



The Tool Box

Serving the Electrical, HVAC & Plumbing Industries Since 1912

Volume 1, Issue 45 April 12, 2004

LEGISLATION ACTION ALERT

Retainage Reform and No Damage For Delay Legislation

SENATE BILL S1095 - RETAINAGE REFORM

http://www.scstatehouse.net/sess115_2003-2004/bills/1095.doc

SENATE BILL S1096 - NO DAMAGE FOR DELAY

http://www.scstatehouse.net/sess115_2003-2004/bills/1096.doc

On Wednesday, March 24th the above two (2) Bills were introduced by Senator Glenn F. McConnell

Both Bills - S1095 RETAINAGE REFORM and S1096 NO DAMAGE FOR DELAY have been referred to the Senate Finance Committee. (See Pages 7-9 for details or go to the above website addresses.)

ALL MCASC MEMBERS are encouraged to contact members of the Senate Finance Committee to share your stories on how these two issues have affected your business and to ask for support in assuring their passage.

YOUR CONTACTS WITH THE COMMITTEE, YOUR INVOLVEMENT AND YOUR SUPPORT WILL ULTIMATELY DETERMINE THE SUCCESS OF THIS LEGISLATION

Please do not wait for others to take action. If these two pieces of legislation are important to you, then take immediate action to let the Finance Committee Members know just how important they are to you, your business and the economy of South Carolina.

NOTE: At the MCASC Coastal Area Meeting on March 23rd, Senator McConnell discussed effective ways to communicate with SC Legislators:

- *Handwritten* notes and letters receive *special* attention
- *Personal phone calls* to legislators to discuss the issues and ask for their support
- Legislators listen to *talk radio programs*. Members should use this forum to get their message across to the legislators and the interested public
- *Attendance at legislative forums* that offer the opportunity to speak before the committee and/or individual committee members
- Emails and typed letters are reviewed by issue and position

We now have the opportunity to "Prompt Positive Industry Change" through legislation by getting both these Bills passed; however, their passage is up to **You**. Please make this a Top Priority.

Don't wait.....TAKE ACTION TODAY!

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[See Agenda & Registration Forms Inside!](#)
[13th Annual Swatter-Snagger-Shagger June 11-13, 2004](#)

[SUMMER CONVENTION VIVA LAS VEGAS!](#)

[JULY 22-25, 2004](#)

[THE VENETIAN RESORT HOTEL CASINO](#)

[FOR HOTEL RESERVATIONS CALL 1-888-283-6423 or BOOK ONLINE AT www.venetian.com/rmech](#)

For Discounted Airline Tickets Call Randy at 1-800-849-2244 or email him at randy@travelunlimitedsc.com If you book through other means, please be sure to mention Delta File Code #204667A

for your Discount Prices are going up!

[STAY TUNED FOR FURTHER DETAILS](#)

PROJECTS FOR BID & BID FORECAST

MECHANICAL CONTRACTORS ASSOCIATION OF SOUTH CAROLINA
 P.O. Box 384, Columbia, South Carolina 29202 1504 Morninghill Drive, Columbia, South Carolina 29210
 PHONE (803)772-7834 FAX (803)731-0390 E-MAIL: mcasc@bellsouth.net WEBSITE: www.mcasc.com

JOBS TO BE BID THROUGH THE MCASC BID PROCEDURE.
 ALL MECHANICAL CONTRACTORS WHO ARE NOT MEMBERS OF THIS ASSOCIATION BIDDING ON THESE ADVERTISED JOBS ARE
 INVITED AND URGED TO UTILIZE THE MCASC BID PROCEDURE PUBLISHED HEREIN.
 INFORMATION PUBLISHED BY THE MECHANICAL CONTRACTORS ASSOCIATION OF SOUTH CAROLINA

NOTES:

1. ALL JOBS LISTED WITHOUT REFERENCE TO THE MCASC FOUR-HOUR DESIGNATION ARE EITHER ZERO OR TWO-HOUR BID JOBS.
2. ALL ASPECTS OF THE MCASC FOUR-HOUR BID PLAN APPLY TO JOBS DESIGNATED AS EITHER ZERO OR TWO-HOUR JOBS WITH THE EXCEPTION OF TIME & BID PROCEDURE OFFICE/SIGNATORY GENERAL CONTRACTOR INTERFACING.

