~~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 Proverbs 16:7: “When the ways of people please the Lord, he causes even their enemies to be at peace with them.”

Let us pray. Almighty God, look upon these, Your people, and give them the wisdom, courage, strength, and integrity to do the work assigned them. Take care of these men and women and their families. Provide for them every needful thing. Bless our Nation and State and her leaders. Cause them to be the leaders You desire them to be. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. 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. WILLIAMS moved that when the House adjourns, it adjourn in memory of James Floyd Davis of Hartsville, which was agreed to.

**REGULATIONS WITHDRAWN AND RESUBMITTED**

Document No. 4233

Agency: Board of Registration for Professional Engineers and Surveyors

Statutory Authority: 1976 Code Sections 40-1-70, 40-22-60, and 40‑22-130

Requirements of Licensure for Engineers and Surveyors

Received by Speaker of the House of Representatives February 6, 2012

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration June 5, 2012

Revised: June 7, 2012

Document No. 4231

Agency: Board of Examiners for the Licensure of Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists

Statutory Authority: 1976 Code Sections 40-1-40, 40-1-70, and 40‑75‑60

Requirements of Licensure for Professional Counselors, Marriage and Family Therapists, and Psycho-Educational Specialists

Received by Speaker of the House of Representatives February 6, 2012

Referred to Medical, Military, Public and Municipal Affairs Committee

Legislative Review Expiration June 5, 2012

Revised: January 22, 2013

**REPORTS OF STANDING COMMITTEES**

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

H. 5080 -- Reps. Mack and Sandifer: A BILL TO AMEND SECTION 34-13-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TOTAL LIABILITIES OF ANY ONE BORROWER TO A BANK, SO AS TO DEFINE "TOTAL LIABILITIES" WHICH SHALL INCLUDE "DERIVATIVE TRANSACTIONS" AND TO ALSO DEFINE "DERIVATIVE TRANSACTIONS" FOR THIS PURPOSE; AND TO AMEND SECTION 34-13-70, RELATING TO THE MAXIMUM AMOUNT OF LOANS BY A STATE BANK TO A BORROWER, SO AS TO DEFINE "LOAN" WHICH SHALL INCLUDE "DERIVATIVE TRANSACTIONS", AND TO ALSO DEFINE "DERIVATIVE TRANSACTIONS" FOR THIS PURPOSE.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 5029 -- Reps. Thayer, Owens, Simrill, Brantley, Murphy, Gambrell, McCoy, Stavrinakis, Brannon, J. M. Neal, Agnew, Atwater, Daning, Long, Putnam, Erickson, Herbkersman, Patrick, Stringer, Ryan, Hamilton, Bedingfield, Anderson, Forrester, Sellers, Brady, Bowen, G. A. Brown and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-15-315 SO AS TO PROVIDE FOR OFF-SITE DISPLAYS OF AUTOMOBILES AND CERTAIN TRUCKS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS PROVISION.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 4944 -- Reps. Crawford, Patrick, Herbkersman, Brady, Bedingfield, Anderson, Sandifer, Erickson, McCoy, Brannon, Bowers, Gambrell, Hayes, Limehouse, Lowe, Mack, Pinson, Spires, Edge and Stavrinakis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA TELEMEDICINE INSURANCE REIMBURSEMENT ACT"; BY ADDING SECTION 38-71-295 SO AS TO PROVIDE RELATED DEFINITIONS, TO PROVIDE FOR A PHYSICIAN OR OTHER HEALTH CARE PROVIDER THAT PERFORMS TELEMEDICINE SERVICES IN A CERTAIN MANNER MUST BE REIMBURSED FOR THOSE SERVICES IN THE SAME MANNER AS HEALTH CARE SERVICES PROVIDED THROUGH AN IN-PERSON CONSULTATION, TO PROVIDE DELIVERY OF HEALTH CARE BY MEANS OF TELEMEDICINE MUST SATISFY CERTAIN REQUIREMENTS FOR DELIVERING THE SAME CARE IN PERSON; AND TO PROVIDE THE SOUTH CAROLINA BOARD OF MEDICAL EXAMINERS MAY AUTHORIZE THE PROVISION OF ADDITIONAL HEALTH CARE SERVICES BY CERTAIN MEANS THROUGH THE USE OF STANDARD TELEPHONE, FACSIMILE TRANSMISSIONS, UNSECURED ELECTRONIC MAIL, OR A COMBINATION OF THEM, SUBJECT TO AN EXCEPTION.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

H. 5103 -- Reps. Sandifer, Spires and Brannon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE THE RIGHTS OF A PHARMACY WHEN UNDERGOING AN AUDIT CONDUCTED BY A MANAGED CARE COMPANY, INSURANCE COMPANY, THIRD-PARTY PAYER, OR AN ENTITY RESPONSIBLE FOR PAYMENT OF CLAIMS FOR HEALTH CARE SERVICES; TO REQUIRE THE AUDITING ENTITY TO ESTABLISH AN APPEALS PROCESS; AND TO PROVIDE FOR THE RECOUPMENT OF FUNDS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 4995 -- Reps. Stringer, Bingham, Harrell, Parker, Ballentine, Ryan, Bedingfield, G. R. Smith, Brady, Thayer, Patrick, Erickson, Nanney, Taylor, J. R. Smith, Allison, Bannister, Bowen, Hamilton, Henderson, Hixon, Horne, Limehouse, Loftis, Long, Owens, Tallon, Forrester, Pope, Simrill and Sottile: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SALES TAX EXEMPTIONS, SO AS TO DELETE VARIOUS EXEMPTIONS; TO AMEND SECTION 12-36-2620, RELATING TO THE COMPONENTS OF THE SALES TAX, SO AS TO DELETE THE ONE PERCENT EXEMPTION TO INDIVIDUALS OVER EIGHTY-FIVE YEARS OF AGE; TO REPEAL SECTIONS 12-36-2130 AND 12-36-2610 RELATING TO THE STATE SALES TAX; TO PROVIDE THAT THE ADDITIONAL REVENUE GENERATED BY THIS ACT MUST BE USED TO REDUCE THE OVERALL SALES TAX RATE; AND TO RE-ENACT THE JOINT COMMITTEE ON TAXATION AND REQUIRE THE COMMITTEE TO REVIEW THE PROVISIONS OF SECTION 12-36-2120.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 5049 -- Reps. Merrill and Brannon: A BILL TO AMEND SECTION 12-43-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPEAL OF A PROPERTY ASSESSMENT VALUE, SO AS TO PROVIDE THAT THE APPEAL MUST BE BASED ON THE MARKET VALUES OF REAL PROPERTY AS OF DECEMBER THIRTY-FIRST OF THE TAX YEAR UNDER APPEAL; TO AMEND SECTION 12-60-2510, RELATING TO A PROPERTY TAX ASSESSMENT NOTICE, SO AS TO PROVIDE THAT IN A YEAR IN WHICH AN ASSESSABLE TRANSFER OF INTEREST OCCURS DUE TO A CONVEYANCE, IF THE ASSESSOR DETERMINES THAT FAIR MARKET VALUE IS MORE THAN THE PURCHASE PRICE, THE ASSESSOR SHALL STATE WITH PARTICULARITY, THE BASIS FOR THE INCREASE IN FAIR MARKET VALUE, TO PROVIDE THAT THE TAXPAYER AT LEAST HAS THIRTY DAYS OF RECEIPT OF THE TAX NOTICE TO APPEAL, AND TO REQUIRE THE ASSESSOR TO INCLUDE A PROPERTY TAX REFUND ASSIGNMENT CONTRACT IN CERTAIN CASES; TO AMEND SECTION 12-60-2530, RELATING TO AN APPEAL TO THE COUNTY BOARD OF ASSESSMENT APPEALS, SO AS TO PROVIDE THAT IN THE CASE OF A TIE VOTE, THE ASSESSOR'S DETERMINATION IS OVERTURNED; BY ADDING SECTION 12-60-2570 SO AS TO PROVIDE THAT THE COUNTY ASSESSOR SHALL HAVE THE BURDEN OF PROOF IN A PROPERTY TAX APPEAL; AND BY ADDING SECTION 12-60-2580 SO AS TO ALLOW A TAXPAYER TO APPEAL THE VALUE ONCE EVERY FIVE YEARS AND TO PROVIDE EXCEPTIONS.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 4484 -- Reps. Ballentine, Clyburn, Atwater and Huggins: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLASSIFICATIONS FOR ASSESSMENT RATIOS, SO AS TO PROVIDE THAT, UNDER CERTAIN CIRCUMSTANCES, A TAXPAYER MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO FOR TWO RESIDENTIAL PROPERTIES LOCATED IN THE STATE SO LONG AS THE TAXPAYER IS ATTEMPTING TO SELL THE FIRST ACQUIRED RESIDENCE.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 4610 -- Reps. Merrill, Bingham, Quinn, Sellers, Clemmons, Herbkersman, G. R. Smith, Atwater, Erickson, Skelton, Brannon, Daning, Crosby, Bedingfield, Southard, J. R. Smith, Crawford, Patrick, Ryan, Huggins, Limehouse, Bannister, Barfield, Battle, Edge, Harrison, Henderson, Hixon, Horne, Lowe, Murphy, Nanney, Simrill, G. M. Smith, Stavrinakis, Stringer, Taylor, Willis and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 68 TO TITLE 59 SO AS TO ENACT THE "SOUTH CAROLINA SCHOOL BUS PRIVATIZATION ACT OF 2012", INCLUDING PROVISIONS TO PROVIDE THAT THE STATE OF SOUTH CAROLINA SHALL NOT OWN, PURCHASE, OR ACQUIRE ADDITIONAL SCHOOL BUSES ON OR AFTER JULY 1, 2015, AND ITS PRESENT FLEET OF SCHOOL BUSES SOLD OR DISPOSED OF ON A PHASED-IN BASIS BEGINNING IN 2012, TO PROVIDE THAT BEGINNING WITH THE 2012-2013 SCHOOL YEAR, SCHOOL DISTRICTS ON A PHASED-IN BASIS INDIVIDUALLY OR TOGETHER WITH OTHER DISTRICTS SHALL PROVIDE SCHOOL TRANSPORTATION SERVICES OR BY CONTRACT MAY ENGAGE A PRIVATE ENTITY TO PROVIDE SCHOOL TRANSPORTATION SERVICES WITH THE PRIVATE ENTITY PROVIDING ALL SCHOOL BUSES, PERSONNEL TO OPERATE, AND AUXILIARY SERVICES, AND TO PROVIDE FOR TERMS, CONDITIONS, PROCEDURES, AND REQUIREMENTS APPLICABLE TO THE PROVISION OF THESE SERVICES, TO PROVIDE THAT STATE SCHOOL BUS MAINTENANCE FACILITIES, ON A PHASED-IN BASIS BEGINNING IN 2012, SHALL BE LEASED OR SOLD TO SCHOOL DISTRICTS OR PRIVATE SCHOOL TRANSPORTATION PROVIDERS OR IN THE ABSENCE OF A SALE OR LEASE CLOSED, TO ESTABLISH A "SCHOOL TRANSPORTATION REIMBURSEMENT FUND" CONSISTING OF SPECIFIED FUNDS WHICH MUST BE USED TO REIMBURSE SCHOOL DISTRICTS FOR THE COST OF SCHOOL TRANSPORTATION SERVICES ON A FORMULA BASIS, TO PROVIDE FOR THE LIABILITY INSURANCE REQUIREMENTS APPLICABLE TO PRIVATE ENTITIES PROVIDING SCHOOL TRANSPORTATION SERVICES AND FOR SCHOOL BUS, DRIVER, PASSENGER, AND EQUIPMENT REQUIREMENTS IN REGARD TO THESE SERVICES; TO AMEND SECTION 59-67-460, RELATING TO CONTRACTS BY SCHOOL DISTRICTS FOR TRANSPORTATION SERVICES WITH PRIVATE CONTRACTORS, SO AS TO PROVIDE THAT A SCHOOL DISTRICT OR A GROUP OF SCHOOL DISTRICTS IS AUTHORIZED BY CONTRACT TO HAVE THEIR SCHOOL TRANSPORTATION SERVICES PROVIDED BY A PRIVATE ENTITY WHICH FURNISHES ITS OWN BUSES, PERSONNEL, AND AUXILIARY SERVICES PRIOR TO THE REQUIRED IMPLEMENTATION DATE OF THE DISTRICT'S ASSUMPTION OF RESPONSIBILITY FOR ALL SCHOOL TRANSPORTATION SERVICES IN THE DISTRICT AS REQUIRED BY CHAPTER 68, TITLE 59; AND TO REPEAL SECTION 59-67-460 EFFECTIVE ON JULY 1, 2015, WHEN THE RESPONSIBILITY TO PROVIDE SCHOOL TRANSPORTATION SERVICES IS TRANSFERRED FULLY TO THE SCHOOL DISTRICTS OF THIS STATE.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 4697 -- Reps. Harrison, Limehouse, J. E. Smith, Stavrinakis, Brady, Sellers, Sottile, Gilliard, McCoy, Daning, Crosby, Munnerlyn, Gambrell, Agnew, Bowen, Erickson, Horne, Govan and Funderburk: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 60-15-100 AND 60-15-110 SO AS TO PROVIDE AN ANNUAL TRANSFER TO THE SOUTH CAROLINA ARTS COMMISSION OF AN AMOUNT EQUAL TO FIFTEEN PERCENT OF THE GENERAL FUND PORTION OF STATE ADMISSIONS TAX REVENUES IN THE PREVIOUS YEAR AFTER OTHER TRANSFERS REQUIRED FROM THE REVENUE AND TO REQUIRE THE COMMISSION TO EXPEND AT LEAST SEVENTY PERCENT OF ITS STATE APPROPRIATED FUNDS ON GRANTS FOR CHILDREN'S AND COMMUNITY PROGRAMS.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 4082 -- Reps. Vick, Edge, Hiott, Hayes, R. L. Brown, Jefferson, Bowers, Anthony, Skelton, Williams, McLeod, G. M. Smith, Weeks, Gilliard, Agnew, Horne, Funderburk, Tribble and Pinson: A BILL TO AMEND SECTION 38-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO PROVIDE THAT SEVEN PERCENT OF THE ANNUAL REVENUE OF THIS TAX MUST BE TRANSFERRED TO THE SOUTH CAROLINA FORESTRY COMMISSION AND USED BY IT FOR FIREFIGHTING AND FIREFIGHTING EQUIPMENT REPLACEMENT AND FOREST INDUSTRY ECONOMIC ENHANCEMENT.

