~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Isaiah 55:6: “See the Lord while he may be found, call upon him while he is near.”

Let us pray. Almighty God, as we begin a new week of deliberations, help these Representatives and staff as they strive to discern the best way to approach the issues that come before them and to fulfill the needs and desires of the people whom they serve. Keep all our leaders, President, Governor, Speaker, staff, and all who support these men and women in their work. Protect our defenders of freedom as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear our prayer, O Lord. Amen.

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

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

**MOTION ADOPTED**

Rep. BRANTLEY moved that when the House adjourns, it adjourn in memory of former Representative Juanita White of Hardeeville, which was agreed to.

**HOUSE RESOLUTION**

The following was introduced:

H. 4201 -- Reps. Brantley, Cobb-Hunter, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, 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, Johnson, 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 EXPRESS SINCERE SORROW UPON THE PASSING OF FORMER REPRESENTATIVE JUANITA MITCHELL WHITE OF JASPER COUNTY, AND TO EXTEND DEEPEST SYMPATHY TO HER LOVING FAMILY AND TO HER MANY FRIENDS.

Whereas, the members of the South Carolina House of Representatives were deeply saddened to learn of the death of their former colleague and friend, Juanita Mitchell White, on May 6, 2011, in Hardeeville; and

Whereas, born in Savannah, Georgia, she was the daughter of the late Hattie G. and Willie Mitchell, and she attended Savannah State College and Eastman Business College; and

Whereas, together with her beloved husband, the late Ernest White, she raised two fine children, Lorraine Veronica and Yvonne Brenee; and

Whereas, when the family moved to Philadelphia, Pennsylvania, she served as the Democratic Committee Woman from 1956 to 1964; and

Whereas, after the family returned to the Lowcountry, she served as the assistant to the director of special projects of Beaufort‑Jasper Comprehensive Health Service from 1974 to 1976, and she served her community as Chair of the Board of Directors of LLBH Water Company from 1973 to 1977; and

Whereas, she began serving District Number 122 in the South Carolina House of Representatives in 1980 and remained devoted to her district in that post for seventeen years, until 1996; and

Whereas, during that time, she served on the Executive Committee of the National Black Caucus of State Legislators, on the National Center for Policy Alternatives Advisory Committee, and on the South Carolina Rural Water Association; and

Whereas, she served her district on the Joint Appropriations Review Committee and as Chair of the Medical, Military, Public & Municipal Affairs Committee from 1987 to 1988; and

Whereas, from 1986 to 1988, she chaired the South Carolina Legislative Black Caucus, and she served on the State Reorganization Committee from 1985 to 1987; and

Whereas, during her tenure in office, she also served on the Joint Election Law Study Committee, the Joint Public Transportation Committee, the Joint Health Care Planning and Oversight Committee, and on the Ways and Means Committee; and

Whereas, she was a faithful member of St. Stephens African Methodist Episcopal Church and a member of both the NAACP and People Actively Concerned; and

Whereas, the members of the South Carolina House of Representatives are grateful for the impact that Juanita Mitchell White made on the Palmetto State and for the legacy she left for all who knew and loved this remarkable lady. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, express their sincere sorrow upon the passing of former Representative Juanita Mitchell White of Jasper County, and extend their deepest sympathy to her loving family and to her many friends.

Be it further resolved that a copy of this resolution be presented to the family of Juanita Mitchell White.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4202 -- Rep. McLeod: A HOUSE RESOLUTION TO HONOR AND COMMEND THE HONORABLE T. EDWARD KYZER, FORMER MAYOR OF NEWBERRY, FOR THE REMARKABLE VISION, LEADERSHIP, AND PROFESSIONALISM THAT CHARACTERIZED HIS TWENTY YEARS OF SERVICE AS MAYOR, AND TO RECOGNIZE THE OUTSTANDING ACHIEVEMENTS OF HIS ADMINISTRATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4203 -- Reps. J. M. Neal and Long: A HOUSE RESOLUTION TO CONGRATULATE WILLIAM "BILL" ARDREY, COMMISSIONER FOR THE LANCASTER SOIL AND WATER CONSERVATION DISTRICT, ON BEING NAMED THE SOUTH CAROLINA ASSOCIATION OF CONSERVATION DISTRICT'S 2010 OUTSTANDING COMMISSIONER OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4204 -- Reps. R. L. Brown, 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, 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, Johnson, 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 AND HONOR MOSES MIDDLETON OF CHARLESTON COUNTY, AND TO COMMEND HIM FOR HIS LONG AND DEVOTED SERVICE TO HIS COMMUNITY.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

