~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 11:30 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Psalm 104:33: “I will sing praise to my God while I have being.”

Let us pray. Awesome Architect of the universe, we praise Your power, love, and wisdom. Lord, You fill the world with countless good things that we do not even realize. Our loudest choral “hallelujah” is like a whisper next to the immensity of Your provisions. We depend on what You have accomplished and we give You thanks. Bless these men and women as we all enjoy Your gracious gifts to us. We ask Your blessings on our Nation, State, and her leaders. Guide each of these leaders to do the right thing for the people of this State. Protect our defenders of freedom at home and abroad, as they protect us. Heal the wounds of our brave warriors, those seen and those unseen. Hear us, O Lord, as we pray. 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. YOUNG moved that when the House adjourns, it adjourn in memory of Aiken Public Safety Master Corporal Sandy Rogers, who was killed in the line of duty, which was agreed to.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1095 -- Senators Lourie, Davis, Campsen, Hutto, Sheheen, Land, Knotts, Coleman, Elliott, Rose and Courson: A CONCURRENT RESOLUTION RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD'S VOTE TO APPROVE THE UNITED STATES CORPS OF ENGINEER'S APPLICATION TO DREDGE THE SAVANNAH RIVER, TO RESOLVE THAT THE BOARD ACTED WITHOUT ANY INDEPENDENT CONSIDERATION AND ANALYSIS AND NEGLECTED ITS DUTY TO PROTECT THE ENVIRONMENT IN SOUTH CAROLINA, AND TO CALL UPON THE BOARD TO RECONSIDER THE MATTER AND OVERTURN THE BOARD'S APPLICATION APPROVAL.

The Concurrent Resolution was ordered referred to the Committee on Agriculture, Natural Resources and Environmental Affairs.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

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

The Concurrent Resolution was ordered referred to the Committee on Invitations and Memorial Resolutions.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| R. L. Brown | Chumley | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Dillard | Edge |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Hart | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Owens | Parker | Parks |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Viers |
| White | Whitmire | Williams |
| Willis | Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, February 1.

|  |  |
| --- | --- |
| Jackson "Seth" Whipper | Grady Brown |
| Alan D. Clemmons | Boyd Brown |
| Shannon Erickson | David Weeks |
| James Harrison | Denny Neilson |
| Mia Butler Garrick | Jackie Hayes |

**Total Present--117**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. RUTHERFORD a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. PATRICK a leave of absence for the day due to business reasons.

**STATEMENT OF ATTENDANCE**

Rep. WHIPPER 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, January 31.

**DOCTOR OF THE DAY**

Announcement was made that Dr. William B. Jones of Greenville was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. HENDERSON presented to the House the Eastside High School Girls Volleyball Team, the 2011 AAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. HENDERSON presented to the House the Eastside Girls Cross Country Team, the 2011 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. 4053 |
| Date: | ADD: |
| 02/01/12 | BATTLE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4652 |
| Date: | ADD: |
| 02/01/12 | BATTLE |

**H. 4704--DEBATE ADJOURNED**

Rep. AGNEW moved to adjourn debate upon the following Joint Resolution until Thursday, February 2, which was adopted:

H. 4704 -- Rep. Agnew: A JOINT RESOLUTION TO POSTPONE UNTIL PROPERTY TAX YEAR 2012 THE IMPLEMENTATION OF THE REVISED VALUES DETERMINED IN THE MOST RECENT COUNTYWIDE APPRAISAL AND EQUALIZATION PROGRAM CONDUCTED IN ABBEVILLE COUNTY.

**SENT TO THE SENATE**

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

H. 4595 -- Reps. Bingham, Allison, Anthony and White: A BILL TO AMEND ACT 73 OF 2011, RELATING TO THE 2011-2012 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.54, SECTION 1A, PART IB, DIRECTING THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY PROVIDING THAT THE DOLLAR AMOUNT DIRECTED TO BE TRANSFERRED MUST BE "UP TO" THAT AMOUNT AND NOT THE SPECIFIC AMOUNT STIPULATED.