Ordered for consideration tomorrow.

Rep. WHITE, from the Committee on Ways and Means, submitted a favorable report with amendments on:

H. 3079 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-4310 SO AS TO CREATE THE CHARITABLE BINGO ADVISORY COMMITTEE, PROVIDE FOR ITS MEMBERSHIP AND PURPOSES, AND REQUIRE A DEPARTMENT OF REVENUE DESIGNEE AS LIAISON; BY ADDING SECTION 12-21-4320 SO AS TO PROVIDE FOR ESTABLISHMENT OF AN INFORMATIONAL CHARITABLE BINGO WEBSITE BY THE DEPARTMENT AND REQUIRING THE DEPARTMENT'S RESPONSE TO INQUIRIES AS PERMANENTLY ACCESSIBLE ADVISORY OPINIONS; BY ADDING SECTION 12-21-4330 SO AS TO PROVIDE FOR ALLOWABLE PROMOTIONAL EXPENSES; TO AMEND SECTION 12-21-3920, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF THE BINGO TAX ACT, SO AS TO INCLUDE SPECIFIC NAMED GAMES IN THE DEFINITION "BINGO", AND TO PROVIDE THAT THE DEFINITION OF A "CARD" INCLUDES AN INSTANT BINGO TICKET; TO AMEND SECTIONS 12-21-3940 AND 12-21-3950, BOTH AS AMENDED, RELATING TO APPLICATIONS FOR LICENSING BY NONPROFIT ORGANIZATIONS AND PROMOTERS, RESPECTIVELY, SO AS TO PROVIDE FOR AN INFORMAL APPEAL OF A REJECTION AS A FIRST STEP IN AN APPEAL; TO AMEND SECTION 12-21-3990, AS AMENDED, RELATING TO THE MANNER OF PLAYING BINGO, SO AS TO SPECIFY THE MANNER OF PLAYING BINGO WITH INSTANT BINGO TICKETS; TO AMEND SECTION 12-21-4000, AS AMENDED, RELATING TO PROCEDURES FOR OPERATING A BINGO GAME, SO AS TO FURTHER PROVIDE FOR THE APPLICABILITY OF BINGO PROCEDURES FOR BINGO PLAYED WITH INSTANT BINGO TICKETS, TO INCREASE THE ALLOWABLE EXPENSE FOR PROMOTIONS FROM ONE HUNDRED DOLLARS TO TWO HUNDRED FIFTY DOLLARS FOR EACH SESSION, AND TO SPECIFY THE INTENT OF THIS SECTION; TO AMEND SECTION 12-21-4020, AS AMENDED, RELATING TO CLASSES OF BINGO LICENSEES, SO AS TO PROVIDE FOR OPERATIONAL HOURS; TO AMEND SECTION 12-21-4120, AS AMENDED, RELATING TO A CLARIFICATION FROM THE DEPARTMENT AS TO PLAY OR OPERATION OF A GAME, SO AS TO FURTHER PROVIDE FOR A BINGO ADVISORY OPINION; AND TO AMEND SECTION 12-21-4240, RELATING TO LICENSES TO MANUFACTURE, DISTRIBUTE, OR USE BINGO CARDS, SO AS TO INCLUDE ITEMS OTHER THAN BINGO CARDS TO WHICH THIS SECTION APPLIES.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1439 -- Senator Pinckney: A CONCURRENT RESOLUTION TO CONGRATULATE AND COMMEND THE HONORABLE MCKINLEY WASHINGTON, JR., ON THE OCCASION OF HIS RETIREMENT AFTER FIFTY YEARS OF FAITHFUL SERVICE AS PASTOR OF EDISTO PRESBYTERIAN CHURCH (U.S.A.) AND TO WISH HIM CONTINUED SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was agreed to and ordered returned to the Senate with concurrence.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1418 -- Senator Ford: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF UNITED STATES HIGHWAY 17 AND MAGNOLIA ROAD IN CHARLESTON COUNTY "JAMES J. FRENCH INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "JAMES J. FRENCH INTERSECTION".

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

**INTRODUCTION OF BILLS**

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

H. 5142 -- Rep. Clyburn: 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 FOR PURPOSES OF THE STATE INDIVIDUAL INCOME TAX, SO AS TO ALLOW THE DEDUCTION OF RETIREMENT BENEFITS FROM A PUBLIC EMPLOYEE PENSION PLAN EARNED IN A STATE WHICH IMPOSES NO STATE INDIVIDUAL INCOME TAX.

