~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Deuteronomy 30:19: “Choose life so that you and your descendants may live.”

Let us pray. Holy God, guide these Representatives t

o make wise and good choices. May what is done here be reflective of those who have gone before us. Give these Representatives the will to go forth with programs and laws that promote the welfare of our State. Bless our Nation, President, State, Governor, Speaker, staff and all who serve in these Halls of Government. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear us, O Lord, as we pray. Amen.

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

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

**MOTION ADOPTED**

Rep. TAYLOR moved that when the House adjourns, it adjourn in memory of Robert H. Botel of Aiken, which was agreed to.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., April 5, 2011

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 2:15 p.m. on Wednesday, April 6, 2011, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. TALLON the invitation was accepted.

**REPORTS OF STANDING COMMITTEES**

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3342 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 56-1-286, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OR DENIAL OF ISSUANCE OF A DRIVER'S LICENSE OR PERMIT TO OPERATE A MOTOR VEHICLE TO CERTAIN PERSONS WHO DRIVE A MOTOR VEHICLE WITH AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO DELETE THE TERM "ADMINISTRATIVE HEARING" AND REPLACE IT WITH THE TERM "CONTESTED CASE HEARING", TO PROVIDE THAT A CONTESTED CASE HEARING MUST BE HELD BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS PURSUANT TO ITS RULES OF PROCEDURE, AND TO DELETE THE TERM "DIVISION OF MOTOR VEHICLE HEARINGS" AND REPLACE IT WITH THE TERM "OFFICE OF MOTOR VEHICLE HEARINGS"; TO AMEND SECTION 56-5-2942, AS AMENDED, RELATING TO VEHICLE IMMOBILIZATION AFTER A CONVICTION FOR DRIVING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER ILLEGAL SUBSTANCE, SO AS TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT OF MOTOR VEHICLES MAY RELEASE AN IMMOBILIZED VEHICLE REGISTERED TO A PERSON WHO HAS NOT BEEN CONVICTED OF DRIVING A VEHICLE UNDER THE INFLUENCE OF ALCOHOL, DRUGS, OR ANOTHER UNLAWFUL SUBSTANCE; TO AMEND SECTION 56-5-2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON'S DRIVER'S LICENSE OR PERMIT FOR HIS REFUSAL TO SUBMIT TO A TEST TO DETERMINE HIS LEVEL OF ALCOHOL CONCENTRATION, SO AS TO DELETE THE TERM "ADMINISTRATIVE HEARING" AND REPLACE IT WITH THE TERM "CONTESTED CASE HEARING", TO PROVIDE THAT ADMINISTRATIVE HEARINGS ARE HELD BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS AND NOT THE DEPARTMENT OF MOTOR VEHICLES, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES IS RESPONSIBLE FOR SENDING A HEARING OFFICER'S DECISION TO A PERSON WHO IS ELIGIBLE TO RECEIVE A RESTRICTED LICENSE PURSUANT TO THIS SECTION; AND TO AMEND SECTION 56-5-2952, AS AMENDED, RELATING TO THE FILING FEE TO REQUEST A CONTESTED CASE HEARING BEFORE THE OFFICE OF MOTOR VEHICLE HEARINGS, SO AS TO INCREASE THE FEE, TO DELETE THE TERM "ADMINISTRATIVE LAW COURT" AND REPLACE IT WITH THE TERM "OFFICE OF MOTOR VEHICLE HEARINGS", AND REVISE THE PROCEDURE FOR DISTRIBUTING FUNDS GENERATED FROM THE COLLECTION OF THESE FEES.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3229 -- Reps. Harrison, G. R. Smith, G. M. Smith and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "BEHAVIORAL HEALTH SERVICES ACT OF 2011" BY ADDING CHAPTER 10 TO TITLE 44 SO AS TO CREATE THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES COMPRISED OF THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES AND THE DIVISION OF MENTAL HEALTH AND TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE DEPARTMENT'S POWERS AND DUTIES, INCLUDING DEVELOPING AND IMPLEMENTING A STATE PLAN FOR THE COORDINATED CARE AND UNIFIED DELIVERY OF BEHAVIORAL HEALTH SERVICES AND OVERSEEING THE ADMINISTRATION AND DELIVERY OF BEHAVIORAL HEALTH SERVICES, TO CREATE THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES ADVISORY COMMITTEE, TO PROVIDE FOR THE POWERS AND DUTIES OF THE ADVISORY COMMITTEE AND FOR THE MEMBERSHIP OF THE ADVISORY COMMITTEE, TO AUTHORIZE THE NEWLY CREATED DEPARTMENT TO PROMULGATE REGULATIONS, AND TO PROVIDE FOR THE DEPARTMENT'S ADMINISTRATIVE POWERS; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES AND MAKE CONFORMING CHANGES; BY ADDING SECTION 1-30-68 SO AS TO TRANSFER ALL NECESSARY ENTITIES FROM THE DEPARTMENT OF ALCOHOL AND DRUG ABUSE SERVICES AND THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES; TO AMEND SECTION 1-30-20, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO PROVIDE THAT THE POWERS AND DUTIES OF THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; TO AMEND SECTION 1-30-70, RELATING TO AGENCIES PREVIOUSLY TRANSFERRED TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO PROVIDE THAT THE POWERS AND DUTIES OF THE DEPARTMENT OF MENTAL HEALTH ARE TRANSFERRED TO AND DEVOLVED UPON THE DEPARTMENT OF BEHAVIORAL HEALTH SERVICES, DIVISION OF MENTAL HEALTH; TO AMEND CHAPTER 9, TITLE 44, RELATING TO THE ORGANIZATION AND OPERATION OF THE DEPARTMENT OF MENTAL HEALTH AND ITS FACILITIES AND TO THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, SO AS TO CONFORM THE CHAPTER TO THE PROVISIONS OF THIS ACT AND TO RESTRUCTURE THE MENTAL HEALTH COMMISSION INTO AN ADVISORY BOARD; AND TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CONFORM THE CHAPTER TO THE PROVISIONS OF THIS ACT AND TO CREATE AN ADVISORY BOARD TO THE DIVISION.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3183 -- Reps. Young, Daning, Harrison, Simrill, G. R. Smith, Stringer, Hamilton, Hixon, Long, D. C. Moss and Weeks: A BILL TO AMEND SECTION 2-17-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND REREGISTRATION OF LOBBYISTS, SO AS TO REQUIRE THE PAYMENT OF ALL OUTSTANDING PENALTIES BEFORE A LOBBYIST MAY RESUME LOBBYING ACTIVITIES; TO AMEND SECTION 2-17-25, RELATING TO THE REGISTRATION AND REREGISTRATION OF LOBBYISTS’ PRINCIPALS, SO AS TO REQUIRE THE PAYMENT OF ALL OUTSTANDING PENALTIES BEFORE A LOBBYISTS’ PRINCIPAL MAY RESUME LOBBYING ACTIVITIES; TO AMEND SECTION 2-17-50, RELATING TO THE AUTHORITY OF THE STATE ETHICS COMMISSION TO ENFORCE FILING REQUIREMENTS AND ASSESS PENALTIES FOR FAILURE TO FILE, SO AS TO CAP CERTAIN FINES AT FIVE THOUSAND DOLLARS, AND TO PROVIDE THAT FIRST AND SECOND OFFENSES MAY BE TRIED IN MAGISTRATES COURT; TO AMEND SECTION 8-13-100, RELATING TO THE DEFINITION OF "FAMILY MEMBER" FOR THE PURPOSES OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991, SO AS TO INCLUDE BROTHERS-IN-LAW AND SISTERS-IN-LAW; TO AMEND SECTION 8-13-700, RELATING TO USE OF ONE'S OFFICIAL POSITION FOR OFFICIAL GAIN, SO AS TO REPLACE CERTAIN REFERENCES TO "IMMEDIATE FAMILY" WITH THE BROADER TERM "FAMILY MEMBER"; AND TO AMEND SECTION 8-13-1510, AS AMENDED, RELATING TO PENALTIES FOR EITHER LATE FILING OF OR FAILURE TO FILE A REPORT OR STATEMENT REQUIRED BY CHAPTER 13, TITLE 8, SO AS TO CAP CERTAIN FINES AT FIVE THOUSAND DOLLARS, AND TO PROVIDE THAT FIRST AND SECOND OFFENSES MAY BE TRIED IN MAGISTRATES COURT.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3582 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 17-22-320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ELIGIBILITY FOR A TRAFFIC EDUCATION PROGRAM, SO AS TO PROVIDE THAT A PERSON MAY BE CONSIDERED FOR THE PROGRAM IF HE HAS NO SIGNIFICANT HISTORY OF TRAFFIC VIOLATIONS.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report on:

H. 3679 -- Reps. Bannister and Weeks: A BILL TO AMEND SECTION 16-3-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TESTING OF CERTAIN OFFENDERS FOR HEPATITIS B AND HUMAN IMMUNODEFICIENCY VIRUS (HIV), SO AS TO FURTHER CLARIFY OFFENDERS WHO MUST BE TESTED AND THE TIME FRAME THAT TESTING MUST BE CONDUCTED AND PROVIDE FOR FOLLOW-UP TESTING FOR HIV WHEN MEDICALLY APPROPRIATE.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3127 -- Reps. Rutherford, G. R. Smith, Clyburn and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-925 SO AS TO PROVIDE THAT A LIMITED PARDON MAY BE GRANTED TO A PERSON WHO HAS BEEN CONVICTED OF A NONVIOLENT FELONY OFFENSE THAT WOULD ALLOW HIM TO CARRY A FIREARM USED FOR HUNTING TO AND FROM HIS HUNTING DESTINATION AND USE IT WHILE HUNTING.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3543 -- Reps. Hart and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-15-175 SO AS TO PROVIDE THAT A JUDGE MAY NOT ISSUE A BENCH WARRANT FOR FAILURE TO APPEAR UNLESS THE SOLICITOR FILES AN AFFIDAVIT WITH THE COURT TO CONFIRM THAT WRITTEN NOTICE OF HIS INTENT TO SEEK A BENCH WARRANT FOR FAILURE TO APPEAR HAS BEEN GIVEN TO THE DEFENDANT, HIS ATTORNEY, AND THE BOND SURETY COMPANY AND TO REQUIRE THE COURT TO

HOLD A RULE TO SHOW CAUSE HEARING BEFORE ISSUING THE BENCH WARRANT.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3607 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 22-5-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENDORSEMENT AND EXECUTION OF WARRANTS ISSUED IN OTHER COUNTIES OR BY MUNICIPAL AUTHORITIES, SO AS TO PROVIDE A WARRANT IS NOT REQUIRED TO BE ENDORSED BY A MAGISTRATE IN THE COUNTY WHERE A PERSON CHARGED WITH A CRIME RESIDES OR WHERE HE IS LOCATED, TO PROVIDE PROCEDURES FOR SERVING A WARRANT, AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

Rep. HARRISON, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3606 -- Reps. Harrison and Weeks: A BILL TO AMEND SECTION 22-5-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO MAGISTRATES' POWERS AND DUTIES REGARDING THE ISSUANCE OF ARREST WARRANTS AND COURTESY SUMMONS, SO AS TO PROVIDE THAT AN ARREST WARRANT MAY NOT BE ISSUED FOR THE ARREST OF A PERSON UNLESS SOUGHT BY A MEMBER OF A LAW ENFORCEMENT AGENCY ACTING IN THEIR OFFICIAL CAPACITY, TO PROVIDE THAT IF AN ARREST WARRANT IS SOUGHT BY SOMEONE OTHER THAN A LAW ENFORCEMENT OFFICER, THE COURT MUST ISSUE A COURTESY SUMMONS, AND TO PROVIDE FOR EXCEPTIONS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4031 -- Rep. Allen: A HOUSE RESOLUTION TO RECOGNIZE LOWNDES HILL BAPTIST CHURCH OF GREENVILLE ON THE OCCASION OF ITS HISTORIC ONE HUNDRED FORTIETH ANNIVERSARY AND TO COMMEND THE CHURCH FOR NEARLY A CENTURY AND A HALF OF SERVICE TO THE COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4035 -- Reps. Vick and J. E. Smith: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JOHN A. SHULER, DEPUTY ADJUTANT GENERAL FOR STATE OPERATIONS OF THE OFFICE OF THE ADJUTANT GENERAL, AND TO CONGRATULATE HIM UPON THE OCCASION OF HIS RETIREMENT FROM THE MILITARY DEPARTMENT OF SOUTH CAROLINA.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4034 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BUNKER HILL ROAD IN THE TOWN OF LITTLE ROCK FROM ITS INTERSECTION WITH WEST MAIN STREET TO ITS INTERSECTION WITH HARLLEES BRIDGE ROAD "MAXIE ROWELL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS ROAD THAT CONTAIN THE WORDS "MAXIE ROWELL ROAD".

