~~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 Psalm 3:3: “But you, O Lord, are a shield around me, my glory and the one who lifts up my head.”

Let us pray. O God, help us to recognize Your presence in the midst of the storms of life. Be our stronghold in times of stress. Hold each of these Representatives and staff in the palm of Your hand and protect them from all harm. May Your blessings be upon our Nation, State, and all our leaders as they perform their duties. Protect our defenders of freedom at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Hear us, O Lord, as we pray. Amen.

**SPEAKER *PRO TEMPORE* IN CHAIR**

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 *PRO TEMPORE*.

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

**MOTION ADOPTED**

Rep. HORNE moved that when the House adjourns, it adjourn in memory of Edith Jeanne Fuller Miler of Summerville, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

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

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

Ordered for consideration tomorrow.

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

H. 4043 -- Reps. Tallon, Patrick, Pinson, Allison, V. S. Moss, Atwater, Brannon, Chumley, Bingham, Ballentine, Cole, Horne, Young, Hixon, Clemmons and Toole: 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".

Ordered for consideration tomorrow.

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

H. 4625 -- Reps. Lucas, Parker, Simrill, Erickson, Pope, Taylor, Frye, Spires, Crosby, Crawford, Harrison, Young, Quinn, Bingham, Corbin, G. M. Smith, Huggins, Stavrinakis, Brannon, V. S. Moss, Brady, McCoy, Pinson, Hardwick, Stringer, Ryan, Atwater, J. M. Neal, Hixon, Allison, G. R. Smith, Anthony, Bikas, Bowen, Chumley, Cole, Delleney, Edge, Forrester, Hamilton, Hearn, Henderson, Herbkersman, Hiott, Horne, Loftis, Long, Lowe, D. C. Moss, Munnerlyn, Murphy, Neilson, Norman, Owens, Patrick, Putnam, Skelton, J. R. Smith, Tallon, Toole, Tribble, Williams and Willis: A BILL TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; TO AMEND SECTION 1-30-105, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO THE REMOVAL OF CERTAIN OFFICERS BY THE GOVERNOR, SO AS TO DELETE THE PROVISION THAT PROVIDES THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS MAY BE REMOVED FROM OFFICE BY THE GOVERNOR UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO REMOVE THE CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION AS A DIRECTOR, AND TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION IS A MEMBER OF THE BOARD; TO AMEND SECTIONS 57-1-10, 57-1-40, 57-1-410, 57-1-430, 57-1-490, AND 57-3-20, ALL AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, AND ITS DUTIES AND RESPONSIBILITIES, SO AS TO ELIMINATE THE DEPARTMENT OF TRANSPORTATION COMMISSION AND ITS RESPONSIBILITIES, TO ALLOW THE GOVERNOR TO APPOINT THE SECRETARY OF TRANSPORTATION AND REQUIRE THE DEPARTMENT OF TRANSPORTATION SUBMIT TO THE GENERAL ASSEMBLY AN ITEMIZED PROJECT LIST TO BE FUNDED FOR THE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY WOULD ENACT ITS ANNUAL GENERAL APPROPRIATIONS ACT; TO AMEND SECTION 57-3-50, RELATING TO THE ESTABLISHMENT OF HIGHWAY DISTRICTS, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "COMMISSION"; TO AMEND SECTION 57-1-500, RELATING TO A DEPARTMENT OF TRANSPORTATION ETHICS WORKSHOP, SO AS TO DELETE THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS AS PARTICIPANTS IN THIS WORKSHOP; TO REPEAL SECTION 11-43-140 RELATING TO THE BOARD OF DIRECTORS OF THE TRANSPORTATION INFRASTRUCTURE BANK; AND TO REPEAL ARTICLE 3, CHAPTER 1, TITLE SECTION 57, 57-1-460, SECTION 57-1-470, ARTICLE 7, CHAPTER 1, TITLE 56, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND ITS COMMISSION.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3390 -- Rep. R. L. Brown: A BILL TO AMEND SECTION 57-9-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETITIONING A COURT TO ABANDON OR CLOSE A STREET, ROAD, OR HIGHWAY, SO AS TO PROVIDE THAT NOTICE OF INTENTION TO FILE A PETITION MUST BE POSTED ALONG THE STREET, ROAD, OR HIGHWAY SUBJECT TO THE APPROVAL OF THE LOCATION OF THE POSTING BY THE GOVERNMENTAL ENTITY RESPONSIBLE FOR MAINTENANCE OF THE STREET, ROAD, OR HIGHWAY.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 4451 -- Rep. Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-5-3890, 56-5-3895, AND 56-5-3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THESE PROVISIONS; AND TO AMEND SECTION 56-1-720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON'S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF IMPROPER USE OF AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report on:

H. 4690 -- Reps. Owens, J. M. Neal, Patrick, Willis and Daning: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "JASON FLATT ACT" BY ADDING SECTION 59-26-110 SO AS TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL REQUIRE TWO HOURS OF TRAINING IN YOUTH SUICIDE AWARENESS AND PREVENTION AS A REQUIREMENT FOR THE RENEWAL OF CREDENTIALS FOR INDIVIDUALS EMPLOYED IN MIDDLE SCHOOLS AND HIGH SCHOOLS; TO REQUIRE THE DEPARTMENT TO DEVELOP GUIDELINES FOR TRAINING AND MATERIALS THAT MAY BE USED BY SCHOOLS AND SCHOOL DISTRICTS AND TO PROVIDE THAT SCHOOL DISTRICTS MAY APPROVE TRAINING MATERIALS FOR TRAINING THEIR EMPLOYEES; TO PROVIDE THAT THIS TRAINING REQUIREMENT MAY BE SATISFIED THROUGH SELF REVIEW OF SUICIDE PREVENTION MATERIALS; AND TO PROVIDE THAT NO CAUSE OF ACTION RESULTS FROM THE IMPLEMENTATION OF THIS ACT.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4752 -- Rep. Whitmire: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF JAMES PAUL GREENE OF OCONEE COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4753 -- Reps. Young, Clyburn, Hixon, J. R. Smith, Spires, Taylor, 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, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Stavrinakis, Stringer, Tallon, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams and Willis: A HOUSE RESOLUTION TO CONGRATULATE PETER N. FROMMER, DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY FOR THE CITY OF AIKEN, ON THE OCCASION OF HIS RETIREMENT, TO THANK HIM FOR HIS MORE THAN FORTY YEARS OF DEDICATED SERVICE TO THE CITY OF AIKEN, AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL OF HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4754 -- Reps. Huggins, 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, 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, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND JOHN E. FRAMPTON, DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES, ON THE OCCASION OF HIS RETIREMENT, AND TO THANK HIM FOR HIS THIRTY-SEVEN YEARS OF DISTINGUISHED SERVICE TO THE PEOPLE OF THE PALMETTO STATE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4755 -- Reps. Vick, Munnerlyn and Lucas: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HIGHLAND INDUSTRIES IN CHESTERFIELD COUNTY AND TO CONGRATULATE THE EMPLOYEES AND EXECUTIVES FOR FIFTY YEARS OF SAFETY, QUALITY, SERVICE, AND COMMITMENT.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4765 -- Rep. Bingham: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF PAULINE RIVERS JORDAN OF LEXINGTON COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4767 -- Reps. Sandifer, Crawford and Lowe: A HOUSE RESOLUTION TO CONGRATULATE BREE BOYCE OF FLORENCE, MISS SOUTH CAROLINA 2011, AND TO COMMEND THE DISCIPLINE, ASPIRATIONS, AND TALENT THAT HAVE ENABLED HER TO REPRESENT THE PALMETTO STATE WITH DIGNITY AND POISE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4768 -- Reps. Sandifer, Murphy and Horne: A HOUSE RESOLUTION TO CONGRATULATE CAITLEN PATTON OF SUMMERVILLE, MISS SOUTH CAROLINA TEEN 2011, AND TO COMMEND THE DISCIPLINE, ASPIRATIONS, AND TALENT THAT HAVE ENABLED HER TO REPRESENT THE PALMETTO STATE WITH DIGNITY AND POISE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4769 -- Reps. Sandifer, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, 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, 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, Putnam, Quinn, Rutherford, Ryan, Sabb, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO MISS SOUTH CAROLINA 2011, BREE BOYCE OF FLORENCE, AND MISS SOUTH CAROLINA TEEN 2011, CAITLEN PATTON OF SUMMERVILLE, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND HONORING THEM FOR THE ASPIRATIONS, DISCIPLINE, AND TALENT THAT HAVE ENABLED THEM TO REPRESENT THE PALMETTO STATE WITH DIGNITY AND POISE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to Miss South Carolina 2011, Bree Boyce of Florence, and Miss South Carolina Teen 2011, Caitlen Patton of Summerville, at a date and time to be determined by the Speaker, for the purpose of recognizing and honoring them for the aspirations, discipline, and talent that have enabled them to represent the Palmetto State with dignity and poise.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4770 -- Reps. Gilliard, Mack and Whipper: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR EDWARD JONES OF CHARLESTON COUNTY AND TO COMMEND HIM FOR MANY YEARS OF MEANINGFUL AND FAITHFUL SERVICE TO THE EASTSIDE COMMUNITY OF THE CITY OF CHARLESTON.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1192 -- Senator Peeler: A CONCURRENT RESOLUTION TO CONGRATULATE LOCKHART POWER COMPANY UPON THE CELEBRATION OF ONE HUNDRED YEARS OF SERVICE TO THE PEOPLE OF 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. 4756 -- Reps. McLeod, Brantley, Pinson, Parks, Agnew, Funderburk, Butler Garrick, Knight, Hodges, Anderson, McEachern, Bowers, Hosey, Alexander, Battle, Branham, Hart, Hayes, Patrick, Spires and Weeks: A BILL TO AMEND SECTIONS 57-1-310, 57-1-320, 57-1-330, AND 57-1-740, ALL AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES, RESPONSIBILITIES, ELECTION, AND APPOINTMENT OF THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS, SO AS TO PROVIDE THAT COMMISSIONERS MUST BE APPOINTED BY THE GOVERNOR FROM EACH JUDICIAL CIRCUIT WITH THE ADVICE AND CONSENT OF THE SENATE INSTEAD OF BEING SCREENED BY A SCREENING COMMITTEE AND ELECTED BY THE MEMBERS OF THE GENERAL ASSEMBLY FROM THEIR RESPECTIVE CONGRESSIONAL DISTRICTS, TO PROVIDE THAT THE GOVERNOR'S AT-LARGE APPOINTEE MUST BE APPOINTED WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE THAT A MEMBER OF THE GENERAL ASSEMBLY OR A MEMBER OF HIS IMMEDIATE FAMILY MAY NOT BE APPOINTED TO THE COMMISSION FOR A PERIOD OF ONE YEAR AFTER THE MEMBER CEASES TO BE A MEMBER OF THE GENERAL ASSEMBLY OR FAILS TO FILE FOR ELECTION TO THE GENERAL ASSEMBLY; AND TO REPEAL SECTIONS 57-1-325, 57-1-730, AND 57-1-750 RELATING TO THE MEMBERS OF THE GENERAL ASSEMBLY MEETING TO ELECT COMMISSIONERS, AND THE POWERS, DUTIES, AND COMPENSATION OF THE JOINT TRANSPORTATION REVIEW COMMITTEE.