Referred to Committee on Ways and Means

H. 5143 -- Rep. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 63-3-530, AS AMENDED, RELATING TO THE JURISDICTION OF THE FAMILY COURT, INCLUDING THE AUTHORITY TO ORDER GRANDPARENT VISITATION, SO AS TO DELETE PROVISIONS REQUIRING ONE OR BOTH OF THE PARENTS OF THE CHILD TO BE DECEASED OR REQUIRING THE PARENTS TO BE DIVORCED OR LIVING SEPARATE AND APART, PROVIDING THAT DEPRIVING GRANDPARENT VISITATION TO BE IN EXCESS OF NINETY DAYS, REQUIRING THE GRANDPARENT TO HAVE MAINTAINED A RELATIONSHIP WITH THE CHILD SIMILAR TO A PARENT-CHILD RELATIONSHIP, AND REQUIRING THE COURT TO FIND THAT THE CHILD'S PARENTS ARE UNFIT; AND TO DELETE THE CLEAR AND CONVINCING EVIDENCE STANDARD TO OVERCOME THE PARENT'S DECISION TO DENY GRANDPARENT VISITATION.

Referred to Committee on Judiciary

H. 5144 -- Reps. Ott, Cobb-Hunter, McLeod, Funderburk, Hayes and Howard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-180 SO AS TO PROVIDE THAT A PUBLIC OFFICIAL MUST NOT USE STATE-FUNDED TRANSPORTATION OR SECURITY PERSONNEL FOR OUT-OF-STATE TRAVEL; TO REQUIRE PUBLIC OFFICIALS WHO USE STATE-FUNDED TRANSPORTATION OR SECURITY PERSONNEL FOR OUT-OF-STATE TRAVEL TO QUARTERLY REPORT THIS USE THROUGH THE ONLINE ETHICS DISCLOSURE SYSTEM; TO REQUIRE THE ETHICS COMMISSION AND ETHICS COMMITTEES, AS APPLICABLE, TO REVIEW THESE DISCLOSURES AND IF THE COMMISSION OR COMMITTEE FINDS THAT THE OUT-OF-STATE TRAVEL WAS NOT NECESSARY FOR THE PROPER EXECUTION OF OFFICIAL STATE BUSINESS, THE PUBLIC OFFICIAL SHALL REIMBURSE THE STATE FOR THESE EXPENSES, WITH INTEREST.

Rep. OTT asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. TAYLOR objected.

Referred to Committee on Judiciary

H. 5145 -- Reps. Horne, Allison, Butler Garrick, Murphy, Brannon, Sellers, Cobb-Hunter, Knight, Funderburk, Huggins, Erickson, Anthony, Bannister, Branham, Hayes, Long, G. M. Smith, J. R. Smith, Spires, Toole, Pinson and King: A BILL TO ENACT THE "SOUTH CAROLINA ECONOMIC DEVELOPMENT AND EDUCATION INVESTMENT ACT OF 2012".

Referred to Committee on Ways and Means

H. 5146 -- Reps. Long and Norman: A BILL TO AMEND ACT 270 OF 1981, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF FORT MILL SCHOOL DISTRICT NO. 4 IN YORK COUNTY, SO AS TO PROVIDE FOR THE EXPIRATION DATE OF THE TERMS OF CERTAIN MEMBERS OF THE BOARD IN ORDER TO HAVE ALL MEMBERS OF THE BOARD ELECTED IN NOVEMBER OF EVEN-NUMBERED YEARS.

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

S. 704 -- Senators S. Martin and Ford: A BILL TO AMEND SECTION 12-59-40 OF THE 1976 CODE, RELATING TO THE METHOD AND TERMS OF SALE OF FORFEITED LANDS, TO PROVIDE THAT A COUNTY TAX COLLECTOR MAY BID IN FOR THAT COUNTY'S FORFEITED LAND COMMISSION ON PROPERTY SOLD FOR NONPAYMENT OF AD VALOREM TAXES AND TO PROVIDE THAT LANDS DEEDED TO THE COMMISSION ARE ONLY COUNTY ASSETS, NOT STATE ASSETS, AND MUST BE SOLD TO THE BEST INTEREST OF THE COUNTY, NOT THE COUNTY AND THE STATE; TO AMEND SECTION 12-59-50, RELATING TO THE APPLICATION TO THE COMMISSION FOR APPROVAL TO SELL FORFEITED LAND BY THE FORMER OWNER, TO REMOVE REFERENCES TO DELINQUENT STATE TAXES; TO AMEND SECTION 12-59-70, RELATING TO THE CONVEYANCE OF PROPERTY BY THE COMMISSION OF FORFEITED LAND SOLD BY THE FORMER OWNER, TO PROVIDE THAT THE COUNTY TAX COLLECTOR, RATHER THAN THE SHERIFF, MUST DELIVER THE TITLE TO THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-59-80, RELATING TO THE ASSIGNMENT OF COMMISSION BIDS, TO PROVIDE THAT THE CHAIRMAN OF A COUNTY FORFEITED LAND COMMISSION MAY ACCEPT BIDS FOR ASSIGNMENTS OF THE COMMISSION'S BIDS; TO AMEND SECTION 12-59-90, RELATING TO THE EXECUTION OF DEEDS AND VALIDATION OF CERTAIN DEEDS, TO PROVIDE THAT THE COUNTY TAX COLLECTOR MAY EXECUTE A DEED TO THE PURCHASER OF PROPERTY BID IN BY THE COUNTY TAX COLLECTOR FOR THAT COUNTY'S FORFEITED LAND COMMISSION ON PROPERTY SOLD FOR NONPAYMENT OF AD VALOREM TAXES; TO AMEND SECTION 12-59-100, RELATING TO THE DISPOSITION OF PROCEEDS FROM THE SALE OF FORFEITED PROPERTY, TO PROVIDE THAT THE NET PROCEEDS MUST GO TO THE COUNTY IN WHICH THE PROPERTY IS LOCATED; AND TO REPEAL SECTION 12-59-30.

Referred to Committee on Ways and Means

S. 788 -- Senator Verdin: A BILL TO AMEND CHAPTER 21, TITLE 47 OF THE 1976 CODE, RELATING TO THE FARM ANIMAL AND RESEARCH FACILITIES PROTECTION ACT, BY AMENDING SECTION 47-21-70 TO PROVIDE ADDITIONAL LIABILITY EXEMPTIONS TO VETERINARIANS AND PEOPLE WHO HOLD A SUPERIOR INTEREST IN THE PROPERTY; BY ADDING SECTION 47-21-90 TO PROVIDE FOR A CIVIL CAUSE OF ACTION FOR A PERSON THAT SUFFERS DAMAGES AS A RESULT OF VIOLATIONS OF CHAPTER 21 RELATING TO ANIMAL FACILITY OPERATIONS; AND BY ADDING ARTICLE 5 TO PROVIDE THAT IT IS UNLAWFUL TO TAMPER WITH CROP OPERATIONS, TO INTERFERE WITH THE OPERATIONS OF A CROP OPERATION, TO FRAUDULENTLY GAIN ACCESS TO A CROP OPERATION, AND TO PROVIDE FOR A CIVIL CAUSE OF ACTION FOR VIOLATIONS OF THIS ACT RELATED TO CROP OPERATIONS, TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT, TO DEFINE NECESSARY TERMS, AND TO MAKE TECHNICAL CORRECTIONS.

Referred to Committee on Judiciary

S. 836 -- Senators Grooms, Verdin, Knotts, Bright, Bryant, Courson, Campsen, McConnell, Cleary, Rose, Hayes, Shoopman, Massey, Campbell, Fair, Gregory, Cromer, L. Martin and Alexander: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 10 TO ENACT THE INTERSTATE HEALTHCARE COMPACT, TO PROVIDE THAT COMPACT MEMBERS MUST TAKE ACTION TO OBTAIN CONGRESSIONAL CONSENT TO THE COMPACT, TO PROVIDE THAT THE LEGISLATURE IS VESTED WITH THE RESPONSIBILITY TO REGULATE HEALTHCARE DELIVERED IN THEIR STATE, TO PROVIDE FOR HEALTHCARE FUNDING, TO ESTABLISH THE INTERSTATE ADVISORY HEALTH CARE COMMISSION AND TO PROVIDE ITS COMPOSITION, POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THE EFFECTIVE DATE OF THE COMPACT, TO PROVIDE FOR AMENDING THE COMPACT, TO PROVIDE FOR THE MANNER OF WITHDRAWAL FROM THE COMPACT, AND TO PROVIDE NECESSARY DEFINITIONS.

Referred to Committee on Labor, Commerce and Industry

S. 1042 -- Senator Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-65 SO AS TO PROVIDE THAT BEGINNING WITH SCHOOL YEAR 2012-2013, ALL MIDDLE AND HIGH SCHOOLS OF THIS STATE SHALL PROVIDE AT LEAST THREE HOURS OF INSTRUCTION EACH YEAR TO ITS STUDENTS IN EACH GRADE AT THE BEGINNING OF THE SCHOOL YEAR ABOUT CRIMINAL CONDUCT OR OTHER ACTIONS MOST COMMONLY COMMITTED BY OR INVOLVING SCHOOL-AGED CHILDREN OR YOUNG ADULTS THAT COULD RESULT IN INCARCERATION IN A FEDERAL, STATE, OR LOCAL PRISON OR DETENTION FACILITY WHETHER THE CONDUCT OR ACTIONS ARE COMMITTED AS A JUVENILE OR AS AN ADULT, AND TO PROVIDE FOR PROCEDURES AND OTHER REQUIREMENTS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.

Referred to Committee on Education and Public Works

S. 1134 -- Senator McGill: A BILL TO AMEND ACT 1377 OF 1968, AS AMENDED, RELATING TO CAPITAL IMPROVEMENT BOND AUTHORIZATIONS, SO AS TO REVISE THE PURPOSE FOR WHICH CAPITAL IMPROVEMENT BOND AUTHORIZATIONS MAY BE USED AT WILLIAMSBURG TECHNICAL COLLEGE.

Rep. SABB asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. MERRILL objected.