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

H. 4198 -- Reps. Bingham, Cooper, White, Cobb-Hunter and Ott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-31-35 SO AS TO PROVIDE THAT FOR PURPOSES OF UNEMPLOYMENT COMPENSATION BENEFIT CONTRIBUTIONS REQUIRED OF EMPLOYERS, IF AN EMPLOYER HAS A POSITIVE FUND BALANCE FOR A PERIOD OF AT LEAST ONE YEAR IN ITS ACCOUNT, IT MAY NOT BE CLASSIFIED IN RATE CLASS 13 OR HIGHER AND TO PROVIDE THAT ALL NEW EMPLOYERS FOR PURPOSES OF UNEMPLOYMENT COMPENSATION BENEFIT CONTRIBUTIONS REQUIRED OF EMPLOYERS MUST BE CLASSIFIED IN RATE CLASS 12; BY ADDING SECTION 41-31-36 SO AS TO PROVIDE THAT NO NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE 5613 EMPLOYER BASE RATE MAY BE LESS THAN THE RATE APPLICABLE FOR RATE CLASS THIRTEEN UNTIL THERE HAVE BEEN TWELVE CONSECUTIVE MONTHS OF COVERAGE AFTER FIRST BECOMING LIABLE FOR CONTRIBUTIONS; BY ADDING SECTION 41-31-41 SO AS TO PROVIDE THAT FOR CALENDAR YEARS 2011 AND 2012, RETROACTIVE TO JANUARY 2011, THE STATE SHALL REDUCE STATE UNEMPLOYMENT TAX BASE RATES FOR EMPLOYERS IN TIERS 13 THROUGH 20 BY A SPECIFIED PERCENT, TO PROVIDE THE METHOD TO BE USED TO FUND SUCH REDUCTIONS, AND TO ALSO PROVIDE FOR THE PREMIUMS TO BE PAID BY EMPLOYERS IN TIERS 1 THROUGH 12 FOR CALENDAR YEARS 2011 AND 2012; TO AMEND SECTION 41-31-45, RELATING TO ESTIMATES OF THE INCOME NECESSARY TO PAY UNEMPLOYMENT COMPENSATION BENEFITS DURING A CALENDAR YEAR WHEN THE STATE UNEMPLOYMENT INSURANCE TRUST FUND IS IN DEBT STATUS, SO AS TO PROVIDE THE MANNER IN WHICH SUCH ESTIMATES ARE DETERMINED FOR CALENDAR YEARS 2011 AND 2012, AND TO REVISE THE MANNER IN WHICH SUCH ESTIMATES ARE DETERMINED BEGINNING IN JANUARY 2013 AND THEREAFTER WHILE THE TRUST FUND IS IN DEBT STATUS; TO AMEND SECTION 41-31-50, RELATING TO THE MANNER IN WHICH EMPLOYER RATE COMPUTATIONS ARE DETERMINED, SO AS TO PROVIDE FOR THE DETERMINATION OF THE RATES NEEDED TO PAY BENEFITS FOR CALENDAR YEARS 2011 AND 2012, RETROACTIVE TO JANUARY 2011, NOT INCLUDING THE ACHIEVEMENT OF SOLVENCY TARGETS, TO FURTHER PROVIDE FOR THE DETERMINATION OF THE RATES NEEDED TO PAY BENEFITS AND ACHIEVE SOLVENCY TARGETS BEGINNING IN JANUARY 2013, AND TO PROVIDE FOR THE MANNER IN WHICH THE RATE FOR CLASS TWENTY MUST BE SET; BY ADDING SECTION 41-31-52 SO AS TO PROVIDE FOR THE MANNER IN WHICH BENEFITS FOR SEASONAL WORKERS SHALL BE DETERMINED, CALCULATED, AND PAID; TO AMEND SECTION 41-31-55, RELATING TO ADDITIONAL SURCHARGES WHEN THE STATE UNEMPLOYMENT INSURANCE TRUST FUND IS INSOLVENT, SO AS TO PROVIDE FOR WHAT PROVISIONS OF LAW THE STATE SHALL FOLLOW TO SET RATES FOR CLASS TWENTY BEGINNING IN JANUARY 2013 AND TO PROVIDE FOR CERTAIN CREDITS FOR EMPLOYERS IN TIERS 1 THROUGH 12; AND BY ADDING SECTION 41-31-65 SO AS TO PROVIDE THAT THE DEPARTMENT SHALL ALLOCATE ALL CREDITS DUE TO ANY EMPLOYER THAT HAS PAID IN EXCESS OF THEIR BALANCE DUE BY JULY 31, 2011.

