



South Carolina House of Representatives

Legislative Update & Research Reports

Robert J. Sheheen, Speaker of the House

Vol. 6

February 7, 1989

No. 5

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FEB 16 1989

STATE DOCUMENTS

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Printed by the Legislative Council

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House Week in Review

With the 108th General Assembly in session for only a month, several bills already have been enrolled for ratification.

Auto Insurance Rate Hikes

Last week, the House gave final approval to S.3, a joint resolution that prohibits insurance companies from filing with the State Insurance Commission for automobile insurance rate increases until after July 1. The resolution would allow companies to decrease rates, however. The bill was enrolled for ratification last Wednesday. A companion bill, H.3324, was initiated in the House.

The aim of the joint resolution is to stabilize automobile insurance rates in the state while the General Assembly analyzes the affect of recently enacted insurance reform and highway safety laws. Additional auto insurance reform bills are expected this session.

Also enrolled for ratification were several technical changes in last year's Palmetto Seed Capital Corporation and Palmetto Seed Capital Fund law. This law was enacted last session to stimulate business formation and create new jobs by providing financing for start-up businesses. The corporation is a for-profit entity funded by investors who receive a tax credit.

Congressional Pay Raise

The House also went on record asking Congress to reject the proposed pay raise for the three branches of government. The House gave approval to H.3187 last Tuesday. It now goes to the Senate for consideration.

Bills Introduced

Here is a sampling of the bills introduced in the House last week. Not all of the bills introduced are featured here. The bills are organized by the standing committees to which they were referred.

Education and Public Works Committee

Truck Length (H.3372, Rep. Beasley). Tractor trailers and other trucks used for highway transportation could be as long as 53 feet under this bill. The current law limits this length to 48 feet.

Seat Belts (H.3380, Rep. Corning). This mandatory seat belt bill would affect children age 6 through 18. The usual exceptions to seat belt use are provided for this group in the bill. These exceptions include school bus or day care vans, medical emergencies, farm trucks or delivery vehicles, etc. This bill, which would be subject to secondary enforcement only, stipulates a \$10 fine for violations.

Mopeds (H.3394, Rep. Fair). This legislation would require riders of mopeds to wear helmets and goggles as now provided under the law for riders of motorcycles 21-years-old or younger. Mopeds would also be required to have state Highway Department tags. The bill also upgrades the definition of mopeds to include vehicles with speeds up to 30 mph (the law now says 25 mph) and vehicles that accelerate with or without pedal power.

USC Executive Board (H.3404, Rep. Fair). The executive committee of USC's trustee board would be expanded from five to six members under this bill. The executive committee has power equal to that of the full board during the interim between board meetings.

Judiciary Committee

Fees for FOI Material (h.3363, Rep. Sharpe). Under the current FOI law, public agencies may charge for searching and making copies of requested information; however, the charge may not be more than actual costs, and the copies must be made available at the lowest possible cost. Under this bill, if the information requested will be used for solicitation or for profit purposes, the agency may charge a fee equal to its cost of developing, compiling and copying the information.

Videotaping DUI (H.3364, Rep. Short). People arrested for DUI and taken in for breathalyzer testing must have their conduct videotaped by the police under this bill. The tape would be admissible in court and could be obtained by the defendant at the cost of making a copy. Under this bill, all drivers in the state are considered having given their consent for the videotaping in addition to consent for the breathalyzer testing.

Referendum (H.3374, Rep. Davenport). This proposed constitutional amendment would allow the voters to approve or reject statutes, or parts of statutes, passed by the General Assembly. Those statutes exempted would be urgency statutes, election statutes or those providing for tax levies or state appropriations.

A petition signed by 5 percent of the number of voters voting in the last gubernatorial election would begin the process. If the petition is approved, the referendum would be held during the next general election, or a special election could be held.

Laws by Initiative (H.3376, Rep. Davenport). This constitutional amendment would allow the voters to enact statutes and constitutional amendments themselves by means of an initiative.

Voters could propose statutes after gathering petitions containing 5 percent of the total number of voters in the last gubernatorial election. Constitutional amendment petitions would require 8 percent of those voters.

If the petition is certified, the initiative measure would be presented to the voters at the next general election, or a special election could be called. The proposal would be enacted by a majority vote in a statewide referendum.

