~~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 Isaiah 26:3: “You will keep in perfect peace him whose mind is steadfast because he trusts in you. Trust in the Lord, the Lord is the Rock eternal.”

Let us pray. Faithful and trusting God, bestow upon these Representatives and staff Your power. Keep their minds on doing good things for the people of this State. Help them remember it is for this reason that they are here to do the people’s business. So may they trust in You, Lord, for the direction they need. Keep our Nation, President, State, Governor, Speaker, and all who serve in these Halls of Government and beyond, in Your care. Protect our defenders of freedom at home and abroad as they protect us. Hear our prayer, O Lord. Amen.

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

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

**MOTION ADOPTED**

Rep. CLEMMONS moved that when the House adjourns, it adjourn in memory of Nelson Jackson of Myrtle Beach, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family of Representative Douglas Jennings in the death of his father.

**REPORTS OF STANDING COMMITTEES**

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4316 -- Reps. R. L. Brown, Gilliard, Stavrinakis, Mack, Jefferson, Scott, Whipper and Daning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION OF UNITED STATES HIGHWAY 17 AND DAVIDSON ROAD IN CHARLESTON COUNTY "WILLIE FRAZIER, SR. INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "WILLIE FRAZIER, SR. INTERSECTION".

Ordered for consideration tomorrow.

Rep. KIRSH, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4473 -- Reps. Owens, Rice, Hiott and Skelton: A HOUSE RESOLUTION TO AUTHORIZE THE GREENVILLE YOUNG MEN'S CHRISTIAN ASSOCIATION TO USE THE HOUSE CHAMBER AND ANY AVAILABLE COMMITTEE HEARING ROOMS IN THE BLATT BUILDING ON THURSDAY, NOVEMBER 18, 2010, AND FRIDAY, NOVEMBER 19, 2010, TO CONDUCT THE YOUTH IN GOVERNMENT PROGRAM.

Ordered for consideration tomorrow.

**INTRODUCTION OF BILLS**

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

H. 4511 -- Reps. Clyburn, Harrison, Wylie, Bales, Brantley, Cobb-Hunter, Ott, Hosey, Hodges, Battle, Whipper, Alexander, Gilliard, Kennedy, Skelton, Jefferson, Merrill, Frye, King, Anderson, J. R. Smith, McEachern, Mitchell, Rice, A. D. Young, J. H. Neal, Allen, Hardwick, Williams, Harrell, Clemmons, G. M. Smith, Vick, Bingham, Branham, H. B. Brown, R. L. Brown, Cooper, Dillard, Duncan, Gunn, Hart, Hayes, Hearn, Littlejohn, V. S. Moss, J. M. Neal, Neilson, Rutherford, Thompson, Weeks, White, Willis and T. R. Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 50 TO TITLE 11 SO AS TO ENACT THE "SOUTH CAROLINA RURAL INFRASTRUCTURE ACT", TO ESTABLISH THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY, AND TO PROVIDE FOR ITS GOVERNANCE, POWERS, AND DUTIES; TO AUTHORIZE THE AUTHORITY TO PROVIDE LOANS AND OTHER FINANCIAL ASSISTANCE TO A MUNICIPALITY, COUNTY, SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT, AND A PUBLIC WORKS COMMISSION TO FINANCE RURAL INFRASTRUCTURE FACILITIES; TO ALLOW STATE APPROPRIATIONS, GRANTS, LOAN REPAYMENTS, AND OTHER AVAILABLE AMOUNTS TO BE CREDITED TO THE FUND OF THE AUTHORITY; TO AUTHORIZE LENDING TO AND BORROWING BY ELIGIBLE ENTITIES THROUGH THE AUTHORITY.

On motion of Rep. CLYBURN, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 4512 -- Rep. Thompson: A BILL TO AMEND SECTION 56-5-1520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM SPEED LIMITS THAT MAY BE IMPOSED UPON THE STATE'S HIGHWAYS, SO AS TO PROVIDE FOR ADDITIONAL PENALTIES THAT MUST BE IMPOSED UPON DRIVERS WHO ARE CONVICTED OF DRIVING NINETY MILES AN HOUR OR MORE ON A MULTILANE HIGHWAY, OR EIGHTY MILES AN HOUR OR MORE ON ANY OTHER HIGHWAY.

Referred to Committee on Judiciary

H. 4513 -- Reps. Norman, Simrill, Parker, Allison, Cole, Crawford, Forrester, Herbkersman, D. C. Moss, G. R. Smith, J. R. Smith and Vick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 108 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE RACCOON HUNTERS LICENSE PLATES.

Referred to Committee on Education and Public Works

H. 4514 -- Rep. Cooper: A BILL TO AMEND SECTION 12-44-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FEE IN LIEU OF TAX SIMPLIFICATION ACT, SO AS TO REVISE THE DEFINITION OF "TERMINATION DATE"; AND TO AMEND SECTION 12-6-590, AS AMENDED, RELATING TO TREATMENT OF "S" CORPORATIONS FOR TAX PURPOSES, SO AS TO PROVIDE THAT A SPECIFIED AMOUNT OF INCOME TAXES PAID BY RESIDENT AND NONRESIDENT SHAREHOLDERS OF CERTAIN "S" CORPORATIONS MUST BE DEPOSITED INTO A SPECIAL FUND AND DISTRIBUTED BY THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT AS GRANTS FOR PUBLIC INFRASTRUCTURE IMPROVEMENTS, WHICH DIRECTLY SUPPORT THE PROJECTS, AND TO PROVIDE FOR GUIDELINES TO ADMINISTER THE FUND AND APPLICATIONS FOR THE GRANTS.

Referred to Committee on Ways and Means

H. 4515 -- Rep. Bowers: A BILL TO AMEND SECTION 50-21-710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AIDS TO NAVIGATION AND REGULATORY MARKERS, SO AS TO INCLUDE IN REGULATIONS TO BE PROMULGATED BY THE DEPARTMENT OF NATURAL RESOURCES THE REQUIREMENT THAT NAVIGATION AIDS AND REGULATORY MARKERS MUST HAVE REFLECTIVE MATERIAL OR A DEVICE SO THAT THE AIDS OR MARKERS WILL ENHANCE VISIBILITY AT NIGHT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4516 -- Rep. M. A. Pitts: A BILL TO AMEND SECTIONS 61-4-550 AND 61-6-2000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE AND FOR THE SALE OF ALCOHOLIC LIQUORS, RESPECTIVELY, BOTH SO AS TO ALLOW NONPROFIT ORGANIZATIONS TO ACQUIRE PERMITS FOR A LIMITED DURATION UNDER CERTAIN CIRCUMSTANCES AND LIMITATIONS; AND TO REPEAL SECTION 61-6-510 RELATING TO TEMPORARY PERMITS FOR THE SALE OF ALCOHOLIC LIQUORS FOR NONPROFIT ORGANIZATIONS.