*MCASC BID PROCEDURE SIG NATORY GC'S INDICATED WITH "O"

PIEDMONT AREA

CHAIRMAN DESIGNATING COMMITTEE
 DAVID BISHOP
 TEL: (864) 578-7252 FAX: 578-341

NO JOBS LISTED

MIDLANDS AREA

CHAIRMAN DESIGNATING COMMITTEE

READVERTISED

1. COLUMBIA Reception & Evaluation Hsg. Unit, Camille Griffin Graham Correctional Institution, SC Dept. of Corrections, Owner. Moseley Wilkins
MANDATORY PREBID CONF: 10:00 AM, APRIL 6, Graham Correctional Wood Brixham Green, II, Charlotte, NC, Archts
 APRIL 22 BIDS DUE MCASC: 2:00 PM GENRL OPEN: 2:00 PM
 Bidders Include:
 o Loveless Commercial Contr., Cayce Smith Constr. & Eng., Inc., Chapin
 o Tyler Construction Company, Inc., Columbia o Ideal Construction Company, Inc., White Rock
 Penn Contracting, LLC, Ballentine J. A. Metz & Sons, Inc., Columbia
 Farley Associates, Inc., Indian Land Weber Construction Co., Ballentine
 PC Construction of Greenwood, Inc., Greenwood Sumwalt Associates, Inc., Columbia

PEE DEE AREA

CHAIRMAN DESIGN, COMMITTEE	PAUL PREVATTE	JIMMY LEE
WILLIAM L. SELF	G'TOWN HRY & MARION	FLO, DAR, DIL, C'FLD & M'BORO
TEL: (803) 432-8519 FAX: 432-3845	TEL: (843) 272-4915 FAX: 272-6071	TEL: (843) 669-8243 FAX: 673-0826

NOTE DATE CHANGE

1. **CONWAY** New Off. Complex, Grand Strand Water & Sewer Auth., Owner. Mozingo & Wallace Architects, LLP, Myrtle Beach, Archts.
 APRIL 13 BIDS DUE MCASC: 4:00 PM GENRL OPEN: 4:00 PM
 Bidders Include:
 o Chancel Construction Group, Inc., Conway o J. W. Cook & Sons, Inc., Whiteville, NC
 o Wise Construction Company, Florence o Gulf Stream Construction Co., Charleston
 o FBi Construction, Myrtle Beach o Hill Construction Corporation, Charleston
 Hay Construction Co., Inc., Myrtle Beach W. A. Stuckey Co., Inc., Sumter
 S. E. Smith Construction, Myrtle Beach Baldwin Construction, Myrtle Beach
2. **DILLON** Dillon Co. Detention Ctr. Addns. & Renovs., Dillon County, Owner. ACGA Facilities Services, Inc., Sumter, Archts.
MANDATORY PREBID CONF: 9:00 AM, April 27, at job site, 1027 Old Latta Highway.
 May 11 BIDS DUE MCASC: 2:00 PM GENRL OPEN: 2:00 PM
 Bidders Include:
 o Wise Construction Company, Florence o FBi Construction, Florence

COASTAL AREA

CHAIRMAN DESIGNATING COMMITTEE
 RON RUNYON
 TEL: (843) 556-5636 FAX: 763-3091

NO JOBS LISTED

***Stay Tuned For Further Details On The
 Summer Convention in Las Vegas.***

WEEK OF APRIL 12,-2004– APRIL16, 2004

DAY	JOB NO.	4/HR	LOCATION	NAME	BID DATE	TIME
Tuesday	3-2697		Conway	New Office Complex	04/13/04	4:00 PM