Referred to Committee on Ways and Means

S. 1149 -- Senators Campsen, Campbell, Massey, Shoopman, Bright, Gregory, Alexander, Peeler, Grooms, Bryant, S. Martin, Davis, Knotts, L. Martin, Rose, Hayes and Thomas: A BILL TO ENACT THE "BORN ALIVE INFANT PROTECTION ACT" BY AMENDING SECTION 2-7-30 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE WORDS "PERSON" AND "PARTY" AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, TO PROVIDE FURTHER FOR THE CONSTRUCTION OF "PERSON", "HUMAN BEING", "CHILD", AND "INDIVIDUAL", SO THAT THEY INCLUDE EVERY INFANT MEMBER OF SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE", TO PROHIBIT THE DEPRIVATION OF MEDICALLY APPROPRIATE AND REASONABLE MEDICAL CARE FOR AN INFANT, TO CLARIFY THE RIGHT OF A PARENT OR GUARDIAN TO REFUSE TREATMENT THAT IS NOT MEDICALLY APPROPRIATE OR REASONABLE, AND TO PROVIDE FOR THE SEVERABILITY AND ENFORCEABILITY OF THE PORTIONS OF THIS SECTION.

Referred to Committee on Judiciary

S. 1158 -- Senator Verdin: A BILL TO AMEND SECTION 6-19-30 OF THE 1976 CODE, RELATING TO WATER AND SEWER AUTHORITIES, DISTRICTS, OR SYSTEMS, TO INCREASE THE NUMBER OF MEMBERS ON THE ADVISORY COMMITTEE TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-39-40, RELATING TO THE COASTAL ZONE MANAGEMENT APPELLATE PANEL, TO INCREASE THE NUMBER OF MEMBERS TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT; TO AMEND SECTION 48-59-40, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK, TO ADD TWO SEATS TO THE BANK'S BOARD, ONE MEMBER TO REPRESENT THE SEVENTH CONGRESSIONAL DISTRICT APPOINTED BY THE PRESIDENT *PRO TEMPORE* OF THE SENATE, AND ONE MEMBER FROM THE STATE AT LARGE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES; AND TO AMEND SECTION 40-69-10, RELATING TO THE STATE BOARD OF VETERINARY EXAMINERS, TO INCREASE THE NUMBER OF MEMBERS TO REFLECT THE ADDITION OF THE NEW CONGRESSIONAL DISTRICT.

Referred to Committee on Labor, Commerce and Industry

S. 1269 -- Senators Peeler and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE THE RIGHTS OF A PHARMACY WHEN UNDERGOING AN AUDIT CONDUCTED BY A MANAGED CARE COMPANY, INSURANCE COMPANY, THIRD-PARTY PAYER, OR AN ENTITY RESPONSIBLE FOR PAYMENT OF CLAIMS FOR HEALTH CARE SERVICES; TO REQUIRE THE AUDITING ENTITY TO ESTABLISH AN APPEALS PROCESS; AND TO

PROVIDE FOR THE RECOUPMENT OF FUNDS UNDER CERTAIN CIRCUMSTANCES.

Referred to Committee on Labor, Commerce and Industry

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brantley |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Daning | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parks | Patrick | Pinson |
| Pitts | 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 | Weeks |
| White | Williams | Willis |
| Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, April 19.

|  |  |
| --- | --- |
| Mike Anthony | William G. Herbkersman |
| William R. "Bill" Whitmire | Greg Delleney |
| Boyd Brown | Chandra Dillard |
| Kris Crawford | Jackson "Seth" Whipper |
| Todd Rutherford | Joseph Neal |
| William Bowers | Douglas "Doug" Brannon |
| Chris Hart | Ted Vick |

**Total Present--114**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. PARKER a leave of absence for the day.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MCCOY a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. VICK a temporary leave of absence.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Larry Winn of Easley was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. SELLERS presented to the House the Bamberg-Ehrhardt High School "Red Raiders" Wrestling Team, the 2012 Class AA Champions, their coaches and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

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-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5063 |
| Date: | ADD: |
| 04/19/12 | CLEMMONS and BARFIELD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4200 |
| Date: | ADD: |
| 04/19/12 | BRADY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3209 |
| Date: | ADD: |
| 04/19/12 | KNIGHT |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3274 |
| Date: | ADD: |
| 04/19/12 | CLEMMONS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4317 |
| Date: | ADD: |
| 04/19/12 | ALEXANDER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5072 |
| Date: | ADD: |
| 04/19/12 | ALLEN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5145 |
| Date: | ADD: |
| 04/19/12 | PINSON and KING |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4953 |
| Date: | REMOVE: |
| 04/19/12 | ALLISON |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 5025 |
| Date: | REMOVE: |
| 04/19/12 | WHIPPER |

**ORDERED ENROLLED FOR RATIFICATION**

The following Bills were read the third time, passed, and having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 1412 -- Senators Grooms, Campbell and Campsen: A BILL TO AMEND ACT 518 OF 1982, RELATING TO BERKELEY COUNTY BOARD OF EDUCATION AS THE GOVERNING BODY OF THE SCHOOL DISTRICT OF BERKELEY COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BERKELEY COUNTY BOARD OF EDUCATION SHALL BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

S. 1384 -- Senator Hayes: A BILL TO AMEND ACT 469 OF 2000, AS AMENDED, RELATING TO YORK COUNTY SCHOOL DISTRICT 1, SO AS TO REAPPORTION THE FIVE SPECIFIC ELECTION DISTRICTS FROM WHICH CERTAIN MEMBERS OF THE GOVERNING BODY OF THE YORK COUNTY SCHOOL DISTRICT 1 MUST BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2012, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS, AND MAKE NECESSARY CONFORMING CHANGES.

**H. 4269--AMENDED AND REJECTED**

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

H. 4269 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-3-202, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ADDITIONAL CHARGES ASSOCIATED WITH CONSUMER LOANS, SO AS TO INCLUDE A CHARGE FOR THE ACTUAL COST INCURRED BY A LICENSEE FOR PROCESSING AN AUTOMATED CLEARING HOUSE PAYMENT AND A CHARGE FOR THE ACTUAL COST INCURRED BY A LICENSEE FOR PAYMENTS MADE BY CONSUMERS VIA CREDIT OR DEBIT CARDS.

Rep. SANDIFER proposed the following Amendment No. 2 to H. 4269 (COUNCIL\AGM\19545AB12), which was adopted:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ SECTION 1. Section 37‑3‑202(1) of the 1976 Code, as last amended by Act 234 of 2004, is amended by adding the following subitems at the end to read:

“(g) five dollars for processing an automated clearing house payment unless:

(i) the licensee requires the consumer to use the payment method;

(ii) the payment was authorized by the consumer in advance to recur at regular intervals; or

(iii) the payment does not clear the consumer’s bank account within three business days after the payment authorization by the consumer;

(h) five dollars for accepting payment made via debit or credit card. This charge must be equal to the difference in the amount of payment made by the debit or credit card holder on a consumer loan and the actual amount received by the licensee from the credit card processing company unless:

(i) the licensee requires the consumer to use the payment method;

(ii) the payment was authorized by the consumer in advance to recur at regular intervals; or

(iii) the payment does not clear the consumer’s bank account within three business days after the payment authorization by the consumer.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER spoke in favor of the amendment.

The amendment was then adopted.

The Labor, Commerce and Industry Committee proposed the following Amendment No. 1 to H. 4269 (COUNCIL\AGM\ 19475AB12), which was tabled:

Amend the bill, as and if amended, Section 37‑3‑202(1)(g), as contained in SECTION 1, page 1, line 28, by deleting / the actual cost incurred by a licensee / and inserting / five dollars /

amend the bill further, Section 37‑3‑202(1)(h), as contained in SECTION 1, page 1, line 30, by deleting / the actual cost incurred by a licensee, due to / and inserting / five dollars for /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER moved to table the amendment, which was agreed to.

Rep. SANDIFER spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 46; Nays 57

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Bannister | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | G. A. Brown | R. L. Brown |
| Butler Garrick | Clyburn | Cobb-Hunter |
| Cole | Crawford | Erickson |
| Frye | Funderburk | Gambrell |
| Govan | Hardwick | Harrell |
| Harrison | Hayes | Hodges |
| Horne | Johnson | Knight |
| Long | Lowe | Murphy |
| J. M. Neal | Neilson | Ott |
| Parks | Pinson | Quinn |
| Sandifer | Sellers | Spires |
| Thayer | Toole | Whipper |
| White |  |  |

**Total--46**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Barfield | Bedingfield | Brantley |
| Chumley | Clemmons | Corbin |
| Crosby | Daning | Delleney |
| Dillard | Forrester | Gilliard |
| Hamilton | Hart | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hosey | Jefferson |
| King | Limehouse | Loftis |
| Lucas | McEachern | McLeod |
| Merrill | D. C. Moss | Munnerlyn |
| Nanney | Norman | Patrick |
| Pitts | Putnam | Ryan |
| Sabb | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Stavrinakis | Stringer | Tallon |
| Taylor | Tribble | Weeks |
| Williams | Willis | Young |

**Total--57**

So, the Bill was rejected.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. PITTS a leave of absence for the remainder of the day due to a doctor's appointment.