Referred to Committee on Judiciary

**HOUSE RESOLUTION**

The following was introduced:

H. 4517 -- Reps. Chalk, J. E. Smith, Vick, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bingham, Bowen, Bowers, Brady, Branham, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Cato, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Crawford, Daning, Delleney, Dillard, Duncan, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Gunn, Haley, Hamilton, Hardwick, Harrell, Harrison, Hart, Harvin, Hayes, Hearn, Herbkersman, Hiott, Hodges, Horne, Hosey, Howard, Huggins, Hutto, Jefferson, Jennings, Kelly, Kennedy, King, Kirsh, Knight, Limehouse, Littlejohn, Loftis, Long, Lowe, Lucas, Mack, McEachern, McLeod, Merrill, Miller, Millwood, Mitchell, D. C. Moss, V. S. Moss, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Pinson, E. H. Pitts, M. A. Pitts, Rice, Rutherford, Sandifer, Scott, Sellers, Simrill, Skelton, D. C. Smith, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stewart, Stringer, Thompson, Toole, Umphlett, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis, Wylie, A. D. Young and T. R. Young: A HOUSE RESOLUTION TO WISH GODSPEED TO THE MEN AND WOMEN OF THE 178TH FIELD ARTILLERY BATTALION, SOUTH CAROLINA ARMY NATIONAL GUARD, AS THEY BEGIN THEIR TOUR OF DUTY IN AFGHANISTAN, AND TO EXPRESS THE DEEPEST RESPECT AND ADMIRATION OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THESE SOLDIERS FOR THEIR COURAGE AND MANY SACRIFICES IN SERVICE TO OUR NATION AND THE PEOPLE OF AFGHANISTAN.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4518 -- Rep. Battle: A HOUSE RESOLUTION TO HONOR AND RECOGNIZE DILLON COLE MCCLAM OF MARION COUNTY FOR HIS OUTSTANDING WORK IN THE BOY SCOUTS OF AMERICA, AND TO CONGRATULATE HIM FOR EARNING THE PRESTIGIOUS RANK OF EAGLE SCOUT, THE HIGHEST AWARD IN SCOUTING.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bales |
| Ballentine | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Crawford | Daning |
| Delleney | Dillard | Duncan |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Haley | Hamilton | Hardwick |
| Harrell | Harrison | Harvin |
| Hayes | Hearn | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Hutto |
| Jefferson | Kelly | Kennedy |
| King | Kirsh | Knight |
| Littlejohn | Loftis | Long |
| Lowe | Mack | McEachern |
| Merrill | Miller | Millwood |
| Mitchell | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Parks | Pinson | M. A. Pitts |
| Rice | Sandifer | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| Umphlett | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Wylie | A. D. Young |
| T. R. Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, February 3.

|  |  |
| --- | --- |
| Paul Agnew | H. B. "Chip" Limehouse |
| Chip Huggins | Thad Viers |
| Daniel Cooper | Bruce Bannister |
| Denny Neilson | Todd Rutherford |
| Joseph Neal | Chris Hart |
| Walton McLeod | James Lucas |

**Total Present--121**

**STATEMENT OF ATTENDANCE**

Rep. SELLERS 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 2.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. JENNINGS a leave of absence for the day due to a death in the family.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Thomas C. Rowland of Columbia was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. SKELTON presented to the House the D. W. Daniel High School Varsity Girls Volleyball Team, the 2009 Class AAA Champions, their coaches and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3194 |
| Date: | ADD: |
| 02/03/10 | WILLIS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3614 |
| Date: | ADD: |
| 02/03/10 | WILLIS |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4448 |
| Date: | ADD: |
| 02/03/10 | WILLIS, HUGGINS, LONG, SIMRILL, BALLENTINE, TOOLE, D. C. MOSS, CLEMMONS, BALES, HEARN and PINSON |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4093 |
| Date: | ADD: |
| 02/03/10 | FUNDERBURK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4329 |
| Date: | ADD: |
| 02/03/10 | SELLERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4374 |
| Date: | ADD: |
| 02/03/10 | FUNDERBURK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4468 |
| Date: | ADD: |
| 02/03/10 | H. B. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4475 |
| Date: | ADD: |
| 02/03/10 | WILLIS |

**SENT TO THE SENATE**

The following Bills and Joint Resolution were taken up, read the third time, and ordered sent to the Senate:

H. 4431 -- Rep. H. B. Brown: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO REQUIRE THE FINANCE COMMITTEE ESTABLISHED BY THIS ACT TO PREPARE THE DISTRICT BUDGET AND TO SUBMIT IT FOR BOARD REVIEW, TO REQUIRE THE BOARD TO SUBMIT THE BUDGET TO THE FAIRFIELD COUNTY COUNCIL FOR APPROVAL, TO AUTHORIZE THE FAIRFIELD COUNTY COUNCIL TO NOTIFY THE COUNTY AUDITOR OF THE AMOUNT OF THE LEVY NEEDED TO OPERATE SCHOOLS IN THE DISTRICT, TO CREATE A FINANCE COMMITTEE TO OVERSEE THE FINANCIAL OPERATIONS OF THE DISTRICT AND TO PROVIDE ITS MEMBERSHIP, DUTIES, AND GOALS, TO PROVIDE FOR THE HIRING OF A FINANCE DIRECTOR FOR THE DISTRICT AND TO PROVIDE HIS RESPONSIBILITIES AND DUTIES, TO PROVIDE FOR THE ABOLITION OF THE FINANCE COMMITTEE AND THE POSITION OF FINANCE DIRECTOR UPON CERTAIN CONDITIONS, AND TO DEFINE THE DUTIES OF BOTH THE BOARD AND THE DISTRICT SUPERINTENDENT.

H. 4432 -- Rep. H. B. Brown: A BILL TO AMEND ACT 191 OF 1991, AS AMENDED, RELATING TO THE FAIRFIELD COUNTY SCHOOL DISTRICT, SO AS TO REVISE THE MEMBERSHIP OF THE BOARD OF TRUSTEES, TO REVISE COMPENSATION OF BOARD MEMBERS, TO PROVIDE FOR THE FILLING OF VACANCIES, TO PROVIDE FOR THE ABOLITION OF CERTAIN BOARD SEATS UPON CERTAIN CONDITIONS, AND TO REQUIRE THE SCHOOL DISTRICT BOARD AND SUPERINTENDENT TO COOPERATE WITH NEWLY APPROVED BOARD MEMBERS.

H. 4147 -- Reps. Limehouse, Sottile, H. B. Brown and Hutto: A JOINT RESOLUTION TO ESTABLISH A STUDY COMMITTEE TO REVIEW, STUDY, AND MAKE RECOMMENDATIONS CONCERNING THE NEED TO REGULATE THE SALE OF POTENTIALLY HIGHLY FLAMMABLE FURNITURE IN THIS STATE, TO PROVIDE FOR THE STUDY COMMITTEE'S MEMBERSHIP, AND TO REQUIRE THE STUDY COMMITTEE TO REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE GENERAL ASSEMBLY NO LATER THAN JANUARY 20, 2011, AT WHICH TIME THE STUDY COMMITTEE IS ABOLISHED.

H. 4174 -- Reps. Harvin, Bales, Harrison, G. M. Smith and Wylie: A BILL TO AMEND SECTION 12-37-3150, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DETERMINING WHEN A PARCEL OF REAL PROPERTY MUST BE APPRAISED AS A RESULT OF AN ASSESSABLE TRANSFER OF INTEREST, SO AS TO PROVIDE THAT A CONVEYANCE TO A TRUST DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE SETTLOR OR SETTLOR'S SPOUSE CONVEYS THE PROPERTY TO A TRUST THE BENEFICIARIES OF WHICH ARE A CHILD OR CHILDREN OF THE SETTLOR OR THE SETTLOR'S SPOUSE AND TO PROVIDE THAT A CONVEYANCE BY DISTRIBUTION UNDER A WILL OR BY INTESTATE SUCCESSION DOES NOT CONSTITUTE AN ASSESSABLE TRANSFER OF INTEREST IN THE REAL PROPERTY IF THE DISTRIBUTEE IS A CHILD OR CHILDREN OF A DECEDENT AND THE DECEDENT DID NOT HAVE A SPOUSE AT THE DECEDENT'S DATE OF DEATH.