Referred to Committee on Judiciary

H. 4757 -- Reps. Pitts, Spires, Hardwick, Corbin, Atwater, Clemmons, Herbkersman, V. S. Moss, J. R. Smith and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-130 SO AS TO PROHIBIT A DEPARTMENT, DIVISION, AGENCY, BOARD, OR OTHER INSTRUMENTALITY OR POLITICAL SUBDIVISION OF THE STATE, ITS OFFICERS OR EMPLOYEES, INCLUDING MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD OR STATE MILITIA, FROM ASSISTING THE ARMED FORCES OF THE UNITED STATES, OR AN AGENCY OF IT, IN THE INVESTIGATION, PROSECUTION, OR DETAINMENT OF A UNITED STATES CITIZEN IN VIOLATION OF THE CONSTITUTION OF THIS STATE.

Referred to Committee on Judiciary

H. 4758 -- Reps. Johnson, Brantley, Sabb, Govan, Brannon, Munnerlyn, Anthony, Edge, Pope, Simrill and Whipper: A BILL TO AMEND SECTION 14-7-110 AND SECTION 14-7-140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY COMMISSIONERS FOR THE PURPOSE OF THE SUMMONING OF JURORS IN CIRCUIT COURT AND THE USE OF A COMPUTER FOR THE DRAWING AND SUMMONING OF JURORS IN CIRCUIT COURT, RESPECTIVELY, BOTH SO AS TO DELETE REFERENCES TO JURY COMMISSIONERS AND ALLOW THE CLERK OF COURT OR THE DEPUTY CLERK TO PERFORM THE FUNCTION OF DRAWING AND SUMMONING JURORS.