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 750 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULE 29 OF THE SOUTH CAROLINA RULES OF CRIMINAL PROCEDURE, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

The Concurrent Resolution was ordered referred to the Committee on Judiciary.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 751 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULES 16, 26, 28, 33, 34, 37, AND 45 OF THE SOUTH CAROLINA RULES OF CIVIL PROCEDURE, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

The Concurrent Resolution was ordered referred to the Committee on Judiciary.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 752 -- Judiciary Committee: A CONCURRENT RESOLUTION TO APPROVE THE AMENDMENTS TO RULE 3 OF THE SOUTH CAROLINA RULES OF CIVIL PROCEDURE, AS PROMULGATED BY THE SOUTH CAROLINA SUPREME COURT AND SUBMITTED TO THE GENERAL ASSEMBLY PURSUANT TO THE PROVISIONS OF SECTION 4A, ARTICLE V OF THE CONSTITUTION OF THIS STATE.

The Concurrent Resolution was ordered referred to the Committee on Judiciary.

**INTRODUCTION OF BILLS**

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

H. 4030 -- Reps. Clyburn and Hixon: A BILL TO AMEND ACT 955 OF 1974, AS AMENDED, RELATING TO THE COMPENSATION OF THE EDGEFIELD COUNTY DISTRICT SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE TRUSTEES SHALL RECEIVE COMPENSATION AGREED UPON BY THE BOARD.

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

H. 4032 -- Rep. Quinn: A BILL TO AMEND SECTIONS 56-3-2210 AND 56-3-2220, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES CLASSIFYING CERTAIN VEHICLES AS ANTIQUE MOTOR VEHICLES, AND THE DEPARTMENT'S ISSUANCE OF CERTIFICATES OF REGISTRATION AND LICENSE PLATES TO OWNERS OF ANTIQUE MOTOR VEHICLES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY CLASSIFY CERTAIN VEHICLES AS ANTIQUE TRUCKS, AND ISSUE CERTIFICATES OF REGISTRATION AND LICENSE PLATES TO OWNERS OF ANTIQUE TRUCKS.

Referred to Committee on Education and Public Works

H. 4033 -- Rep. Patrick: A BILL TO AMEND SECTIONS 5-37-40, 5-37-50, AND 5-37-100, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE MUNICIPAL IMPROVEMENT ACT, SO AS TO PROVIDE THAT THE WIDENING AND DREDGING OF CERTAIN WATERWAYS MAY BE INCLUDED WITHIN A MUNICIPAL IMPROVEMENT DISTRICT WHEN THE OWNER GIVES THE GOVERNING BODY WRITTEN PERMISSION TO INCLUDE THE PROPERTY AT THE TIME THE IMPROVEMENT DISTRICT IS CREATED.

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

S. 211 -- Senators Matthews, Land, Leatherman, Leventis, Hutto, Williams, Ford and McGill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 54 TO TITLE 11 SO AS TO ESTABLISH THE "I-95 CORRIDOR AUTHORITY ACT" AND TO PROVIDE FOR THE COMPOSITION, DUTIES, AND POWERS OF THE AUTHORITY.

Referred to Committee on Ways and Means

S. 435 -- Senators Elliott, Bryant, Campbell, Ford and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-180 SO AS TO REQUIRE LOCAL GOVERNMENTAL ENTITIES, AGENCIES, ORGANIZATIONS, OR INDIVIDUALS THAT RECEIVE, COLLECT, OR SPEND PUBLIC FUNDS DERIVED FROM STATE OR LOCAL TAX REVENUE TO FILE PERIODIC EXPENDITURE REPORTS WITH THE STATE OR LOCAL GOVERNMENTAL ENTITY OR AGENCY THAT PROVIDED, COLLECTED, OR SPENT THE PUBLIC FUNDS.

Referred to Committee on Ways and Means

S. 692 -- Senators Jackson, Courson, Scott and Lourie: A BILL TO AMEND SECTION 7-27-405, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE RICHLAND COUNTY ELECTION COMMISSION AND THE RICHLAND COUNTY BOARD OF REGISTRATION INTO A SINGLE ENTITY.

On motion of Rep. BALES, 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:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bikas | Bingham |
| Bowers | Brady | Branham |
| Brannon | Brantley | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Cooper | Corbin | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Horne | Hosey | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Lowe |
| Mack | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Patrick | Pope | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Weeks |
| Whipper | Whitmire | Williams |
| Willis | Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, April 6.

|  |  |
| --- | --- |
| Don Bowen | Chandra Dillard |
| Brian White | Tracy Edge |
| Mia Butler Garrick | Bakari Sellers |
| Michael A. Pitts | Kris Crawford |
| Kenneth F. Hodges | Richard "Rick" Quinn |
| Denny Neilson | Todd Rutherford |
| Boyd Brown | James Lucas |
| Anne Parks | Chris Hart |
| Harold Mitchell | Lewis E. Pinson |
| Thad Viers  J. E. Smith | Leon Howard |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. FUNDERBURK a leave of absence for the day due to a prior engagement in Washington, D.C.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. VIERS a temporary leave of absence due to a doctor's appointment.

**STATEMENT OF ATTENDANCE**

Rep. WILLIS signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, April 5.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Patricia Witherspoon of Columbia was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. CLEMMONS presented to the House the Myrtle Beach High School "Lady Seahawks" Varsity Girls Basketball Team, the 2011 Class AAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. HUGGINS presented to the House the Irmo High School "Yellow Jackets" Boys Varsity Basketball Team, the 2011 Class AAAA Champions, their coaches and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3274 |
| Date: | ADD: |
| 04/06/11 | ATWATER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3448 |
| Date: | ADD: |
| 04/06/11 | HIXON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3663 |
| Date: | ADD: |
| 04/06/11 | BALES |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3762 |
| Date: | ADD: |
| 04/06/11 | MCLEOD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3929 |
| Date: | ADD: |
| 04/06/11 | ERICKSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3946 |
| Date: | ADD: |
| 04/06/11 | TOOLE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3994 |
| Date: | ADD: |
| 04/06/11 | GILLIARD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3787 |
| Date: | ADD: |
| 04/06/11 | LOFTIS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3864 |
| Date: | ADD: |
| 04/06/11 | HODGES, G. M. SMITH, PINSON, J. H. NEAL, BALLENTINE, D. C. MOSS, MITCHELL, HERBKERSMAN, HIOTT, R. L. BROWN and WHIPPER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3865 |
| Date: | ADD: |
| 04/06/11 | R. L. BROWN, WHIPPER, HODGES, G. M. SMITH, PINSON, BALLENTINE, D. C. MOSS, MITCHELL, J. H. NEAL, HERBKERSMAN and HIOTT |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3342 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3229 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3183 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3582 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3679 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3127 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3543 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3607 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3606 |
| Date: | ADD: |
| 04/06/11 | WEEKS |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3735 |
| Date: | REMOVE: |
| 04/06/11 | NEILSON |

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 721 -- Senator Massey: A BILL TO AMEND ACT 955 OF 1974, AS AMENDED, RELATING TO THE COMPENSATION OF THE EDGEFIELD COUNTY DISTRICT SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE TRUSTEES SHALL RECEIVE COMPENSATION AGREED UPON BY THE BOARD.

**S. 584--DEBATE ADJOURNED**

Rep. TOOLE moved to adjourn debate upon the following Bill until Thursday, April 7, which was adopted:

S. 584 -- Senators Knotts, Setzler, Courson, Cromer and Leatherman: A BILL TO EXTEND THE ONE CENT SALES TAX IMPOSED BY ACT 378 OF 2004, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

**H. 3165--DEBATE ADJOURNED**

Rep. TOOLE moved to adjourn debate upon the following Bill until Thursday, April 7, which was adopted:

H. 3165 -- Rep. Huggins: A BILL TO AMEND ACT 387 OF 1963, AS AMENDED, RELATING TO THE IRMO FIRE DISTRICT, SO AS TO AUTHORIZE THE BOARD OF FIRE CONTROL TO ESTABLISH PENALTIES FOR VIOLATIONS OF ITS RULES AND REGULATIONS.

**SENT TO THE SENATE**

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

H. 3013 -- Reps. Cooper, Ballentine, Allison, G. R. Smith, Hamilton and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1125 SO AS TO PROVIDE THAT A LOCAL SCHOOL DISTRICT IS EXEMPT FROM STATE STATUTES AND REGULATIONS PROMULGATED BY THE STATE BOARD UPON MEETING CERTAIN CONDITIONS, TO REQUIRE THE DISTRICT TO APPLY TO THE STATE BOARD FOR EXEMPTION FROM SPECIFIC STATUTES AND REGULATIONS, TO SPECIFY WHAT THE APPLICATION MUST INCLUDE, TO SPECIFY HOW THE APPLICATION MUST BE MADE, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT RULES AND PROMULGATE REGULATIONS REGARDING APPLICATION PROCEDURES, TO PROVIDE THAT A LOCAL SCHOOL DISTRICT THAT RECEIVES AN EXEMPTION MUST BE EVALUATED BY THE STATE BOARD AFTER THREE YEARS TO ENSURE THAT IT CONTINUES TO MEET THE NEEDS OF THE STUDENTS OF THE DISTRICT, AND TO PROVIDE FOR SUSPENSION OF THE EXEMPTION UPON CERTAIN CONDITIONS; AND TO REPEAL SECTIONS 59-18-1110 AND 59-18-1120, BOTH RELATING TO EXEMPTION FROM REGULATION.

H. 3259 -- Reps. Herbkersman and Forrester: A BILL TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT WHEN A GOLF CART OWNER'S RESIDENCE IS LOCATED WITHIN A GATED COMMUNITY THE TWO-MILE LIMIT WITHIN WHICH A GOLF CART OWNER MAY OPERATE HIS GOLF CART MUST BE MEASURED FROM THE COMMUNITY'S PRIMARY ENTRANCE AND NOT FROM THE OWNER'S RESIDENCE, TO PROVIDE FOR THE OPERATION OF A GOLF CART ALONG A SECONDARY HIGHWAY OR STREET ON CERTAIN SEA ISLANDS, TO PROVIDE A DEFINITION FOR THE TERM "GATED COMMUNITY", AND TO PROVIDE THAT A GOLF CART MAY CROSS CERTAIN SECONDARY HIGHWAYS.

