGRATULATE HIM ON HIS WIN OF THE 2009 U.S. OPEN, AND TO DECLARE MAY 22, 2010, LUCAS GLOVER DAY IN SOUTH CAROLINA.

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

**INTRODUCTION OF BILL**

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

S. 1417 -- Senators Setzler, Knotts, Cromer and Courson: A BILL TO AMEND SECTION 7-27-365 OF THE 1976 CODE, RELATING TO THE REGISTRATION AND ELECTIONS COMMISSION FOR LEXINGTON COUNTY, TO CHANGE THE NUMBER OF ITS MEMBERS FROM SEVEN TO NINE.

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

**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 | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Cooper | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Haley | Hamilton |
| Hardwick | Harrell | Harrison |
| Harvin | Hayes | Hearn |
| Herbkersman | Hiott | Hodges |
| Horne | Howard | Huggins |
| Hutto | Jefferson | Jennings |
| Kelly | Kennedy | King |
| Knight | Littlejohn | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| Miller | Millwood | Mitchell |
| D. C. Moss | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Rutherford | Sandifer | Scott |
| Simrill | Skelton | D. C. Smith |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stewart | Stringer |
| Toole | Umphlett | Vick |
| 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, May 11.

|  |  |
| --- | --- |
| Paul Agnew | William Bowers |
| Tracy Edge | Chris Hart |
| Lonnie Hosey | Wendy Nanney |
| Bakari Sellers | Thad Viers |
| Jackson "Seth" Whipper | David Mack |
| Kris CrawfordAnne Parks | Michael Thompson |

**Total Present--120**

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. William Jennings of Chapin was the Doctor of the Day for the General Assembly.

**ORDERED TO THIRD READING**

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

H. 4945 -- Reps. M. A. Pitts, Duncan and Willis: A BILL TO AMEND ACT 779 OF 1988, AS AMENDED, RELATING TO LAURENS COUNTY SCHOOL DISTRICTS 55 AND 56, SO AS TO REVISE AND REDEFINE THE SINGLE-MEMBER DISTRICTS FROM WHICH TRUSTEES ARE ELECTED; AND TO REDESIGNATE MAP NUMBERS ON WHICH THESE DISTRICTS ARE DELINEATED.

**S. 906--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill until Wednesday, May 12, which was adopted:

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

**S. 1066--DEBATE ADJOURNED**

Rep. WHITE moved to adjourn debate upon the following Bill until Wednesday, May 12, which was adopted:

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.

**H. 3492--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3492 -- Reps. Kennedy, Brantley, McEachern, Clyburn, Hodges, Hosey, Jefferson, King and Williams: A BILL TO AMEND SECTION 40-59-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN CONNECTION WITH THE LICENSURE AND REGULATION OF RESIDENTIAL HOME BUILDERS SO AS TO INCREASE FROM FIVE THOUSAND DOLLARS TO FIFTEEN THOUSAND DOLLARS THE AMOUNT THAT A PERSON MAY UNDERTAKE IN THE CONSTRUCTION, REPAIR, OR IMPROVEMENT OF A RESIDENTIAL BUILDING WITHOUT BEING CONSIDERED A RESIDENTIAL HOME BUILDER SUBJECT TO LICENSURE AND REGULATIONS BY THE SOUTH CAROLINA RESIDENTIAL BUILDERS COMMISSION.

Rep. KENNEDY explained the Bill.

Rep. FORRESTER moved to adjourn debate on the Bill until Wednesday, May 12.

Rep. KENNEDY moved to table the motion.

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

Yeas 54; Nays 50

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Anthony | Bales | Ballentine |
| Battle | Bowers | Branham |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Frye | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hodges | Howard |
| Huggins | Jefferson | Jennings |
| Kennedy | King | Knight |
| Lucas | McEachern | McLeod |
| Mitchell | V. S. Moss | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Rutherford | Sellers |
| Skelton | D. C. Smith | G. M. Smith |
| J. E. Smith | Spires | Stewart |
| Toole | Vick | Viers |
| Weeks | White | Williams |

**Total--54**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Bedingfield |
| Bowen | Brady | Chalk |
| Clemmons | Cole | Daning |
| Delleney | Edge | Erickson |
| Forrester | Funderburk | Gambrell |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Horne | Hutto | Kelly |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Merrill |
| Millwood | D. C. Moss | Nanney |
| Owens | Parker | Pinson |
| M. A. Pitts | Rice | Sandifer |
| Scott | Simrill | G. R. Smith |
| J. R. Smith | Sottile | Stringer |
| Umphlett | Willis | Wylie |
| A. D. Young | T. R. Young |  |

**Total--50**

So, the motion to adjourn debate was tabled.