Referred to Committee on Judiciary

H. 4759 -- Rep. Funderburk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-1-200 SO AS TO PROVIDE THAT A GUBERNATORIAL APPOINTEE TO THE GOVERNING BOARD, COMMISSION, OR COUNCIL OF A STATE AGENCY, DEPARTMENT, OR INSTITUTION OF HIGHER EDUCATION MAY NOT SERVE MORE THAN SIXTY DAYS IN A HOLDOVER CAPACITY FOLLOWING THE EXPIRATION OF THE MEMBER'S APPOINTED TERM OF OFFICE.

Referred to Committee on Judiciary

H. 4760 -- Reps. McLeod, Jefferson, Williams, Knight, Hosey, Anderson, Bannister, Bowers and Spires: A BILL TO AMEND SECTION 20-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DIVORCE, SO AS TO PROVIDE THAT A DIVORCE MAY BE GRANTED ON THE GROUND OF CONTINUOUS SEPARATION FOR ONE HUNDRED FIFTY DAYS, RATHER THAN FOR ONE YEAR.

Referred to Committee on Judiciary

H. 4761 -- Reps. Hiott, D. C. Moss, Agnew, Skelton, Frye, Spires, Owens, Atwater, Bowen, Gambrell, Corbin, Hardwick, Whitmire, Branham, Thayer, Crosby, Allison, Southard, J. R. Smith, Daning, Delleney, Harrison, Hayes, Hixon, V. S. Moss, Pitts, Putnam, Taylor and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-5-225 SO AS TO DEFINE THE TERM "FARM TRUCK"; BY ADDING SECTION 56-5-363 SO AS TO PROVIDE THAT CERTAIN COMMERCIAL MOTOR VEHICLES AND FARM TRUCKS ARE EXEMPT FROM CERTAIN FEDERAL MOTOR CARRIER SAFETY LAWS AND REGULATIONS; TO AMEND SECTION 56-3-670, AS AMENDED, RELATING TO FEES FOR FARM TRUCK LICENSES, SO AS TO REVISE THE WEIGHT REQUIREMENTS FOR FARM TRUCKS THAT MAY BE USED FOR DOMESTIC PURPOSES AND GENERAL TRANSPORTATION BUT MAY NOT BE USED TO TRANSPORT PERSONS OR PROPERTY FOR HIRE; TO AMEND SECTION 56-5-4010, RELATING TO SIZE, WEIGHT, AND SPEED LIMITATIONS PLACED ON CERTAIN VEHICLES, SO AS TO PROVIDE THAT THE TRANSPORT POLICE DIVISION HAS THE EXCLUSIVE AUTHORITY TO ENFORCE THE COMMERCIAL MOTOR VEHICLE CARRIER LAWS; AND TO AMEND SECTION 56-5-4150, RELATING TO THE REGISTRATION OF CERTAIN VEHICLES, SO AS TO PROVIDE THAT CERTAIN "FARM TRUCKS" ARE NOT REQUIRED TO HAVE THE NAME OF THE REGISTERED OWNER, LESSOR, OR LESSEE MARKED ON THE VEHICLE.

Referred to Committee on Education and Public Works

H. 4762 -- Reps. McLeod, Jefferson, Williams, Knight, Hosey, Anderson, Bannister, Bowers and Spires: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO GROUNDS FOR DIVORCE, SO AS TO PROVIDE THAT A DIVORCE MAY BE GRANTED ON THE GROUND OF CONTINUOUS SEPARATION FOR A PERIOD OF ONE HUNDRED FIFTY DAYS RATHER THAN ONE YEAR.

Referred to Committee on Judiciary

H. 4763 -- Reps. Sandifer, King, Butler Garrick and Parks: A BILL TO AMEND SECTION 32-7-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PRENEED FUNERAL CONTRACT LICENSES, SO AS TO FURTHER PROVIDE FOR THE TERM OF THE LICENSE AND FOR THE USE OF LICENSE RENEWAL FEES; AND TO AMEND SECTION 32-7-100, AS AMENDED, RELATING TO UNLAWFUL VIOLATIONS OF LAW PERTAINING TO PRENEED FUNERAL CONTRACTS, SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS BASED ON THE AMOUNT OF MONEY OBTAINED OR SOUGHT TO BE OBTAINED WITH CERTAIN OFFENSES DECLARED TO BE MISDEMEANORS AND CERTAIN OFFENSES DECLARED TO BE FELONIES.