Referred to Committee on Labor, Commerce and Industry

H. 4199 -- Reps. Bannister, J. E. Smith, Herbkersman, Simrill, Pope, Quinn, Atwater, J. R. Smith, McLeod, Brannon, Agnew, McCoy, Bingham, Sellers, Patrick, Corbin, Hearn, Skelton, Spires, Tallon, Huggins, Anthony, Ballentine, Barfield, Battle, Bowen, Brady, R. L. Brown, Cobb-Hunter, Cole, Delleney, Erickson, Funderburk, Hamilton, Harrell, Harrison, Hart, Hayes, Henderson, Hiott, Hixon, Horne, Hosey, Howard, Limehouse, Loftis, Lucas, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, Norman, Owens, Pitts, Rutherford, Ryan, Sabb, Sandifer, G. M. Smith, Sottile, Stavrinakis, Stringer, Taylor, Thayer, Weeks, Whipper, White, Willis and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "TRUTH IN GOVERNMENT ACT"; TO AMEND SECTION 2-69-30, RELATING TO THE AUTHORITY OF COMMITTEES OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ADMINISTER OATHS AND AFFIRMATIONS AND TAKE TESTIMONY, SO AS TO REQUIRE PERSONS WHO TESTIFY BEFORE A COMMITTEE OR SUBCOMMITTEE OF THE SENATE OR HOUSE OF REPRESENTATIVES TO DO SO UNDER OATH OR AFFIRMATION AND TO PROVIDE THAT WILFUL PRESENTMENT OF FALSE, MATERIALLY MISLEADING, OR MATERIALLY INCOMPLETE TESTIMONY UNDER OATH OR AFFIRMATION IN A PROCEEDING IN THE SENATE OR HOUSE OF REPRESENTATIVES BE TREATED AS PERJURY; AND TO AMEND SECTION 16-9-10, RELATING TO PERJURY, TO EXPRESSLY INCLUDE COMMITTEE OR SUBCOMMITTEE PROCEEDINGS IN THE SENATE OR HOUSE OF REPRESENTATIVES IN THE PURVIEW OF THE STATUTE.