**S. 963--DEBATE ADJOURNED**

Rep. SPIRES moved to adjourn debate upon the following Bill until Thursday, February 4, which was adopted:

S. 963 -- Senators Knotts, Cromer, Courson and Setzler: A BILL TO AMEND SECTION 7-7-380, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LEXINGTON COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF LEXINGTON COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

S. 362 -- Senator Alexander: A BILL TO AMEND SECTION 42-11-30 OF THE 1976 CODE, RELATING TO FIREFIGHTERS COVERED UNDER WORKERS' COMPENSATION LAW AND THE PRESUMPTION REGARDING IMPAIRMENT OR INJURY FROM HEART DISEASE AND/OR RESPIRATORY DISEASE, TO PROVIDE THAT THE IMPAIRMENT OR INJURY IS CONSIDERED TO HAVE ARISEN OUT OF AND IN THE COURSE OF EMPLOYMENT IF THEY HAVE SUCCESSFULLY PASSED A PHYSICAL EXAM WITHIN THE LAST TEN YEARS.

**ORDERED ENROLLED FOR RATIFICATION**

The following Bill was read the third time, passed and, 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:

S. 705 -- Senators Leventis and Land: A BILL TO AMEND SECTION 7-7-501, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SUMTER COUNTY, SO AS TO REVISE AND RENAME CERTAIN VOTING PRECINCTS OF SUMTER COUNTY AND REDESIGNATE A MAP NUMBER FOR THE MAP ON WHICH LINES OF THESE PRECINCTS ARE DELINEATED AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

**H. 4479--DEBATE ADJOURNED**

Rep. COOPER moved to adjourn debate upon the following Bill until Thursday, February 4, which was adopted:

H. 4479 -- Reps. Clemmons, M. A. Pitts, D. C. Moss and Crawford: A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM SOUTH CAROLINA TAXABLE INCOME OF INDIVIDUALS FOR PURPOSES OF THE SOUTH CAROLINA INCOME TAX ACT, SO AS TO INCLUDE DETENTION OFFICERS AND TELECOMMUNICATIONS PERSONNEL WITHIN THE CATEGORY OF LAW ENFORCEMENT OFFICERS ELIGIBLE TO CLAIM THE EIGHT DOLLARS A DAY SUBSISTENCE ALLOWANCE DEDUCTION FOR LAW ENFORCEMENT OFFICERS, FIRE FIGHTERS, AND EMERGENCY MEDICAL SERVICE PERSONNEL.

**ORDERED TO THIRD READING**

The following Joint Resolution was taken up, read the second time, and ordered to a third reading:

H. 4485 -- Reps. A. D. Young, Horne, Knight and Harrell: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF SUMMERVILLE NATIONAL GUARD ARMORY IN SUMMERVILLE, SOUTH CAROLINA, TO THE TOWN OF SUMMERVILLE.

**OBJECTION TO RECALL**

Rep. KING asked unanimous consent to recall H. 3163 from the Committee on Judiciary.

Rep. BEDINGFIELD objected.

**H. 4172--RECALLED FROM COMMITTEE**

**ON WAYS AND MEANS**

On motion of Rep. FORRESTER, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

H. 4172 -- Reps. Forrester and Wylie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-1-180 SO AS TO PROVIDE FOR THE MANNER IN WHICH A COUNTY GOVERNING BODY MAY INSTITUTE AN EMPLOYEE FURLOUGH PROGRAM, AND TO PROVIDE THAT THE PROVISIONS OF THIS SECTION DO NOT PRECLUDE A COUNTY FROM IMPLEMENTING OTHER FURLOUGH PROGRAMS NOT IN CONFORMITY WITH THE REQUIREMENTS OF THIS SECTION.

**H. 3442--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. HARRISON, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

H. 3442 -- Reps. Bingham, Harrell, Duncan, Harrison, Owens, Toole, Merrill, Brady, E. H. Pitts, G. M. Smith, Daning, Haley, Huggins, Cato, Ballentine, D. C. Smith, J. R. Smith, Rice, T. R. Young, Horne, Wylie and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-29-300 SO AS CREATE THE WORKFORCE DEPARTMENT APPELLATE PANEL WITHIN THE DEPARTMENT OF WORKFORCE, TO PROVIDE FOR THE FILLING OF A VACANCY, TO REQUIRE THE PRESENT MEMBERS OF THE SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION MUST CONSTITUTE THE INITIAL MEMBERSHIP OF THE NEW PANEL, TO PROVIDE THE PANEL SHALL DISSOLVE WHEN THE MEMBERS' TERMS EXPIRE IN 2012, AND TO PROVIDE RELATED APPELLATE PROCEDURES; BY ADDING SECTION 41-29-310 SO AS TO TRANSFER THE WORKFORCE INVESTMENT ACT PROGRAM FROM THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF WORKFORCE; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO CREATE THE SOUTH CAROLINA DEPARTMENT OF WORKFORCE WITHIN THE EXECUTIVE BRANCH; TO AMEND SECTION 41-29-10, RELATING TO THE EMPLOYMENT SECURITY COMMISSION, SO AS TO PROVIDE THAT CERTAIN CHAPTERS WITHIN TITLE 41 MUST BE ADMINISTERED BY THE DEPARTMENT OF WORKFORCE AND TO DELETE REFERENCES TO THE EMPLOYMENT SECURITY COMMISSION; TO AMEND SECTION 41-29-20, RELATING TO THE CHAIRMAN, QUORUM, AND FILLING OF A VACANCY ON THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND TO PROVIDE THE DEPARTMENT OF WORKFORCE MUST BE MANAGED AND OPERATED BY A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE, AND THAT THE DIRECTOR IS SUBJECT TO REMOVAL BY THE GOVERNOR AT HIS DISCRETION BY EXECUTIVE ORDER; TO AMEND SECTION 41-29-30, RELATING TO THE APPOINTMENT OF A SECRETARY OF THE EMPLOYMENT SECURITY COMMISSION, SO AS TO DELETE THE EXISTING LANGUAGE AND PROVIDE THE DIRECTOR OF THE DEPARTMENT OF WORKFORCE OR HIS DESIGNEE MUST RECEIVE ANNUAL COMPENSATION AS PROVIDED BY THE GENERAL ASSEMBLY AND OFFICIAL EXPENSES AS PROVIDED BY LAW FOR EXECUTING THE DUTIES AND FUNCTIONS OF THE DEPARTMENT; TO AMEND SECTION 8-17-370, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE EMPLOYEE GRIEVANCE PROCESS, SO AS TO INCLUDE EMPLOYEES OF THE DEPARTMENT OF WORKFORCE AMONG THOSE EXEMPTED; TO AMEND SECTIONS 41-27-10, 41-27-30, 41-27-150, 41-27-160, 41-27-190, 41-27-210, AS AMENDED, 41-27-230, 41-27-235, AS AMENDED, 41-27-260, AS AMENDED, 41-27-360, 41-27-370, AS AMENDED, 41-27-380, 41-27-390, 41-27-510, 41-27-550, 41-27-560, 41-27-570, 41-27-580, 41-27-600, 41-27-610, 41-27-620, 41-27-630, 41-27-670, 41-29-40, 41-29-50, 41-29-60, 41-29-70, 41-29-80, 41-29-90, 41-29-100, 41-29-110, 41-29-120, AS AMENDED, 41-29-130, 41-29-140, 41-29-150, 41-29-170, AS AMENDED, 41-29-180, 41-29-190, 41-29-200, 41-29-210, 41-29-220, 41-29-230, 41-29-240, 41-29-250, 41-29-270, 41-29-280, 41-29-290, 41-33-10, 41-33-20, 41-33-30, 41-33-40, 41-33-45, 41-33-80, AS AMENDED, 41-33-90, 41-33-100, 41-33-110, 41-33-120, 41-33-130, 41-33-170, 41-33-180, 41-33-190, 41-33-200, 41-33-210, 41-33-430, 41-33-460, 41-33-470, 41-33-610, 41-33-710, 41-35-10, 41-35-30, 41-35-100, 41-35-110, AS AMENDED, 41-35-115, AS AMENDED, 41-35-120, AS AMENDED, 41-35-125, 41-35-126, 41-35-130, AS AMENDED, 41-35-140, 41-35-330, 41-35-340, 41-35-410, 41-35-420, AS AMENDED, 41-35-450, 41-35-610, 41-35-630, 41-35-640, AS AMENDED, 41-35-670, 41-35-680, AS AMENDED, 41-35-690, 41-35-700, 41-35-710, AS AMENDED, 41-35-720, 41-35-730, 41-35-740, 41-35-750, AS AMENDED, 41-37-20, 41-37-30, 41-39-30, 41-39-40, 41-41-20, AS AMENDED, 41-41-40, AS AMENDED, 41-41-50, 41-42-10, 41-42-20, 41-42-30, AND 41-42-40, ALL RELATING TO VARIOUS DEPARTMENT PROVISIONS, SO AS TO CONFORM THEM TO THE REPLACEMENT OF THE EMPLOYMENT SECURITY COMMISSION WITH THE DEPARTMENT OF WORKFORCE; AND TO REPEAL SECTION 41-29-260 RELATING TO THE ABILITY OF COMMISSIONERS OF THE EMPLOYMENT SECURITY COMMISSION TO FILE OPINIONS OR OFFICIAL MINUTES.