**H. 5063--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5063 -- Reps. Sandifer, Crawford, Clemmons and Barfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-41-45 SO AS TO CIVIL PENALTIES FOR CERTAIN VIOLATIONS OF CHAPTER 41, TITLE 41; TO AMEND SECTION 41-41-10, RELATING TO FALSE STATEMENTS MADE TO INCREASE UNEMPLOYMENT BENEFITS, SO AS TO CHANGE PENALTIES FOR A VIOLATION; AND TO AMEND SECTION 41-41-30, RELATING TO FALSE STATEMENTS MADE BY AN EMPLOYER TO PREVENT OR REDUCE AN UNEMPLOYMENT BENEFIT, SO AS CHANGE THE PENALTIES FOR A VIOLATION.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 3

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Merrill | D. C. Moss | Munnerlyn |
| Murphy | Nanney | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parks | Patrick |
| Pinson | Putnam | Quinn |
| Ryan | 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 | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--104**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Rutherford | Sabb |

**Total--3**

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

**H. 5063--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 5063 be read the third time tomorrow.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. LOFTIS a temporary leave of absence.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**H. 3685--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

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

H. 3685 -- Reps. Bales and Ballentine: A BILL TO AMEND SECTION 51-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO USE OF FACILITIES, CAMPSITES, AND OVERNIGHT LODGING FACILITIES AT STATE PARKS AT REDUCED RATES BY THE AGED, BLIND, OR DISABLED, SO AS TO PROVIDE THAT SUCH PERSONS MAY USE THESE FACILITIES AT ONE-HALF THE PRESCRIBED FEE, INCLUDING CAMPSITE FACILITIES AND OVERNIGHT LODGING FACILITIES IF VACANCIES EXIST, AND TO PROVIDE THAT DISABLED VETERANS MAY GAIN ADMISSION TO STATE PARKS WITHOUT CHARGE AND MAY USE THE CAMPING FACILITIES AND OVERNIGHT LODGING FACILITIES OF STATE PARKS IF VACANCIES EXIST WITHOUT CHARGE; AND BY ADDING SECTION 51-3-75 SO AS TO PROVIDE THAT BASED ON A REVIEW OF BUSINESS AND PERSONAL USE OF A PARTICULAR STATE PARK OR FACILITY BY THE DEPARTMENT OF PARKS, RECREATION AND TOURISM, AND THE LABOR AND INSURANCE REQUIREMENTS IT SUSTAINS AT THAT FACILITY, IT MAY ALTER THE MANAGEMENT PLAN FOR THAT PARK OR FACILITY BY PERMITTING THE RELETTING OF CAMPSITES, CAMPING FACILITIES, OR OTHER AMENITIES BEFORE THE RENTAL TERM OF THE ORIGINAL RENTER HAS EXPIRED IF VACATED BY THE ORIGINAL RENTER BEFORE THE END OF THE STATED TERM, AND TO PROVIDE THE DEPARTMENT ALSO MAY WAIVE THE CHARGES FOR ITS REUSE AND FOR THE USE OF THESE AND OTHER AMENITIES.

**H. 4824--RECALLED FROM THE COMMITTEE**

**ON JUDICIARY**

On motion of Rep. RUTHERFORD, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Judiciary:

H. 4824 -- Rep. Rutherford: A JOINT RESOLUTION TO PROVIDE THAT THE DRIVER'S LICENSE OF A PERSON IS REINSTATED ON THIS ACT'S EFFECTIVE DATE IF THE PERSON'S DRIVER'S LICENSE WAS SUSPENDED PURSUANT TO FORMER SECTION 56-1-745 OF THE 1976 CODE DUE TO A CONTROLLED SUBSTANCE VIOLATION AND CHARGE PRIOR TO APRIL 12, 2011, AND A CONVICTION ON OR AFTER APRIL 12, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST NOT REIMBURSE SUCH PERSON WHOSE DRIVER'S LICENSE SUSPENSION ENDED AND HE PAID A REINSTATEMENT FEE BEFORE THIS ACT'S EFFECTIVE DATE.

**H. 5141--RECALLED AND REFERRED TO**

**COMMITTEE ON WAYS AND MEANS**

On motion of Rep. OWENS, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Committee on Ways and Means:

H. 5141 -- Rep. Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 10, TITLE 4 SO AS TO ENACT THE "MUNICIPAL CAPITAL PROJECTS SALES TAX ACT" TO PROVIDE FOR THE IMPOSITION OF A SALES AND USE TAX NOT TO EXCEED ONE PERCENT BY REFERENDUM IN A MUNICIPALITY FOR A SPECIFIC PERIOD OF TIME AND FOR SPECIFIC PROJECTS, AND TO PROVIDE FOR THE METHOD OF IMPOSITION, PAYMENT AND COLLECTION OF THIS TAX.

**H. 5129--RECALLED AND REFERRED TO THE CHARLESTON DELEGATION**

On motion of Rep. OWENS, with unanimous consent, the following Bill was ordered recalled from the Committee on Education and Public Works and was referred to the Charleston Delegation:

H. 5129 -- Reps. R. L. Brown, Gilliard, Mack and Whipper: A BILL TO AMEND ACT 340 OF 1967, AS AMENDED, RELATING TO THE GOVERNANCE OF THE CHARLESTON COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE THOSE PROCEDURES WHICH THE DISTRICT BOARD OF TRUSTEES MUST FOLLOW TO CLOSE A RURAL SCHOOL, TO DEFINE "RURAL SCHOOL", TO REQUIRE THE BOARD TO DOCUMENT THAT ANY SUCH CLOSING MUST RESULT IN A REDUCTION IN THE OPERATING EXPENSES OF THE DISTRICT TRANSLATED INTO AN ESTIMATED PROPERTY TAX MILLAGE REDUCTION THAT MUST BE REFLECTED BEGINNING FOR THE FIRST PROPERTY TAX YEAR AFTER THE CLOSING DATE, TO REQUIRE THE BOARD TO CONDUCT THREE PUBLIC HEARINGS IN THE AFFECTED COMMUNITY TO RECEIVE PUBLIC COMMENTS, TO SPECIFY OTHER CONSIDERATIONS RELATING TO TRAVEL TIME AND ADDITIONAL TRAVEL EXPENSES AND THE OVERALL BENEFIT TO STUDENTS AND THE DISTRICT FROM CLOSING THE SCHOOL, TO REQUIRE THE BOARD TO PREPARE A COMPREHENSIVE REPORT ON THESE ISSUES BEFORE MAKING A DECISION ON THE CLOSING AND REQUIRE THIS REPORT, ON COMPLETION, TO BE FORWARDED TO EACH MEMBER OF THE LEGISLATIVE DELEGATION REPRESENTING THE CHARLESTON COUNTY SCHOOL DISTRICT.

**S. 1351--RECALLED FROM COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. HENDERSON, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

S. 1351 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-157 SO AS TO SPECIFY THE NUMBER OF LIFEGUARDS, BASED ON THE SQUARE FOOTAGE AND NUMBER OF PATRONS, A TYPE "A" PUBLIC SWIMMING POOL OPERATED BY THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, MUST HAVE AS A CONDITION OF OBTAINING AND MAINTAINING AN OPERATING PERMIT AND TO PROVIDE PROCEDURES FOR APPLYING FOR A VARIANCE; AND TO REQUIRE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL APPROVAL OF LIFEGUARD COVERAGE PLANS FOR TYPE "E" PUBLIC SWIMMING POOLS.

**S. 788--RECALLED AND REFERRED TO COMMITTEE ON AGRICULTURE, NATURAL RESOURCES AND ENVIRONMENTAL AFFAIRS**

On motion of Rep. HARDWICK, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary and was referred to the Committee on Agriculture, Natural Resources and Environmental Affairs:

S. 788 -- Senator Verdin: A BILL TO AMEND CHAPTER 21, TITLE 47 OF THE 1976 CODE, RELATING TO THE FARM ANIMAL AND RESEARCH FACILITIES PROTECTION ACT, BY AMENDING SECTION 47-21-70 TO PROVIDE ADDITIONAL LIABILITY EXEMPTIONS TO VETERINARIANS AND PEOPLE WHO HOLD A SUPERIOR INTEREST IN THE PROPERTY; BY ADDING SECTION 47-21-90 TO PROVIDE FOR A CIVIL CAUSE OF ACTION FOR A PERSON THAT SUFFERS DAMAGES AS A RESULT OF VIOLATIONS OF CHAPTER 21 RELATING TO ANIMAL FACILITY OPERATIONS; AND BY ADDING ARTICLE 5 TO PROVIDE THAT IT IS UNLAWFUL TO TAMPER WITH CROP OPERATIONS, TO INTERFERE WITH THE OPERATIONS OF A CROP OPERATION, TO FRAUDULENTLY GAIN ACCESS TO A CROP OPERATION, AND TO PROVIDE FOR A CIVIL CAUSE OF ACTION FOR VIOLATIONS OF THIS ACT RELATED TO CROP OPERATIONS, TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT, TO DEFINE NECESSARY TERMS, AND TO MAKE TECHNICAL CORRECTIONS.

**OBJECTION TO RECALL**

Rep. BALES asked unanimous consent to recall S. 220 from the Committee on Judiciary.

Rep. MERRILL objected.

**H. 3066--DEBATE ADJOURNED**

The Senate Amendments to the following Bill were taken up for consideration:

H. 3066 -- Reps. G. R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G. M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D. C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2011" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, AS AMENDED, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435; 2-13-240, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 10-11-140, 10-11-330; 11-9-610, 11-9-620, 11-9-630, 11-35-3810, AS AMENDED, 11-35-3820, AS AMENDED, 11-35-3830, AS AMENDED, 11-35-3840, AS AMENDED, 13-7-30, AS AMENDED, 13-7-830, AS AMENDED; 44-53-530, AS AMENDED, AND 44-96-140; 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, AND 48-52-460; AND BY ADDING SECTION 1-11-185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

Rep. G. R. SMITH moved to adjourn debate upon the Senate Amendments until Tuesday, April 24, which was agreed to.