H. 4664 -- Rep. Clyburn: A BILL TO AMEND SECTION 11-50-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY, SO AS TO PROVIDE FOR THE APPOINTMENT OF CERTAIN MEMBERS OF THE GOVERNING BOARD OF THE AUTHORITY.

H. 3793 -- Reps. Thayer, Whitmire, H. B. Brown, G. R. Smith, Gambrell, Bowen, Hardwick, Clemmons, Mitchell, Parks, Atwater, Butler Garrick, Pinson, Corbin, Norman, Viers, Erickson, Hearn, Murphy, Allison, McCoy, Govan, Agnew, Hosey, Hiott, Patrick, Chumley, Brannon, Battle, Brady, R. L. Brown, Clyburn, Cobb-Hunter, Cole, Daning, Delleney, Funderburk, Hamilton, Harrison, Hayes, Henderson, Horne, Lucas, D. C. Moss, V. S. Moss, Nanney, J. M. Neal, Owens, Pitts, Pope, Ryan, Sabb, Sandifer, Simrill, J. R. Smith, Stringer, Tallon, Taylor, White, Cooper, Quinn, Lowe, Barfield, Munnerlyn, Weeks, Putnam, Gilliard, Branham, Alexander, Jefferson, Spires, Willis, Frye, Ballentine, Huggins, King, Anderson and Hixon: A BILL TO AMEND SECTION 44-53-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MATERIALS, COMPOUNDS, MIXTURES, AND PREPARATIONS CLASSIFIED AS SCHEDULE I CONTROLLED SUBSTANCES, INCLUDING HALLUCINOGENICS, SO AS TO ADD METHYLONE, MDPV, MEPHEDRONE, METHOXYMETHCATHINONE, AND FLURORO-METHCATHINONE, COMMONLY REFERRED TO AS "BATH SALTS", TO THE LIST OF SCHEDULE I DRUGS.

H. 4571 -- Reps. Rutherford and Weeks: A BILL TO AMEND ACT 13 OF 2011, RELATING TO THE REPEAL OF SECTION 56-1-745 WHICH RELATES TO THE SUSPENSION OF A DRIVER'S LICENSE OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION, SO AS TO PROVIDE THAT THE REPEAL OF THIS PROVISION APPLIES TO ALL ACTIONS, RIGHTS, DUTIES, OR LIABILITIES FOUNDED ON IT PENDING ON AND BEFORE APRIL 12, 2011, AND ALTERS, DISCHARGES, RELEASES AND EXTINGUISHES ANY PENALTY, FORFEITURE, OR LIABILITY INCURRED UNDER THE REPEALED SECTION.

**H. 4614--SENT TO THE SENATE**

The following Bill was taken up:

H. 4614 -- Reps. Pitts, Lucas, Hearn, Brannon, Weeks, Spires, Loftis and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 15, TITLE 63 SO AS TO SPECIFY CERTAIN PROCEDURES AND REQUIREMENTS FOR COURT-ORDERED CHILD CUSTODY, INCLUDING, BUT NOT LIMITED TO, DEFINING "JOINT CUSTODY" AND "SOLE CUSTODY", REQUIRING PARENTS TO JOINTLY PREPARE AND SUBMIT A PARENTING PLAN, WHICH THE COURT MUST CONSIDER BEFORE ISSUING TEMPORARY AND FINAL CUSTODY ORDERS; REQUIRING THE COURT TO MAKE FINAL CUSTODY DETERMINATIONS IN THE BEST INTEREST OF THE CHILD BASED UPON THE EVIDENCE PRESENTED, REQUIRING THE COURT TO CONSIDER JOINT CUSTODY IF EITHER PARENT SEEKS IT, STATING FINDINGS OF FACT AS TO WHY OR WHY NOT JOINT CUSTODY WAS AWARDED, PROVIDING MATTERS THAT MAY BE INCLUDED IN A CUSTODY ORDER, PROVIDING FACTORS THE COURT MAY CONSIDER IN ISSUING OR MODIFYING A CUSTODY ORDER WHEN CONSIDERING THE BEST INTEREST OF THE CHILD, AND AUTHORIZING A PARENT TO SEEK ARBITRATION OF AN ISSUE THAT CANNOT BE RESOLVED BETWEEN THE PARENTS; AND TO AMEND SECTION 63-5-30, RELATING TO THE RIGHTS AND DUTIES OF PARENTS TO THEIR CHILDREN, SO AS TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY AN ORDER OF THE COURT, PARENTS HAVE EQUAL POWERS, RIGHTS, AND DUTIES CONCERNING ALL MATTERS AFFECTING THEIR CHILDREN.