**OBJECTION TO RECALL**

Rep. KING asked unanimous consent to recall H. 3731 from the Committee on Judiciary.

Rep. HARRISON objected.

**H. 4369--DEBATE ADJOURNED**

Rep. BATTLE moved to adjourn debate upon the following Concurrent Resolution until Thursday, February 4, which was adopted:

H. 4369 -- Rep. Battle: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY "MARVIN L. STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MARVIN L. STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY".

**S. 471--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 471 -- Senators O'Dell and Bryant: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178/76 IN ANDERSON COUNTY FROM ITS INTERSECTION WITH EAST SHOCKLEY FERRY ROAD IN THE CITY OF ANDERSON TO ITS INTERSECTION WITH MAIN STREET IN THE TOWN OF BELTON "VETERANS MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "VETERANS MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1064--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1064 -- Senators Williams and Elliott: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 501 BUSINESS FROM ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 41/ARIELS CROSSROADS TO THE 41A/UNITED STATES HIGHWAY 501 BUSINESS INTERSECTION IN MARION COUNTY "MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MARVIN STEVENSON, COUNTY COUNCILMAN, COMMISSIONER HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 828--DEBATE ADJOURNED**

Rep. G. M. SMITH moved to adjourn debate upon the following Concurrent Resolution until Thursday, February 4, which was adopted:

S. 828 -- Senators Leventis and Land: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE SECTION OF HIGHWAY 76, IN SUMTER COUNTY, FROM THE SUMTER-LEE COUNTY LINE TO ITS INTERSECTION WITH LAFAYETTE STREET THE "MAYOR WILLIE M. JEFFERSON HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THE WORDS "MAYOR WILLIE M. JEFFERSON HIGHWAY".

**S. 1072--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1072 -- Senator Elliott: A CONCURRENT RESOLUTION TO DESIGNATE JUNE 12, 2010, AS ANNUAL NATIONAL MARINA DAY IN SOUTH CAROLINA IN ORDER TO HONOR SOUTH CAROLINA'S MARINAS FOR THEIR CONTRIBUTIONS TO THE COMMUNITY AND MAKE CITIZENS, POLICYMAKERS, AND EMPLOYEES MORE AWARE OF THE OVERALL CONTRIBUTIONS OF MARINAS TO THEIR WELL-BEING, AND TO REQUEST THAT OUR STATE JOIN HANDS WITH OTHER STATES AND THOUSANDS OF WATERFRONT COMMUNITIES ACROSS THE UNITED STATES IN CELEBRATING THIS DAY.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 3280--DEBATE ADJOURNED**

Rep. T. R. YOUNG moved to adjourn debate upon the following Joint Resolution until Tuesday, February 16, which was adopted:

H. 3280 -- Reps. T. R. Young, Allison, Parker, D. C. Smith, G. R. Smith, J. R. Smith, Stewart, Millwood, Horne, Funderburk, Wylie, Bedingfield, Hart, Harrell, A. D. Young, Viers, Gunn and Erickson: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

**H. 3746--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3746 -- Reps. Clemmons and Viers: A BILL TO AMEND SECTION 7-11-70, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOMINATION OF CANDIDATES BY A PETITION, SO AS TO PROVIDE THAT NO QUALIFIED ELECTOR WHO VOTED IN A PRIMARY ELECTION IS ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO RUN FOR AN OFFICE TO BE FILLED AT THE GENERAL ELECTION FOLLOWING THAT PRIMARY AND TO PROVIDE THAT A QUALIFIED ELECTOR OTHERWISE ELIGIBLE TO SIGN A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT MAY NOT SIGN MORE THAN ONE PETITION PER GENERAL ELECTION PER OFFICE; BY ADDING SECTION 7-11-75 SO AS TO PROVIDE THAT A PERSON OFFERING FOR ELECTION AS A PETITION CANDIDATE IN ANY GENERAL ELECTION MUST HAVE FIRST NOTIFIED THE ENTITY TO WHICH THE PETITION IS REQUIRED TO BE FILED BY THE BEGINNING DATE OF THE PRIMARY ELECTION PRECEDING THAT GENERAL ELECTION OF HIS INTENTION TO FILE AS A PETITION CANDIDATE FOR THAT OFFICE, AND TO PROVIDE THAT FAILURE TO DO SO DISQUALIFIES HIM AS A PETITION CANDIDATE FOR THAT GENERAL ELECTION; TO AMEND SECTION 7-11-80, AS AMENDED, RELATING TO THE FORM OF NOMINATING PETITIONS, SO AS TO REQUIRE ALL THE SIGNATURES TO BE LEGIBLE SO THAT THE NAME OF THE VOTER CAN BE IDENTIFIED BEYOND A REASONABLE DOUBT; TO AMEND SECTION 7-11-85, RELATING TO VERIFICATION OF THE SIGNATURES ON PETITIONS, SO AS TO REVISE THE VERIFICATION PROCESS, TO PROVIDE THAT ALL QUALIFIED ELECTORS SIGNING A PETITION FOR A CANDIDATE TO APPEAR ON A GENERAL ELECTION BALLOT FOR ELECTION TO A PARTICULAR OFFICE MUST HAVE BEEN A QUALIFIED ELECTOR WHO REGISTERED TO VOTE AT LEAST THIRTY DAYS BEFORE SUBMISSION OF THE PETITION, AND TO REQUIRE THE REGISTRATION BOARD TO VERIFY THE VOTER IS A QUALIFIED ELECTOR IN THAT JURISDICTION; BY ADDING SECTION 7-11-95 SO AS TO PROVIDE THAT THE ENTITY TO WHICH A PETITION MUST BE FILED MAY REJECT THE PETITION IF, AFTER A HEARING, THE ENTITY FINDS THAT BY A PREPONDERANCE OF THE EVIDENCE FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION, AND TO PROVIDE THAT THE VALIDATION OF THE SIGNATURES ON A PETITION AND THE DETERMINATION OF WHETHER OR NOT FRAUD WAS COMMITTED IN THE EXECUTION OF THE PETITION MUST BE CONDUCTED IN PUBLIC AFTER NOTICE; AND BY ADDING SECTION 7-11-100 SO AS TO PROVIDE THAT DECISIONS OF A LOCAL ENTITY TO WHICH A PETITION MUST BE FILED MAY BE APPEALED TO THE STATE ELECTION COMMISSION AND THEREAFTER TO A COURT OF COMPETENT JURISDICTION IN THE MANNER IN WHICH APPEALS FROM THE STATE ELECTION COMMISSION MAY BE TAKEN.