**H. 5060--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5060 -- Reps. Limehouse, McCoy, Gilliard, R. L. Brown, Stavrinakis and Harrell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 703 AND 517 ON THE ISLE OF PALMS "STATE REPRESENTATIVE-MAYOR MIKE SOTTILE INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS "STATE REPRESENTATIVE-MAYOR MIKE SOTTILE INTERSECTION".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1334--DEBATE ADJOURNED**

The following Concurrent Resolution was taken up:

S. 1334 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 178 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH BETHEL FOREST ROAD TO ITS INTERSECTION WITH GORDON DRIVE "MELVIN L. CRUM MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "MELVIN L. CRUM MEMORIAL HIGHWAY".

Rep. COBB-HUNTER moved to adjourn debate on the Concurrent Resolution until Tuesday, April 24, which was agreed to.

**H. 5101--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5101 -- Reps. Limehouse, Sottile, Gilliard, R. L. Brown, Harrell, Mack and Whipper: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 211 ALONG INTERSTATE HIGHWAY 26 IN CHARLESTON COUNTY "CONGRESSMAN THOMAS F. HARTNETT INTERCHANGE" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS EXIT THAT CONTAIN THE WORDS "CONGRESSMAN THOMAS F. HARTNETT INTERCHANGE".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1432--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1432 -- Senators Knotts, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Gregory, Grooms, Hayes, Hutto, Jackson, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS ALONG THE EAST AND WEST BOUND LANES OF INTERSTATE HIGHWAY 20 AT MILE MARKER 49 THAT CONTAIN THE WORDS "SCHP PATROLMAN BEN W. STRICKLAND MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1434--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1434 -- Senators Alexander, L. Martin, Matthews, Peeler and Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE THE PRESIDENT AND THE CONGRESS OF THE UNITED STATES, THE AMERICAN PEOPLE AND THE CITIZENS OF SOUTH CAROLINA ON THE ONE HUNDRED FIFTIETH ANNIVERSARY OF THE PASSAGE OF THE MORRILL ACT LEGISLATION, WHICH PROVIDED STATES WITH INCENTIVES TO BUILD A SYSTEM OF HIGHER EDUCATIONAL OPPORTUNITIES AND TO BUILD AMERICAN RESEARCH CAPACITY BY HARNESSING THE NATION'S RESERVOIR OF INTELLECTUAL CAPITAL.

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORT OF STANDING COMMITTEE**

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

H. 5130 -- Reps. Alexander, Branham and Williams: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF TV ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH MCIVER ROAD TO ITS INTERSECTION WITH WILSON ROAD "DR. WILLIAM P. DIGGS ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "DR. WILLIAM P. DIGGS ROAD".

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5147 -- Reps. G. M. Smith, Weeks, 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, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR WILLIAM RUTLEDGE DINGLE FOR THIRTY-EIGHT YEARS OF EXEMPLARY SERVICE IN EDUCATING STUDENTS OF SOUTH CAROLINA, AND TO CONGRATULATE HIM FOR BEING NAMED THE 2012 ADMINISTRATOR OF THE YEAR BY THE SOUTH CAROLINA ASSOCIATION OF STUDENT COUNCILS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5148 -- Reps. Lucas and Neilson: A HOUSE RESOLUTION TO HONOR AND CONGRATULATE COACH ARIC SAMUEL OF HARTSVILLE HIGH SCHOOL ON BEING NAMED 2011-2012 HIGH SCHOOL SPORTS REPORT CLASS AAA BASKETBALL COACH OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5149 -- Rep. Lucas: A HOUSE RESOLUTION TO CONGRATULATE COACH PHYLLIS GRIGGS OF HARTSVILLE HIGH SCHOOL ON BEING NAMED 2011-2012 SOUTH CAROLINA ATHLETIC ADMINISTRATORS ASSOCIATION CLASS AAA ATHLETICS DIRECTOR OF THE YEAR AND TO WISH HER EVERY SUCCESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and ordered placed on the Calendar:

H. 5150 -- Reps. Harrell, Harrison, Sandifer, Lucas, Hardwick, Howard, Clemmons, Ott, Crawford, Bingham, Owens and White: A BILL TO REENACT SECTION 33-44-303, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIABILITY OF MEMBERS AND MANAGERS OF LIMITED LIABILITY COMPANIES, AND TO EXPRESS THAT IT IS THE CLEAR AND UNAMBIGUOUS INTENT OF THE GENERAL ASSEMBLY TO SHIELD A MEMBER OF A LIMITED LIABILITY COMPANY FROM PERSONAL LIABILITY FOR ACTIONS TAKEN IN THE ORDINARY COURSE OF THE LIMITED LIABILITY COMPANY'S BUSINESS.

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

**H. 4054--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4054 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-36 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO HUNT MIGRATORY WATERFOWL ON LAKE KEOWEE WITHIN TWO HUNDRED YARDS OF A DWELLING, AND TO PROVIDE A PENALTY.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 80; Nays 16

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Daning | Dillard |
| Edge | Erickson | Forrester |
| Funderburk | Gambrell | Govan |
| Hardwick | Harrell | Hayes |
| Hearn | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Johnson | King |
| Knight | Limehouse | Long |
| Lucas | McEachern | McLeod |
| D. C. Moss | Murphy | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Owens | Parks | Patrick |
| Pinson | Rutherford | Ryan |
| Sabb | Sandifer | Skelton |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Tribble | Weeks | Whitmire |
| Willis | Young |  |

**Total--80**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Bingham | Crawford |
| Delleney | Gilliard | Hamilton |
| Huggins | Jefferson | Lowe |
| Nanney | Ott | Quinn |
| Sellers | G. R. Smith | Thayer |
| Toole |  |  |

**Total--16**

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

**OBJECTION TO MOTION**

Rep. SANDIFER asked unanimous consent that H. 4054 be read a third time tomorrow.

Rep. CRAWFORD objected.

**H. 4200--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4200 -- Reps. Hardwick, Cooper, Clemmons, Frye, Ott, Funderburk, H. B. Brown, Battle, Agnew, McCoy, McEachern, Atwater, Williams, Spires, J. H. Neal, Gilliard, Sabb, Toole, Butler Garrick, Govan, Hiott, Stringer, Ballentine, Murphy, Knight, G. A. Brown, Chumley, Corbin, Crosby, Daning, Dillard, Hixon, Lowe, V. S. Moss, Neilson, Ryan, Willis, Hodges, Whipper, R. L. Brown and Brady: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-3-25 SO AS TO REQUIRE THE DEPARTMENT OF AGRICULTURE TO CREATE AND MAINTAIN A PROGRAM TO ENCOURAGE SCHOOLS TO SERVE LOCALLY GROWN, MINIMALLY PROCESSED FARM FOODS.

Rep. FRYE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. 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 |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Johnson | King |
| Knight | Limehouse | Long |
| Lowe | Lucas | McEachern |
| Merrill | D. C. Moss | Murphy |
| Nanney | J. M. Neal | Neilson |
| Norman | Ott | Owens |
| Parks | Patrick | Pinson |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sellers |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Weeks |
| Whipper | Whitmire | Williams |
| Willis | Young |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

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

**H. 4200--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FRYE, with unanimous consent, it was ordered that H. 4200 be read the third time tomorrow.

**H. 4705--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4705 -- Reps. Brady, Butler Garrick, Long, Funderburk, Thayer, Henderson, Pope, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-37-60 SO AS TO REQUIRE HOSPITALS TO PROVIDE PARENTS OF NEWBORNS, PRIOR TO DISCHARGE, EDUCATIONAL INFORMATION ON PERTUSSIS DISEASE AND TO REQUIRE THIS INFORMATION TO INCLUDE THE CENTER FOR DISEASE CONTROL'S RECOMMENDATION THAT PARENTS RECEIVE THE TETANUS, DIPHTHERIA, AND PERTUSSIS VACCINE DURING POST PARTUM TO PROTECT NEWBORNS FROM THE TRANSMISSION OF PERTUSSIS; AND TO PROVIDE THAT HOSPITALS ARE NOT REQUIRED TO PROVIDE OR PAY FOR A VACCINATION AGAINST PERTUSSIS.

Rep. HART explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 84; Nays 11

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| R. L. Brown | Butler Garrick | Clyburn |
| Cobb-Hunter | Cole | Crawford |
| Crosby | Daning | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Johnson | King | Knight |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| D. C. Moss | Munnerlyn | Murphy |
| J. H. Neal | J. M. Neal | Neilson |
| Ott | Owens | Parks |
| Patrick | Pinson | Rutherford |
| Ryan | Sabb | Sellers |
| Skelton | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Toole |
| Tribble | Weeks | Whipper |
| Williams | Willis | Young |

**Total--84**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Barfield | Bedingfield | Clemmons |
| Delleney | Hamilton | Limehouse |
| Nanney | Norman | Putnam |
| G. M. Smith | G. R. Smith |  |

**Total--11**

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

**H. 4705--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HART, with unanimous consent, it was ordered that H. 4705 be read the third time tomorrow.

**H. 4687--REQUEST FOR DEBATE AND DEBATE ADJOURNED**

The following Bill was taken up:

H. 4687 -- Reps. King, Parks, Butler Garrick, J. E. Smith and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-63-74 SO AS TO REQUIRE DEATH CERTIFICATES TO BE ELECTRONICALLY TRANSMITTED AMONG ALL PARTIES REQUIRED TO COMPLETE THE DEATH CERTIFICATE; TO REQUIRE ELECTRONIC FILING OF THE DEATH CERTIFICATE WITH THE BUREAU OF VITAL STATISTICS, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE THAT REQUIRED SIGNATURES MUST BE PROVIDED ELECTRONICALLY; AND TO DEFINE "ELECTRONIC SIGNATURE".