H. 3124 -- Reps. Pitts and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLES 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 123, AND 124 TO CHAPTER 3, TITLE 56, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "DISTINGUISHED SERVICE MEDAL" SPECIAL LICENSE PLATES, "SECOND AMENDMENT" SPECIAL LICENSE PLATES, "DISTINGUISHED SERVICE CROSS" SPECIAL LICENSE PLATES, "DEPARTMENT OF NAVY" SPECIAL LICENSE PLATES, "PARENTS AND SPOUSES OF ACTIVE DUTY OVERSEAS VETERANS" SPECIAL LICENSE PLATES, "STATE FLAG" SPECIAL LICENSE PLATES, "SOUTH CAROLINA HIGHWAY PATROL-RETIRED" LICENSE PLATES, "I SUPPORT LIBRARIES" SPECIAL LICENSE PLATES, "SOUTH CAROLINA EDUCATOR" SPECIAL LICENSE PLATES, "COON HUNTERS" LICENSE PLATES, "BEACH MUSIC" SPECIAL LICENSE PLATES, "CITADEL ALUMNI ASSOCIATION 'BIG RED'" SPECIAL LICENSE PLATES, "LARGE MOUTH BASS" SPECIAL LICENSE PLATES, "HIGH SCHOOL" SPECIAL LICENSE PLATES, "SOUTH CAROLINA WILDLIFE FEDERATION" SPECIAL LICENSE PLATES AND "HISTORIC" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-7330, RELATING TO THE ISSUANCE OF "BOY SCOUTS OF AMERICA" SPECIAL LICENSE PLATES, SO AS TO MAKE TECHNICAL CHANGES AND TO PROVIDE FOR THE ISSUANCE OF "EAGLE SCOUTS OF AMERICA" SPECIAL LICENSE PLATES; TO AMEND SECTION 56-3-2150, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES TO CERTAIN CURRENT AND FORMER ELECTED OFFICIALS AND JUDICIAL OFFICERS, SO AS TO INCREASE THE NUMBER OF SPECIAL LICENSE PLATES THAT A CORONER MAY BE ISSUED FROM ONE TO TWO; TO AMEND SECTION 56-3-1240, AS AMENDED, RELATING TO THE DISPLAY OF A LICENSE PLATE, SO AS TO PROVIDE THAT A FRAME MAY BE PLACED ON A LICENSE PLATE UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-3-10410, RELATING TO THE ISSUANCE OF "VETERAN" SPECIAL LICENSE PLATES, SO AS TO PROVIDE FOR THE PLACEMENT OF THE WHEELCHAIR SYMBOL ON CERTAIN "VETERAN" LICENSE PLATES; TO AMEND SECTION 56-3-3310, AS AMENDED, RELATING TO THE ISSUANCE OF "PURPLE HEART" SPECIAL LICENSE PLATES, SO AS TO INCREASE THE NUMBER OF LICENSE PLATES THAT MAY BE ISSUED TO A PERSON FROM ONE TO THREE AND TO PROVIDE A FEE FOR THE THIRD LICENSE PLATE; TO AMEND SECTION 56-3-8000, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES THAT CONTAIN THE EMBLEM OF A TAX EXEMPT ORGANIZATION, SO AS TO SPECIFY THEIR SIZE, GENERAL DESIGN, PERIOD OF VALIDITY, TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALE, TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED, AND TO PROVIDE THAT THE ORGANIZATION MUST GIVE ITS LEGAL AUTHORITY TO THE DEPARTMENT FOR THE DEPARTMENT'S USE OF THE ORGANIZATION'S LOGO, TRADE MARK, OR DESIGN; AND TO AMEND SECTION 56-3-8100, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL LICENSE PLATES CREATED BY THE GENERAL ASSEMBLY SO AS TO REVISE THE MINIMUM NUMBER OF PREPAID APPLICATIONS AND MINIMUM PAYMENT THAT THE DEPARTMENT OF MOTOR VEHICLES MUST RECEIVE BEFORE A SPECIAL LICENSE PLATE MAY BE ISSUED AND TO REVISE THEIR COSTS AND DISTRIBUTION OF FEES COLLECTED FROM THEIR SALES.

H. 3431 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "JOHN'S LAW" BY ADDING SECTION 57-1-80 SO AS TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO PUBLISH ITS LIST OF RAILROAD CROSSINGS AT WHICH IT PLANS TO INSTALL CROSSING ARMS, PLACE TRAFFIC STOP SIGNS AT DANGEROUS CROSSING LOCATIONS UNTIL CROSSING ARMS ARE INSTALLED, AND INCREASE THE NUMBER OF INSTALLATIONS OF CROSSING ARMS AT DANGEROUS RAILROAD CROSSINGS THROUGHOUT THE STATE.

**H. 3731--DEBATE ADJOURNED**

Rep. OWENS moved to adjourn debate upon the following Bill until Wednesday, April 13, which was adopted:

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

**H. 3994--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3994 -- Reps. Stavrinakis, McCoy and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-245 SO AS TO PROVIDE THAT PUBLIC SWIMMING POOLS OPERATED BY THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, MUST HAVE ONE LIFEGUARD FOR EVERY FORTY SWIMMERS AND IF THERE ARE MORE THAN FORTY SWIMMERS, THERE MUST BE ONE LIFEGUARD FOR EVERY TWENTY SWIMMERS, WITH MORE TO BE ADDED IF NEEDED.

Rep. STAVRINAKIS explained the Bill.

Reps. BEDINGFIELD, HIOTT, G. R. SMITH, BIKAS, CORBIN, J. H. NEAL and STAVRINAKIS requested debate on the Bill.

**H. 3663--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 3663 -- Reps. Cooper, Harrell, Ott, Bingham, Allison, Owens, Anthony and Bales: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2011 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO REQUIRE THE DEPARTMENT TO SUSPEND WRITING ASSESSMENTS FOR CERTAIN GRADES, AND TO PROVIDE THAT WRITING ASSESSMENTS MAY NOT BE USED IN GROWTH CALCULATIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2011 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE-FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS; TO PROVIDE FOR A ONE-YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT TO CONVENE A TASK FORCE TO CONSIDER END-OF-COURSE ASSESSMENTS FOR FEDERAL ASSESSMENT PURPOSES.

**POINT OF ORDER**

Rep. COOPER made the Point of Order that the Joint Resolution 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.

**OBJECTION TO RECALL**

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

Rep. TALLON objected.

**OBJECTION TO RECALL**

Rep. KING asked unanimous consent to recall H. 3954 from the Committee on Judiciary.

Rep. TALLON objected.

**H. 3003--INTERRUPTED DEBATE**

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

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

Reps. CLEMMONS, HARRELL and HARRISON proposed the following Amendment No. 1A (COUNCIL\AGM\18976SD11):

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

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

“Section 7‑5‑675. The State Elections Commission shall implement a system in order to issue voter registration cards with a photograph of the elector. This voter registration card may be used for voting purposes only.”

SECTION 2. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7‑13‑710. (A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid and current:

(1) South Carolina driver’s license; or

(2) other form of identification containing a photograph issued by the Department of Motor Vehicles~~, if he is not licensed to drive, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector.~~; or

(3) passport; or

(4) military identification containing a photograph issued by the federal government; or

(5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7‑5‑675.

~~If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.~~

(B) After presentation of the required identification described in subsection (A), ~~his~~ the elector’s name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(C)(1) If the elector cannot produce the identification as required in subsection (A), he may cast a provisional ballot that is counted only if the elector brings a valid and current photo identification to the county board of registration and elections before certification of the election by the county board of canvassers.

(2) If the manager disputes that the photograph contained on the required identification is the person presenting himself to vote, the elector may cast a provisional ballot. A determination of that provisional ballot must be made in accordance with Section 7‑13‑830.

(D)(1)(a) If an elector does not produce a valid and current photograph identification due to a religious objection to being photographed, he may complete an affidavit under penalty of perjury at the polling place and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

(b) If an elector does not produce a valid and current photograph identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photograph identification, he may complete an affidavit under the penalty of perjury at the pollingplace and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photograph identification. The elector also shall list the impediment, unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

(2) If the county board of registration and elections determines that the voter was challenged only for the inability to provide proof of identification and the required affidavit is submitted, the county board of registration and elections shall find that the provisional ballot is valid unless the board has grounds to believe the affidavit is false.

(3) If the county board of registration and elections determines that the voter has been challenged for a cause other than the inability to provide proof of identification as required by subsection (A), the county board of registration and elections shall:

(a) note on the envelope containing the provisional ballot that the voter complied with the proof of identification requirement; and

(b) proceed to determine the validity of the remaining challenges before ruling on the validity of the provisional ballot.”

SECTION 3. Section 56‑1‑3350 of the 1976 Code, as last amended by Act 277 of 2010, is further amended to read:

“Section 56‑1‑3350. (A) Upon application by a person ~~ten~~ five years of age or older who is a resident of South Carolina, the department shall issue a special identification card as long as:

(1) the application is made on a form approved and furnished by the department; and

(2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth. For the purposes of meeting the requirements of this item (2), the Department of Motor Vehicles may receive and shall accept from the Bureau of Vital Statistics of the Department of Health and Environmental Control suitable information verifying the applicant’s name and date of birth.

(B)(1) The fee for the issuance of the special identification card is five dollars~~, and~~ for a person between the ages of five and sixteen years.

(2) An identification card must be free to a person aged seventeen years or older.

(C) The identification card expires five years from the date of issuance. ~~The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section ‘indigent’ means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

~~(a)~~ ~~a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

~~(b)~~ ~~an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c)~~ ~~a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

(D) Special identification cards issued to persons under the age of twenty‑one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty‑one.

(E) The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund ~~as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:~~

~~Fees and Penalties~~ ~~General Fund~~ ~~Department of~~

~~Collected After~~ ~~of the State~~ ~~Transportation~~

~~State Non‑Federal~~

~~Aid Highway Fund~~

J~~une 30, 2005~~ ~~60 percent~~ ~~40 percent~~

~~June 30, 2006~~ ~~20 percent~~ ~~80 percent~~

~~June 30, 2007~~ ~~0 percent~~ ~~100 percent~~.”

SECTION 4. Chapter 63, Title 44 of the 1976 Code is amended by adding:

“Section 44‑63‑65. The State Registrar in the Department of Health and Environmental Control, solely for the purpose of complying with the requirements of Section 56‑1‑3350, may transmit to the Department of Motor Vehicles and the department shall accept suitable information concerning the name and date of birth of an applicant for a special identification card issued under Section 56‑1‑3350. Notwithstanding the provisions of Section 44‑63-110, this information shall be provided by the State Registrar without charge.”

SECTION 5. The State Elections Commission shall establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission shall educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at each election held after September 30, 2011.

(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county before October 15, 2012.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation at the same time as advertisements for primary or general elections are placed.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

(8) In addition to the items contained in this section, the State Elections Commission may implement additional educational programs in its discretion.

(9) The State Election Commission shall implement necessary accommodations to allow voting in each county to comply with the Help America Vote Act.

SECTION 6. Article 7, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑862. Poll managers shall allow poll watchers to sit directly behind the poll managers responsible for voter identification and verification for the purpose of observing and hearing the voting process.”

SECTION 7. The General Assembly finds that all the provisions contained in this act related to one subject as required by Section 17, Article III of the Constitution of this State in that each provision relates directly to or in conjunction with other sections to the subject of election reform as stated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 8. SECTION 1 takes effect on July 1, 2012. However, the implementation of the procedures provided for in SECTION 1 is contingent upon the State Election Commission’s receipt of funds necessary to implement these provisions. Until the provisions of SECTION 1 are fully funded and executed, implementation of the provisions of SECTION 1 do not prohibit the State Election Commission from issuing voter registration cards by the methods allowed before the implementation of SECTION 1.

SECTION 9. Except as otherwise provided in this act, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. SELLERS spoke against the amendment.

Rep. SELLERS spoke against the amendment.

Rep. JEFFERSON spoke against the amendment.

Rep. MACK spoke against the amendment.

Rep. MACK spoke against the amendment.

Rep. GAMBRELL moved that the House recede until 2:00 p.m., which was agreed to.

Further proceedings were interrupted by the House receding, the pending question being consideration of amendments.

**THE HOUSE RESUMES**

At 2:00 p.m. the House resumed, Acting SPEAKER THAYER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**RATIFICATION OF ACTS**

At 2:15 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R14, S. 277) -- Senators Peeler, Campsen, Rose, Ryberg, McConnell, Bright, Knotts, O’Dell, S. Martin and Alexander: AN ACT TO RATIFY AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF SUFFRAGE, BY ADDING SECTION 12 TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR ORGANIZATION.