Rep. CLEMMONS explained the Bill.

Pursuant to Rule 7.7 the yeas and nays were taken resulting as follows:

Yeas 78; Nays 35

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Branham |
| G. A. Brown | Cato | Chalk |
| Clemmons | Clyburn | Cole |
| Cooper | Crawford | Daning |
| Delleney | Duncan | Edge |
| Erickson | Forrester | Gambrell |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Herbkersman | Hiott | Horne |
| Hosey | Kelly | Knight |
| Limehouse | Littlejohn | Loftis |
| Long | Lowe | Merrill |
| Miller | D. C. Moss | V. S. Moss |
| Nanney | J. M. Neal | Neilson |
| Norman | Owens | Parker |
| Pinson | M. A. Pitts | Rice |
| Sandifer | Scott | Sellers |
| Simrill | D. C. Smith | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stewart |
| Stringer | Thompson | Toole |
| White | Whitmire | Willis |
| Wylie | A. D. Young | T. R. Young |

**Total--78**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Ballentine | Bowers | Brantley |
| R. L. Brown | Dillard | Frye |
| Funderburk | Govan | Gunn |
| Haley | Hart | Harvin |
| Hodges | Huggins | Hutto |
| Jefferson | Kennedy | King |
| Kirsh | Mack | McEachern |
| Millwood | Mitchell | J. H. Neal |
| Ott | Parks | Rutherford |
| J. E. Smith | Vick | Weeks |
| Whipper | Williams |  |

**Total--35**

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

**H. 3608--DEBATE ADJOURNED**

Rep. CLEMMONS moved to adjourn debate upon the following Bill until Thursday, February 4, which was adopted:

H. 3608 -- Reps. Mack, Alexander, Allen, R. L. Brown, Williams, Weeks, Whipper and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO PROVIDE THAT THE AUTHORITY CHARGED BY LAW CONDUCTING AN ELECTION SHALL ESTABLISH EARLY VOTING CENTERS, TO ESTABLISH EARLY VOTING CENTERS TO ALLOW A REGISTERED COUNTY RESIDENT TO VOTE OUTSIDE THEIR PRECINCT, TO PROVIDE A PROCEDURE BY WHICH A QUALIFIED ELECTOR MAY REGISTER TO VOTE AND CAST A BALLOT DURING THE EARLY VOTING PERIOD, TO PROVIDE FOR THE ESTABLISHMENT OF EARLY VOTING LOCATIONS, AND TO REQUIRE THESE LOCATIONS AND TIMES TO BE IN COMPLIANCE WITH THE PROVISIONS OF SECTION 30-4-80.

**H. 4033--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4033 -- Reps. Clemmons, Harrell, Gunn, Anderson, Gullick, Limehouse, Hardwick, Merrill, Ott, Rutherford, Bales, V. S. Moss, Duncan, Owens, Bowen, Stavrinakis, Hutto, Allison, Barfield, Battle, Bingham, Branham, H. B. Brown, Cato, Cooper, Crawford, Delleney, Dillard, Gambrell, Harrison, Harvin, Hayes, Hearn, Herbkersman, Horne, Hosey, Howard, Jefferson, Jennings, Kennedy, King, Kirsh, Lowe, Lucas, Mack, McLeod, Miller, D. C. Moss, Neilson, M. A. Pitts, Rice, Sandifer, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Thompson, Weeks, White, Williams, Willis, A. D. Young, Sellers, Erickson, Knight, Whipper, R. L. Brown, Gilliard and Hart: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "TRANSPORTATION INFRASTRUCTURE FUNDING FLEXIBILITY ACT" BY ADDING ARTICLE 3 TO CHAPTER 3, TITLE 57 SO AS TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION MAY SOLICIT AND ENTER INTO CERTAIN PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES AND TO PROVIDE THE PROCEDURE WHEREBY PUBLIC-PRIVATE INITIATIVES ARE SOLICITED, APPROVED, AND IMPLEMENTED; BY ADDING ARTICLE 9 TO CHAPTER 3, TITLE 57 SO AS TO PROVIDE THE CIRCUMSTANCES WHEREBY TOLLS MAY BE IMPOSED AND COLLECTED ALONG THE STATE'S HIGHWAYS, TO PROVIDE FOR THE PROJECTS THAT MAY BE FINANCED BY TOLL REVENUES, TO PROVIDE PENALTIES FOR A PERSON WHO FAILS TO PAY A TOLL, AND TO PROVIDE THAT THE DEPARTMENT MAY IMPLEMENT AN ELECTRONIC TOLL SYSTEM; BY ADDING SECTION 11-35-3075 SO AS TO PROVIDE THAT THE PROVISIONS THAT ALLOW THE DEPARTMENT OF TRANSPORTATION TO ENTER INTO PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES ARE SUBJECT TO CERTAIN PORTIONS OF THE CONSOLIDATED PROCUREMENT CODE AND TO CERTAIN EXPANDED DISCUSSIONS AND PROPOSAL REVISIONS; TO AMEND SECTION 11-35-710, AS AMENDED, RELATING TO THE PURCHASE OF CERTAIN ITEMS THAT ARE EXEMPT FROM THE PROVISIONS CONTAINED IN THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE PURCHASE OF ITEMS ASSOCIATED WITH DEPARTMENT OF TRANSPORTATION PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES ARE NOT EXEMPT FROM THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 11-35-40, AS AMENDED, RELATING TO THE APPLICATION OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE AN ENTITY THAT UTILIZES A FEDERAL GRANT TO PROCURE AN ITEM MUST COMPLY WITH ALL APPLICABLE LAWS THAT ARE NOT CONTAINED IN THE CONSOLIDATED PROCUREMENT CODE; TO AMEND SECTION 57-5-1625, AS AMENDED, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AWARDING OF CONTRACTS THAT USE THE DESIGN-BUILD PROCEDURE, SO AS TO REVISE THE DEFINITION OF THE TERM "DESIGN-BUILD CONTRACT"; TO AMEND SECTION 57-5-1310, RELATING TO THE GENERAL ASSEMBLY'S INTENT WHEN IT PROVIDED THE DEPARTMENT OF TRANSPORTATION THE AUTHORITY TO CONSTRUCT TURNPIKE PROJECTS, SO AS TO PROVIDE THAT THE DEPARTMENT ALSO HAS THE AUTHORITY TO IMPROVE THESE FACILITIES PURSUANT TO THIS PROVISION; TO AMEND SECTION 57-5-1320, RELATING TO THE DEFINITION OF TERMS REGARDING TURNPIKE PROJECTS, SO AS TO REVISE THE DEFINITION OF THE TERM "TURNPIKE FACILITY"; TO AMEND SECTION 57-5-1330, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY TO DESIGNATE, ESTABLISH, PLAN, IMPROVE, CONSTRUCT, OPERATE, AND REGULATE TURNPIKE FACILITIES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY DESIGNATE AS A TURNPIKE FACILITY ANY TRANSPORTATION FACILITY THAT IS FUNDED IN PART BY A LOCAL OPTION SALES AND USE TAX; TO AMEND SECTION 40-11-360, RELATING TO THE ENTITIES THAT ARE EXEMPT FROM THE PROVISIONS THAT REGULATE LICENSED CONTRACTORS, SO AS TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 57-5-1660, RELATING TO THE DEPARTMENT OF TRANSPORTATION'S REQUIREMENT THAT CERTAIN CONTRACTORS MUST FURNISH A BOND FOR CERTAIN CONSTRUCTION CONTRACTS, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO CERTAIN PUBLIC-PRIVATE INITIATIVES TO CONSTRUCT TRANSPORTATION FACILITIES AND PROVIDE THAT WHEN THE DEPARTMENT UTILIZES THE DESIGN-BUILD DELIVERY METHOD FOR A HIGHWAY CONSTRUCTION PROJECT, THE AMOUNT OF THE PERFORMANCE AND INDEMNITY BOND AND PAYMENT BONDS REQUIRED BY THIS PROVISION RELATE ONLY TO THE PORTION OF THE CONTRACT CONCERNING CONSTRUCTION; AND TO REPEAL SECTIONS 12-28-2920, 57-3-200, 57-3-615, 57-3-618, 57-5-1490, AND 57-5-1495 RELATING TO THE CONSTRUCTION OF TOLL ROADS BY THE DEPARTMENT OF TRANSPORTATION, THE DEPARTMENT'S AUTHORITY TO ENTER INTO AGREEMENTS WITH VARIOUS ENTITIES TO CONSTRUCT, OPERATE, AND MAINTAIN HIGHWAY FACILITIES, THE PROJECTS THAT MAY BE CONSTRUCTED WITH TOLL REVENUES, THE IMPOSITION AND COLLECTION OF A TOLL ALONG INTERSTATE 73, THE PENALTY FOR FAILURE TO PAY A TOLL, AND THE COLLECTION OF TOLLS.