Drug Distribution Penalty Increase (H.3382, Rep. McBride). Those convicted of drug distribution or selling within a half mile radius of any elementary, middle or high school would be in for stiffer penalties if this bill is enacted. Fines would increase from a \$10,000 maximum fine to a \$10,000 minimum fine for conviction, and the jail term would increase from a maximum of 10 years to life imprisonment.

Legislative Session (H.3383, Rep. Keyserling). This constitutional amendment would change the opening of the legislative session from the second Tuesday in January to the second Tuesday in February. It would also require the State Senate to have organizational sessions following elections, as the House now has.

Sale of Pistols (H.3409, Rep. Tucker). This bill would expand the law regarding illegal sale or delivery of pistols. Currently, anyone convicted of a violent crime, or who is a fugitive, drunkard, drug addict or mentally incompetent cannot be sold a pistol. Under this bill, this prohibition would be expanded to include any person convicted of crime with a jail term of more than one year.

Marital Rape (S.223, Senate Judiciary Committee). This bill defines spousal sexual battery, a charge that could be brought when spouses are living together. Under spousal sexual battery, the spouse's conduct must be reported within 45 days and testimony of a witness other than the battered spouse is required for conviction.

A spouse may be convicted of criminal sexual conduct if the couple is living apart. This bill deletes language requiring court ordered separation. The incident must be reported within 45 days and a charge brought.

Labor, Commerce and Industry Committee

Mortgage Broker Bond (H.3369, Rep. Mattos). The bond or security requirement for mortgage loan brokers would be lowered from the current \$50,000 to \$5,000 under this bill.

Automobile Insurance Premium Reduction Act (H.3377, Rep. R. Brown). This skeleton bill will be the vehicle for the anticipated automobile insurance reform legislation to be proposed by the Labor, Commerce and Industry Committee.

Dissolution of Electric Cooperatives (H.3398, Rep. J. Rogers).

This bill proposes several changes in connection with the voting procedures of electric cooperatives. First, it would eliminate voting by mail by cooperative members. Proxy voting still would be permitted. Next, it outlines how a member of the cooperative's trustee board may be removed from office, and how a successor may be elected. This provision does not apply to a cooperative in which a majority of the members are other cooperatives.

In addition, the bill also details how a cooperative can be dissolved. This process would include a two-thirds vote by the trustee board recommending dissolution, and a special members meeting called solely for a vote on the dissolution. Voting must be by written or machine ballot. Absentee ballots would be obtained under certain conditions outlined in the bill.

Voting at the special meeting would be held from 7 a.m. to 7 p.m. on the meeting day. A two-thirds vote by the members of the cooperative would be required for dissolution.

Insurance Commission Membership (H.3412, Rep. Harvin). This bill would add members of the legislature to the State Insurance Commission, the Reinsurance Facility board, the Real Estate Commission and State Development Board. The chairmen of the Labor, Commerce and Industry and Senate Banking and Insurance committees or their designees would become ex officio members of all four of these boards if this bill is enacted.

Medical, Military, Public and Municipal Affairs Committee

Abortion and the Fetus (H.3395, Rep. Fair). This bill would require a physician to inform a woman of the availability of anesthetic or analgesic to alleviate organic pain caused to the fetus by the method of abortion to be used. Failure to inform the woman of the availability of such pain relievers would be a misdemeanor with a fine of not more than \$1,000 or imprisonment for not more than one year.

Psychological Screening (H.3402, Rep. Faber). Psychological screening in the use of deadly force and firearms would become a part of the basic training required of all law enforcement officers in the state before they could be commissioned if this bill is enacted. The screening would be carried out by the Criminal Justice Academy.

Continuum of Care for Emotionally Disturbed Children (H.3414, Rep. Beasley). This bill is designed to enhance the delivery of services to severely emotionally disturbed children and youth, who have exhausted existing treatment services. Under this legislation, a commission would be created to oversee the continuum of care. The commission would be supported by an advisory council made up primarily of agency and private experts in the field.

The continuum would augment existing resources by providing or procuring services to complete the range of services needed by these children.

Community-based Therapeutic Centers (H.3416, Rep. Faber). Each judicial circuit would have a community-based therapeutic center to provide extensive behavioral modification for minors involved in property offenses and status offenses. The centers would be administered by the Department of Youth Services and funded solely by the state.

Under the bill, state funding for the centers would be accomplished by phasing out current DYS facilities. How many DYS facilities would be closed to finance the new centers would be determined by the Budget and Control Board. Under the phase out, the new centers must be operational no later than July 1, 1992.