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

Yeas 95; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Battle | Bingham |
| Bowen | Bowers | Brady |
| Brannon | Brantley | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Forrester | Frye |
| Funderburk | Gambrell | Govan |
| Hardwick | Harrell | Harrison |
| Hart | Hearn | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Owens | Parker | Parks |
| Pinson | Pitts | Putnam |
| Quinn | Ryan | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Thayer | Toole | Tribble |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--95**

 Those who voted in the negative are:

**Total--0**

So, the Bill was read the third time and ordered sent to the Senate.

**H. 3863--RECOMMITTED**

The following Bill was taken up:

H. 3863 -- Reps. Barfield, Brantley, Brannon, Pinson, Crawford, Patrick, Knight, Parker, J. R. Smith, G. A. Brown, Gilliard, G. R. Smith, Bowers, Corbin, Hamilton, Hodges, Long, D. C. Moss, G. M. Smith, Whipper, Herbkersman and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 53, TITLE 44 TO ENACT THE "UTILIZATION OF UNUSED PRESCRIPTION DRUGS ACT" SO AS TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, IN CONSULTATION WITH THE BOARD OF PHARMACY, SHALL DEVELOP A VOLUNTARY PROGRAM WHEREBY HEALTH CARE FACILITIES CAN DONATE UNUSED PRESCRIPTION DRUGS OF PATIENTS WHO NO LONGER NEED THEM AND WHO HAVE VOLUNTARILY AGREED TO DONATE THEIR PRESCRIPTION DRUGS TO CHARITABLE CLINICS PROVIDING SERVICES TO MEDICALLY INDIGENT PERSONS; TO PROVIDE THAT CERTAIN PROGRAM PROCEDURES AND REQUIREMENTS MUST BE PROMULGATED IN REGULATION BY THE DEPARTMENT AND BY THE BOARD OF PHARMACY, INDIVIDUALLY, TO CARRY OUT THE PROVISIONS OF THIS ARTICLE; AND TO CREATE AN ADVISORY COUNCIL TO OVERSEE AND ADVISE THE DEPARTMENT IN ESTABLISHING THIS PROGRAM AND IN CARRYING OUT THE RESPONSIBILITIES UNDER THIS ARTICLE.

Rep. BARFIELD moved to recommit the Bill to the Committee on Medical, Military, Public and Municipal Affairs, which was agreed to.

**H. 4463--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4463 -- Reps. Harrison, Clyburn, Murphy, McLeod and Weeks: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT TO MAGISTRATES OR MUNICIPAL COURT, SO AS TO CLARIFY THE TYPES OF CASES THAT MAY BE TRANSFERRED INCLUDES CRIMINAL CASES ORIGINALLY CHARGED AND THOSE IN WHICH THE CHARGES ARE REDUCED FOR PURPOSES OF A GUILTY PLEA, TO ALLOW DEFENDANTS TO WAIVE CERTAIN RIGHTS, AND TO REQUIRE THE APPROVAL OF A CIRCUIT COURT JUDGE REGARDING TERMS OF COURT OF THE MAGISTRATES AND MUNICIPAL COURTS FOR THE DISPOSITION OF TRANSFERRED CASES.