Rep. CLEMMONS proposed the following Amendment No. 1 (COUNCIL\SWB\5919CM09), which was rejected:

Amend the bill, as and if amended, Section 57‑3‑910, as contained in SECTION 3, by deleting / A / and inserting / No / on line 18, page 14.

Amend the bill further, as and if amended, Section 57‑3‑520, as contained in SECTION 2, page 13, by deleting Section 57‑3‑520 and inserting:

/ Section 57‑3‑520. The financial structure of a transportation facility subject to a partnership agreement authorized by law on or before the effective date of this act may be refinanced pursuant to the provisions contained in this article if the refinancing is in the best interest of the public and allows for the continued operation and maintenance of the facility. /

Amend the bill further, Section 57‑3‑900(2)(b), as contained in SECTION 3, page 14, by deleting Section 57‑3‑900(2)(b) and inserting:

/ (b) a transportation facility constructed by the department under a partnership agreement on which a toll is charged by law on or before the effective date of this act; or /

Amend the bill further, Section 57‑3‑930 as contained in SECTION 3, pages 14 and 15 by deleting Section 57‑3‑930 and inserting:

/ Section 57‑3‑930. (A) For the purposes of this section, ‘costs associated with the toll road’ means the costs of acquisition, construction, improving, financing, refinancing, operating, maintaining, and the satisfaction of the obligations of any partnership agreement authorized by law on or before the effective date of this act, or partnership agreement under Article 3, Chapter 3, Title 57. Under no circumstances may a toll be collected for maintenance and operations on a road subject to a partnership agreement after the expiration of the partnership agreement, or after financial obligations related to the financing of that road have been satisfied.

 (B) Tolls imposed and collected on a toll road only must be used to pay for the costs associated with that toll road. The tolls collected on a toll road must be:

 (1) credited to the State Highway Fund to be used for payment of costs associated with the toll road;

 (2) retained and applied by the entity or entities developing the toll road pursuant to a partnership agreement authorized by law on or before the effective date of this act or a partnership agreement authorized pursuant to Article 3, Chapter 3, Title 57; or

 (3) used to service bonded indebtedness for the toll road pursuant to Paragraph 9, Section 13, Article X of the South Carolina Constitution, 1895.

 (C) Upon repayment of the costs associated with the toll road, the toll charges shall cease. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. CLEMMONS spoke in favor of the amendment.

Rep. RICE moved to table the amendment.

Rep. CLEMMONS demanded the yeas and nays, which were not ordered.

The House refused to table the amendment by a division vote of 17 to 29.

Rep. RICE spoke against the amendment.

The question then recurred to the adoption of the amendment.

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

Yeas 46; Nays 59

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bannister | Barfield | Battle |
| Bowen | Brady | Branham |
| G. A. Brown | Cato | Chalk |
| Clemmons | Cooper | Daning |
| Dillard | Edge | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Hayes |
| Hearn | Hutto | Jefferson |
| King | Limehouse | Lowe |
| McEachern | Miller | D. C. Moss |
| V. S. Moss | Nanney | Pinson |
| M. A. Pitts | Rutherford | Scott |
| Sellers | G. R. Smith | J. E. Smith |
| J. R. Smith | Stavrinakis | Williams |
| Willis |  |  |

**Total--46**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anthony |
| Bales | Ballentine | Bingham |
| Bowers | Brantley | R. L. Brown |
| Clyburn | Cole | Crawford |
| Delleney | Duncan | Forrester |
| Frye | Funderburk | Gunn |
| Haley | Harrison | Harvin |
| Hiott | Hodges | Horne |
| Hosey | Huggins | Kelly |
| Kennedy | Kirsh | Knight |
| Littlejohn | Loftis | Long |
| Merrill | Millwood | Mitchell |
| J. H. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Rice | Simrill |
| Skelton | D. C. Smith | G. M. Smith |
| Sottile | Spires | Stewart |
| Stringer | Thompson | Toole |
| Weeks | White | Whitmire |
| Wylie | T. R. Young |  |

**Total--59**

So, the amendment was rejected.

Rep. CLEMMONS moved to adjourn debate on the Bill until Thursday, February 4, which was agreed to.

**JOINT ASSEMBLY**

At 12:00 noon the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

**ELECTION OF A SUPREME COURT JUDGE, COURT OF APPEALS JUDGE, CIRCUIT COURT JUDGES, FAMILY COURT JUDGES AND ADMINISTRATIVE LAW JUDGES**

The Reading Clerk of the House read the following Concurrent Resolution:

S. 1037 -- Senators McConnell, Knotts and Nicholson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 3, 2010, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 5, WHOSE TERM EXPIRES JULY 31, 2010; TO ELECT A SUCCESSOR TO A CERTAIN CHIEF JUDGE OF THE COURT OF APPEALS, SEAT 5, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SECOND JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 8, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIRST JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SECOND JUDICIAL CIRCUIT, SEAT 1 TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 4, TO FILL THIS SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 1, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 6, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TENTH JUDICIAL CIRCUIT SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE TWELFTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR OF A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO THE FAMILY COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT, SEAT 2, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2013; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2010; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 6, TO FILL THE UNEXPIRED TERM WHICH EXPIRES JUNE 30, 2011, AND THE SUBSEQUENT FULL TERM THAT EXPIRES JUNE 30, 2016.

The PRESIDENT recognized Rep. DELLENEY, Chairman of the Judicial Merit Selection Commission.

**SUPREME COURT JUDGE, SEAT 5**

 The PRESIDENT announced that nominations were in order for a Supreme Court Judge, Seat 5.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: the Honorable Donald W. Beatty.

 Rep. DELLENEY placed the name of the Honorable Donald W. Beatty in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Donald W. Beatty was duly elected for the term prescribed by law.

RECORD FOR VOTING

 I wish to be on record as having voted “nay” during the election of Judge Donald Beatty.