(R15, S. 434) -- Senators Peeler, Bryant, Bright and Campsen: A JOINT RESOLUTION TO SUSPEND PROVISOS 21.11, 21.15, AND 21.20 OF PART IB, ACT 291 OF 2010, THE FISCAL YEAR 2010‑2011 GENERAL APPROPRIATIONS BILL AND TO SUSPEND A PORTION OF PROVISO 89.87 OF PART IB, ACT 291 OF 2010, PROHIBITING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FROM REDUCING PROVIDER RATES, TO PROVIDE THAT ALL PROPOSED CHANGES IN PROVIDER RATES MUST INCLUDE ESTIMATES OF THE PROJECTED DOLLAR COST SAVINGS BY SOURCE OF FUNDS AND THE NUMBER OF PROVIDERS AND CLIENTS IMPACTED, AND TO REQUIRE CERTAIN REPORTS RECONCILING ACTUAL SAVINGS IN COMPARISON TO THE ESTIMATES.

(R16, S. 522) -- Senators Leatherman, O’Dell, Setzler and Alexander: AN ACT TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

(R17, S. 533) -- Senators Coleman, Reese and Ford: AN ACT TO AMEND SECTION 12‑36‑2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR A SALES TAX EXEMPTION OF CERTAIN ITEMS FOR CERTAIN FACILITIES RESEARCHING AND TESTING THE IMPACT OF NATURAL DISASTERS, SO AS TO PROVIDE THAT THE QUALIFYING INVESTMENT OF AT LEAST TWENTY MILLION DOLLARS MAY BEGIN AT ANY TIME PERIOD AFTER DECEMBER 31, 2008, AND ALL OR A PORTION MAY OCCUR BEFORE THE TAXPAYER NOTIFIES THE DEPARTMENT OF REVENUE OF ITS INTENTION.

(R18, S. 629) -- Senators Sheheen, Setzler, Lourie, Coleman, Malloy, Reese, Anderson, Hayes, Courson, Matthews, Land, Nicholson and Ford: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2011‑2012 SCHOOL YEAR BY MAY 15, 2011; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE; AND TO PROVIDE FOR NOTIFICATION OF A TEACHER WHO IS BEING RECOMMENDED FOR FORMAL EVALUATION.

(R19, S. 721) -- Senator Massey: AN ACT TO AMEND ACT 955 OF 1974, AS AMENDED, RELATING TO THE COMPENSATION OF THE EDGEFIELD COUNTY DISTRICT SCHOOL BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE TRUSTEES SHALL RECEIVE COMPENSATION AGREED UPON BY THE BOARD.

(R20, S. 724) -- Senator McGill: AN ACT TO AMEND ACT 1095 OF 1962, AS AMENDED, RELATING TO THE LOWER FLORENCE COUNTY HOSPITAL DISTRICT, SO AS TO PROVIDE A PROCESS BY WHICH THE FLORENCE COUNTY COUNCIL MAY LEVY MILLAGE WITHIN THE DISTRICT FOR PURPOSES OF CONSTRUCTING, EQUIPPING, AND MAINTAINING HOSPITAL FACILITIES WITHIN THE DISTRICT.

(R21, H. 3004) -- Reps. Ballentine, Norman, Viers, Lucas, Simrill, Huggins, G.M. Smith, G.R. Smith, Loftis, Bedingfield, Hamilton, Stringer, Nanney, Lowe, Young, Willis, Bowen, D.C. Moss, Agnew, Pope, Daning, Thayer, Harrison, Allison, Taylor, Ryan, McCoy, Hixon, Bingham, Long, Whipper, R.L. Brown, Atwater, Henderson, Horne and Harrell: AN ACT TO ENACT THE “SPENDING ACCOUNTABILITY ACT OF 2011”; AND TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑7‑125 SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(R22, H. 3303) -- Reps. J.E. Smith, Harrison, Pinson, Vick, Agnew, Williams, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G.A. Brown, H.B. Brown, R.L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb‑Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D.C. Moss, V.S. Moss, Munnerlyn, Murphy, Nanney, J.H. Neal, J.M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G.M. Smith, G.R. Smith, J.R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Viers, Weeks, Whipper, White, Whitmire, Willis and Young: A JOINT RESOLUTION TO PROMOTE MAJOR GENERAL STANHOPE S. SPEARS TO THE RANK OF LIEUTENANT GENERAL OF THE SOUTH CAROLINA ARMY NATIONAL GUARD EFFECTIVE JANUARY 11, 2011.

(R23, H. 3332) -- Reps. Sandifer, McLeod, Bowers, Bales, Anderson, Pinson and Clemmons: AN ACT TO AMEND SECTION 38‑73‑736, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN REDUCTIONS IN PREMIUM CHARGES, SO AS TO PROVIDE CERTAIN DEFINITIONS, SUBJECT PREMIUM RATES CHARGED FOR LIABILITY AND COLLISION COVERAGE TO CERTAIN DRIVER TRAINING COURSE CREDITS FOR A DRIVER WHO IS NOT A YOUTHFUL OPERATOR, AND PROVIDE OTHER CONDITIONS CONCERNING THE CREDITS; TO AMEND SECTION 38‑73‑737, RELATING TO DRIVER TRAINING COURSE CREDITS TOWARD LIABILITY AND COLLISION INSURANCE COVERAGE, SO AS TO PROVIDE CERTAIN DEFINITIONS, SUBJECT PREMIUM RATES CHARGED FOR LIABILITY AND COLLISION COVERAGE TO CERTAIN DRIVER TRAINING COURSE CREDITS FOR A DRIVER WHO IS A YOUTHFUL OPERATOR, AND PROVIDE OTHER CONDITIONS CONCERNING THE CREDITS.

(R24, H. 3373) -- Reps. Sandifer, Bowers, Bales, Anderson and Pinson: AN ACT TO AMEND SECTION 38‑77‑112, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF AN AUTOMOBILE INSURER FROM THE REQUIREMENT TO WRITE AUTOMOBILE INSURANCE COVERAGE FOR AN APPLICANT OR EXISTING POLICYHOLDER, SO AS TO REMOVE CERTAIN EXEMPTIONS FROM THE APPLICABILITY OF THIS SECTION.

(R25, H. 3374) -- Reps. Hixon, D.C. Moss, Frye, Ott, J.R. Smith, Atwater, Tallon, Brannon, Thayer, McCoy, Corbin, Crosby, Murphy, V.S. Moss, Pinson, G.R. Smith, Chumley, Butler Garrick, Clemmons, Clyburn, Govan, Hardwick, Munnerlyn, Pitts, Pope, Ryan, Taylor, Young, Vick and Hodges: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 50 SO AS TO ENACT THE “INTERSTATE WILDLIFE VIOLATOR COMPACT”, TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL EXECUTE THE COMPACT WITH OTHER COMPACT STATES, AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE PROVISIONS OF THE COMPACT.

(R26, H. 3397) -- Reps. Lowe and Crawford: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑1‑674 SO AS TO DESIGNATE THE SOUTH CAROLINA PECAN FESTIVAL IN FLORENCE COUNTY AS THE OFFICIAL STATE PECAN FESTIVAL.

(R27, H. 3399) -- Reps. Rutherford and Owens: AN ACT TO AMEND JOINT RESOLUTION 263 OF 1998 RELATING TO THE GRANTING OF CONCURRENT FEDERAL LAW ENFORCEMENT JURISDICTION OVER THE NATIONAL ADVOCACY CENTER LOCATED ON THE COLUMBIA CAMPUS OF THE UNIVERSITY OF SOUTH CAROLINA IN RICHLAND COUNTY, SO AS TO EXTEND THAT CONCURRENT FEDERAL JURISDICTION TO ADJACENT FEDERALLY OCCUPIED PROPERTY AND TO THE INN AT USC AND THE KIRKLAND APARTMENT BUILDING LOCATED RESPECTIVELY AT 1619 PENDLETON STREET AND 1611 PENDLETON STREET IN THE CITY OF COLUMBIA, SOUTH CAROLINA AND TO DESIGNATE THE TEXT OF JOINT RESOLUTION 263 OF 1998, AS AMENDED BY THIS ACT, AS SECTION 3‑3‑350 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

(R28, H. 3622) -- Reps. J.E. Smith, Pitts and Sottile: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE VETERANS’ ISSUES STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM SEPTEMBER 1, 2010, TO JANUARY 31, 2012.

(R29, H. 3625) -- Reps. J.R. Smith, Hixon and Taylor: AN ACT TO AMEND SECTION 8‑13‑735, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION AGAINST A PERSON, WHO AT THE SAME TIME SERVES ON THE GOVERNING BODY OF A STATE OR LOCAL POLITICAL SUBDIVISION BOARD OR COMMISSION AND AS AN EMPLOYEE OF THE SAME BOARD OR COMMISSION OR IN A POSITION WHICH IS SUBJECT TO THE CONTROL OF THE BOARD OR COMMISSION, MAKING OR PARTICIPATING IN A DECISION AFFECTING HIS ECONOMIC INTERESTS, SO AS TO PROHIBIT A PERSON FROM SERVING AT THE SAME TIME AS A NONAPPOINTED MEMBER OF THE GOVERNING BOARD OR COMMISSION OF A WATER OR SEWER DISTRICT, A NONPROFIT WATER OR SEWER CORPORATION, OR A WATER OR SEWER COMPANY ORGANIZED UNDER STATE LAW AND AS AN EMPLOYEE OF THAT BOARD, COMMISSION, CORPORATION, OR COMPANY OR IN CERTAIN OTHER POSITIONS, TO PROVIDE CIVIL PENALTIES FOR VIOLATION, AND TO PROVIDE FOR STANDING TO ALLEGE VIOLATIONS AND FOR THE RESPONSIBILITY FOR COURT COSTS, ATTORNEY’S FEES, AND DAMAGES UPON VIOLATIONS.

(R30, H. 3668) -- Rep. Bannister: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 56‑1‑745 RELATING TO THE DRIVER’S LICENSE SUSPENSION OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION.

(R31, H. 3806) -- Reps. Toole, Bingham, Quinn, Frye, Huggins, Atwater, Spires, McLeod, Ballentine and Ott: A JOINT RESOLUTION TO PROVIDE A PROPERTY TAX CREDIT FOR PROPERTY TAX YEAR 2011 FOR OWNER‑OCCUPIED RESIDENTIAL PROPERTY SITUATED IN LEXINGTON COUNTY SCHOOL DISTRICT NOS. 1 AND 4 AS THE SOLE REMEDY FOR REFUNDING OVERPAYMENTS OF PROPERTY TAX ON SUCH PROPERTY FOR PROPERTY TAX YEARS 2007 AND 2008 AS A RESULT OF THE OPINION OF THE SOUTH CAROLINA SUPREME COURT IN THE CASE OF *BERKELEY COUNTY SCHOOL DISTRICT ET AL. V. SOUTH CAROLINA DEPARTMENT OF REVENUE*, AND TO PROVIDE FOR THE CALCULATION OF THE CREDIT AND OTHER REFUNDS RESULTING FROM THE CASE, AND TO PROVIDE THOSE ELIGIBLE TO RECEIVE THE CREDIT.

**SPEAKER IN CHAIR**

**H. 3003--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment 1A:

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

Reps. CLEMMONS, HARRELL and HARRISON proposed the following Amendment No. 1A (COUNCIL\AGM\18976SD11), which was adopted:

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

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

“Section 7‑5‑675. The State Elections Commission shall implement a system in order to issue voter registration cards with a photograph of the elector. This voter registration card may be used for voting purposes only.”

SECTION 2. Section 7‑13‑710 of the 1976 Code, as last amended by Act 459 of 1996, is further amended to read:

“Section 7‑13‑710. (A) When ~~any~~ a person presents himself to vote, he shall produce ~~his~~ a valid and current:

(1) South Carolina driver’s license; or

(2) other form of identification containing a photograph issued by the Department of Motor Vehicles~~, if he is not licensed to drive, or the written notification of registration provided for by Sections 7‑5‑125 and 7‑5‑180 if the notification has been signed by the elector.~~; or

(3) passport; or

(4) military identification containing a photograph issued by the federal government; or

(5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7‑5‑675.