WEEK OF APRIL 19,-2004– APRIL 23, 2004

DAY	JOB NO.	4/HR	LOCATION	NAME	BID DATE	TIME
Thursday	2-4050		Columbia	Reception & Evaluation Hsg Unit, Camille Griffin Graham Correctional Institution	04/22/04	2:00 PM

WEEK OF MAY 10, 2004-MAY 14, 2004

DAY	JOB NO.	4/HR	LOCATION	NAME	BID DATE	TIME
Thursday	3-2698		Dillon	Dillon Co. Detention Ctr. Addns. & Renovs.	05/11/04	2:00 PM

WELCOME NEW MEMBERS

CORLEY SECURITY SYSTEMS – COLUMBIA – RICK CORLEY
 NOLAND COMPANY – CHARLESTON – JIMMY JOHNSON
 ROGER'S COMPUTER SERVICE— LEXINGTON—ROGER GRIGGS
 SCnetSOLUTIONS—SUMTER—KYLE OSTEEN
 VICTAULIC COMPANY of AMERICA—DANIEL ISLAND—GREG WHEELER

SYMPATHY

MCASC would like to extend thoughts and prayers to the following families:

Miriam Tankersley, Burkett Systems-Columbia

CONCERNS

MCASC would like to extend thoughts and prayers to the following families:

**Carol Coleman, Wife of Harvey Coleman (Walker-White) Chapin, at home
 Wyman Sox, Honorary Life Member, West Columbia, Providence Hospital**

Herman Holmes, Santee Cooper, Conway, at home

Charley Hipp, Hipp Properties-Mt. Pleasant, at home

Preston (Big Daddy) Mitchell (Tommy Burkett's stepfather/Burkett Systems) nursing home, Charlotte

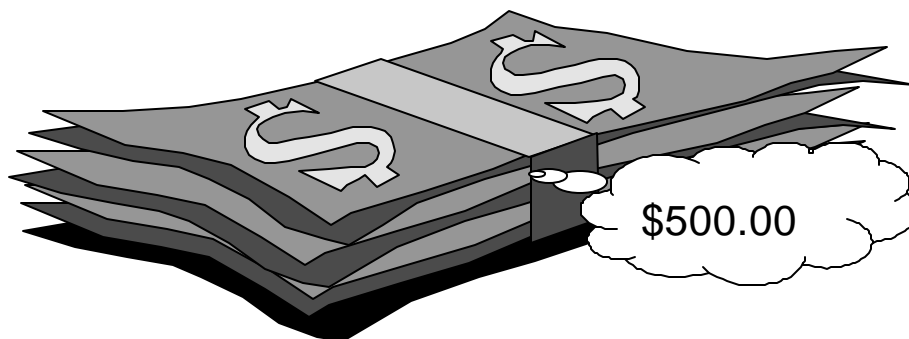
SPECIAL NEWS RELEASE

Bill Caldwell has joined Waldrop Heating & Air Conditioning, Inc., a Spartanburg based mechanical contracting firm, as vice-president– operations.

Caldwell will be responsible for the overall strategic planning, financial management, business development and operations of the company's construction, service, and residential divisions.

A 1974 business school graduate of the University of South Carolina, Caldwell is a 30 year veteran of the construction industry, with experience in project management, sales and marketing, operations management, and corporate finance with Fluor Daniel and W. B. Guimarin & Co.

How would you like to win



IF SO, THEN MARK YOUR CALENDARS FOR THE...