 Rep. Joey B. Millwood

**CHIEF JUDGE, COURT OF APPEALS, SEAT 5**

 The PRESIDENT announced that nominations were in order for Chief Judge of the Court of Appeals, Seat 5.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable John Cannon Few, the Honorable Daniel F. Pieper, and the Honorable Paul E. Short, Jr.

 Rep. DELLENEY stated that the the Honorable Daniel F. Pieper and the Honorable Paul E. Short, Jr., had withdrawn from the race and placed the name of the remaining candidate, the Honorable John Cannon Few in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable John Cannon Few was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, FIRST JUDICIAL CIRCUIT,**

**SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, First Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Diane Schafer Goodstein.

 Rep. DELLENEY placed the name of the Honorable Diane Schafer Goodstein in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Diane Schafer Goodstein was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, SECOND JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Second Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Doyet A. “Jack” Early III.

 Rep. DELLENEY placed the name of the Honorable Doyet A. “Jack” Early III in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Doyet A. “Jack” Early III was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, THIRD JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Third Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Ralph Ferrell Cothran, Jr.

 Rep. DELLENEY placed the name of the Honorable Ralph Ferrell Cothran, Jr., in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Ralph Ferrell Cothran, Jr., was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, FOURTH JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Fourth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Paul Michael Burch.

 Rep. DELLENEY placed the name of the Honorable Paul Michael Burch in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Paul Michael Burch was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, SIXTH JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Sixth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Brooks P. Goldsmith.

 Rep. DELLENEY placed the name of the Honorable Brooks P. Goldsmith in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Brooks P. Goldsmith was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, THIRTEENTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Thirteenth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable George Edward Welmaker.

 Rep. DELLENEY placed the name of the Honorable George Edward Welmaker in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable George Edward Welmaker was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Thirteenth Judicial Circuit, Seat 4.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable David Garrison Hill.

 Rep. DELLENEY placed the name of the Honorable David Garrison Hill in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable David Garrison Hill was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, FIFTEENTH JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Fifteenth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Steven H. John.

 Rep. DELLENEY placed the name of the Honorable Steven H. John in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Steven H. John was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, SIXTEENTH JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Sixteenth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable John Calvin Hayes III.

 Rep. DELLENEY placed the name of the Honorable John Calvin Hayes III in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable John Calvin Hayes III was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, SIXTEENTH JUDICIAL CIRCUIT,**

**SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Sixteenth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Lee S. Alford.

 Rep. DELLENEY placed the name of the Honorable Lee S. Alford in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Lee S. Alford was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, AT-LARGE SEAT, SEAT 8**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, At-Large Seat, Seat 8.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: David Craig Brown, Samuel Richardson Hubbard III and the Honorable Maite Murphy.

 Rep. DELLENEY stated that Samuel Richardson Hubbard III and the Honorable Maite Murphy had withdrawn from the race and placed the name of the remaining candidate David Craig Brown in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable David Craig Brown was duly elected for the term prescribed by law.

**CIRCUIT COURT JUDGE, EIGHTH JUDICIAL CIRCUIT,**

 **SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Eighth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Frank Robert Addy, Jr., the Honorable Donald Bruce Hocker and Joseph C. Smithdeal.

 Rep. DELLENEY stated that Joseph C. Smithdeal had withdrawn from the race, and placed the names of the remaining candidates, the Honorable Frank Robert Addy, Jr., and the Honorable Donald Bruce Hocker in nomination.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called:

 The following named Senators voted for Addy:

Anderson Coleman Cromer

Elliott Ford Hutto

Jackson Knotts Leatherman

Leventis Malloy *Martin, L.*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O’Dell Pinckney Rankin

Sheheen Williams

**Total--23**

 The following named Senators voted for Hocker:

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Davis Fair

Grooms Hayes Land

Lourie Mulvaney Peeler

Reese Rose Ryberg

Scott Shoopman Thomas

Verdin

**Total--22**

On the motion of Rep. DELLENEY, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Addy:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Anderson |
| Bales | Ballentine | Barfield |
| Battle | Bingham | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Chalk |
| Cobb-Hunter | Cole | Delleney |
| Dillard | Funderburk | Gambrell |
| Gilliard | Govan | Gunn |
| Harrison | Hart | Hearn |
| Hodges | Hosey | Hutto |
| Jefferson | King | Kirsh |
| Knight | Lowe | Mack |
| McEachern | McLeod | Miller |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Parker |
| Parks | Pinson | Rice |
| Sellers | D. C. Smith | J. E. Smith |
| J. R. Smith | Stavrinakis | Stewart |
| Toole | Weeks | Whipper |
| Williams | T. R. Young |  |

**Total--62**

The following named Representatives voted for Hocker:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Bedingfield |
| Bowen | Cato | Clemmons |
| Clyburn | Cooper | Crawford |
| Daning | Erickson | Forrester |
| Frye | Hamilton | Hardwick |
| Harrell | Harvin | Hayes |
| Hiott | Horne | Huggins |
| Kelly | Kennedy | Limehouse |
| Littlejohn | Loftis | Long |
| Merrill | Millwood | Nanney |
| Owens | M. A. Pitts | Sandifer |
| Scott | Simrill | Skelton |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stringer | Thompson |
| Vick | White | Whitmire |
| Willis | Wylie | A. D. Young |

**Total--48**

**RECAPITULATION**

Total number of Senators voting 45

Total number of Representatives voting 110

Grand Total 155

Necessary to a choice 78

Of which Addy received 85

Of which Hocker received 70

 Whereupon, the PRESIDENT announced that the Honorable Frank Robert Addy was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIRST JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, First Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable William J. Wylie, Jr.

 Rep. DELLENEY placed the name of the Honorable William J. Wylie, Jr., in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable William J. Wylie, Jr., was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIRST JUDICIAL CIRCUIT, SEAT 3**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, First Judicial Circuit, Seat 3.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Nancy Chapman McLin.

 Rep. DELLENEY placed the name of the Honorable Nancy Chapman McLin in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Nancy Chapman McLin was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, SECOND JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Second Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Dennis M. Gmerek and Vicki Johnson Snelgrove.

 Rep. DELLENEY stated that Dennis M. Gmerek had withdrawn from the race and placed the name of the remaining candidate: Vicki Johnson Snelgrove in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Vicki Johnson Snelgrove was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, THIRD JUDICIAL CIRCUIT,**

**SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Third Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable George Marion McFaddin, Jr.

 Rep. DELLENEY placed the name of the Honorable George Marion McFaddin, Jr., in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable George Marion McFaddin, Jr., was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FOURTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Fourth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Roger E. Henderson.

 Rep. DELLENEY placed the name of the Honorable Roger E. Henderson in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Roger E. Henderson was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIFTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Fifth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Dorothy Mobley Jones.

 Rep. DELLENEY placed the name of the Honorable Dorothy Mobley Jones in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Dorothy Mobley Jones was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, SEVENTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Seventh Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: Phillip K. Sinclair.

 Rep. DELLENEY placed the name of Phillip K. Sinclair in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Phillip K. Sinclair was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, SEVENTH JUDICIAL CIRCUIT, SEAT 3**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Seventh Judicial Circuit, Seat 3.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Usha J. Bridges.

 Rep. DELLENEY placed the name of the Honorable Usha J. Bridges in nomination.

 Rep. MOSS seconded the nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Usha J. Bridges was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, EIGHTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Eighth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable John M. Rucker.

 Rep. DELLENEY placed the name of the Honorable John M. Rucker in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable John M. Rucker was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, NINTH JUDICIAL**

**CIRCUIT, SEAT 3**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Ninth Judicial Circuit, Seat 3.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Judy L. McMahon.