Rep. HARRISON moved to adjourn debate upon the following Bill until Thursday, February 2, which was adopted:

**H. 4541--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4541 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF HICKORY RIDGE DRIVE AND PADGETT ROAD IN RICHLAND COUNTY THAT CONTAIN THE WORDS "WELCOME TO THE HICKORY RIDGE COMMUNITY".

The Concurrent Resolution was adopted and sent to the Senate.

**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 JUSTICE, COURT OF APPEALS JUDGE, CIRCUIT COURT JUDGES, AND ADMINISTRATIVE LAW COURT JUDGE**

The following Concurrent Resolution was read:

S. 1023 -- Senators McConnell, Knotts and Nicholson: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 1, 2012, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 4, WHOSE TERM WILL EXPIRE JULY 31, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 8, WHOSE TERM WILL EXPIRE JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FIFTH JUDICIAL CIRCUIT, SEAT 3, TO FILL THE UNEXPIRED TERM THAT EXPIRES JUNE 30, 2015; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE EIGHTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE NINTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE TENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE ELEVENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM WILL EXPIRE ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE ELEVENTH JUDICIAL CIRCUIT, SEAT 2, WHOSE TERM EXPIRES ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE TWELFTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES ON JUNE 30, 2012; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT FOR THE FOURTEENTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES ON JUNE 30, 2012; AND TO ELECT A SUCCESSOR TO THE ADMINISTRATIVE LAW COURT, SEAT 2, WHOSE TERM EXPIRES ON JUNE 30, 2012.

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

**ELECTION OF A SUPREME COURT JUSTICE, SEAT 4**

 The PRESIDENT announced that nominations were in order for a Supreme Court Justice, 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 Kaye Gorenflo Hearn.

 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 Kaye Gorenflo Hearn was duly elected for the term prescribed by law.

**STATEMENT FOR HOUSE JOURNAL**

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

 In accordance with **§8-13-700(B) of the S.C. Code**, I abstained from voting on the below referenced election because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

South Carolina Supreme Court Justice

The reason for abstaining on the above referenced legislation is:

 A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. George M. Hearn

**ELECTION OF A JUDGE OF THE COURT OF APPEALS, SEAT 8**

 The PRESIDENT announced that nominations were in order for a Judge of the Court of Appeals, Seat 8.

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

 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 Thomas E. Huff was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**FIFTH JUDICIAL CIRCUIT, SEAT 3**

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

 Rep. DELLENEY, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Robert Eldon Hood, John P. Meadors, and Clifford Scott.

 Rep. DELLENEY stated that Clifford Scott had withdrawn from the race, and placed the name of the two remaining candidates in nomination: Robert Eldon Hood and John P. Meadors.

 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 Hood:

|  |  |  |
| --- | --- | --- |
| Bright | Campbell | Courson |
| Cromer | Ford | Grooms |
| Hutto | Knotts | Martin, Shane |
| Matthews | McGill | Peeler |
| Rankin | Setzler | Shoopman |
| Thomas |  |  |

**Total--16**

The following named Senators voted for Meadors:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bryant |
| Campsen | Coleman | Davis |
| Elliott | Fair | Gregory |
| Hayes | Land | Leatherman |
| Leventis | Lourie | Malloy |
| Martin, Larry | Nicholson | O'Dell |
| Pinckney | Reese | Rose |
| Sheheen | Verdin | Williams |

**Total--24**

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 Hood:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Anthony | Bannister |
| Barfield | Battle | Bingham |
| Branham | Brannon | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cole |
| Corbin | Crosby | Daning |
| Delleney | Forrester | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hearn | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| King | Loftis | McCoy |
| Merrill | D. C. Moss | Murphy |
| Nanney | Ott | Parker |
| Pinson | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Skelton | J. E. Smith | J. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Whipper | Young |

