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South Carolina House of Representatives

Legislative Update

David H. Wilkins, Speaker of the House

Vol. 18

January 16, 2001

No. 02

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WEEK IN REVIEW

HOUSE

The South Carolina House of Representatives convened on Tuesday, January 9, for the commencement of the 114th General Assembly.

Representatives approved several changes to the **HOUSE RULES**:

- Rule 1.12 was added which provides for **RESCHEDULING HOUSE MEETINGS DURING EMERGENCIES**. The rule provides that, in case of emergency, the Speaker has the authority, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the House of Representatives, to declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and Acts of God. When, due to great emergency or through inadvertence, the House is adjourned without provision for the next meeting, the Speaker may issue a call specifying the time for the next meeting.
- Rule 10.10 was added to prevent **PAGERS, CELL PHONES, AND OTHER PERSONAL COMMUNICATION DEVICES** from interfering with the operations of the House. The new rule provides that the use of audible pagers, cell phones, and any other personal communication device by any person is prohibited in the House Chamber when the House is in session and when the General Assembly is meeting in Joint Session. The use of these devices by any person is also prohibited in House committee meetings and subcommittee meetings. These devices must be turned off, or placed in a silent mode, such as vibrate, prior to being carried into the House Chamber, committee meetings, or subcommittee meetings. Should a device which has been placed in a silent mode activate in the Chamber, a committee meeting, or subcommittee meeting the person possessing the device must exit the Chamber, committee room, or subcommittee room prior to responding in any fashion.
- Rule 1.5 was amended to address **WITHDRAWING A POINT OF ORDER** that has been raised by a member. The rule was amended to provide that, with unanimous consent, a member may withdraw a point of order the member has raised.
- Rule 5.3(B) was amended to revise requirements for certain **AMENDMENTS TO APPROPRIATIONS BILLS**. Under the revised rule, any amendment to appropriations bills which has the effect of appropriating in excess of five million dollars must specify the corresponding appropriation reductions and/or revenue increases needed to fund the proposed appropriation.

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Previously, a member was required to specify these budget readjustments for amendments proposing appropriations in excess of ten million dollars.

The House addressed the **GOVERNOR'S VETOES FOR APPROPRIATIONS BILLS**. In addressing vetoes to **H.4775** of 2000, the Fiscal Year 200-2001 General Appropriations Act, the House adjourned debate on Veto 3, striking a Part IB temporary proviso pertaining to the Renaissance Downtown Renewal Project. The House sustained the Governor's other eight vetoes to the bill: Veto 1 eliminates certain funds for the Georgetown Chopee Clinic; Veto 2 eliminates the earmarking of a portion of Medicaid reimbursement funds for the North Roper Treatment Center; Veto 4 eliminates a temporary proviso pertaining to drainage improvements for the City of North Myrtle Beach; Veto 5 eliminates a temporary proviso pertaining to closed captioning for the deaf; Veto 6 eliminates a temporary proviso pertaining to Vietnam Veterans; Veto 7 eliminates a permanent law proviso pertaining to rate and benefits changes in the State Group Health Insurance; Veto 8 eliminates a permanent law proviso pertaining to commercial tugboats. In addressing the Governor's vetoes to **H.3649** of 2000, a bill appropriating surplus funds and other General Fund revenues for the 2000-2001 fiscal year, the House adjourned debate on Veto 3 pertaining to a \$1 million appropriation for the Midlands Film Institute. The House sustained the other two vetoes: Veto 1 eliminates a temporary proviso pertaining to the Alston Wilkes Society; and, Veto 2 eliminates a temporary proviso pertaining to armory infrastructure.

SENATE

For the first time since Reconstruction, Republicans have a majority in the State Senate. The Senate's agenda for the first week of session included organization, which was highlighted by the selection of seats, election of officers, committee assignments, and revision of the Senate Rules. In adopting new rules, the Senate modified its long-held seniority system to place more emphasis on political parties. With regards to seating assignments, Democrats sit on the left side of the chamber while Republicans sit on the right side of the chamber.

Senator Glenn McConnell was elected President Pro Tempore, and he will also serve as the chairman of the Judiciary Committee. Senator Robert Waldrep, Jr. is chairman of the Agriculture and Natural Resources Committee. Senator David Thomas is chairman of the Banking and Insurance Committee. Senator Greg Ryberg is chairman of the Corrections and Penology Committee. Senator Warren Giese is chairman of the Education Committee. Senator Robert Hayes is chairman of the Ethics Committee. Senator Hugh Leatherman is chairman of the Finance Committee. Senator Greg Gregory is chairman of the Fish, Game, and Forestry Committee. Senator William Mescher is chairman of the General Committee. Senator Verne Smith is chairman of the Interstate Cooperation Committee, and he will also serve as chairman of the Labor, Commerce, and Industry Committee. Senator John Courson is chairman of the Invitations Committee. Senator Harvey Peeler is chairman of the Medical Affairs Committee. Senator Larry Martin is

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chairman of the Rules Committee. Senator Joe Wilson is chairman of the Transportation Committee.