The question then recurred to the passage of the Bill.

Reps. RICE, FORRESTER, BEDINGFIELD, PARKER, PINSON, MILLWOOD, G. R. SMITH, NANNEY, SANDIFER, KENNEDY, TOOLE and GAMBRELL requested debate on the Bill.

**S. 1030--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1030 -- Senators Hayes, Mulvaney, Coleman, Verdin, S. Martin, Bryant, O'Dell, Davis, Campsen and Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-714 SO AS TO DESIGNATE THE MARSH TACKY AS THE OFFICIAL STATE HERITAGE HORSE OF SOUTH CAROLINA.

Rep. KENNEDY proposed the following Amendment No. 1 (COUNCIL\SWB\076BH10), which was adopted:

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

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

 “Section 1-1-712. The mule is hereby designated as the ‘historic work animal’ of South Carolina.” /

Renumber sections to conform.

Amend title to conform.

Rep. SIMRILL spoke against the amendment.

Rep. M. A. PITTS spoke in favor of the amendment.

Rep. LIMEHOUSE spoke against the amendment.

Rep. CLEMMONS spoke in favor of the amendment.

Rep. SKELTON spoke in favor of the amendment.

Rep. SIMRILL moved to table the amendment.

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

Yeas 34; Nays 75

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Barfield | Bedingfield | Bingham |
| Bowen | Brady | Cato |
| Chalk | Cole | Crawford |
| Daning | Forrester | Haley |
| Hamilton | Harrell | Harrison |
| Hutto | Kelly | Limehouse |
| Littlejohn | Loftis | Millwood |
| Norman | Parker | Sandifer |
| Scott | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Stringer |
| Whitmire | Willis | Wylie |
| T. R. Young |  |  |

**Total--34**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Battle | Bowers | Brantley |
| H. B. Brown | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Cooper |
| Delleney | Dillard | Edge |
| Erickson | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Gunn | Hart | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Howard | Huggins | Jefferson |
| Jennings | Kennedy | King |
| Knight | Lowe | Lucas |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Ott | Pinson |
| M. A. Pitts | Rice | Rutherford |
| Sellers | Skelton | D. C. Smith |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Toole | Umphlett |
| Vick | Viers | Weeks |
| White | Williams | A. D. Young |

**Total--75**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment, which was agreed to.

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

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

Rep. LITTLEJOHN 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. 4570 -- Reps. Clemmons, Hardwick and Viers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF UNITED STATES HIGHWAY 17 BYPASS AND SOUTH CAROLINA HIGHWAY 544 IN HORRY COUNTY THE "NELSON JACKSON MEMORIAL INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS "NELSON JACKSON MEMORIAL INTERCHANGE".

H. 4790 -- Reps. Sellers, Ott, Cobb-Hunter, Hosey, 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, 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, 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, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 78 IN BAMBERG COUNTY FROM ITS INTERSECTION WITH THE EASTERN PORTION OF DENMARK'S TOWN LIMIT TO ITS INTERSECTION WITH THE WESTERN PORTION OF BAMBERG'S TOWN LIMIT "STATE REPRESENTATIVE THOMAS RHOAD HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "STATE REPRESENTATIVE THOMAS RHOAD HIGHWAY".

H. 4879 -- Reps. Knight, Horne and A.D. Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION REPLACE THE SIGNS ALONG UNITED STATES HIGHWAY 78 IN DORCHESTER COUNTY THAT CONTAIN THE WORDS “CYPRESS SWAMP” WITH SIGNS THAT CONTAIN THE WORDS “GREAT CYPRESS SWAMP”.

**ADJOURNMENT**

At 1:19 p.m. the House in accordance with the motion of Rep. LITTLEJOHN adjourned to meet at 10:00 a.m. tomorrow.

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