Referred to Committee on Labor, Commerce and Industry

H. 4764 -- Reps. Putnam, Southard, Bedingfield, Erickson, McCoy, Huggins, Allison, Atwater, Bowen, Clemmons, Corbin, Daning, Gambrell, Hamilton, Hiott, Hixon, Limehouse, Murphy, Pope, Quinn, Ryan, Simrill, G. R. Smith, J. R. Smith, Sottile, Stringer, Taylor, Thayer and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-65-95 SO AS TO PROVIDE THAT IF A STUDENT HAS MORE THAN TEN UNEXCUSED ABSENCES IN ANY PARTICULAR COURSE REQUIRED FOR HIGH SCHOOL GRADUATION OR REQUIRED FOR PROMOTION TO THE NEXT HIGHER GRADE, UPON THE RECOMMENDATION OF THE TEACHER OF THE COURSE TO THE PRINCIPAL OF THE SCHOOL AND IN THE PRINCIPAL'S SOLE DISCRETION, THE STUDENT MAY BE ADMINISTERED A KNOWLEDGE-BASED TEST OF THE COURSE CURRICULUM TO DATE PREPARED BY THE TEACHER PURSUANT TO THE COURSE SYLLABUS, AND TO PROVIDE THAT IF THE STUDENT SUCCESSFULLY PASSES THAT TEST, THE STUDENT MUST BE REINSTATED IN THE COURSE AS A STUDENT IN GOOD STANDING WITH ALL UNEXCUSED ABSENCES TO DATE WAIVED.

Referred to Committee on Education and Public Works

H. 4766 -- Rep. Stringer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 38 TO TITLE 33 SO AS TO ENACT THE "SOUTH CAROLINA BENEFIT CORPORATION ACT" WHICH PERMITS A CORPORATION TO ELECT AS A CORPORATE PURPOSE THE PROVIDING OF CERTAIN PUBLIC BENEFITS WITHOUT SUBJECTING THE CORPORATION OR ITS DIRECTORS TO LIABILITY OR DERIVATIVE SUIT EXCEPT FOR SPECIFIED REASONS.

Referred to Committee on Judiciary

H. 4771 -- Rep. Battle: A BILL TO AMEND SECTION 31-15-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROVISIONS PERMITTED TO BE INCLUDED IN ORDINANCES REGARDING UNFIT DWELLINGS, SO AS TO PROVIDE FOR THE PRIORITY OF A LIEN ESTABLISHED UNDER AN ORDINANCE RELATING TO UNFIT DWELLINGS, AND TO CORRECT ARCHAIC LANGUAGE.

Referred to Committee on Judiciary

H. 4772 -- Reps. Pope, Young, J. R. Smith, Taylor, Simrill, McCoy, Frye, Hixon, G. R. Smith and Tallon: A BILL TO AMEND SECTIONS 14-7-1110, AS AMENDED, AND 14-7-1120, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO PEREMPTORY CHALLENGES, SO AS TO EQUALIZE THE NUMBER OF PEREMPTORY CHALLENGES FOR THE DEFENDANT AND THE STATE IN A CRIMINAL CASE.

Referred to Committee on Judiciary

H. 4773 -- Reps. Bingham, Allison and Anthony: A BILL TO AMEND SECTION 59-48-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF THE SPECIAL SCHOOL OF SCIENCE AND MATHEMATICS, SO AS TO REVISE THE MEMBERSHIP OF THE BOARD AND TO DELETE PROVISIONS WHICH DO NOT PERMIT CERTAIN MEMBERS TO BE VOTING MEMBERS.

Referred to Committee on Education and Public Works

H. 4774 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO THE ADULT EDUCATION PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4199, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4775 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO END-OF-COURSE TESTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4200, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 4776 -- Education and Public Works Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO AT-RISK STUDENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4208, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