The Medical, Military, Public and Municipal Affairs Committee proposed the following Amendment No. 1 to H. 4687 (COUNCIL\NBD\12287AC12):

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/SECTION 1. Chapter 63, Title 44 of the 1976 Code is amended by adding:

“Section 44-63-74. (A) Notwithstanding any other provision of law, death certificates must be electronically filed with the Bureau of Vital Statistics as prescribed by the State Registrar of Vital Statistics. Death certificates must be transmitted electronically between the funeral home director and the physician, coroner, or medical examiner certifying the cause of death in order to document the death certificate information prescribed by this chapter. Required signatures on death certificates must be provided by electronic signature. An individual who acts, without compensation, as a funeral director on behalf of a deceased family member or friend, physicians certifying fewer than twelve deaths per year, and funeral homes that perform fewer than twelve funerals per year are exempt from this requirement.

(B) For purposes of this section, an electronic signature shall be as defined pursuant to the Uniform Electronic Transactions Act, Chapter 6, Title 26.”

SECTION 2. This act takes effect July 1, 2012. /

Renumber sections to conform.

Amend title to conform.

Rep. HART explained the amendment.

Rep. KING spoke in favor of the amendment.

Rep. HIOTT requested debate on the Bill.

Rep. CRAWFORD moved to adjourn debate on the Bill until Tuesday, April 24, which was agreed to.

**S. 1213--DEBATE ADJOURNED**

The following Bill was taken up:

S. 1213 -- Senators Alexander, L. Martin, Scott, Knotts, Peeler, Cromer, Setzler, Leventis, Hayes, Nicholson, Ryberg and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 2 SO AS TO ESTABLISH THE STATE OF SOUTH CAROLINA MEDAL OF VALOR TO RECOGNIZE SOUTH CAROLINIANS, OR INDIVIDUALS WITH CERTAIN TIES TO SOUTH CAROLINA, WHO WERE KILLED IN ACTION WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES OF AMERICA; TO PROVIDE FOR THE SOUTH CAROLINA MEDAL OF VALOR

ROLL; AND TO ESTABLISH THE SOUTH CAROLINA MEDAL OF VALOR AWARD CRITERIA.

Rep. HIOTT moved to adjourn debate on the Bill until Tuesday, April 24, which was agreed to.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**S. 872--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 872 -- Senators Knotts, Rose, Reese, O'Dell, Verdin, Rankin, Bryant, Malloy, McConnell, Scott, Grooms, Fair, Campbell, Elliott, Setzler, McGill, Davis, Williams, Pinckney, Cromer, Hayes, Land, Jackson, Lourie, Nicholson, Matthews, L. Martin, Alexander and Ford: A BILL TO AMEND SECTION 25-1-590, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RETIREMENT OF MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD, SO AS TO EXTEND THE RETIREMENT HONORARY PROMOTION PROVISIONS TO HONORABLY DISCHARGED SERVICEMEMBERS WHO ARE REMOVED FROM THE NATIONAL GUARD DUE TO MEDICAL CONDITIONS, AND TO PROVIDE THAT THE EXPANDED HONORARY PROMOTION ELIGIBILITY DESCRIBED ABOVE IS TO BE APPLIED RETROACTIVELY.

Rep. WILLIAMS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cole | Corbin |
| Crosby | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Knight | Long | Lowe |
| Lucas | McEachern | McLeod |
| Merrill | D. C. Moss | Munnerlyn |
| Murphy | Nanney | J. M. Neal |
| Neilson | Norman | Owens |
| Parks | Patrick | Putnam |
| Rutherford | Ryan | Sabb |
| Sandifer | Sellers | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Weeks |
| Whipper | Whitmire | Williams |
| Willis | Young |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**S. 872--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. WILLIAMS, with unanimous consent, it was ordered that S. 872 be read the third time tomorrow.

**H. 5087--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 5087 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF MEDICAL EXAMINERS, RELATING TO REQUIREMENTS OF LICENSURE FOR MEDICAL PROFESSIONALS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4244, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. PARKS explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Harrell |
| Harrison | Hart | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Johnson | King | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| D. C. Moss | Munnerlyn | Murphy |
| Nanney | J. M. Neal | Neilson |
| Norman | Owens | Parks |
| Patrick | Putnam | Rutherford |
| Ryan | Sabb | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**H. 5087--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. PARKS, with unanimous consent, it was ordered that H. 5087 be read the third time tomorrow.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**OBJECTION TO RECALL**

Rep. H. B. BROWN asked unanimous consent to recall H. 3931 from the Committee on Judiciary.

Rep. TALLON objected.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5151 -- Reps. Erickson, Herbkersman, Patrick, 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, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, 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, 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, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO SUPPORT THE EFFORTS OF THE SOUTH CAROLINA OLYMPIA COMMITTEE, INC., TO BRING THE USS OLYMPIA TO A PERMANENT HOME AT THE HISTORIC DRY DOCK OF MARINE CORPS RECRUIT DEPOT, PARRIS ISLAND.

The Resolution was adopted.

**INTRODUCTION OF BILL**

The following Bill was introduced, read the first time, and referred to appropriate committee:

H. 5152 -- Rep. Bales: A BILL TO AMEND CHAPTER 56, TITLE 44 OF THE 1976 CODE, RELATING TO THE DRYCLEANING FACILITY RESTORATION TRUST FUND, SO AS TO, AMONG OTHER THINGS, SPECIFY THE USE AND PURPOSE OF THE FUND, AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO EXPEND MONIES FROM THE FUND FOR ASSESSMENT OF POTENTIAL SITES PRIOR TO OBTAINING EVIDENCE OF CONTAMINATION AT THE SITE, AND CLARIFY WHAT FACILITIES ARE EXCLUDED FROM PARTICIPATING IN THE FUND AND THE EFFECT OF PARTICIPATING IN THE FUND IF A FACILITY IS SEEKING EXEMPTION FROM THE FUND; AND TO DELETE OBSOLETE PROVISIONS, REORGANIZE PROVISIONS, AND MAKE TECHNICAL CORRECTIONS.

Rep. BALES asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. WHITE objected.

Referred to Committee on Labor, Commerce and Industry

**H. 5088--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 5088 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EXAMINERS IN PSYCHOLOGY, RELATING TO CONTINUING EDUCATION CREDITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4251, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. PARKS explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Harrell | Harrison | Hart |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Johnson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | McEachern |
| D. C. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | Neilson |
| Owens | Parks | Patrick |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--97**

Those who voted in the negative are:

**Total--0**

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

**H. 5088--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. PARKS, with unanimous consent, it was ordered that H. 5088 be read the third time tomorrow.

**H. 4550--RECONSIDERED**

Rep. BALES moved to reconsider the vote whereby debate was adjourned until Tuesday, May 1, which was agreed to:

H. 4550 -- Reps. Rutherford, Bales, Ballentine, Brady, Butler Garrick, Harrison, Hart, Howard, McEachern, J. H. Neal and J. E. Smith: A BILL TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

**H. 4550--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4550 -- Reps. Rutherford, Bales, Ballentine, Brady, Butler Garrick, Harrison, Hart, Howard, McEachern, J. H. Neal and J. E. Smith: A BILL TO ABOLISH THE RICHLAND COUNTY BOARD OF ASSESSMENT CONTROL AND DEVOLVE ALL OF ITS DUTIES, POWERS, AND FUNCTIONS UPON THE RICHLAND COUNTY COUNCIL AND TO REPEAL SECTION 1 OF ACT 952 OF 1958.

The yeas and nays were taken resulting as follows:

Yeas 64; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allison | Anderson |
| Bales | Ballentine | Battle |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brantley |
| G. A. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cole |
| Corbin | Delleney | Edge |
| Erickson | Forrester | Frye |
| Harrell | Harrison | Hart |
| Hearn | Henderson | Hixon |
| Howard | Huggins | Johnson |
| King | Knight | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | D. C. Moss |
| Munnerlyn | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Owens | Patrick | Pinson |
| Sabb | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Thayer | Tribble | Weeks |
| Willis |  |  |

**Total--64**

Those who voted in the negative are:

**Total--0**

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

**H. 4550--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. RUTHERFORD, with unanimous consent, it was ordered that H. 4550 be read the third time tomorrow.

**H. 5089--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 5089 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF MEDICAL EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4271, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. PARKS explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brantley | G. A. Brown |
| H. B. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hart | Hearn | Henderson |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Knight | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | D. C. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Owens | Parks | Patrick |
| Pinson | Putnam | Quinn |
| Ryan | Sabb | Sandifer |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**H. 5089--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. PARKS, with unanimous consent, it was ordered that H. 5089 be read the third time tomorrow.

**H. 5025--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 5025 -- Reps. Govan, Cobb-Hunter, King, Limehouse, J. H. Neal, Ott, R. L. Brown and Ways and Means: A BILL TO AMEND SECTION 59-127-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO REVISE THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH MEMBERS OF THE BOARD ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT AND THREE ALUMNI MEMBERS, AND TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS, INCLUDING A PROVISION THAT THE TERMS OF ALL PRESENTLY ELECTED MEMBERS OF THE BOARD SHALL EXPIRE ON JUNE 30, 2012, AT WHICH TIME THEIR SUCCESSORS ELECTED AS PROVIDED BY THIS SECTION SHALL TAKE OFFICE.

The Education and Public Works Committee proposed the following Amendment No. 1 to H. 5025 (COUNCIL\AGM\19521AB12), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 59‑127‑20 of the 1976 Code is amended to read:

“Section 59‑127‑20. (A) South Carolina State University is managed and controlled by a board of trustees, composed of ~~thirteen~~ nine members, ~~twelve~~ seven of whom are elected by the General Assembly, one member from each of the seven congressional ~~district~~ districts ~~and six at large~~ for terms of four years each and until their successors are elected and qualify. In electing members of the board, the General Assembly shall elect members based on merit regardless of race, color, creed, or gender and shall strive to assure that the membership of the board is representative of all citizens of the State of South Carolina. In addition, there must be one alumni member of the board who must be elected for a term of four years and until his successor is elected and qualified by the means and methods determined by the National Alumni Association of the university or any succeeding organization. The result of this election must be certified by the president of the alumni association to the Secretary of State. The Governor of the State or his designee is ex officio, the ~~thirteenth~~ ninth member of the board of trustees. In case of a vacancy on the board, the Governor may fill it by appointment until the ~~next session of the General Assembly~~ successor is selected in the manner of original selection. Members of the board are entitled to subsistence, per diem, and mileage authorized for members of state boards, committees, and commissions.