~~If the elector loses or defaces his registration notification, he may obtain a duplicate notification from his county board of registration upon request in person, or by telephone or mail.~~

(B) After presentation of the required identification described in subsection (A), ~~his~~ the elector’s name must be checked by one of the managers on the margin of the page opposite his name upon the registration books, or copy of the books, furnished by the board of registration. One of the managers also shall compare the photograph contained on the required identification with the person presenting himself to vote. The manager shall verify that the photograph is that of the person seeking to vote. The managers shall keep a poll list which must contain one column headed ‘Names of Voters’. Before ~~any~~ a ballot is delivered to a voter, the voter shall sign his name on the poll list, which must be furnished to the appropriate election officials by the State Election Commission. At the top of each page the voter’s oath appropriate to the election must be printed. The signing of the poll list or the marking of the poll list is considered to be an affirmation of the oath by the voter. One of the managers shall compare the signature on the poll list with the signature on the voter’s driver’s license, registration notification, or other identification and may require further identification of the voter and proof of his right to vote under this title as he considers necessary. If the voter is unable to write or if the voter is prevented from signing by physical handicap, he may sign his name to the poll list by mark with the assistance of one of the managers.

(C)(1) If the elector cannot produce the identification as required in subsection (A), he may cast a provisional ballot that is counted only if the elector brings a valid and current photo identification to the county board of registration and elections before certification of the election by the county board of canvassers.

(2) If the manager disputes that the photograph contained on the required identification is the person presenting himself to vote, the elector may cast a provisional ballot. A determination of that provisional ballot must be made in accordance with Section 7‑13‑830.

(D)(1)(a) If an elector does not produce a valid and current photograph identification due to a religious objection to being photographed, he may complete an affidavit under penalty of perjury at the polling place and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) has a religious objection to being photographed. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

(b) If an elector does not produce a valid and current photograph identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photograph identification, he may complete an affidavit under the penalty of perjury at the pollingplace and affirm that the elector: (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photograph identification. The elector also shall list the impediment, unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

(2) If the county board of registration and elections determines that the voter was challenged only for the inability to provide proof of identification and the required affidavit is submitted, the county board of registration and elections shall find that the provisional ballot is valid unless the board has grounds to believe the affidavit is false.

(3) If the county board of registration and elections determines that the voter has been challenged for a cause other than the inability to provide proof of identification as required by subsection (A), the county board of registration and elections shall:

(a) note on the envelope containing the provisional ballot that the voter complied with the proof of identification requirement; and

(b) proceed to determine the validity of the remaining challenges before ruling on the validity of the provisional ballot.”

SECTION 3. Section 56‑1‑3350 of the 1976 Code, as last amended by Act 277 of 2010, is further amended to read:

“Section 56‑1‑3350. (A) Upon application by a person ~~ten~~ five years of age or older who is a resident of South Carolina, the department shall issue a special identification card as long as:

(1) the application is made on a form approved and furnished by the department; and

(2) the applicant presents to the person issuing the identification card a birth certificate or other evidence acceptable to the department of his name and date of birth. For the purposes of meeting the requirements of this item (2), the Department of Motor Vehicles may receive and shall accept from the Bureau of Vital Statistics of the Department of Health and Environmental Control suitable information verifying the applicant’s name and date of birth.

(B)(1) The fee for the issuance of the special identification card is five dollars~~, and~~ for a person between the ages of five and sixteen years.

(2) An identification card must be free to a person aged seventeen years or older.

(C) The identification card expires five years from the date of issuance. ~~The renewal fee is also five dollars. Issuance and renewal fees are waived for indigent persons who are mentally ill, mentally retarded, homeless, or who are on public assistance as the sole source of income. As used in this section ‘indigent’ means a person who is qualified for legal assistance which is paid for with public funds. For purposes of this section, a homeless person is an individual who lacks a fixed and regular nighttime residence or an individual who has a primary nighttime residence that is:~~

~~(a)~~ ~~a supervised publicly or privately operated shelter designed to provide temporary living accommodations, including congregated shelters and transitional housing;~~

~~(b)~~ ~~an institution that provides a temporary residence for individuals intended to be institutionalized; or~~

~~(c)~~ ~~a public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.~~

~~The term does not include any individual imprisoned or otherwise detained pursuant to an act of Congress. Annually, the director of a facility which provides care or shelter to homeless persons must certify this fact to the department. The department must maintain a list of facilities which are approved by the department, and only letters from the directors of these approved facilities are considered to comply with the provisions of this section. To have the issuance or renewal fee waived for an identification card, a homeless person must present a letter to the department from the director of a facility that provides care or shelter to homeless persons certifying that the person named in the letter is homeless. The letter may not be older than thirty days.~~

(D) Special identification cards issued to persons under the age of twenty‑one must be marked, stamped, or printed to readily indicate that the person to whom the card is issued is under the age of twenty‑one.

(E) The fees collected pursuant to this section must be credited to the Department of Transportation State Non‑Federal Aid Highway Fund ~~as provided in the following schedule based on the actual date of receipt by the Department of Motor Vehicles:~~

~~Fees and Penalties~~ ~~General Fund~~ ~~Department of~~

~~Collected After~~ ~~of the State~~ ~~Transportation~~

~~State Non‑Federal~~

~~Aid Highway Fund~~

~~June 30, 2005~~ ~~60 percent~~ ~~40 percent~~

~~June 30, 2006~~ ~~20 percent~~ ~~80 percent~~

~~June 30, 2007~~ ~~0 percent~~ ~~100 percent~~.”

SECTION 4. Chapter 63, Title 44 of the 1976 Code is amended by adding:

“Section 44‑63‑65. The State Registrar in the Department of Health and Environmental Control, solely for the purpose of complying with the requirements of Section 56‑1‑3350, may transmit to the Department of Motor Vehicles and the department shall accept suitable information concerning the name and date of birth of an applicant for a special identification card issued under Section 56‑1‑3350. Notwithstanding the provisions of Section 44‑63-110, this information shall be provided by the State Registrar without charge.”

SECTION 5. The State Elections Commission shall establish an aggressive voter education program concerning the provisions contained in this legislation. The State Elections Commission shall educate the public as follows:

(1) Post information concerning changes contained in this legislation in a conspicuous location at each county board of registration and elections, each satellite office, the State Elections Commission office, and their respective websites.

(2) Train poll managers and poll workers at their mandatory training sessions to answer questions by electors concerning the changes in this legislation.

(3) Require documentation describing the changes in this legislation to be disseminated by poll managers and poll workers at each election held after September 30, 2011.

(4) Coordinate with each county board of registration and elections so that at least two seminars are conducted in each county before October 15, 2012.

(5) Coordinate with local and service organizations to provide for additional informational seminars at a local or statewide level.

(6) Place an advertisement describing the changes in this legislation in South Carolina newspapers of general circulation at the same time as advertisements for primary or general elections are placed.

(7) Coordinate with local media outlets to disseminate information concerning the changes in this legislation.

(8) In addition to the items contained in this section, the State Elections Commission may implement additional educational programs in its discretion.

(9) The State Election Commission shall implement necessary accommodations to allow voting in each county to comply with the Help America Vote Act.

SECTION 6. Article 7, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑862. Poll managers shall allow poll watchers to sit directly behind the poll managers responsible for voter identification and verification for the purpose of observing and hearing the voting process.”

SECTION 7. The General Assembly finds that all the provisions contained in this act related to one subject as required by Section 17, Article III of the Constitution of this State in that each provision relates directly to or in conjunction with other sections to the subject of election reform as stated in the title. The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in this act.

SECTION 8. SECTION 1 takes effect on July 1, 2012. However, the implementation of the procedures provided for in SECTION 1 is contingent upon the State Election Commission’s receipt of funds necessary to implement these provisions. Until the provisions of SECTION 1 are fully funded and executed, implementation of the provisions of SECTION 1 do not prohibit the State Election Commission from issuing voter registration cards by the methods allowed before the implementation of SECTION 1.

SECTION 9. Except as otherwise provided in this act, this act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. J. H. NEAL spoke against the amendment.

Rep. J. H. NEAL spoke against the amendment.

**LEAVE OF ABSENCE**

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

Rep. WEEKS spoke against the amendment.

Rep. HART moved to adjourn debate on the Bill.

Rep. CRAWFORD moved to table the motion.

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

Yeas 67; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Chumley |
| Clemmons | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Hixon | Horne | Huggins |
| Limehouse | Loftis | Lowe |
| Lucas | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Norman |
| Owens | Patrick | Pinson |
| Pitts | Pope | Quinn |
| Ryan | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| White | Whitmire | Willis |
| Young |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anderson | Battle | Bowers |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Clyburn | Cobb-Hunter | Gilliard |
| Govan | Hart | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Mack |
| McEachern | McLeod | Mitchell |
| Munnerlyn | J. H. Neal | J. M. Neal |
| Neilson | Ott | Sabb |
| Weeks | Whipper | Williams |

**Total--36**

So, the motion to adjourn debate was tabled.

Rep. WEEKS spoke against the amendment.

Rep. R. L. BROWN spoke against the amendment.

Rep. WHIPPER spoke against the amendment.

Rep. WHIPPER spoke against the amendment.

Rep. CLEMMONS moved cloture on the entire matter.

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

Yeas 66; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Clemmons |
| Cole | Cooper | Corbin |
| Crosby | Daning | Delleney |
| Erickson | Forrester | Frye |
| Gambrell | Hamilton | Hardwick |
| Harrell | Hearn | Henderson |
| Herbkersman | Hixon | Horne |
| Huggins | Limehouse | Loftis |
| Lowe | Lucas | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neilson | Norman | Owens |
| Patrick | Pinson | Pitts |
| Pope | Quinn | Ryan |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | White |
| Whitmire | Willis | Young |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Bales | Battle | Bowers |
| Brantley | H. B. Brown | R. L. Brown |
| Butler Garrick | Clyburn | Cobb-Hunter |
| Gilliard | Govan | Hart |
| Hodges | Hosey | Howard |
| Jefferson | King | Mack |
| McEachern | McLeod | Mitchell |
| Munnerlyn | J. H. Neal | J. M. Neal |
| Ott | Sabb | Sellers |
| J. E. Smith | Stavrinakis | Weeks |
| Whipper | Williams |  |

**Total--35**

So, cloture was ordered.

Rep. COBB-HUNTER spoke against the amendment.

Rep. HART spoke in favor of the amendment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. CLEMMONS a leave of absence for the remainder of the day for the purpose of chairing the Midlands Redistricting Hearing.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. YOUNG a leave of absence for the remainder of the day for the purpose of attending the Midlands Redistricting Hearing.

The question then recurred to the adoption of Amendment 1A.

The yeas and nays were taken resulting as follows:

Yeas 66; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Chumley |
| Cole | Cooper | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Henderson | Herbkersman |
| Hixon | Horne | Huggins |
| Limehouse | Loftis | Lowe |
| Lucas | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Norman |
| Owens | Patrick | Pinson |
| Pitts | Pope | Quinn |
| Ryan | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| White | Whitmire | Willis |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Bales | Battle | Bowers |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Clyburn |
| Cobb-Hunter | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | King |
| Mack | McEachern | McLeod |
| Mitchell | Munnerlyn | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Parks | Sabb | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the amendment was adopted.

RECORD FOR VOTING

I was temporarily out of the Chamber, meeting with security and staff regarding the Rock Hill redistricting meeting this evening, and missed the vote on Amendment No. 1A. If I had been present, I would have voted in favor of the Amendment.

Rep. Tom Young

RECORD FOR VOTING

I was temporarily out of the Chamber, meeting with security and staff regarding the Rock Hill redistricting meeting this evening, and missed the vote on Amendment No. 1A. If I had been present, I would have voted in favor of the Amendment.

Rep. Alan Clemmons

RECORD FOR VOTING

I was temporarily out of the Chamber, meeting with security and staff regarding the Rock Hill redistricting meeting this evening, and missed the vote on Amendment No. 1A. If I had been present, I would have voted in favor of the Amendment.