S. 1085 -- Senator Hayes: A BILL TO AMEND SECTION 48-11-210, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORGANIZATION AND FUNCTIONING OF SPECIFIC WATERSHED CONSERVATION DISTRICTS UNDER THE GENERAL LAW PERTAINING TO SUCH DISTRICTS, SO AS TO PROVIDE THAT FOR PURPOSES OF CHAPTER 11, TITLE 48, INCLUDING THE CONDUCT OF ELECTIONS, THE DIGITAL HYDROLOGIC MAP PREPARED BY THE SERVICE CENTER AGENCIES OF THE UNITED STATES DEPARTMENT OF AGRICULTURE OF THE FISHING CREEK WATERSHED DISTRICT IN YORK COUNTY REPRESENTS AND IS DECLARED TO BE THE BOUNDARIES OF THE DISTRICT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 1143 -- Senators Verdin and Rose: A JOINT RESOLUTION TO ESTABLISH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS AS THE OFFICIAL CIVIL WAR ERA HISTORIC DRIVING TRAILS OF SOUTH CAROLINA; TO PERMIT SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS TO CONSULT WITH THE SOUTH CAROLINA CIVIL WAR SESQUICENTENNIAL ADVISORY BOARD AND THE DEPARTMENT OF ARCHIVES AND HISTORY CONCERNING THE PLANNING, DEVELOPMENT, ESTABLISHMENT, MAINTENANCE, AND MARKETING OF THE TRAILS; TO ENCOURAGE THE DEPARTMENT OF TRANSPORTATION TO WORK WITH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS CONCERNING THE PLACEMENT OF SIGNS ADJACENT TO THE STATE HIGHWAY SYSTEM; AND TO ENCOURAGE THE APPROPRIATE GOVERNMENT AGENCIES TO COOPERATE WITH SOUTH CAROLINA CIVIL WAR HERITAGE TRAILS CONCERNING EDUCATIONAL AND MARKETING MATERIALS.

Referred to Committee on Education and Public Works

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Branham |
| Brannon | Brantley | G. A. Brown |
| Chumley | Clemmons | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Hamilton |
| Hardwick | Harrison | Hearn |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Long | Lowe |
| Lucas | Mack | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parker | Parks | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Simrill |
| Skelton | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Tribble |
| Whipper | White | Williams |
| Willis |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, February 9.

|  |  |
| --- | --- |
| Andy Patrick | Thomas R. Young, Jr. |
| William R. "Bill" Whitmire | David Weeks |
| Thad Viers | Peter McCoy, Jr. |
| Joe McEachern | William Clyburn |
| Jerry Govan | Robert Harrell |
| Jackie Hayes | William G. Herbkersman |
| Dwight Loftis | Joseph Neal |
| Lewis E. Pinson | Michael A. Pitts |
| Bakari Sellers | G. Murrell Smith |
| McLain R. "Mac" Toole | James Merrill |
| Jimmy Bales | Todd Rutherford |
| Chris Hart  Mia Butler Garrick | Ted Vick |

**Total Present--11****6**

STATEMENT FOR THE JOURNAL

I was temporarily out of the Chamber, testifying at the Senate Education Subcommittee Hearing on H. 3164, during the roll call vote. Rep. Tom Young

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. R. L. BROWN a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. NANNEY a leave of absence for the day due to illness.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. VICK a temporary leave of absence.

**STATEMENT OF ATTENDANCE**

Rep. SOUTHARD 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, February 7.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Greg Tarasidis of Greenwood was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. AGNEW presented to the House the Abbeville High School "Panthers" Football Team, the 2011 Class A Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. BRADY and HARRISON presented to the House the Cardinal Newman High School Varsity Cheerleading Team, the 2011 South Carolina Independent School Association Champions, their coach 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. 4082 |
| Date: | ADD: |
| 02/09/12 | WEEKS and G. M. SMITH |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4629 |
| Date: | ADD: |
| 02/09/12 | G. M. SMITH and WEEKS |

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. SKELTON a leave of absence for the remainder of the day.

**SENT TO THE SENATE**

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

H. 4722 -- Rep. Agnew: A BILL TO REAPPORTION THE SPECIFIC AREAS OR ELECTION DISTRICTS FROM WHICH MEMBERS OF THE GOVERNING BODY OF THE ABBEVILLE COUNTY SCHOOL DISTRICT MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

**H. 3506--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

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".