**Total--66**

The following named Representatives voted for Meadors:

|  |  |  |
| --- | --- | --- |
| Agnew | Atwater | Bales |
| Bowen | Bowers | Brady |
| Brantley | G. A. Brown | Cobb-Hunter |
| Crawford | Dillard | Frye |
| Funderburk | Gambrell | Howard |
| Johnson | Knight | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | V. S. Moss |
| J. H. Neal | J. M. Neal | Norman |
| Owens | Parks | Pitts |
| Pope | Putnam | Simrill |
| G. M. Smith | G. R. Smith | Southard |
| Thayer | Tribble | Vick |
| White | Whitmire | Williams |
| Willis |  |  |

**Total--43**

**RECAPITULATION**

Total number of Senators voting 40

Total number of Representatives voting 109

Grand Total 149

Necessary to a choice 75

Of which Mr. Hood received 82

Of which Mr. Meadors received 67

 Whereupon, the PRESIDENT announced that Robert Eldon Hood was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**THIRD JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Third 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 George C. James, Jr.

 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 C. James, Jr., was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**FOURTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Fourth 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 Michael Baxley.

 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 Michael Baxley was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**FIFTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Fifth 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 Casey Manning.

 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 Casey Manning was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**SEVENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Seventh 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 Roger Lynn Couch.

 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 Lynn Couch was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**EIGHTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit 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 Eugene Cannon Griffith, Jr.

 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 Eugene Cannon Griffith, Jr., was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**NINTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Ninth 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 Kristi Lea Harrington.

 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 Kristi Lea Harrington was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**TENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit 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 Alexander Stephens Macaulay.

 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 Alexander Stephens Macaulay was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**ELEVENTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit 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 William P. Keesley.

 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 P. Keesley was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**ELEVENTH JUDICIAL CIRCUIT, SEAT 2**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Eleventh 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 R. Knox McMahon.

 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 R. Knox McMahon was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**TWELFTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Twelfth 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 Michael G. Nettles.

 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 Michael G. Nettles was duly elected for the term prescribed by law.

**ELECTION OF A CIRCUIT COURT JUDGE,**

**FOURTEENTH JUDICIAL CIRCUIT, SEAT 1**

 The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Fourteenth 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 Perry M. Buckner III.

 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 Perry M. Buckner III was duly elected for the term prescribed by law.

**ELECTION OF AN ADMINISTRATIVE LAW COURT JUDGE, SEAT 2**

 The PRESIDENT announced that nominations were in order for the position of Judge, Administrative Law Court, 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 Davis McLeod.

 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 Davis McLeod 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 12:20 p.m. the House resumed, the SPEAKER in the Chair.

**RECURRENCE TO THE MORNING HOUR**

Rep. RYAN moved that the House recur to the morning hour, which was agreed to.

**REPORT OF STANDING COMMITTEE**

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

H. 3248 -- Reps. Sottile and Viers: A BILL TO AMEND SECTIONS 2-17-150 AND 8-13-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTES OF LIMITATIONS FOR PROSECUTING CERTAIN ETHICS VIOLATIONS, SO AS TO ALLOW ACTIONS TO BE COMMENCED UNTIL FOUR YEARS AFTER A PUBLIC OFFICIAL, PUBLIC EMPLOYEE OR PUBLIC MEMBER LEAVES OFFICE.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4712 -- Reps. Weeks, G. M. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF GEORGETTE LUCIA FELDER SPAIN ORIGINALLY OF SUMTER COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4708 -- Reps. Stringer, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 29, 2012, HEMOPHILIA AWARENESS DAY IN SOUTH CAROLINA IN ORDER TO EDUCATE CITIZENS ABOUT THE EFFECTS OF HEMOPHILIA.