Rep. Bakari Sellers

Rep. WEEKS proposed the following Amendment No. 2A (COUNCIL\SWB\6130CM11), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710(A), as contained in SECTION 1, by adding the following appropriately numbered item:

/ ( ) concealed weapons permit; /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. OTT spoke in favor of the amendment.

Rep. HARRISON moved to table the amendment.

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

Yeas 67; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Chumley |
| Clemmons | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hixon | Huggins |
| Limehouse | Loftis | Lowe |
| Lucas | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Norman |
| Owens | Patrick | Pinson |
| Pitts | Pope | Ryan |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Viers |
| White | Whitmire | Willis |
| Young |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Bales | Bowers | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Clyburn | Cobb-Hunter |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Mack |
| McEachern | McLeod | Mitchell |
| Munnerlyn | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Sabb | Sellers | J. E. Smith |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 3A (COUNCIL\SWB\6129CM11), which was tabled:

Amend the bill, as and if amended, Section 7‑13‑710(A), as contained in SECTION 1, by adding the following appropriately numbered item:

/ ( ) valid college or university identification card that contains the holder’s photograph and local address; /

Renumber sections to conform.

Amend title to conform.

Rep. G. A. BROWN spoke in favor of the amendment.

Rep. SKELTON spoke against the amendment.

Rep. HARRISON moved to table the amendment.

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

Yeas 64; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Clemmons |
| Cole | Cooper | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Herbkersman | Hixon |
| Horne | Huggins | Limehouse |
| Loftis | Lowe | Lucas |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Norman | Owens |
| Patrick | Pinson | Pitts |
| Pope | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Tallon | Taylor |
| Thayer | Toole | Tribble |
| White | Whitmire | Willis |
| Young |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Bales | Bowers | Brantley |
| G. A. Brown | H. B. Brown | R. L. Brown |
| Butler Garrick | Clyburn | Cobb-Hunter |
| Gilliard | Govan | Hart |
| Hodges | Hosey | Howard |
| Jefferson | Mack | McEachern |
| McLeod | Mitchell | J. H. Neal |
| Neilson | Parks | Sabb |
| Sellers | J. E. Smith | Vick |
| Weeks | Whipper | Williams |

**Total--33**

So, the amendment was tabled.

Rep. WEEKS proposed the following Amendment No. 4A (COUNCIL\SWB\6133CM11), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. The provisions of this act that require a person who presents himself to vote to produce a valid form of photographic identification do not apply to a person who was registered to vote before January 1, 2011. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. HART spoke in favor of the amendment.

Rep. LOWE spoke against the amendment.

Rep. WEEKS spoke in favor of the amendment.

Rep. HARRISON moved to table the amendment.

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

Yeas 64; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Bedingfield | Bikas |
| Bingham | Bowen | Brady |
| Brannon | Clemmons | Cole |
| Cooper | Corbin | Crawford |
| Crosby | Delleney | Erickson |
| Forrester | Gambrell | Harrell |
| Hamilton | Hardwick | Henderson |
| Harrison | Hearn | Horne |
| Herbkersman | Hixon | Loftis |
| Huggins | Limehouse | D. C. Moss |
| Lowe | Lucas | Nanney |
| V. S. Moss | Murphy | Patrick |
| Norman | Owens | Pope |
| Pinson | Pitts | Sandifer |
| Quinn | Ryan | G. M. Smith |
| Simrill | Skelton | Sottile |
| G. R. Smith | J. R. Smith | Taylor |
| Spires | Tallon | Tribble |
| Thayer | Toole | Whitmire |
| Viers | White |  |
| Willis | Young |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anderson | Bales |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Clyburn | Cobb-Hunter | Gilliard |
| Govan | Hart | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Mack | McEachern |
| McLeod | Mitchell | Munnerlyn |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Sabb |
| Sellers | J. E. Smith | Vick |
| Weeks | Whipper | Williams |

**Total--36**

So, the amendment was tabled.

**POINT OF ORDER**

Rep. J. H. NEAL raised the Point of Order that Rep. DILLARD was not present and therefore, her name should not have been lit on the voting board during the vote.

SPEAKER HARRELL sustained the Point of Order and ruled in accordance with House Rule 7.3(h), that Rep. DILLARD will be contacted concerning her vote and if necessary an affidavit will be obtained stating that she was not present for the vote -- thereby striking her vote from the record. The SPEAKER stated further that he felt the vote was probably cast accidentally and that no ill intent took place during the vote.

Rep. WEEKS proposed the following Amendment No. 5A (COUNCIL\SWB\6132CM11), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. The provision as contained in this act that require a person who presents himself to vote to product a valid form of identification that contains the person’s photographic image of the person does not apply to a person who attained the age of sixty‑five before January 1, 2011. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS spoke in favor of the amendment.

Rep. MCLEOD spoke in favor of the amendment.

Rep. CRAWFORD moved to table the amendment.

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

Yeas 68; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Brannon | Chumley |
| Clemmons | Cole | Cooper |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hixon | Horne |
| Huggins | Limehouse | Loftis |
| Lowe | Lucas | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Norman | Owens | Patrick |
| Pinson | Pitts | Pope |
| Quinn | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Viers | White | Whitmire |
| Willis | Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anderson | Bales |
| Bowers | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Clyburn | Cobb-Hunter | Gilliard |
| Govan | Hart | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | Mack | McEachern |
| McLeod | Mitchell | Munnerlyn |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Parks | Sabb |
| Sellers | J. E. Smith | Stavrinakis |
| Vick | Weeks | Williams |

**Total--36**

So, the amendment was tabled.

**AMENDMENT NO. 4A--RECONSIDERED**

Rep. CLEMMONS moved to reconsider the vote whereby Amendment 4A was tabled, which was agreed to.

Rep. WEEKS proposed the following Amendment No. 4A (COUNCIL\SWB\6133CM11), which was tabled:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. The provisions of this act that require a person who presents himself to vote to produce a valid form of photographic identification do not apply to a person who was registered to vote before January 1, 2011. /

Renumber sections to conform.

Amend title to conform.

Rep. CRAWFORD moved to table the amendment.

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

Yeas 68; Nays 34

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bikas | Bingham | Bowen |
| Brady | Chumley | Clemmons |
| Cole | Cooper | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Henderson | Herbkersman |
| Hixon | Horne | Huggins |
| Limehouse | Loftis | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Norman | Owens | Patrick |
| Pinson | Pitts | Pope |
| Quinn | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Viers | White | Whitmire |
| Willis | Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anderson | Bowers |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Gilliard | Govan | Hart |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | Mack |
| McEachern | McLeod | Mitchell |
| Munnerlyn | J. H. Neal | J. M. Neal |
| Neilson | Ott | Parks |
| Sabb | Sellers | J. E. Smith |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--34**

So, the amendment was tabled.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

RECORD FOR VOTING

I was temporarily out of the Chamber due to illness, and missed the vote on H. 3003. If I had been present, I would have voted in favor of the Bill.

Rep. Steve Parker

STATEMENT FOR THE JOURNAL

I am prepared to support the Senate version of H. 3003, the Voter I.D. Bill, just as I did last year. Unfortunately, the House leadership refuses to allow an up or down vote on the Senate version. The Senate Bill included Voter I.D., early voting, and removed the unfair burdens on absentee voting, voting by seniors, and voting by the handicapped, contained in the original House passed version of the Bill. My constituents want early voting and voter I.D. through a system that provides a secure, fair voting process for all our citizens. The Senate version accomplishes these goals, the House versions do not.