Rep. WHITE proposed the following Amendment No. 1A to H. 3506 (COUNCIL\NBD\12118DG12), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 7 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 83; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Delleney | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Harrell | Harrison |
| Hearn | Herbkersman | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| J. M. Neal | Norman | Owens |
| Parker | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ryan | Sabb | Sandifer |
| Simrill | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Weeks |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--83**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

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

**H. 4636--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4636 -- Reps. Tallon, J. R. Smith, Hixon, Pope, Delleney, Corbin, Bedingfield, G. R. Smith, Lucas, Hamilton, Stringer, Ryan, Owens, Horne, Pinson, Thayer, Putnam, Murphy, Pitts, Spires, Brannon, Chumley, Lowe, Allison, Anthony, Quinn, Bingham, Ballentine, Bannister, Hearn, D. C. Moss, Hardwick, Parker, Cole, Forrester, Limehouse, Gilliard, Sottile, McEachern and Frye: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 3, TITLE 23 SO AS TO ESTABLISH THE BLUE ALERT PROGRAM THAT IS DESIGNED TO APPREHEND A SUSPECT THAT ALLEGEDLY KILLS, SERIOUSLY INJURES, OR ABDUCTS A LAW ENFORCEMENT OFFICER BY RAPIDLY DISSEMINATING INFORMATION REGARDING THE SUSPECT.

Rep. TALLON explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | Brantley | G. A. Brown |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hearn | Henderson |
| Herbkersman | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | J. M. Neal |
| Norman | Ott | Parker |
| Parks | Pinson | Pitts |
| Pope | Putnam | Quinn |
| Ryan | Sabb | Sandifer |
| Simrill | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Tribble |
| Viers | Whitmire | Willis |
| Young |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were agreed to, and the Bill 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.

**H. 4003--DEBATE ADJOURNED**

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

H. 4003 -- Rep. Agnew: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTIONS OF SOUTH CAROLINA HIGHWAY 28 AND THE ABBEVILLE/ANDERSON COUNTY LINE, SOUTH CAROLINA HIGHWAY 28 AND THE ABBEVILLE/MCCORMICK COUNTY LINE, AND SOUTH CAROLINA HIGHWAY 72 AND THE ABBEVILLE/GREENWOOD COUNTY LINE THAT CONTAIN THE WORDS "ABBEVILLE HIGH SCHOOL PANTHERS 2010 CLASS A STATE FOOTBALL CHAMPIONS AND 2011 CLASS A STATE SOFTBALL CHAMPIONS".

Rep. AGNEW moved to adjourn debate upon the Senate Amendments until Tuesday, February 21, which was agreed to.

**H. 4447--DEBATE ADJOURNED**

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

H. 4447 -- Reps. Forrester, Allison, Chumley, Tallon and Parker: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE MIDDLE TYGER RIVER ALONG SOUTH CAROLINA HIGHWAY 296 IN SPARTANBURG COUNTY "U.S. ARMY CAPTAIN JOHN DAVID HORTMAN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "U.S. ARMY CAPTAIN JOHN DAVID HORTMAN BRIDGE".

Rep. FORRESTER moved to adjourn debate upon the Senate Amendments until Tuesday, February 21, which was agreed to.

**H. 4652--SENT TO THE SENATE**

The following Bill was taken up:

H. 4652 -- Reps. Sandifer, Harrell, Lucas, Bingham, Hardwick, Harrison, Owens, White, Allison, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bikas, Bowen, Brady, Brannon, Chumley, Clemmons, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Edge, Erickson, Forrester, Frye, Gambrell, Hamilton, Hearn, Henderson, Herbkersman, Hiott, Hixon, Horne, Huggins, Limehouse, Loftis, Long, Lowe, McCoy, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Norman, Parker, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Ryan, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Southard, Spires, Stringer, Tallon, Taylor, Thayer, Tribble, Viers, Whitmire, Willis, Young, Battle, Hayes and Anthony: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-7-110 SO AS TO PROVIDE AN EMPLOYER MUST CONSPICUOUSLY POST CERTAIN NOTICE CONCERNING THE RIGHTS OF AN EMPLOYEE; BY ADDING SECTION 41-7-120 SO AS TO PROVIDE CERTAIN DEFINITIONS AND PROHIBITIONS CONCERNING GOVERNMENT CONTRACTS; BY ADDING SECTION 41-7-130 SO AS TO REQUIRE A LABOR ORGANIZATION TO FILE CERTAIN INFORMATION WITH THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO AMEND SECTION 41-7-10, RELATING TO PUBLIC POLICY CONCERNING THE RIGHT TO WORK, SO AS TO PROVIDE CERTAIN DEFINITIONS AND TO LIMIT APPLICABILITY OF THOSE DEFINITIONS; TO AMEND SECTION 41-7-40, AS AMENDED, RELATING TO THE DEDUCTION OF LABOR ORGANIZATION MEMBERSHIP DUES FROM EMPLOYEE WAGES, SO AS TO PROVIDE AN EMPLOYEE MUST AUTHORIZE THIS DEDUCTION IN A CERTAIN MANNER, AND TO CLARIFY THAT OTHERWISE LEGAL POLITICAL CONTRIBUTIONS ARE NOT PROHIBITED; TO AMEND SECTION 41-7-80, RELATING TO PENALTIES FOR A VIOLATION OF RIGHT TO WORK LAWS, SO AS TO LIMIT THE APPLICABLE FINE TO A MAXIMUM OF TEN THOUSAND DOLLARS; TO AMEND SECTION 41-7-90, RELATING TO REMEDIES AVAILABLE TO A WORKER FOR A VIOLATION OF HIS RIGHT TO WORK, SO AS TO PERMIT TREBLE DAMAGES, REQUIRE A PERSON SEEKING THIS RELIEF TO DEMONSTRATE A FACTUAL BASIS FOR A CLAIM IN A CERTAIN MANNER, AND PROVIDE AN EXCEPTION; AND TO AMEND SECTION 41-7-100, RELATING TO CIVIL PENALTIES THE DEPARTMENT MAY ASSESS FOR A VIOLATION AND RELATED APPEALS, SO AS TO PROVIDE A CIVIL PENALTY MAY NOT EXCEED TEN THOUSAND DOLLARS.