13th Annual
MCASC Scholarship Tournament
Swatter-Snagger-Shagger Weekend
June 11, 12, 13 2004 - Santee - Ramada Inn

AGENDA

FRIDAY:

Check In - Ramada Inn
 GOLF: LAKE MARION (Play Your Own Ball)
 Hospitality Suite
 Poker
 Beaufort Stew Dinner

10:00AM* - UNTIL	*Provided room is ready
11:00 AM - Tee Times Begin (Tee Times Will Be Published)	
4:00PM - MIDNIGHT	Room 124
IT'S YOUR DEAL	Room 220
7:00PM	Hotel Pool Side

SATURDAY:

Buffet Breakfast
 FISHING: BILLUPS LANDING
 GOLF: SANTEE-COOPER COUNTRY CLUB
 Hospitality Suite
 Poker
 Swatter-Snagger Awards & Door Prizes
 Steak Dinner

6:00AM - 9:00AM	Garden Dining Room
5:30AM - UNTIL	
11:00AM - SHOTGUN START	Captain's Choice Format
4:00PM - MIDNIGHT	Room 124
IT'S YOUR DEAL	Room 220
6:30PM	Hotel Pool Side
7:00PM	Hotel Pool Side

SUNDAY:

Buffet Breakfast
 Check Out - Ramada Inn

6:00AM - 9:00AM	Garden Dining Room
12:00 NOON	

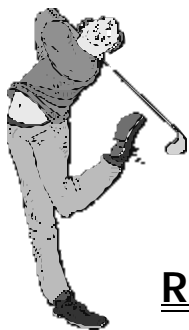
\$500 Hole-In-One Contest

\$500 will be awarded for each hole-in-one made on Hole #8 (150 yds).

\$500 Angler Contest

\$500 will be awarded to the angler that captures the largest fish (weighed in ounces)
 IF their lucky number matches the winning number

**13th Annual
MCASC Scholarship Tournament
Swatter-Snagger-Shagger Weekend
June 11, 12, 13 2004
Santee - Ramada Inn**



REGISTRATION FORM AND INFORMATION

COST:

**Swatter/Snagger - \$225.00/person (double occupancy)
Non-Sportster - \$100.00/person (double occupancy)**

NOTES:

- Any singles add \$40.00
- Lounge cover charge waived with room key
- If you choose to go down on Thursday, there will be an additional room cost of \$51.66. Please indicate below so we can make the necessary accommodations.

Hole Sponsor - \$125.00

Boat Sponsor - \$125.00

****Make checks payable to: MCASC Scholarship Fund****

REGISTRATION DEADLINE: MAY 14, 2004

Below, indicate activities with a ✓ mark.

Complete registration form and fax to MCASC at (803)731-0390

NAME:	HCP	HOTEL THURS.	GOLF FRI.	GOLF SAT.	FISH SAT.	NO SPORT	SPONSOR
1.							
2.							
3.							
4.							

IMPORTANT NOTE: FRIDAY & SATURDAY, Pre-arranged foursomes will be accepted both days provided you have contacted the MCASC State Office & submitted your team by no later than May 14, 2004. If you do not pre-arrange your foursome, & would like to play with a particular individual, please note on form. Otherwise, the Golf Committee will assign teams.

South Carolina General Assembly
115th Session, 2003-2004

~~Indicates Matter Stricken~~

Indicates New Matter

S. 1095

STATUS INFORMATION

General Bill

Sponsors: Senator McConnell

Document Path: I:\council\bill\pt\1949mm04.doc

Introduced in the Senate on March 24, 2004

Currently residing in the Senate Committee on **Finance**

Summary: Not yet available

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
3/24/2004	Senate	Introduced and read first time SJ-9
3/24/2004	Senate	Referred to Committee on Finance SJ-9

VERSIONS OF THIS BILL

3/24/2004

A BILL

TO AMEND SECTION 11-35-3030, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BONDS AND OTHER SECURITY FOR PERFORMANCE OF A CONSTRUCTION CONTRACT PURSUANT TO THE CONSOLIDATED PROCUREMENT CODE, SO AS TO REQUIRE A DETERMINATION OF UNSATISFACTORY PROGRESS BEFORE A RETAINAGE MAY BE WITHHELD FROM THE CONTRACTOR AND TO PROVIDE THAT THE PRIME CONTRACTOR MAY WITHHOLD ONLY A PROPORTIONATE AMOUNT FROM HIS SUBCONTRACTOR.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 11-35-3030(4) of the 1976 Code is amended to read:

~~"(4) Retention. (a) Maximum amount to be withheld. In any contract or subcontract for construction which contract or subcontract provides for progress payments in installments based upon an estimated percentage of completion, with a percentage of the contract's proceeds to be retained by the State or general contractor pending completion of the contract or subcontract, the retained amount of each progress payment or installment shall be no more than five percent. Conditions upon which retainage may be withheld. In a contract for construction that provides for progress payments in installments based upon an estimated percentage of completion, a governmental body may retain funds from the progress payments only upon a determination by the governmental body or its agent that a contractor has not achieved satisfactory progress during any period for which a progress payment is to be made. That decision must be based on the assessment of past performance and the likelihood that the performance will continue. The retainage withheld may not exceed five percent of the approved amount of the progress payment and must be adjusted as the contract approaches completion to recognize better-than-expected performance and the ability to rely on alternative safeguards. This subsection does not limit the right of a governmental body to retain funds from a contractor if a performance or payment bond is not required.~~

(b) Retainage withheld on subcontractors. If retainage is withheld from the prime contractor by a governmental body, the prime contractor may withhold from its subcontractors only a percentage of the progress payment due the subcontractor equal to the percentage of the prime contractor's progress payment that the governmental body retains from the prime contractor. An agreement to the contrary is not enforceable.

~~(b)(c)~~ Release of Retained Funds. ~~When~~If the work ~~to be performed~~ on a state construction project or pursuant to a state construction contract is to be performed by multiple prime contractors or by a prime contractor and multiple subcontractors, the work contracted to be done by each individual contractor or subcontractor ~~will be~~is considered a separate division of the contract for the purpose of retention. As each ~~such~~ division of the contract is certified as having been completed, that portion of the retained funds ~~which is~~ allocable to the completed division of the contract ~~shall~~must be released forthwith to the prime contractor, who shall, within ten days of its receipt, release to the subcontractor responsible for the completed work the full amount of any retention previously withheld from him by the prime contractor."

SECTION 2. This act takes effect upon approval by the Governor and applies to a construction contract entered into after that date.

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South Carolina General Assembly
115th Session, 2003-2004

~~Indicates Matter Stricken~~

Indicates New Matter

S. 1096

STATUS INFORMATION

General Bill

Sponsors: Senator McConnell

Document Path: I:\council\bill\pt\1951mm04.doc

Introduced in the Senate on March 24, 2004

Currently residing in the Senate Committee on **Finance**

Summary: Not yet available

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
3/24/2004	Senate	Introduced and read first time SJ-9
3/24/2004	Senate	Referred to Committee on Finance SJ-9

VERSIONS OF THIS BILL

3/24/2004

A BILL

TO AMEND SECTION 11-35-3040, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTRACT CLAUSES IN CONSTRUCTION AGREEMENTS SUBJECT TO THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROHIBIT A CLAUSE THAT DOES NOT ALLOW PAYMENT OF DAMAGES CAUSED BY DELAY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 11-35-3040 of the 1976 Code, as last amended by Act 153 of 1997, is further amended by adding at the end:

"(5) Compensable damages for construction delays. A construction contract or subcontract may not include a clause prohibiting the payment of reasonable damages for delays in completion of the project. This section does not limit the right of contracting parties to agree to a liquidated sum as damages for delays in the completion of a construction project."

SECTION 2. This act takes effect upon approval by the Governor and applies to a construction contract entered into after that date.