Rep. Leon Stavrinakis

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEES**

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3456 -- Reps. White, G. M. Smith, Pitts and Battle: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-11-240 SO AS TO CREATE THE OTHER FUNDS OVERSIGHT COMMITTEE TO REVIEW AND EXAMINE THE SOURCE OF OTHER FUNDS IN THIS STATE AND TO MAKE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, TO PROVIDE FOR ITS MEMBERSHIP, TO PROVIDE THAT ALL AGENCIES MUST COOPERATE WITH THE COMMITTEE, AND TO REQUIRE THE STATE BUDGET OFFICE TO NOTIFY THE COMMITTEE OF ANY REQUEST FOR AN INCREASE IN INTERIM BUDGET AUTHORIZATION.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3488 -- Reps. Bingham and Harrell: A BILL TO AMEND ACT 99 OF 2007, RELATING TO THE ADDITION OF A SALES TAX EXEMPTION FOR DURABLE MEDICAL EQUIPMENT AND THE PHASE IN OF THAT EXEMPTION, SO AS TO DELETE THE PHASE IN REQUIREMENTS; AND TO AMEND SECTIONS 12-36-90, 12-36-910, 12-36-1310, AND 12-36-2120, ALL AS AMENDED, RELATING TO THE IMPOSITION OF AND EXEMPTIONS FROM THE SALES AND USE TAX, SO AS TO PROVIDE FURTHER FOR THOSE INSTANCES WHERE SALES AND USE TAX APPLIES IN CONNECTION WITH WARRANTIES AND SERVICE MAINTENANCE CONTRACTS SOLD IN CONNECTION WITH THE SALE OF TANGIBLE PERSONAL PROPERTY.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3747 -- Rep. Cooper: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT BIOLOGICS ADMINISTERED BY A PHYSICIAN IN A PHYSICIAN'S OFFICE.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3713 -- Reps. Merrill, J. R. Smith, Ryan, Hamilton, Stringer, G. R. Smith, Bedingfield, Barfield, Sandifer, McCoy, Horne, Stavrinakis, Clemmons, Loftis, Lucas, Herbkersman, Patrick, Erickson, G. M. Smith, Knight and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-37-3135 SO AS TO PROVIDE THAT WHEN A PARCEL OF REAL PROPERTY AND IMPROVEMENTS THEREON PREVIOUSLY SUBJECT TO PROPERTY TAX UNDERGOES AN ASSESSABLE TRANSFER OF INTEREST AND THE VALUE OF THE PARCEL AS DETERMINED AT THE TIME OF THE ASSESSABLE TRANSFER OF INTEREST IS GREATER THAN THE VALUE OF THE PARCEL USED IN THE PROPERTY TAX ASSESSMENT ON THE PARCEL FOR THE MOST RECENTLY COMPLETED PROPERTY TAX YEAR, THERE IS ALLOWED AN EXEMPTION OF AN AMOUNT OF THE FAIR MARKET VALUE OF THE PARCEL SUFFICIENT TO ELIMINATE ANY INCREASE IN THE VALUE OF THE PARCEL; TO AMEND SECTION 12-37-3140, AS AMENDED, RELATING TO DETERMINING FAIR MARKET VALUE, SO AS TO MAKE A CONFORMING CHANGE; AND TO AMEND SECTION 12-60-30, AS AMENDED, RELATING TO DEFINITIONS IN THE REVENUE PROCEDURES ACT, SO AS TO CLARIFY THE DEFINITION OF PROPERTY TAX ASSESSMENT.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3346 -- Reps. Loftis, Limehouse, Corbin, Ballentine, Atwater, Mitchell, Quinn, Alexander, Bannister, Horne, Norman, J. E. Smith, Henderson, Brady, Erickson, Herbkersman, McCoy, Sottile, Allen, Stavrinakis, Williams, Jefferson, Sellers, Pinson, Huggins and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3586 SO AS TO ALLOW A STATE TAX CREDIT FOR THE INSTALLATION OF SOLAR ENERGY EQUIPMENT IN AN AMOUNT EQUAL TO THIRTY-FIVE PERCENT OF THE AMOUNTS FOR SPECIFIC INSTALLATIONS AND FOR SPECIFIC PURPOSES, TO DEFINE SOLAR ENERGY EQUIPMENT, TO PROVIDE FOR THE TIMING OF CREDITS AND THE CARRY FORWARD OF UNUSED CREDITS, TO PROVIDE THOSE TAXES AGAINST WHICH THIS CREDIT IS ALLOWED, AND TO PROHIBIT DOUBLE CREDITS.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3709 -- Rep. Cooper: A BILL TO AMEND SECTION 1-30-80, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, SO AS TO TRANSFER THE SOUTH CAROLINA MUSEUM COMMISSION, THE SOUTH CAROLINA STATE MUSEUM, AND THE SOUTH CAROLINA ARTS COMMISSION AND THEIR POWERS AND DUTIES TO THE DEPARTMENT OF PARKS, RECREATION AND TOURISM; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 60, RELATING TO THE SOUTH CAROLINA MUSEUM COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION IS UNDER THE ADMINISTRATION AND SUPERVISION OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM AND THAT THE SOUTH CAROLINA STATE MUSEUM IS A STATE PARK IN THE STATE PARK SYSTEM; TO AMEND CHAPTER 15, TITLE 60, RELATING TO THE SOUTH CAROLINA ARTS COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION IS UNDER THE ADMINISTRATION AND SUPERVISION OF THE DEPARTMENT OF PARKS, RECREATION AND TOURISM; AND TO PROVIDE TRANSITION PROVISIONS.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3194 -- Reps. Pope, Tallon, Hixon, D. C. Moss, G. R. Smith, Simrill, Viers and Atwater: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS ALLOWED FROM SOUTH CAROLINA TAXABLE INCOME OF AN INDIVIDUAL FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO ALLOW A MAXIMUM THREE THOUSAND DOLLAR A YEAR DEDUCTION FOR VOLUNTEER STATE CONSTABLES DESIGNATED BY THE STATE LAW ENFORCEMENT DIVISION AS STATE CONSTABLES AND TO PROVIDE THE ELIGIBILITY REQUIREMENTS FOR THIS DEDUCTION.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3083 -- Reps. Pitts, Daning, Toole, G. M. Smith, Clyburn, Bingham, J. R. Smith, Huggins, Young, Taylor and Long: A BILL TO ENACT THE "THE SOUTH CAROLINA CONSERVATION BANK REAUTHORIZATION ACT" BY AMENDING ACT 200 OF 2002, WHICH ENACTED THE "SOUTH CAROLINA CONSERVATION BANK ACT" AND PROVIDED FOR ITS FUNDING, SO AS TO DELETE THE SUNSETTING OF THAT ACT OTHERWISE EFFECTIVE JULY 1, 2013, AND TO MAKE VARIOUS SECTIONS OF THAT ACT PERMANENT LAW BY DESIGNATING SECTIONS 3, 5, 6, 8, 10, AND 11 OF ACT 200 OF 2002, RELATING RESPECTIVELY TO THE PORTION OF THE DEED RECORDING FEE DEDICATED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, THE SUSPENSION OF DEED RECORDING FEE REVENUE IN CERTAIN CIRCUMSTANCES, CONSERVATION EASEMENTS, BIENNIAL REPORTS TO THE GENERAL ASSEMBLY, USE OF CONSERVATION BANK FUNDS FOR BEACH CONSERVATION, AND USE OF CONSERVATION BANK FUNDS TO ACQUIRE LAND FOR STATE PARKS AS SECTIONS 12-24-96, 48-59-65, 27-8-37, 48-59-150, 48-59-160, AND 48-59-170, ALL OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3779 -- Reps. Brady, Loftis, Bingham and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 44 TO TITLE 11 SO AS TO ENACT THE "BILL WYLIE ENTREPRENEURSHIP ACT OF 2011" BY PROVIDING FOR STATE NONREFUNDABLE INCOME TAX CREDITS ALLOCATED BY THE DEPARTMENT OF COMMERCE FOR QUALIFIED INVESTMENTS IN BUSINESSES MEETING CERTAIN CRITERIA AND PRIMARILY ENGAGED IN MANUFACTURING, PROCESSING, WAREHOUSING, WHOLESALING, SOFTWARE DEVELOPMENT, INFORMATION TECHNOLOGY SERVICES, RESEARCH AND DEVELOPMENT OR OTHER NONPROHIBITED SERVICES, TO ESTABLISH THE CRITERIA AND PROCEDURES FOR THE CREDIT, AND TO MAKE THE CREDIT TRANSFERABLE.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3063 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-219 SO AS TO PROVIDE THAT IF THE BOUNDARIES OF A MUNICIPALITY EXTEND INTO MORE THAN ONE COUNTY AND THOSE COUNTIES IMPLEMENT COUNTYWIDE APPRAISAL AND EQUALIZATION PROGRAMS ON DIFFERENT SCHEDULES, THEN THE GOVERNING BODY OF THE MUNICIPALITY SHALL SET AN EQUIVALENT MILLAGE TO BE USED THEREAFTER TO COMPUTE MUNICIPAL AD VALOREM PROPERTY TAXES, TO PROVIDE FOR THE MANNER IN WHICH THE EQUIVALENT MILLAGE SHALL BE DETERMINED, AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE RETROACTIVE TO THE 2009 PROPERTY TAX YEAR.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3059 -- Reps. Merrill and Stavrinakis: A BILL TO AMEND SECTION 12-6-3376, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INCOME TAX CREDIT FOR PLUG-IN HYBRID VEHICLES, SO AS TO REVISE THE DEFINITION OF "PLUG-IN HYBRID VEHICLE", TO RAISE THE AGGREGATE AMOUNT OF THE CREDIT AVAILABLE EACH FISCAL YEAR AND DELETE ITS EXPIRATION DATE, AND TO PROVIDE THAT THE CREDIT MUST BE ALLOCATED TO ELIGIBLE CLAIMANTS DURING A FISCAL YEAR ON A FIRST-COME, FIRST-SERVE BASIS.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3657 -- Reps. Cooper and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-45-17 SO AS TO PROVIDE MINIMUM CONTINUING EDUCATION COURSE REQUIREMENTS FOR COUNTY TAX COLLECTORS AND PROVIDE EXCEPTIONS; BY ADDING SECTION 12-59-85 SO AS TO ALLOW A COUNTY FORFEITED LAND COMMISSION TO REFUSE TO ACCEPT TITLE TO PROPERTY WHEN REFUSAL IS IN THE PUBLIC INTEREST; AND TO AMEND SECTIONS 12-51-50, AS AMENDED, AND 12-51-70, RELATING TO DELINQUENT TAX SALES, SO AS TO PROVIDE FOR THE SALES DATE AND TO INCREASE FROM THREE HUNDRED TO ONE THOUSAND DOLLARS THE DAMAGES FOR WHICH A DEFAULTING BIDDER IS LIABLE.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3720 -- Reps. Cooper, Henderson and Patrick: A BILL TO AMEND SECTION 12-6-3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE JOBS TAX CREDIT, SO AS TO REVISE THE REQUIREMENTS OF A QUALIFYING SERVICE-RELATED FACILITY AND A TECHNOLOGY INTENSIVE FACILITY; BY ADDING SECTION 12-6-3411 SO AS TO PROVIDE THAT A CORPORATION ESTABLISHING A NATIONAL CORPORATE HEADQUARTERS OR EXPANDING OR ADDING TO AN EXISTING NATIONAL CORPORATE HEADQUARTERS IN THIS STATE, WHICH IN CONNECTION THEREWITH ADDS AT LEAST FIFTY NEW FULL-TIME JOBS SHALL BE EXEMPT FROM PAYING STATE CORPORATE INCOME TAXES FOR A PERIOD OF TEN YEARS; TO AMEND SECTION 12-20-105, AS AMENDED, RELATING TO TAX CREDITS FOR PROVIDING INFRASTRUCTURE, SO AS TO INCREASE THE MAXIMUM AGGREGATE CREDIT TO FOUR HUNDRED THOUSAND DOLLARS ANNUALLY; TO AMEND SECTIONS 4-12-30, 4-29-67, AND 12-44-90, ALL AS AMENDED, RELATING TO FEE IN LIEU OF TAXES, SO AS TO PROVIDE THAT A COUNTY AUDITOR OR COUNTY ASSESSOR MAY REQUEST AND OBTAIN ANY FINANCIAL BOOKS AND RECORDS FROM A SPONSOR THAT SUPPORT THE SPONSOR'S TAX FORM OR RETURN TO VERIFY THE CALCULATIONS OF THE FEE IN LIEU OF TAXES TAX FORM OR RETURN; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO SALES TAX EXEMPTIONS, SO AS TO EXEMPT COMPUTERS, COMPUTER EQUIPMENT, COMPUTER HARDWARE AND SOFTWARE PURCHASES FOR A DATACENTER AND ELECTRICITY USED BY A DATACENTER.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3506 -- Reps. Loftis, Allison, J. R. Smith, White, Bowen, Ott, Cobb-Hunter, Pitts and Henderson: A BILL TO AMEND SECTION 12-6-3360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOB TAX CREDIT, SO AS TO REVISE THE DEFINITION OF A "TECHNOLOGY INTENSIVE FACILITY"; TO AMEND SECTION 12-20-105, AS AMENDED, RELATING TO THE TAX CREDIT FOR INFRASTRUCTURE IMPROVEMENTS FOR WATER, WASTEWATER, HYDROGEN FUEL, SEWER, GAS, STEAM, ELECTRIC ENERGY, AND COMMUNICATION SERVICES, SO AS TO INCLUDE CERTAIN SITE PREPARATION COSTS WITHIN THE DEFINITION OF INFRASTRUCTURE IMPROVEMENTS WHICH GIVE RISE TO THE CREDIT; AND TO AMEND SECTION 12-44-30, AS AMENDED, RELATING TO FEES IN LIEU OF TAXES, SO AS TO REVISE THE DEFINITION OF "TERMINATION DATE".

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3650 -- Reps. Cooper and Ott: A BILL TO AMEND SECTION 12-37-2725, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CANCELLATION OF A LICENSE PLATE AND REGISTRATION CERTIFICATE WHEN A VEHICLE OWNER MOVES OUT OF STATE AND THE PRORATED PROPERTY TAX REFUND DUE ON THAT CANCELLATION, SO AS TO ALLOW THE APPROPRIATE RECEIPT ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES TO SUBSTITUTE FOR THE ACTUAL LICENSE PLATE AND CERTIFICATE; TO AMEND SECTION 12-39-220, RELATING TO THE DISCOVERY OF UNTAXED PROPERTY FOR PURPOSES OF PROPERTY TAXES, SO AS TO PROVIDE THE DUTIES OF THE ASSESSOR WITH RESPECT TO THIS PROPERTY; AND TO AMEND SECTION 12-54-85, AS AMENDED, RELATING TO THE TIME LIMITS APPLICABLE FOR ASSESSING DELINQUENT TAXES, SO AS TO MAKE A CONFORMING AMENDMENT.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3233 -- Rep. Mitchell: A BILL TO AMEND SECTION 31-7-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDEVELOPMENT PROJECT COSTS, SO AS TO PROVIDE PROPERTY ASSEMBLY COSTS ALSO INCLUDE THE COST OF ENVIRONMENTAL REMEDIATION.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3934 -- Reps. Bingham, Lowe, Atwater, Huggins, Bales, Pinson, Toole, Barfield, Clemmons, Norman, Owens, Lucas, Delleney, Loftis, Corbin, Simrill, Hixon, Taylor, D. C. Moss, J. R. Smith, Limehouse, Sottile, Bikas, Hiott, Parker, Allison, Long, Erickson, Patrick, Herbkersman, Merrill, Cole, Sellers, Ott, Hardwick, Hearn, Tallon, Stringer, Ryan, White, Pope, Henderson, Nanney, Sandifer, V. S. Moss, Horne, Neilson, Edge, Crawford, Viers, Quinn, Tribble, Willis, Parks, King, Ballentine, Bannister, Butler Garrick and J. E. Smith: A BILL TO AMEND SECTION 12-43-224, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ASSESSMENT OF UNDEVELOPED ACREAGE SUBDIVIDED INTO LOTS, SO AS TO PROVIDE THAT THE DISCOUNT APPLIES TO A DEVELOPER THAT HAS FIVE LOTS INSTEAD OF TEN LOTS, AND TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATE COMES AFTER MAY FIRST BUT BEFORE JUNE FIRST, THE OWNER SHALL RECEIVE THE DISCOUNTED RATE BUT THE DISCOUNT SHALL BE REDUCED; AND TO AMEND SECTION 12-43-225, AS AMENDED, RELATING TO MULTIPLE LOT DISCOUNTS, SO AS TO PROVIDE THAT THE DISCOUNT APPLIES TO A DEVELOPER THAT HAS FIVE LOTS INSTEAD OF TEN LOTS, TO PROVIDE THAT IF APPLICATION FOR THE DISCOUNTED RATES COMES AT A CERTAIN TIME AFTER MAY FIRST, THE ASSESSOR STILL SHALL GRANT THE DISCOUNT IF ALL OTHER REQUIREMENTS ARE MET, TO PROVIDE THAT APPLICATION FOR THE DISCOUNTED RATE ONLY MUST BE MADE IN THE FIRST YEAR, AND TO TOLL TIME LIMITATIONS FOR CERTAIN PROPERTY.