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

Yeas 70; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Brady |
| Brannon | Chumley | Clemmons |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Hamilton |
| Hardwick | Harrell | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Loftis | Long | Lowe |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Murphy | J. M. Neal |
| Neilson | Norman | Owens |
| Parker | Pinson | Pope |
| Putnam | Quinn | Ryan |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stringer | Tallon | Taylor |
| Thayer | Tribble | Viers |
| White | Whitmire | Willis |
| Young |  |  |

**Total--70**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allen | Bowers | Brantley |
| G. A. Brown | Clyburn | Cobb-Hunter |
| Dillard | Gilliard | Hodges |
| Hosey | Howard | Jefferson |
| King | Mack | McEachern |
| Munnerlyn | J. E. Smith | Whipper |
| Williams |  |  |

**Total--19**

The Bill, as amended, was read the third time, and ordered sent to the Senate.

**S. 1114--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1114 -- Senators Knotts, Grooms, Leventis, Ford, Bryant, Verdin, Setzler, Rose, Fair, McGill, Cleary, Land, Hayes, Matthews, Pinckney, Reese, Coleman, Malloy, Cromer, Sheheen, McConnell, Bright and Alexander: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE FANG WONG, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AT 12:30 P.M. ON TUESDAY, FEBRUARY 21, 2012.

The Invitations and Memorial Resolutions Committee proposed the following Amendment No. 1 to S. 1114 (COUNCIL\10527HTC12), which was tabled:

Amend the concurrent resolution, as and if amended, beginning on page 1, by striking the first paragraph after the resolving clause and inserting:

/ That the members of the South Carolina General Assembly, by this resolution, invite the National Commander of the American Legion, the Honorable Fang Wong, to address the General Assembly in joint session in the chamber of the South Carolina Senate at 12:30 p.m. on Tuesday, February 21, 2012. /

Amend the title to read:

/ TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE FANG WONG, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA SENATE AT 12:30 P.M. ON TUESDAY, FEBRUARY 21, 2012. /

Rep. BARFIELD moved to table the amendment, which was agreed to.

The question then recurred to the adoption of the Concurrent Resolution.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**SPEAKER IN CHAIR**

**HOUSE TO MEET AT 12:00 NOON ON**

**TUESDAY, FEBRUARY 21**

Rep. LUCAS moved that when the House adjourns, it adjourn to meet at 12:00 noon on Tuesday, February 21, which was agreed to.

Rep. PUTNAM moved that the House do now adjourn, which was adopted.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4693 -- 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, 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, 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, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 15, 2012, AS "CITIES MEAN BUSINESS DAY" IN ORDER TO RECOGNIZE AND HONOR THE VALUABLE CONTRIBUTIONS SOUTH CAROLINA CITIES AND TOWNS MAKE TO THE ECONOMIC PROSPERITY OF SOUTH CAROLINA THROUGH THEIR RELATIONSHIP WITH LOCAL BUSINESSES.

**ADJOURNMENT**

At 11:18 a.m. the House, in accordance with the motion of Rep. HORNE, adjourned in memory of Edith Jeanne Fuller Miler of Summerville, to meet at 10:00 a.m. tomorrow.

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