Ways and Means Committee

Political Subdivision Bonded Indebtedness (H.3362, Rep. Kirsh). This proposed constitutional amendment would increase the general obligation debt limit for political subdivisions from 8 percent to 12 percent.

Hearing Aid Batteries and Cords (H.3368, Rep. P. Harris). Hearing aid cords and batteries would be exempt from the state sales tax if this bill is passed.

Deduction Increases (H.3381, Rep. Corning). This legislation would increase the maximum state income tax deduction on federal civil service and U.S. uniformed service retirement annuities from \$3,000 to \$6,000 annually. Further, the bill would allow any retired person or his spouse, 65-years-old or older, to deduct all income from qualified pension programs received during each taxable year.

Capital Appreciation Bonds (H.3389, Rep. Blackwell). This bill would authorize the state to issue capital appreciation bonds. These bonds, known also as zero coupon bonds or compound interest bonds, are frequently bought by families as investments for college education expenses. The bonds are purchased at a discount price to mature at the time the child enters, or is in, college.

Without Reference

Real Estate and Student Attendance (H.3419, House Education and Public Works Committee). This bill would eliminate the provision in state law that allows a student to attend school in a district where he owns real estate but does not reside. If enacted, the legislation would allow such students to complete the school year before being required to attend public school in his residence district. If the student is to graduate within two school years, he may remain in his current district until he graduates under this bill.

Black History Month:

Focus on Beaufort County's Penn Center

February is Black History Month, and in keeping with this commemoration, the Legislative Update annually has published a report on some aspect of black history in South Carolina. This year, a history of the Penn Center in Beaufort County is featured.

Over its 127-year history, the Penn Center became widely known for its pioneering efforts in rural development and education. While the school has evolved to meet the times, its emphasis has remained on education and community service.

The history of the Penn School dates back over 100 years when the Port Royal Experiment began in Beaufort County in April 1862. From its inception, the Penn School was a center for educating the blacks of St. Helena Island as well as improving the living conditions of the black islanders. While the Penn School went through times of growth and change, it has maintained its allegiance to education and community improvement.

The Port Royal Experiment

On November 7, 1861, federal naval forces entered Port Royal Harbor touching off the battle of Port Royal Sound. In the battle's aftermath, the federal government seized the islands about Port Royal Sound, ending slavery on the the Lowcountry islands, which had long been the site of renowned Sea Island cotton. Arriving on the islands, the Union landing forces found abandoned slaves and plantations left behind as the white planters and slaveholders had fled, many never to return. The Union Army had not foreseen the problems it now had to face -- gathering the large crop of cotton from the islands and seeing to the immediate needs of the abandoned blacks.

This article was researched and written by USC Legislative Intern Kristi McLean.

In response to this situation, Secretary of the Treasury Salmon P. Chase sent Special Agent Edward L. Pierce to the Port Royal area to make recommendations concerning cotton production and care of the former slaves. After surveying the area for a month, Pierce suggested that the federal government dispatch superintendents to supervise the collection and sale of the Sea Island cotton -- a plan that would provide revenue for the federal treasury as well as employment for the former slaves.

Appeals For Help

Chase approved the plan and recommended that Pierce and Thomas West Sherman, commander of the military forces there, send out appeals to the North for the immediate relief of the deserted blacks. These appeals led to the Port Royal Experiment and the beginning of the Penn School.

In response to the appeals of Pierce and Sherman, several groups of northern community volunteer organizations were created. These benevolent societies, found throughout New England, furnished relief supplies and salaries for the "Port Royal Experiment." The benevolent societies sent over 50 appointees to the Sea Islands in March and April of 1862. At least 40 workers were assigned to St. Helena, the largest of the Sea Islands. Among this group was Dr. Laura Towne, who had studied at the Woman's Medical College in Philadelphia.

In the meanwhile, Pierce had established the government headquarters at the Oaks Plantation House on St. Helena Island. In June, Ellen Murray joined Pierce and Laura Towne at the Oaks Plantation on St. Helena. Immediately, the three distributed relief supplies as well as started a school in a back room at the plantation. This small school at the Oaks Plantation was the beginning of what eventually would become known as the Penn School.