Whereas, the members of the South Carolina General Assembly note that Hemophilia of South Carolina will host a hemophilia advocacy and awareness event from February 28 to February 29, 2012; and

Whereas, the two day event will include a training workshop and a campaign for younger members of the community; and

Whereas, found primarily in males, hemophilia is a genetically inherited bleeding disorder resulting from a missing or low‑level protein which makes patients unable to form clots properly when cut or injured; and

Whereas, approximately one out of every ten thousand males and many females are affected by hemophilia, and sixty‑five percent of hemophilia sufferers are classified as severe and are prone to extensive bleeding from trauma, surgery, and dental work; and

Whereas, further symptoms include internal bleeding especially in the joints and muscles as often as two or three times a week; and

Whereas, the purposes of Hemophilia of South Carolina are to promote public awareness of bleeding disorders, provide education and support to persons with bleeding disorders and to their friends and families, and support the research of the National Hemophilia Foundation; and

Whereas, Hemophilia of South Carolina offers patient advocacy and support services, scholarships, patient and family education, and statewide and national networking services; and

Whereas, the members of the South Carolina General Assembly are grateful for the work of Hemophilia of South Carolina and are pleased to pause in their deliberations to recognize February 29, 2012, as Hemophilia Awareness Day. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the members of the South Carolina General Assembly, by this resolution, declare Wednesday, February 29, 2012, Hemophilia Awareness Day in South Carolina in order to educate citizens about the effects of hemophilia.

Be it further resolved that a copy of this resolution be presented to Hemophilia of South Carolina.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4711 -- Reps. White, Agnew, Bikas, Bowen, Gambrell, Hiott, Owens, Putnam, Sandifer, Skelton, Thayer and Whitmire: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TRI-COUNTY TECHNICAL COLLEGE FOR FIFTY YEARS OF SERVICE AND QUALITY EDUCATION TO THE CITIZENS OF ANDERSON, OCONEE, AND PICKENS COUNTIES AND FOR ITS CONTRIBUTION TO THE ECONOMIC DEVELOPMENT OF THE STATE.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1152 -- Senators Cleary, Rose and Setzler: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2012 AS NATIONAL CHILDREN'S DENTAL HEALTH MONTH, AND TO THANK SOUTH CAROLINA DENTAL HEALTH CARE PROVIDERS FOR MAKING FEBRUARY 3, 2012, "GIVE KIDS A SMILE DAY" THAT PROMOTES ORAL HEALTH AND JOINS IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

Whereas, the General Assembly of the State of South Carolina is proud to promote good oral health through National Children’s Dental Health Month in February 2012; and

Whereas, National Children’s Dental Health Month and “Give Kids a Smile Day” are specific times set aside to focus attention on the highly preventable epidemic of untreated oral disease among disadvantaged children; and

Whereas, five times more common than asthma and seven times more common than hay fever, dental decay in children is not a widely recognized problem but is detrimental to the health of all South Carolinians; and

Whereas, an estimated twenty‑three million children in America are without dental insurance; and

Whereas, the future, in large part, is dependent on the good health of our families; and

Whereas, good overall health and educational success can be achieved in part through good oral health care; and

Whereas, the General Assembly of the State of South Carolina stands committed to supporting regular and thorough oral health care for the children of our State, so they may smile brightly and proudly in the future. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the General Assembly of the State of South Carolina, by this resolution, declare February 2012 as National Children’s Dental Health Month, and thank South Carolina dental health care providers for making February 3, 2012, “Give Kids a Smile Day” that promotes oral health and joins in the efforts throughout the nation to advocate for oral health awareness and optimal oral health in children.

Be it further resolved that a copy of this resolution be forwarded to the South Carolina Dental Association.

The Concurrent Resolution was agreed to and ordered sent to the Senate.