 Rep. DELLENEY placed the name of the Honorable Judy L. McMahon in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Judy L. McMahon was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, NINTH JUDICIAL**

**CIRCUIT, SEAT 6**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Ninth Judicial Circuit, Seat 6.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Jack Alan Landis.

 Rep. DELLENEY placed the name of the Honorable Jack Alan Landis in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Jack Alan Landis was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, TENTH JUDICIAL CIRCUIT,**

**SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Tenth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Timothy Martin Cain.

 Rep. DELLENEY placed the name of the Honorable Timothy Martin Cain in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Timothy Martin Cain was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, ELEVENTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Eleventh Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Kellum Wright Allen.

 Rep. DELLENEY placed the name of the Honorable Kellum Wright Allen in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Kellum Wright Allen was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, TWELFTH JUDICIAL CIRCUIT, SEAT 3**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Twelfth Judicial Circuit, Seat 3.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Jerry Deese Vinson, Jr.

 Rep. DELLENEY placed the name of the Honorable Jerry Deese Vinson, Jr., in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Jerry Deese Vinson, Jr., was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, THIRTEENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Thirteenth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Catherine Carr Christophillis, Harry L. “Don” Phillips, Jr., William Marsh Robertson.

 Rep. DELLENEY stated that Catherine Carr Christophillis and Harry L. “Don” Phillips had withdrawn from the race and placed the name of the remaining candidate William Marsh Robertson in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable William Marsh Robertson was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Thirteen Judicial Circuit, Seat 4.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Alvin D. Johnson.

 Rep. DELLENEY placed the name of the Honorable Alvin D. Johnson in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Alvin D. Johnson was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FOURTEENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Fourteenth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Peter Leach Fuge.

 Rep. DELLENEY placed the name of the Honorable Peter Leach Fuge in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Peter Leach Fuge was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIFTEENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Fifteenth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Lisa Allen Kinon.

 Rep. DELLENEY placed the name of the Honorable Lisa Allen Kinon in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Lisa Allen Kinon was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, SIXTEENTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Sixteenth Judicial Circuit, Seat 1.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Robert E. Guess.

 Rep. DELLENEY placed the name of the Honorable Robert E. Guess in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Robert E. Guess was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, SIXTEENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Sixteenth Judicial Circuit, Seat 2.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: The Honorable David Glenn Guyton, Tony Miller Jones, and Angela M. Killian.

 Rep. DELLENEY stated that Tony Miller Jones and Angela M. Killian had withdrawn from the race and placed the name of the remaining candidate the Honorable David Glenn Guyton in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable David Glenn Guyton was duly elected for the term prescribed by law.

**FAMILY COURT JUDGE, FIFTH JUDICIAL CIRCUIT, SEAT 4**

 The PRESIDENT announced that nominations were in order for a Family Court Judge, Fifth Judicial Circuit, Seat 4.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable DeAndrea Gist Benjamin, Stevens B. Elliott, and Gwendlyn Young Smalls.

 Rep. DELLENEY stated that Stevens B. Elliot had withdrawn from the race, and placed the names of the remaining candidates, the Honorable DeAndrea Gist Benjamin and Gwendlyn Young Smalls in nomination.

 The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called:

 The following named Senators voted for Benjamin:

Alexander Anderson Bryant

Campbell Campsen Courson

Cromer Davis Fair

Ford Grooms Jackson

Knotts Land Leatherman

Leventis Lourie *Martin, L.*

Massey McConnell McGill

Mulvaney O’Dell Pinckney

Rankin Reese Rose

Ryberg Sheheen Thomas

**Total--30**

 The following named Senators voted for Smalls:

Bright Cleary Coleman

Elliott Hayes Hutto

Malloy *Martin, Shane* Matthews

Nicholson Peeler Scott

Shoopman Verdin Williams

**Total--15**

 On the motion of Rep. DELLENEY, with unanimous consent, the members of the House voted by electronic roll call.

The following named Representatives voted for Benjamin:

|  |  |  |
| --- | --- | --- |
| Agnew | Anderson | Anthony |
| Bales | Ballentine | Bedingfield |
| Bingham | Bowen | Brady |
| Clyburn | Daning | Edge |
| Erickson | Funderburk | Gunn |
| Harrison | Herbkersman | Horne |
| Hosey | Huggins | Hutto |
| Merrill | Miller | Nanney |
| M. A. Pitts | Rice | Scott |
| Sellers | Simrill | Skelton |
| D. C. Smith | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stewart | Stringer | Thompson |
| Toole | Umphlett | Vick |
| A. D. Young | T. R. Young |  |

**Total--44**

The following named Representatives voted for Smalls:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Bannister | Barfield | Battle |
| Bowers | Branham | Brantley |
| G. A. Brown | R. L. Brown | Cato |
| Chalk | Clemmons | Cobb-Hunter |
| Cole | Crawford | Delleney |
| Dillard | Forrester | Frye |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Hart | Harvin | Hayes |
| Hearn | Hiott | Hodges |
| Howard | Jefferson | Kelly |
| Kennedy | Kirsh | Littlejohn |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Ott | Parker |
| Parks | Pinson | Rutherford |
| Sandifer | G. M. Smith | G. R. Smith |
| Weeks | Whipper | White |
| Williams | Wylie |  |

**Total--65**

**RECAPITULATION**

Total number of Senators voting 45

Total number of Representatives voting 109

Grand Total 154

Necessary to a choice 78

Of which Benjamin received 74

Of which Smalls received 80

 Whereupon, the PRESIDENT announced that the Honorable Gwendolyn Young Smalls was duly elected for the term prescribed by law.

RECORD FOR VOTING

 This is to serve as written notice that I, John R. King, would like the Journal to reflect that I voted in favor of the Honorable Gwen Smalls.

 Rep. John R. King

RECORD FOR VOTING

 Please note that Rep. John King and myself voted in favor of Gwendlyn Smalls, however, due to a technical malfunction, our votes were not reflected. I wish the record to show that I voted in favor of the Honorable Gwendlyn Smalls.

 Rep. Patsy Knight

**ADMINISTRATIVE LAW COURT JUDGE, SEAT 3**

 The PRESIDENT announced that nominations were in order for to elect a successor to the position of Judge, Administrative Law Court, Seat 3.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidate had been screened and found qualified: The Honorable Carolyn Cason Matthews.

 Rep. DELLENEY placed the name of the Honorable Carolyn Cason Matthews in nomination.

 On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Carolyn Cason Matthews was duly elected for the term prescribed by law.

**ADMINISTRATIVE LAW COURT JUDGE, SEAT 6**

 The PRESIDENT announced that nominations were in order for to elect a successor to the position of Judge, Administrative Law Court, Seat 6.

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: LaTonya Dilligard Edwards, Sebastian Phillip Lenski, and Lee W. Zimmerman.

 Rep. DELLENEY stated that LaTonya Dilligard Edwards and Lee W. Zimmerman had withdrawn from the race and placed the name of the remaining candidate Sebastian Phillip Lenski in nomination.

 On the motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

 Whereupon, the Honorable Sebastian Phillip Lenski was duly elected for the term prescribed by law.

**JOINT ASSEMBLY RECEDES**

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 12:51 p.m. the House resumed, the SPEAKER in the Chair.

Rep. J. E. SMITH moved that the House do now adjourn, which was agreed to.

**MOTION NOTED**

Rep. BALLENTINE moved to reconsider the vote whereby Amendment No. 1 to H. 4033 was rejected and the motion was noted.

**ADJOURNMENT**

At 12:53 p.m. the House, in accordance with the motion of Rep. CLEMMONS, adjourned in memory of Nelson Jackson of Myrtle Beach, to meet at 10:00 a.m. tomorrow.

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