Referred to Committee on Judiciary

H. 4200 -- Reps. Hardwick, Cooper, Clemmons, Frye, Ott, Funderburk, H. B. Brown, Battle, Agnew, McCoy, McEachern, Atwater, Williams, Spires, J. H. Neal, Gilliard, Sabb, Toole, Butler Garrick, Govan, Hiott, Stringer, Ballentine, Murphy, Knight, G. A. Brown, Chumley, Corbin, Crosby, Daning, Dillard, Hixon, Lowe, V. S. Moss, Neilson, Ryan and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-3-25 SO AS TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO CREATE AND MAINTAIN A PROGRAM TO ENCOURAGE SCHOOLS TO SERVE LOCALLY GROWN, MINIMALLY PROCESSED FARM FOODS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4205 -- Reps. Funderburk, G. A. Brown and Lucas: A BILL TO AMEND ARTICLE 8, CHAPTER 36, TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CORPORATIONS NOT-FOR-PROFIT PROVIDING WATER SERVICE FINANCED BY FEDERAL OR STATE LOANS BEING PERMITTED TO CONVERT TO A PUBLIC SERVICE DISTRICT, BY ADDING SECTION 33-36-1315 SO AS TO PROVIDE FOR ADDITIONAL CONVERSION PROVISIONS, TERMS, AND LIMITATIONS FOR NONPROFIT CORPORATIONS OF A CERTAIN SIZE THAT PROVIDE WATER SERVICE IN TWO OR MORE COUNTIES; AND TO AMEND SECTION 33-36-1330, RELATING TO THE GOVERNING BOARD AND STRUCTURE OF A CORPORATION WHICH HAS BEEN CONVERTED TO A PUBLIC SERVICE DISTRICT, SO AS TO PROVIDE FOR THE GOVERNING STRUCTURE OF A PUBLIC SERVICE DISTRICT OF A CERTAIN SIZE THAT PROVIDES SERVICE IN TWO OR MORE COUNTIES.

Referred to Committee on Labor, Commerce and Industry

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Atwater |
| 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 |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Quinn |
| Ryan | Sabb | Sandifer |
| Sellers | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, May 11.

|  |  |
| --- | --- |
| Paul Agnew | James Merrill |
| David Mack | Todd Rutherford |
| Gary Simrill | Thad Viers |
| Denny NeilsonJerry N. Govan | Tracy Edge |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**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. CRAWFORD a leave of absence for the day due to a prior commitment.

**ACTING SPEAKER SKELTON IN CHAIR**

**DOCTOR OF THE DAY**

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

**SPEAKER IN CHAIR**

**SPECIAL PRESENTATION**

Rep. JOHNSON presented to the House the Scott's Branch High School "Eagles" Football Team, the 2010 Class A Champions, their coaches and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4128 |
| Date: | ADD: |
| 05/11/11 | BINGHAM, QUINN and BEDINGFIELD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3029 |
| Date: | ADD: |
| 05/11/11 | BEDINGFIELD |

**SENT TO THE SENATE**

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

H. 4149 -- Reps. Hodges and R. L. Brown: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY TO ISSUE GENERAL OBLIGATION BONDS OF THE SCHOOL DISTRICT WITHIN ITS CONSTITUTIONAL DEBT LIMIT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS IN ONE OR MORE SERIES, TO DEFRAY THE LOSS OF AMERICAN REINVESTMENT AND RECOVERY ACT FUNDS AND EDUCATION FINANCE ACT FUNDS TO THE SCHOOL DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

**S. 445--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 445 -- Senators Hutto, Fair, Jackson and Ford: A BILL TO AMEND SECTION 44-29-135, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONFIDENTIALITY OF SEXUALLY TRANSMITTED DISEASE RECORDS, SO AS TO DELETE THE PROVISION REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE SCHOOL DISTRICT SUPERINTENDENT AND SCHOOL NURSE IF A MINOR IS ATTENDING A SCHOOL IN THE DISTRICT AND HAS ACQUIRED IMMUNODEFICIENCY SYNDROME OR IS INFECTED WITH THE HUMAN IMMUNODEFICIENCY VIRUS; AND BY ADDING SECTION 59-10-220 SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDATIONS ON UNIVERSAL PRECAUTIONS FOR BLOODBORNE DISEASE EXPOSURE.

Rep. BEDINGFIELD proposed the following Amendment No. 1 (COUNCIL\SWB\6192CM11), which was adopted:

Amend the bill, as and if amended, Section 44‑29‑135(e), as contained in SECTION 1, page 2, by deleting Section 44‑29‑135(e) and inserting:

/ (e) in cases involving a minor, the name of the minor and medical information concerning the minor must be reported to appropriate agents if a report is required by ~~the Child Protection Act of 1977~~ Title 63, the South Carolina Children’s Code. No further information is required to be released by the department. If a minor has Acquired Immunodeficiency Syndrome (AIDS) or is infected with Human Immunodeficiency Virus (HIV), the virus that causes AIDS, and is attending the public schools, the superintendent of the school district and the nurse or other health professional assigned to the school the minor attends must be notified. This item does not apply to a student enrolled in grades kindergarten through five.”/

Renumber sections to conform.