**INTRODUCTION OF BILLS**

The following Bill and Joint Resolution were introduced, read the first time, and referred to appropriate committees:

H. 4709 -- Reps. G. R. Smith, Bingham, Corbin, Bannister, Toole, Huggins, Taylor, Parker, J. R. Smith, Daning, Allison, Putnam, Erickson, Long, Brannon, Ryan, Bowen, Bedingfield, Nanney, Whitmire, Atwater, Clemmons, Cole, Delleney, Hamilton, Harrell, Hearn, Henderson, Horne, Limehouse, Loftis, Lucas, McCoy, D. C. Moss, Murphy, Pinson, Pope, Quinn, Southard, Stringer, Tallon, Thayer, Viers, Willis and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "THE CUT, CAP, AND BALANCE ACT OF 2012" BY ADDING SECTION 11-11-415 SO AS TO PROVIDE THAT THE LIMIT ON GENERAL FUND APPROPRIATIONS FOR A FISCAL YEAR IS THE TOTAL AMOUNT OF THE GENERAL FUND REVENUE ESTIMATE AS OF FEBRUARY 15, 2011, FOR FISCAL YEAR 2011-2012, INCREASED ANNUALLY AND CUMULATIVELY BY A PERCENTAGE DETERMINED BY POPULATION INCREASES AND INCREASES IN THE CONSUMER PRICE INDEX, TO PROVIDE FOR THE LIMITATION TO BE SUSPENDED FOR A FISCAL YEAR FOR A SPECIFIC AMOUNT UPON A SPECIAL VOTE OF THE GENERAL ASSEMBLY AND TO DEFINE THIS SPECIAL VOTE, TO ESTABLISH THE SPENDING LIMIT RESERVE FUND TO WHICH ALL SURPLUS GENERAL FUND REVENUES MUST BE CREDITED, TO PROVIDE FOR THE PRIORITY USES OF THE REVENUES OF THIS FUND, TO PROVIDE FOR THE APPROPRIATION OF FUND REVENUES AFTER THESE PRIORITIES ARE MET, TO REQUIRE THAT APPROPRIATION OF REVENUES OF THIS FUND MUST BE BY A JOINT RESOLUTION ORIGINATING IN THE HOUSE OF REPRESENTATIVES, AND TO PROVIDE THAT THIS LIMIT FIRST APPLIES FOR FISCAL YEAR 2012-2013.

Referred to Committee on Ways and Means

H. 4710 -- Reps. White, Bingham, Herbkersman, Limehouse, Merrill, Simrill, G. M. Smith and J. R. Smith: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEAR 2012-2013, AND TO PROVIDE THAT FOR FISCAL YEAR 2012-2013 COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

Referred to Committee on Ways and Means

**MOTION PERIOD**

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

**H. 4095--RECOMMITTED**

The following Bill was taken up:

H. 4095 -- Reps. Pitts, Lucas, Loftis, Corbin, Williams and Bowers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-15-45 SO AS TO PROVIDE THAT IF JOINT CUSTODY OF A CHILD IS AWARDED TO THE PARENTS, THERE IS A REBUTTABLE PRESUMPTION THAT BOTH PARENTS HAVE JOINT PHYSICAL CUSTODY OF THE CHILD; TO PROVIDE THAT THE PRESUMPTION MAY BE OVERCOME BY PRESENTING CLEAR AND CONVINCING EVIDENCE THAT JOINT PHYSICAL CUSTODY IS NOT IN THE BEST INTEREST OF THE CHILD; TO REQUIRE THE PARENTS TO SUBMIT A PARENTING PLAN TO THE COURT REFLECTING PARENTAL PREFERENCES AND AGREEMENT ON MATTERS OF SUBSTANCE; AND TO PROVIDE THAT PARENTS SHARE DECISION-MAKING AUTHORITY AND RESPONSIBILITY FOR IMPORTANT DECISIONS AFFECTING THE CHILD'S WELFARE AND THAT WHEN AGREEMENT CANNOT BE REACHED THE PARENTS SHALL SUBMIT TO MEDIATION WITH A PRESELECTED MEDIATOR.

Rep. PITTS moved to recommit the Bill to the Committee on Judiciary, which was agreed to.