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SENATE FINANCE COMMITTEE

Name: The Honorable	District & Counties	Telephone	Email	Address
Thomas C. Alexander	1 Oconee, Pickens	(803) 212-6040	TCA@scsenate.org	PO Box 142, Columbia, SC 29202
William S. "Bill" Branton, Jr.	38 Berkeley, Charleston, Dorchester	(803) 212-6032	WSB@scsenate.org	PO Box 142, Columbia, SC 29202
John E. Courson	20 Richland	(803) 212-6220	SIV@scsenate.org	PO Box 142, Columbia, SC 29202
John W. Drummond	10 Abbeville, Greenwood	(803) 212-6455	PTE@scsenate.org	PO Box 142, Columbia, SC 29202
Warren K. Giese	22 Kershaw, Richland	(803) 212-6250	WKG@scsenate.org	PO Box 142, Columbia, SC 29202
Lawrence K. "Larry" Grooms	37 Berkeley, Charleston, Colleton, Dorchester	(803) 212-6024	LKG@scsenate.org	PO Box 142, Columbia, SC 29202
Robert W. Hayes, Jr.	15 York	(803) 212-6410	set@scsenate.org	PO Box 142, Columbia, SC 29202
John C. Land, III	36 Calhoun, Clarendon, Florence, Lee, Sumter	(803) 212-6180	JCL@scsenate.org	PO Box 142, Columbia, SC 29202
Hugh K. Leatherman, Sr.	31 Chesterfield, Darlington, Florence, Marlboro	(803) 212-6640	SFI@scsenate.org	PO Box 142, Columbia, SC 29202
Phil P. Leventis	35 Lee, Sumter	(803) 212-6000	PL@scsenate.org	PO Box 142, Columbia, SC 29202
John W. Matthews, Jr.	39 Bamberg, Colleton, Dorchester, Hampton, Orangeburg	(803) 212-6056	JWM@scsenate.org	PO Box 142, Columbia, SC 29202
J. Yancey McGill	32 Florence, Georgetown, Horry, Williamsburg	(803) 212-6132	JYM@scsenate.org	PO Box 142, Columbia, SC 29202
William H. O'Dell	4 Abbeville, Anderson	(803) 212-6100	WHO@scsenate.org	PO Box 142, Columbia, SC 29202
Kay Patterson	19 Richland	(803) 212-6048	KAY@scsenate.org	PO Box 142, Columbia, SC 29202
Harvey S. Peeler, Jr.	14 Cherokee, Union, York	(803) 212-6430	MED@scsenate.org	PO Box 142, Columbia, SC 29202
Clementa C. Pinckney	45 Allendale, Beaufort, Charleston, Colleton, Hampton, Jasper	(803) 212-6056	CCP@scsenate.org	PO Box 142, Columbia, SC 29202
Arthur Ravenel, Jr.	34 Charleston, Georgetown, Horry	(803) 212-6016	AR@scsenate.org	PO Box 142, Columbia, SC 29202
Glenn G. Reese	11 Spartanburg	(803) 212-6108	GR@scsenate.org	PO Box 142, Columbia, SC 29202
W. Greg Ryberg	24 Aiken, Lexington	(803) 212-6400	STR@scsenate.org	PO Box 142, Columbia, SC 29202
Nikki G. Setzler	26 Aiken, Lexington	(803) 212-6140	NGS@scsenate.org	PO Box 142, Columbia, SC 29202
Linda H. Short	17 Chester, Fairfield, Union, York	(803) 212-6148	LHS@scsenate.org	PO Box 142, Columbia, SC 29202
J. Verne Smith	5 Greenville	(803) 212-6350	SLC@scsenate.org	PO Box 142, Columbia, SC 29202
David L. Thomas	8 Greenville	(803) 212-6240	SBI@scsenate.org	PO Box 142, Columbia, SC 29202

SIXTEENTH ANNUAL
GEORGE W. BRYCE, JR. MEMORIAL GOLF TOURNAMENT

**THE SIXTEENTH ANNUAL GEORGE W. BRYCE, JR. MEMORIAL GOLF TOURNAMENT
WILL BE HELD ON TUESDAY, MAY 18, 2004 AT OAKDALE COUNTRY CLUB IN FLORENCE, SC.**