Ordered for consideration tomorrow.

Rep. COOPER, from the Committee on Ways and Means, submitted a favorable report on:

H. 3762 -- Reps. Cooper, White, Bowen, Gambrell, Thayer, Sandifer, D. C. Moss and McLeod: A BILL TO AMEND SECTION 41-31-45, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNEMPLOYMENT INSURANCE TRUST FUND, SO AS TO PROVIDE THAT IN A YEAR IN WHICH THE FUND IS IN DEBT STATUS, THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, AMONGST OTHER ESTIMATES, MUST ESTIMATE THE AMOUNT OF INCOME NECESSARY TO REPAY ALL OUTSTANDING FEDERAL LOANS WITHIN EIGHT YEARS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4036 -- Reps. Cooper, Gambrell, Thayer, Bowen, White, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE MEN'S BASKETBALL TEAM OF ANDERSON UNIVERSITY, AND TO CONGRATULATE THE PLAYERS AND COACHES FOR AN OUTSTANDING SEASON AND FOR ADVANCING TO THE ELITE EIGHT IN DIVISION II OF THE NCAA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4037 -- Reps. Cobb-Hunter, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE THE SIXTY-SIXTH ANNUAL SOUTH CAROLINA ASSOCIATION OF MINISTERS' WIVES AND MINISTERS' WIDOWS STATE CONVENTION, TO BE HELD IN ORANGEBURG APRIL 8-9, 2011, AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF SERVICE TO THE COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4038 -- Reps. Barfield, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO CONGRATULATE THELMA WILLIAMS, MOTHER OF OUR DEAR FRIEND AND COLLEAGUE, SENATOR KENT WILLIAMS, UPON THE OCCASION OF HER EIGHTY-FIFTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY MORE YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4046 -- Reps. Harrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO CONGRATULATE THE IBM CORPORATION UPON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4047 -- Reps. Harrell, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO CONGRATULATE CHARLES REID, EDITOR OF THE SOUTH CAROLINA LEGISLATIVE MANUAL, AND HIS FINE TEAM ON THE PUBLICATION'S RECEIVING A 2010 SOUTH CAROLINA STATE LIBRARY NOTABLE STATE DOCUMENT AWARD.

Whereas, the South Carolina House of Representatives is pleased to note that the *South Carolina Legislative Manual*, edited by Charles Reid, Clerk of the House, and published by the House of Representatives, has received a 2010 South Carolina State Library Notable State Document Award; and

Whereas, the South Carolina State Library announces winners of the award annually on or near Freedom of Information Day, March 16, the birthday of President James Madison, who was an early proponent of citizen access to government information; and

Whereas, awards were presented to the winning agencies by Chris Yates and Elaine Sandberg of the South Carolina State Library at a morning ceremony on March 16, 2011. The winning agencies were commended “for their commitment to providing access to their information either digitally or in print through these quality publications”; and

Whereas, selected by a group of state documents depository librarians from around the Palmetto State and by staff at the South Carolina State Library, winning documents are available for viewing at the library; and

Whereas, preparation of the annual *Legislative Manual* is a year‑round undertaking with literally thousands of pieces of information required to be checked or updated, and Charles Reid and his talented and capable staff compile a publication that most people involved in government of any level, in any significant capacity, cannot do without; and

Whereas, cognizant of his dedicated labors as Editor of the *South Carolina Legislative Manual*, the House of Representatives takes great pleasure in honoring Charles Reid, Clerk of the House, and his wonderful staff for their critical role in the creation of the manual and in the resultant winning of this fine award. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, congratulate Charles Reid, Editor of the *South Carolina Legislative Manual*, and his fine team on the publication’s receiving a 2010 South Carolina State Library Notable State Document Award.

Be it further resolved that a copy of this resolution be provided to the Honorable Charles Reid.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4039 -- Reps. Lucas, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR W. PATRICK "PAT" EARLE FOR HIS CONTRIBUTIONS TO EDUCATION IN THE STATE OF SOUTH CAROLINA, AND TO CONGRATULATE HIM FOR HIS INDUCTION INTO THE NATIONAL TEACHERS HALL OF FAME.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 782 -- Senator Verdin: A CONCURRENT RESOLUTION TO DESIGNATE THURSDAY, APRIL 14, 2011, AS "HOLD OUT FOR HUNGER DAY" IN SOUTH CAROLINA TO ENCOURAGE INDIVIDUALS TO SKIP ONE MEAL ON THIS DAY TO RECOGNIZE THE PLIGHT OF HUNGER IN SOUTH CAROLINA.

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

**INTRODUCTION OF BILLS**

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

H. 4040 -- Rep. Hodges: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE MICROENTERPRISE DEVELOPMENT STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 20, 2011, TO JANUARY 20, 2012.

On motion of Rep. HODGES, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 4041 -- Reps. Sellers, Crawford, Bedingfield, Bikas, Brannon, H. B. Brown, Cobb-Hunter, Erickson, Gambrell, Hardwick, Henderson, King, Lowe, Mitchell, Munnerlyn, Nanney, J. H. Neal, Ott, Rutherford, Sandifer, J. E. Smith, Vick, Viers, Harrell and Harrison: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 21, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO BILLS AND JOINT RESOLUTIONS BEING PRESENTED TO THE GOVERNOR FOR HIS CONSIDERATION, SIGNATURE, OR VETO, SO AS TO PROVIDE THAT INSTEAD OF A BILL OR JOINT RESOLUTION BEING DEEMED TO TAKE EFFECT IF IT IS NOT ACTED ON BY THE GOVERNOR WITHIN FIVE DAYS AFTER BEING PRESENTED TO HIM, SUNDAYS EXCEPTED, IT SHALL BE DEEMED TO HAVING BEEN VETOED WITHOUT COMMENT IF IT IS NOT ACTED ON WITHIN FIFTEEN DAYS AFTER BEING PRESENTED TO HIM, SUNDAYS EXCEPTED.

Rep. SELLERS asked unanimous consent to have the Joint Resolution placed on the Calendar without reference.

Rep. WEEKS objected.

Referred to Committee on Judiciary

H. 4042 -- Reps. Harrison, Brady and Pinson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-31 SO AS TO MAKE IT AN UNFAIR TRADE PRACTICE FOR A MOTOR VEHICLE GLASS REPAIR BUSINESS THAT ADMINISTERS INSURANCE CLAIMS FOR MOTOR VEHICLE GLASS REPAIRS TO HAVE AN INSURED'S GLASS REPAIR BUSINESS REFERRED TO ITSELF OR TO USE INFORMATION TO SOLICIT BUSINESS.

Referred to Committee on Labor, Commerce and Industry

H. 4043 -- Reps. Tallon, Patrick, Pinson, Allison, V. S. Moss, Atwater, Brannon, Chumley, Bingham, Ballentine, Cole and Horne: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-35-122 SO AS TO PROVIDE THAT AN EMPLOYER MAY CONFIDENTIALLY NOTIFY THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE WHEN A PROSPECTIVE EMPLOYEE FAILS A DRUG TEST REQUIRED BY THE EMPLOYER AS A CONDITION OF EMPLOYMENT IF THE PROSPECTIVE EMPLOYEE IS RECEIVING UNEMPLOYMENT BENEFITS, TO PROVIDE THE DEPARTMENT SHALL SUSPEND THE BENEFITS OF A PERSON WHO, WHILE RECEIVING BENEFITS, FAILS A DRUG TEST TAKEN AS A CONDITION OF AN APPLICATION FOR EMPLOYMENT, TO PROVIDE THE DEPARTMENT MAY NOT RESTORE THESE SUSPENDED BENEFITS UNTIL THE PERSON HAS SUCCESSFULLY COMPLETED A CERTAIN DRUG TREATMENT PROGRAM AND PASSED A DRUG TEST, TO PROVIDE THE DEPARTMENT MAY NOT PROVIDE OR RESTORE RETROACTIVELY A BENEFIT TO A PERSON FOR A PERIOD IN WHICH HIS BENEFITS ARE SUSPENDED UNDER THIS SECTION, TO PROVIDE THE DEPARTMENT SHALL DEVELOP A CONSENT FORM THAT AN EMPLOYER MAY USE TO OBTAIN THE CONSENT OF A PROSPECTIVE EMPLOYEE TO GIVE THE DEPARTMENT THE RESULTS OF A DRUG TEST REQUIRED BY THE EMPLOYER AS A CONDITION OF EMPLOYMENT, TO PROVIDE THAT THE USE OF THIS CONSENT FORM LIMITS THE LIABILITY OF THE EMPLOYER FOR BREACH OF CONFIDENTIALITY, INVASION OF PRIVACY, INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS, AND DEFAMATION CLAIMS RESULTING FROM THE PROVISION OF THE DRUG TEST RESULTS TO THE DEPARTMENT, AND TO DEFINE A "DRUG TEST".

Referred to Committee on Judiciary

H. 4044 -- Reps. Bannister, Loftis, Corbin, Bedingfield, Hamilton and G. R. Smith: A BILL TO AMEND ACT 848 OF 1954, RELATING TO THE CREATION OF THE BEREA WATER AND SEWER DISTRICT IN GREENVILLE COUNTY, SO AS TO ADD TWO ADDITIONAL MEMBERS TO THE GOVERNING COMMISSION AND PROVIDE FOR STAGGERING THEIR TERMS.

Referred to Greenville Delegation

H. 4045 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-3-110 SO AS TO PROVIDE THE STATE SUPERINTENDENT OF EDUCATION WITH FINAL APPELLATE AUTHORITY OVER DECISIONS RENDERED BY THE SOUTH CAROLINA HIGH SCHOOL LEAGUE.

Referred to Committee on Education and Public Works

S. 30 -- Senators McConnell, Leventis and Ford: A BILL TO AMEND SECTION 22-5-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATED TO MAGISTRATES' POWERS AND DUTIES REGARDING THE ISSUANCE OF ARREST WARRANTS AND COURTESY SUMMONS, SO AS TO PROVIDE THAT NO ARREST WARRANT SHALL BE ISSUED FOR THE ARREST OF A PERSON UNLESS SOUGHT BY A MEMBER OF A LAW ENFORCEMENT AGENCY ACTING IN THEIR OFFICIAL CAPACITY; AND TO PROVIDE THAT IF AN ARREST WARRANT IS SOUGHT BY SOMEONE OTHER THAN A LAW ENFORCEMENT OFFICER, THE COURT MUST ISSUE A COURTESY SUMMONS, EXCEPT WHEN A BUSINESS IS SEEKING AN ARREST WARRANT FOR ANY OFFENSE AGAINST THE BUSINESS OR A PERSON IS SEEKING AN ARREST WARRANT FOR A FRAUDULENT CHECK, IF THE FRAUDULENT CHECK IS PRESENTED TO THE MAGISTRATE AT THE TIME THE WARRANT IS SOUGHT.

Referred to Committee on Judiciary

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

**ADJOURNMENT**

At 4:44 p.m. the House, in accordance with the motion of Rep. TAYLOR, adjourned in memory of Robert H. Botel of Aiken, to meet at 10:00 a.m. tomorrow.

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