Amend title to conform.

Rep. BEDINGFIELD explained the amendment.

Rep. BRANNON moved to table the amendment.

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

Yeas 38; Nays 67

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Anthony | Atwater | Battle |
| Bowers | Branham | Brannon |
| Brantley | G. A. Brown | H. B. Brown |
| Butler Garrick | Clyburn | Cobb-Hunter |
| Dillard | Funderburk | Gilliard |
| Hart | Hodges | Hosey |
| Jefferson | King | McEachern |
| McLeod | Munnerlyn | J. H. Neal |
| Ott | Parker | Parks |
| Rutherford | Sabb | Sellers |
| J. E. Smith | Stavrinakis | Weeks |
| Whipper | Williams |  |

**Total--38**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bikas |
| Bingham | Bowen | Brady |
| Chumley | Clemmons | Cole |
| Cooper | Corbin | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Horne |
| Huggins | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | Merrill | D. C. Moss |
| V. S. Moss | Murphy | J. M. Neal |
| Norman | Owens | Patrick |
| Pinson | Pitts | Quinn |
| Ryan | Sandifer | 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**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

Rep. BRADY spoke in favor of the amendment.

The amendment was then adopted.

The yeas and nays were taken resulting as follows:

 Yeas 71; Nays 34

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Dillard | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Hardwick | Harrell | Harrison |
| Hart | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | King | Long |
| Lowe | McEachern | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| J. H. Neal | Ott | Parker |
| Parks | Quinn | Rutherford |
| Sabb | Sandifer | G. M. Smith |
| J. E. Smith | J. R. Smith | Spires |
| Stavrinakis | Stringer | Thayer |
| Toole | Weeks | Whipper |
| Whitmire | Williams |  |

**Total--71**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bikas | Brannon | Cole |
| Cooper | Corbin | Crosby |
| Daning | Delleney | Erickson |
| Horne | Limehouse | Loftis |
| Lucas | McCoy | Merrill |
| Murphy | Norman | Owens |
| Patrick | Pinson | Pitts |
| Pope | Ryan | Simrill |
| Skelton | G. R. Smith | Sottile |
| Tallon | Taylor | Tribble |
| Viers | White | Willis |
| Young |  |  |

**Total--34**

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

**H. 4192--POINT OF ORDER**

The following Bill was taken up:

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

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3153--POINT OF ORDER**

The following Bill was taken up:

H. 3153 -- Rep. Young: A BILL TO AMEND SECTION 22-3-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 705--POINT OF ORDER**

The following Bill was taken up:

S. 705 -- Senators Rankin, Campbell, Rose, Verdin, Hutto, Ford and Grooms: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 36 TO TITLE 58, SO AS TO CREATE THE "UNDERGROUND FACILITY DAMAGE PREVENTION ACT"; TO ADD SECTION 58-36-20, RELATING TO DEFINITIONS; TO ADD SECTION 58-36-30, RELATING TO THE STATE AUTHORITY TO REGULATE; TO ADD SECTION 58-36-40, RELATING TO THE COSTS ASSOCIATED WITH COMPLIANCE OF THIS CHAPTER; TO ADD SECTION 58-36-50, RELATING TO THE NOTIFICATION CENTER RESPONSIBILITIES; TO ADD SECTION 58-36-60, RELATING TO EXCAVATOR RESPONSIBILITIES; TO ADD SECTION 58-36-70, RELATING TO OPERATOR RESPONSIBILITIES; TO ADD SECTION 58-36-80, RELATING TO NOTICE FOR AN EMERGENCY EXCAVATION OR DEMOLITION; TO ADD SECTION 58-36-90, RELATING TO NOTIFICATION WHEN DAMAGE OCCURS; TO ADD SECTION 58-36-100 RELATING TO DESIGN REQUESTS; TO ADD SECTION 58-36-110, RELATING TO EXEMPTIONS FROM THE REQUIREMENT TO CONTACT THE NOTIFICATION CENTER; TO ADD SECTION 58-36-120 RELATING TO PENALTIES FOR VIOLATION OF THIS CHAPTER; AND TO REPEAL CHAPTER 35 OF TITLE 58.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 109--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. WHITE moved to adjourn debate on the motion to reconsider until Tuesday, May 17, which was agreed to.