**TEE-OFF BREAKFAST AT 8:30 AM
SHOTGUN START AT 10:00 AM
NINETEENTH HOLE AND AWARDS AT COMPLETION OF PLAY**

AWARDS, GOOD FOOD, GOOD FELLOWSHIP

WE WILL AGAIN THIS YEAR BE FORGOING DOOR PRIZES AND WILL MAKE A CONTRIBUTION TO THE MCASC SCHOLARSHIP FUND. LAST YEAR WE SENT THE ASSOCIATION A CHECK FOR \$1000 WHICH WAS TO BE EARMARKED FOR A TECHNICAL EDUCATION STUDENT IN ONE OF OUR TRADES AND WAS TO REMAIN IN THE PEE DEE AREA. WE WOULD CERTAINLY LIKE TO BE ABLE TO INCREASE THAT AMOUNT THIS YEAR.

PLEASE MAKE PLANS NOW TO ATTEND AND LET'S SWING THE CLUB FOR EDUCATION AND KEEP OUR TRADES ALIVE. PLEASE RETURN THE COMPLETED FORM AND FEE OF \$75.00 BY MAY 10, 2004 TO:

**PEE DEE AREA GOLF TOURNAMENT
P.O. BOX 311
FLORENCE, SC 29503**

NAME: _____ HANDICAP _____

ADDRESS: _____

PHONE NUMBER _____

COMPANY _____

PLEASE ACCEPT OUR CHECK IN THE AMOUNT OF \$ _____ TOWARDS A GIFT TO THE SCHOLARSHIP FUND.

ONE ENTRY PER FORM. PLEASE DUPLICATE FORMS FOR ADDITIONAL PLAYERS FROM YOUR COMPANY. PLEASE BE SURE TO INCLUDE YOUR HANDICAP. ALL PLAYERS ARE ASKED TO CHECK IN AND PICK UP NAME TAGS BEFORE GOING TO THE DRIVING RANGE OR PUTTING GREEN.

LADIES ARE INVITED TO PLAY AND FOURSOMES WOULD BE APPRECIATED. IF YOU CHOOSE TO BRING YOUR OWN TEAM, PLEASE SUBMIT AN ENTRY FOR EACH PLAYER AND RETURN TOGETHER.

REMEMBER, ALL ENTRIES MUST BE RETURNED BY MAY 10, 2004

THANKS,

**DARLENE MCGEE
TOURNAMENT COORDINATOR**

**Mechanical Member:
Henderson Plumbing & Mechanical Contractors, Inc.**

Henderson Plumbing & Mechanical Contractors was founded in 1949 by Mr. M. Y. Henderson in Union, SC for the purpose of doing residential, commercial and industrial plumbing. Robert K. Henderson joined his father at an early age learning the plumbing trade. Robert returned to the plumbing business after serving his country in the US Marine Corp. and became sole proprietor of the company in 1976. In 1955 the company was incorporated and Robert Henderson presided as president until his death March 22, 2002.

M. Keith and Richard E. Henderson also started plumbing with their father, Robert, at an early age and are now President and Secretary/Treasurer, continuing to run the "family tradition" company with the same integrity and quality as it has been run for the past 55 years.

You can rest assured that Henderson Plumbing & Mechanical Contractors, Inc. will do the job right with experience, prompt service, courteous repairmen and quality.....quality that will be here for years to come. Remember our motto, "The quality of a job is remembered long after the price is forgotten".

Call Henderson Plumbing & Mechanical Contractors, Inc...864-427-3779.

***Henderson Plumbing & Mechanical Contractors, Inc.
105 Spruce Street, Union, SC 29379-1548
Phone: (864) 427-3779 Fax: (864) 427-0220***

**Congratulations to our next Associate & Mechanical Members who will be highlighted in the upcoming issue of "The Tool Box":
Palmetto Propane — Batesburg
SCE & G — Charleston**

APRIL/MAY 2004 MONTHLY AREA MEETINGS

PIEDMONT AREA

Tuesday, April 13, 2004 @ 6:00 PM
Location: 575 Woodruff Road, Greenville
Sponsored By: Ferguson Enterprises

**Topic: Discussion of Any By-Laws Changes
& Election of 2004-2005 Officers**

PEE DEE AREA

Thursday, April 15, 2004 @ 6:30 PM
Location: 149 Hunting Inc. Road, Camden
Sponsored By: Self's Heating & Air Conditioning, Inc.