A New School Is Founded

On the first day of class, June 18, 1862, there were nine black students, all adults. Soon enrollment increased to the extent that Miss Murray and Dr. Towne were given permission to move the school to the Brick Church located near the center of St. Helena Island. At this time, the school's enrollment numbered about 110 women, men, and children. The Brick Church would remain as the site of the so-called "Banner School" for the next three years.

Important events occurred on St. Helena during 1863 which would have a profound effect on the island's inhabitants. On New Years Day, the Emancipation Proclamation was read for the first time to a regiment of black soldiers near Beaufort. Equally as important was the sale of "abandoned lands," which allowed the former slaves the opportunity to buy land they had once worked.

This opportunity came about when the federal government put the abandoned plantations up for sale to collect delinquent taxes. The sales took place in March 1863, and the black islanders were able to buy land for the first time. Edward S. Philbrick, the superintendent in charge of St. Helena Island, purchased 13 plantations at the sale, and later sold small sections to black islanders.

Enrollment Increases

By this time, schools were scattered throughout the Sea Islands, reaching their peak attendance. A year after opening her school room doors to nine students, Ellen Murray was teaching 186 students at the Brick Church. By the end of the Civil War, the school curriculum had expanded, combining book learning with community improvement projects.

In 1865, the Pennsylvania Freedman's Association sent down a prefabricated three room school house to St. Helena Island. This schoolhouse was erected on a large track of land donated by a black resident across from the Brick Church. The school was the first constructed specifically to educate the freed blacks in the South. It was named Penn School in honor of William Penn, the founder of the Pennsylvania Colony, and his belief in the brotherhood of all humanity.

The Penn School

After the end of the Civil War and during the years of reconstruction, Dr. Towne and Miss Murray remained on St. Helena Island. The Penn School was involved not only in the education of the blacks but also in the improvement of everyday living for the islanders. At this time, the school's motto was "Education Toward Self Help." The Penn School became the teacher training institution for all the Sea Islands.

By the 1890's the State of South Carolina was supporting several public schools for blacks. Most of the Sea Island and coastal black schools were staffed by Penn graduates who were found to be better trained than most other black public school teachers. The

teachers who graduated from Penn School had taken industrial classes in nursing, food and home care, sewing or printing, farming and carpentry as well as a study of the U.S. Constitution.

The School Evolves

By the turn of the century, it was clear that the Penn School experiment had succeeded in both educating and improving the living standards of the blacks on St. Helena Island. For the past four decades, blacks islanders had created a small agricultural community around the Penn School. But a changing economy was luring many of the younger black residents away from the farms on the island into the cities to earn a living. Dr. Towne realized that in order to maintain the usefulness of the Penn School, some sort of industrial education program was needed.

So in 1900, Laura Towne invited Dr. Hollis Burke Frissell, principal of the Hampton Institute of Hampton, Virginia and a leading authority on black education, to the island to provide a plan for the future of the Penn School. Dr. Frissell felt that the island was the ideal place to work out a plan for industrial education that would help the entire rural south.

The Penn Normal, Industrial and Agricultural School

That year, Dr. Frissell organized a Board of Trustees to oversee the operation of the school. At the same time, the school was incorporated, and in 1901, the State of South Carolina chartered the Penn Normal, Industrial, and Agricultural School. The Penn School was now taking shape after the industrial pattern of the Hampton Institute. However, despite the many changes which took place in 1901, the goal of the Penn School was still "Education Toward Self Help" with the focus on helping black residents support themselves on their farms as well as improve living conditions.

The school soon gained an even stronger faculty and a wider program tailored to the times. Two white teachers with experience teaching at the Hampton Institute, Rossa Cooley and Grace Bigelow House, took over the teaching department, and new black instructors from Hampton established courses in crafts and trades.

One of the new instructors was P.W. Dawkins, a graduate of Hampton and the new Superintendent of Industry at the Penn School. He quickly organized the black islanders into farmers conferences. Within two years, Dawkins had increased the crop yields on the school farm, thereby gaining the islanders' confidence to adopt the new farming methods taught in agricultural classes.

New Curriculum

The Penn School now offered courses in carpentry, wheel-wrighting, cobbling, and basketry, but the main emphasis was still on farming and home improvement.

Through the early years of the twentieth century, the successes of the Penn School in steadily increasing farm yields and improvement in health standards attracted attention from educators interested in rural development. By 1913, the school was operating a model farm, had a staff of 26 and was trying to extend its demonstration teaching to encompass all of St. Helena Island.