**H. 4592--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Tuesday, February 21, which was adopted:

H. 4592 -- Reps. Sandifer, Erickson, Toole, Brady, Gambrell, Bales, Whitmire, Allison, Bedingfield, G. R. Smith, Bannister, Nanney, Corbin, Clemmons, Delleney, Simrill, Horne, D. C. Moss, Frye, Hearn, Stringer, Ryan, Bowen, Harrison, Bingham, Owens, Southard, Patrick, Crosby, Edge, Herbkersman, Funderburk, Pinson, Parker, Long, Thayer, Anderson, Sottile, Hiott, Taylor, J. R. Smith, Putnam, Weeks, Hardwick, Hamilton, Murphy, V. S. Moss, Lucas, Forrester, G. M. Smith, Limehouse, Pope, Daning, Huggins, Tallon, Ballentine, Hayes, Harrell, Chumley and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-41-45 SO AS TO PROVIDE A CIVIL PENALTY FOR VIOLATIONS OF PROHIBITIONS AGAINST MAKING FALSE STATEMENTS RELATED TO UNEMPLOYMENT COMPENSATION, TO PROVIDE FOR THE USE OF MONEY RECEIVED FROM FINES CREATED BY THIS PENALTY, AND TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MAY NEVERTHELESS ENTER A CERTAIN WRITTEN CONSENT AGREEMENT WITH A PERSON ALLEGED TO BE GUILTY; TO AMEND SECTION 41-41-10, RELATING TO OBTAINING OR INCREASING AN EMPLOYMENT SECURITY BENEFIT BY USE OF FALSE STATEMENTS OR FALSE REPRESENTATIONS, OR BY THE FAILURE TO DISCLOSE MATERIAL FACTS, SO AS TO REMOVE CIVIL PENALTIES AND TO IMPOSE CRIMINAL PENALTIES AND A REQUIREMENT OF RESTITUTION; AND TO AMEND SECTION 41-41-30, RELATING TO THE PREVENTION OR REDUCTION OF EMPLOYMENT SECURITY BENEFITS OR CONTRIBUTIONS BY AN EMPLOYER, SO AS TO DELETE CIVIL PENALTIES AND TO IMPOSE CRIMINAL PENALTIES.

**H. 4549--DEBATE ADJOURNED**

Rep. CLEMMONS moved to adjourn debate upon the following Bill until Tuesday, February 7, which was adopted:

H. 4549 -- Reps. Clemmons and Loftis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-3-70 SO AS TO REQUIRE A THIRD-PARTY VOTER REGISTRATION ORGANIZATION OPERATING IN THIS STATE TO REGISTER AND FILE CERTAIN INFORMATION WITH THE STATE ELECTION COMMISSION; TO PROVIDE THAT A THIRD-PARTY VOTER REGISTRATION ORGANIZATION MUST PROMPTLY DELIVER ALL COLLECTED REGISTRATION APPLICATIONS TO THE APPROPRIATE REGISTRATION OFFICE, AND TO PROVIDE PENALTIES.

Rep. SOUTHARD moved that the House do now adjourn, which was agreed to.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4552 -- Reps. Gilliard, Anderson, King, Cobb-Hunter, Howard, McEachern and J. E. Smith: A CONCURRENT RESOLUTION TO INVITE THE HONORABLE BARACK H. OBAMA, PRESIDENT OF THE UNITED STATES OF AMERICA, TO ADDRESS THE SOUTH CAROLINA GENERAL ASSEMBLY IN JOINT ASSEMBLY IN THE CHAMBER OF THE HOUSE OF REPRESENTATIVES AT A TIME TO BE DETERMINED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT PRO TEMPORE OF THE SENATE.

**ADJOURNMENT**

At 12:36 p.m. the House, in accordance with the motion of Rep. YOUNG, adjourned in memory of Aiken Public Safety Master Corporal Sandy Rogers, who was killed in the line of duty, to meet at 10:00 a.m. tomorrow.

\*\*\*