**H. 3640--RECALLED AND REFERRED TO COMMITTEE ON JUDICIARY**

On motion of Rep. TALLON, with unanimous consent, the following Bill was ordered recalled from the Committee on Agriculture, Natural Resources and Environmental Affairs and was referred to the Committee on Judiciary:

H. 3640 -- Reps. Tallon, D. C. Moss, Patrick, Allison, Parker, Thayer, Hardwick, Norman, Atwater, Quinn, Cole, Forrester, Hixon, Murphy, Pinson and Simrill: A BILL TO AMEND SECTION 47-3-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIABILITY OF THE OWNER OR A PERSON HAVING A DOG IN HIS CARE WHEN THE DOG ATTACKS A PERSON, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN TRAINED POLICE DOGS.

**OBJECTION TO RECALL**

Rep. SKELTON asked unanimous consent to recall H. 3109 from the Committee on Judiciary.

Rep. TAYLOR objected.

**S. 694--RECALLED AND REFERRED TO COMMITTEE ON LABOR, COMMERCE AND INDUSTRY**

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

S. 694 -- Senator Bryant: A BILL TO AMEND SECTION 41-15-520 OF THE 1976 CODE, RELATING TO REMEDIES FOR EMPLOYEES CHARGING DISCRIMINATION, TO PROVIDE FOR REFERRAL TO THE UNITED STATES DEPARTMENT OF LABOR ALLEGATIONS MADE BY A PRIVATE SECTOR EMPLOYEE OF A VIOLATION OF SECTION 41-15-510 AND TO PROVIDE FOR CIVIL REMEDIES.

**H. 4160--ADOPTED**

The following House Resolution was taken up:

H. 4160 -- Reps. G. R. Smith, Bedingfield, Corbin, Dillard, Hamilton, Henderson and Stringer: A HOUSE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE HOUSE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE BLATT BUILDING ON THURSDAY, NOVEMBER 17, 2011, AND FRIDAY, NOVEMBER 18, 2011, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

The Resolution was adopted.

**H. 4146--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4146 -- Reps. Pinson, Parks and Pitts: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON WEST CAMBRIDGE STREET IN THE CITY OF GREENWOOD "CARL JULIEN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "CARL JULIEN BRIDGE".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 821--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 821 -- Senators Cleary and McGill: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 17 BUSINESS FROM ITS INTERSECTION WITH OCEAN HIGHWAY IN GEORGETOWN COUNTY TO ITS INTERSECTION WITH THE GEORGETOWN/HORRY COUNTY LINE "MICKEY SPILLANE WATERFRONT 17 HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MICKEY SPILLANE WATERFRONT 17 HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 871--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 871 -- Senator Anderson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 25 FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 291 TO ITS INTERSECTION WITH LENHART ROAD IN GREENVILLE COUNTY "DR. S. C. CURETON MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "DR. S. C. CURETON MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4184 -- Reps. Allison, Anthony, Brannon, Chumley, Cole, Forrester, Mitchell, Parker and Tallon: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. JOHN C. STOCKWELL, CHANCELLOR OF THE UNIVERSITY OF SOUTH CAROLINA UPSTATE, UPON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 4191 -- Reps. Erickson, 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, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, 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 ARTHUR L. CUMMINGS, BEAUFORT COUNTY BUILDING CODES DIRECTOR, UPON HIS RETIREMENT, TO THANK HIM FOR THIRTY-THREE YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH FULFILLMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

**ADJOURNMENT**

At 1:08 p.m. the House, in accordance with the motion of Rep. BRANTLEY, adjourned in memory of former Representative Juanita White of Hardeeville, to meet at 10:00 a.m. tomorrow.

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