This was a difficult task for the small, private school but steadily, the school and community were becoming integrated into one. The Penn School had changed from a conventional school to a center for basic industrial training.

Leader in Rural and Community Education

The Penn School was a leader in rural and community education. Graduates of the Penn School became ministers, teachers, doctors, social workers, and businessmen, locating throughout South Carolina. Four schools modeled after Penn were built in Africa, and educators in India adopted the school-community emphasis found at Penn.

As the 1920's approached, changes on the island would again affect the Penn School. Disasters struck the island in the form of hurricanes, droughts and the boll weevil. In 1928, a bridge was built which connected St. Helena Island to the outside world for the first time. Throughout the 1920's and 1930's, hard times eventually forced many of the black residents off their farms.

In 1940, the State was supporting public schools for blacks on St. Helena Island. Penn School now had to face the increasing expenses of operating a small private school. The directors and board of trustees began to look for a new direction for the Penn School

Community Service

In 1948, Dr. Ira DeA. Reid, a distinguished sociologist from Atlanta University came to St. Helena Island to evaluate the assets and needs of Penn as a school and to make recommendations for the future. Dr. Reid recommended that the school be released to a public agency, discontinue the management and expenses of the farm, and focus the private effort on community service.

The Penn School again found itself adapting to changing times. The program of academic education was transferred to the public school system of Beaufort County. The old Penn School became Penn Community Services. Under Dr. George Aull of Clemson College, a committee, which included county and state representatives as well as experts in the field of human relations, began to create a plan for Penn to focus on community service.

The result was the Community Development program, which emphasized four needs: community health, library services, economic development, and community organization and recreation.

In 1950, the committee enlisted the aid of new directors, Courtney and Elizabeth Sicheloff, two southern Quakers skilled in community service. During the Fifties, the Penn Community Services program had expanded beyond St. Helena Island, extending its service throughout South Carolina and the South. The small, wooden three-room schoolhouse had been replaced by the Frissell Community Hall to more adequately serve the needs of the new programs at Penn.

Conference Center

With its focus on community service, the former Penn School campus became a conference center, especially for interracial seminars and study groups. Martin Luther King and his supporters came to Penn Community Services for strategy sessions. Dartmouth College sponsored groups of Peace Corps volunteers who came to Penn for training for service in Africa and Central America.

The Penn Center also sponsored workshops and seminars on citizenship, leadership, ministry, and economic and social problems. Other workshops focused on specific needs, such as voter registration, merit employment, and rural rehabilitation.

First Black Director

In 1969, a change occurred on the Board of Trustees of the Penn Center. The Board had been evenly integrated for several years. However, the center's director and board chairman felt a greater share of the management of Penn should be carried by blacks.

That year with the retirement of Courtney Sicheloff, John Gadsen, Penn Center's first black director, was hired. As the years passed, more and more black members were selected to serve on the board of trustees, and the first black chairman of the board was elected. Many of the new board members were residents of St. Helena Island.

Once again, the center refocused its attention on the needs of St. Helena Island, especially on the issues of black land ownership and the employment needs of the poor on the island.

National Historic District

In 1974, the Penn School/Penn Center was designated as a National Historic District. A constant goal of the Penn Center has been to preserve the rich cultural heritage found on St. Helena Island. Under the current leadership of Director Emory S. Campbell, there has been a revitalization of the original mission begun by the Port Royal Experiment -- to encourage self-sufficiency -- while preserving the rich historic heritage of the Sea Islands.

Future Focus

The Penn Center is now looking ahead to the future. The most important factor in long-range planning is the preservation of the buildings and recreational facilities at the Penn Center. Penn Center is now actively engaged in a major capital improvement campaign to raise \$1.2 million primarily for restoration and preservation of the campus buildings.

A second project in the works is the expansion of the York W. Bailey Museum with its collections of Sea Island and Afro-American art, artifacts, oral histories and literature. If the expansion project is completed, the York W. Bailey Museum would become a major center for South Carolina Sea Island history.

Finally, increased capital will help to improve the recreational and conference facilities, thereby enhancing the appeal of the Penn Center as a conference center.

The Penn Center continues to serve the needs of the community in the same tradition begun by the Penn School in 1862. The motto of the Penn School "Education Toward Self Help" is still a part of the goals of today's Penn Center. The Penn Center's programs reflect the commitment to encourage self-sufficiency for all people. Penn Center is an important resource on St. Helena Island, but its heritage and its future belong to a much larger community.