**Program / Speaker: TBA
& Election of 2004-2005 Officers**

COASTAL AREA

Friday, April 30, 2004 7:30-9:30 PM
Begin Boarding The Beauregard @ 7:00 PM Sharp!
Location: Patriot's Point, Mt. Pleasant

**Annual Harbor Cruise &
Election of 2004-2005 Officers**

MIDLANDS AREA

Thursday, May 6, 2004
Location: 10 Bluebird Lane, Irmo
Sponsored By: HSS RentX,

**Presentation of President's Plaque
Program Topic: Recap of 2003-2004
& 2004-2005 Planning Session**



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www.mcasc.com

***Serving mechanical contractors in
South Carolina since 1912.***

MCASC Executive Board & Staff

Tommy Burkett, President
Ned Forsberg, Vice-President
Darlene McGee, Treasurer
John Minor, Secretary
Billy Starrett, Associate President
Mona Flowers, Managing Director
Carol Fore, Administrative Assistant

Mechanicals make it happen -
Be part of the best!

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SC Tort Reform Bill H3744

Although MCASC and STAC supports Tort Reform efforts in South Carolina, several proposed amendments have been presented to the Senate Judiciary Committee that should not be supported as they are currently written. The amendments are as follows, along with comments from STAC Lobbyist Chuck McDonald to remedy the proposed amendments. **SC Tort Reform Bill H3744** should be opposed as it is currently proposed by contacting Senate Judiciary Committee Chairman, Senator Glenn F. McConnell at (803) 212-6610, SJU@senate.orr or 101 Gressette Building, Columbia, SC 29211 to request his committee consider supporting the recommendations as indicated below.

DELETE SECTION 11 IN ITS ENTIRETY SO THAT STATUTE IS LEFT "AS IS"

SECTION 11. Section 29-7-20(1) of the 1976 Code, as last amended by Act 247 of 1991, is further amended to read:

~~"(1) A contractor or subcontractor who, for other purposes than paying the money loaned upon such the contract, transfers, invests, or expends and fails to pay to a laborer, subcontractor, or material man out of the money received as provided in Section 19-7-10 is guilty of a misdemeanor and, upon conviction, when the consideration for the work and material exceeds the value of one hundred dollars must be fined not less than five hundred dollars nor more than one thousand dollars or imprisoned not less than three months nor more than six months and when such consideration does not exceed the value of one hundred dollars must be fined not more than five hundred dollars or imprisoned not longer than thirty days is subject to civil action for damages."~~

DELETE AMENDMENTS TO 34-31-20(A) SO AS TO RETAIN RIGHT TO PRE-JUDGMENT INTEREST ON SUM CERTAIN

SECTION 12. Section 34-31-20 of the 1976 Code, as last amended by Act 344 of 2000, is further amended to read:

"Section 34-31-20. (A) In all cases of accounts stated and in all cases wherein any sum or sums of money shall be ascertained and, being due, shall draw interest according to law, the legal interest shall be at the rate of eight and three fourths percent per annum.

~~(B) All A money decrees decree and judgments or judgment of courts the court enrolled or entered shall must draw interest according to law. The legal rate of interest is at the rate of twelve percent a year equal to the prime rate as listed in the first edition of the Wall Street Journal published for each calendar year for which the damages are awarded, plus four percent, compounded annually. The South Carolina Supreme Court shall issue a court order by January 15 of each year confirming the annual prime rate. This section applies to all judgments entered on or after July 1, 2004. For judgments entered between July 1, 2004, and January 14, 2005, the legal rate of interest shall be the first prime rate as published in the first edition of the Wall Street Journal after January 1, 2004, plus four per cent."~~