Also, Mr. Jeffrey Gossett was elected Clerk of the Senate. Mr. John Wienges was elected Reading Clerk. Reverend George Meetze was elected as Chaplain. Mr. James Melton was elected as Sergeant-at-Arms, and Mr. Roger Beaver was elected Assistant Sergeant-at-

HOUSE COMMITTEE ACTION

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

The full Agriculture, Natural Resources, and Environmental Affairs Committee did not meet this week.

EDUCATION AND PUBLIC WORKS

The full Education and Public Works Committee did not meet this week.

JUDICIARY

The full Judiciary Committee did not meet this week.

LABOR, COMMERCE AND INDUSTRY

The full Labor, Commerce and Industry Committee did not meet this week.

MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS

The full Medical, Military, Public and Municipal Affairs Committee did not meet this week.

WAYS AND MEANS

The full Ways and Means Committee met to review revenue for Fiscal Years 2000-2001 and 2001-2002 and to review annualizations for Fiscal Year 2001-2002. The Committee also released a House Budget Schedule for this year.

The revised General Fund estimate for Fiscal Year (FY)2000-01 is \$5,615,622,968. After accounting for the transfer of \$395,139,457 to the Property Tax Relief Trust Fund, net General Fund revenue collections in FY2000-01 will be \$5,220,483,511. The Board of Economic Advisors has also adopted a General Fund revenue estimate of \$5,838,382,911 for FY2001-02. After accounting for the transfer of \$447,976,871 to the Property Tax Relief Trust Fund, net General Fund revenue collections in FY2001-02 will be \$5,390,406,040. After accounting for the Property Tax Relief Trust Funds in both FY2000-01 and FY2001-02, there is \$74 million of new money available for appropriations. Total General Fund revenue is forecast to grow 4.4% in FY2000-01 and 4.0% in FY2001-02.

The Committee discussed examining all annualizations first, then examining each agency's individual budget, as an alternative to imposing an across-the-board budget cut for all agencies as a resolution to this problem.

BILLS INTRODUCED IN THE HOUSE THIS WEEK

AGRICULTURE, NATURAL RESOURCES, AND ENVIRONMENTAL AFFAIRS

H.3236 REQUIRED EQUIPMENT FOR DEER HUNTERS Rep. Witherspoon

This bill provides that all persons hunting deer must wear a hat, shirt, coat, or vest of solid visible international orange during those open seasons for deer when guns and muzzleloaders are used. Persons hunting dove, duck, and turkey are exempt from this requirement. Persons using archery equipment are exempt from this requirement except when hunting deer during the gun or muzzleloader hunting season. Persons hunting small game at night or on privately owned lands are also exempt from this requirement.

H.3237 USE OF BREEM AS BAIT ON TROT LINES Rep. Witherspoon

This bill removes the prohibition on the use of bream as bait on certain trotlines after June 30, 2001, on the Edisto, Black, Sampit, Big Pee Dee, Little Pee Dee, Lumber, and Waccamaw Rivers. The bill also removes the prohibition on the use of

breem as bait on trotlines after June 30, 2001, on the Black, Big Pee Dee, Little Pee Dee, Lumber, and Waccamaw Rivers.

EDUCATION AND PUBLIC WORKS

H.3201 MEMBERSHIP OF STATE COMMISSION ON HIGHER EDUCATION Rep. Klauber

This bill adds one at-large, non-voting member to the State Commission on Higher Education, appointed for a four-year term by the Governor upon the advice and consent of the Senate, to represent the Greenwood Genetic Center.

H.3206 SALARY SUPPLEMENTS FOR SCHOOL DISTRICT SUPERINTENDENTS Rep. Altman

This bill prohibits a school district superintendent from receiving directly or indirectly for the performance or continuation of his duties a salary supplement, salary compensation, or valuable consideration exceeding two hundred dollars or more from any nongovernmental source. The bill also prohibits the same from being offered, unless the source of funding is approved by the district's board and the nongovernmental source is an approved educational foundation as described in the bill.

The bill provides that a violation of these provisions is a misdemeanor which is punishable by a fine of not more than five thousand dollars or imprisonment for not more than one year, or both.

H.3207 SCHOOL TEACHER AUTHORITY ACT OF 2001 Rep. Altman

This bill authorizes public school teachers to suspend students for up to five school days for a violation of the school's or the district's disciplinary code for offenses which warrant suspension on school property or at school or district-sponsored events.

The bill provides procedures for such a suspension and provides that the suspension is not subject to appeal. The bill also provides that students so suspended shall receive no credit for work missed and no makeup work shall be allowed.

H.3231 ENROLLMENT PERIOD FOR SCHOLARSHIPS Rep. Altman

This bill provides that the time period within which a student must enroll in an institution to obtain a state-sponsored scholarship or any other financial assistance for secondary or post-secondary education is tolled during any period the student performs active duty or active duty for training in the National Guard or in any branch of the Armed Forces of the United States. The bill also provides that this provision is retroactive to the inception date of each state-sponsored scholarship, tuition, or financial assistance program to which the provision is applicable.

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