Each position on the board constitutes a separate office and the seats on the board are numbered consecutively, one corresponding in number to each congressional district and ~~Seats 7‑12 at large~~ Seat 8 for the alumni member. The Governor or his designee occupies Seat ~~13~~ 9. ~~Of the three present members of the board who reside in the sixth congressional district, the member with the longest remaining current term shall be the resident member selected from that congressional district occupying Seat 6. The two remaining members not determined to be the resident member from the sixth congressional district shall be considered at‑large members of the board occupying Seats 8 and 12, respectively. The terms of each of these three members shall not be affected by the provisions of this paragraph.~~

The terms of the ~~present~~ members of the board who are elected by the General Assembly expire on the thirtieth day of June of the year in which the terms are scheduled to expire, except as otherwise provided in subsection (B). The General Assembly shall elect successors to the elective trustees not earlier than the first day of April for a term to begin the following July first. Elections to fill vacancies on the board which are caused by the death, resignation, or removal of an elective trustee may be held earlier than the first day of April of the year in which the unexpired term terminates, but the term of the person elected to fill the vacancy expires on the last day of June of the year in which the term of the former member would have expired.

(B) ~~Beginning with members elected to the board during 1992, terms of members are four years. In 1993, members from Seats 1, 2, 3, 4, 5, and 11 must be elected, and the term of the member elected in 1993 from Seat 3 shall be one year, the terms of the members elected in 1993 from Seats 1, 2, and 4 shall be two years each, the term of the member elected in 1993 from Seat 11 shall be three years, and the term of the member elected in 1993 from Seat 5 shall be four years. Thereafter, successors to the members of the board elected in 1993 and successors to members of the board provided six‑year terms by the provisions of this subsection must be elected for terms of four years each.~~ (1) The terms of all presently elected members of the board expire on June 30, 2012.

(2) The General Assembly during its 2012 session as provided in this section shall elect successors to the members it elects who shall take office on July 1, 2012.  Members elected from the First, Third, Fifth, and Seventh Congressional Districts shall serve initial terms of four years each, and members elected from the Second, Fourth, and Sixth Congressional Districts shall serve initial terms of two years each.  Successors to all these members shall then be elected for terms of four years each.

(3) The member elected by the National Alumni Association, to be elected upon the termination of the current terms of all present board members elected by the General Assembly as provided in item (1), must be elected for an initial term of four years and shall serve four year terms thereafter.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BRANHAM explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Branham |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Harrell | Harrison | Hart |
| Hearn | Henderson | Hiott |
| Hixon | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| Knight | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | D. C. Moss |
| Munnerlyn | Murphy | Nanney |
| J. H. Neal | J. M. Neal | Neilson |
| Norman | Owens | Patrick |
| Pinson | Putnam | Quinn |
| Rutherford | Ryan | Sabb |
| Sandifer | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Weeks | White | Whitmire |
| Williams | Willis | Young |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**H. 5025--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. GOVAN, with unanimous consent, it was ordered that H. 5025 be read the third time tomorrow.

**H. 3209--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3209 -- Reps. Cobb-Hunter, Long, Brady and Knight: A BILL TO AMEND SECTION 20-4-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO AN ORDER FOR PROTECTION FROM DOMESTIC ABUSE, SO AS TO PROVIDE THAT THE COURT MAY PROHIBIT HARM OR HARASSMENT TO A PET ANIMAL OWNED, POSSESSED, KEPT, OR HELD BY THE PETITIONER AND TO PROVIDE THAT IN ORDERING TEMPORARY POSSESSION OF PERSONAL PROPERTY, THE COURT MAY ORDER THE TEMPORARY POSSESSION OF PET ANIMALS.

Rep. BANNISTER explained the Bill.

Reps. LOFTIS, NORMAN, J. R. SMITH, HIOTT, JEFFERSON and FORRESTER requested debate on the Bill.

**H. 5025--RECONSIDERED**

Rep. SKELTON moved to reconsider the vote whereby unanimous consent was given for third reading on Friday, April 20, which was agreed to:

H. 5025 -- Reps. Govan, Cobb-Hunter, King, Limehouse, J. H. Neal, Ott, R. L. Brown and Ways and Means: A BILL TO AMEND SECTION 59-127-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO REVISE THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH MEMBERS OF THE BOARD ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT AND THREE ALUMNI MEMBERS, AND TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS, INCLUDING A PROVISION THAT THE TERMS OF ALL PRESENTLY ELECTED MEMBERS OF THE BOARD SHALL EXPIRE ON JUNE 30, 2012, AT WHICH TIME THEIR SUCCESSORS ELECTED AS PROVIDED BY THIS SECTION SHALL TAKE OFFICE.

**H. 4738--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4738 -- Reps. Govan and Hearn: A BILL TO AMEND SECTION 20-3-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AWARD OF ALIMONY IN DIVORCE AND SEPARATE MAINTENANCE AND SUPPORT ACTIONS, SO AS TO PROVIDE THAT ALIMONY IS TERMINABLE ON "COHABITATION", RATHER THAN ON "CONTINUED COHABITATION" OF THE SUPPORTED SPOUSE; TO DEFINE "COHABITATION" AS A COMMITTED, EXCLUSIVE RELATIONSHIP FOR AN AGGREGATE OF NINETY DAYS; AND TO PROVIDE FACTORS THAT THE COURT MAY CONSIDER IN DETERMINING WHETHER COHABITATION EXISTS; TO AMEND SECTION 20-3-150, AS AMENDED, RELATING TO ALLOCATING ALIMONY TO THE SUPPORTED SPOUSE AND CHILD SUPPORT TO THE CHILDREN SUCH THAT ONLY ALIMONY IS TERMINATED UPON REMARRIAGE OR CONTINUED COHABITATION OF THE SUPPORTED SPOUSE, SO AS TO PROVIDE THAT ALIMONY IS TERMINABLE ON "COHABITATION", RATHER THAN ON "CONTINUED COHABITATION" OF THE SUPPORTED SPOUSE; TO DEFINE "COHABITATION" AS A COMMITTED, EXCLUSIVE RELATIONSHIP FOR AN AGGREGATE OF NINETY DAYS; AND TO PROVIDE FACTORS THAT THE COURT MAY CONSIDER IN DETERMINING WHETHER COHABITATION EXISTS; AND TO AMEND SECTION 20-3-170, RELATING TO THE MODIFICATION, CONFIRMATION, OR TERMINATION OF ALIMONY, SO AS TO PROVIDE THAT UPON THE MOTION OF A PARTY TO A JUDGMENT OF DIVORCE, THE COURT SHALL CONDUCT A HEARING TO DETERMINE IF THE RETIREMENT OF THE SUPPORTING SPOUSE CONSTITUTES A CHANGE OF CIRCUMSTANCES FOR THE PURPOSE OF ALIMONY PAYMENTS AND TO PROVIDE FACTORS FOR THE COURT TO CONSIDER IN MAKING THIS DETERMINATION.

The Judiciary Committee proposed the following Amendment No. 1 to H. 4738 (COUNCIL\NBD\12285AC12), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 20‑3‑170 of the 1976 Code is amended to read:

“Section 20‑3‑170. (A) Whenever any husband or wife, pursuant to a judgment of divorce from the bonds of matrimony, has been required to make his or her spouse any periodic payments of alimony and the circumstances of the parties or the financial ability of the spouse making the periodic payments shall have changed since the rendition of such judgment, either party may apply to the court which rendered the judgment for an order and judgment decreasing or increasing the amount of such alimony payments or terminating such payments and the court, after giving both parties an opportunity to be heard and to introduce evidence relevant to the issue, shall make such order and judgment as justice and equity shall require, with due regard to the changed circumstances and the financial ability of the supporting spouse, decreasing or increasing or confirming the amount of alimony provided for in such original judgment or terminating such payments. Thereafter the supporting spouse shall pay and be liable to pay the amount of alimony payments directed in such order and judgment and no other or further amount and such original judgment, for the purpose of all actions or proceedings of every nature and wherever instituted, whether within or without this State, shall be deemed to be and shall be modified accordingly, subject in every case to a further proceeding or proceedings under the provisions of this section in relation to such modified judgment.

(B) Retirement by the supporting spouse is sufficient grounds to warrant a hearing, if so moved by a party, to evaluate whether there has been a change of circumstances for alimony. The court shall consider the following factors:

(1) whether retirement was contemplated when alimony was awarded;

(2) the age of the supporting spouse;

(3) the health of the supporting spouse;

(4) whether the retirement is mandatory or voluntary;

(5) whether retirement would result in a decrease in the supporting spouse’s income; and

(6) any other factors the court sees fit.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HEARN explained the amendment.

The amendment was then adopted.

Rep. WEEKS proposed the following Amendment No. 2 to H. 4738 (COUNCIL\NBD\12309AC12), which was adopted:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. 20-3-130(C) of the 1976 Code is amended to read:

“(C) In making an award of alimony or separate maintenance and support, the court must consider and give weight in such proportion as it finds appropriate to all of the following factors:

(1) the duration of the marriage together with the ages of the parties at the time of the marriage and at the time of the divorce or separate maintenance action between the parties;

(2) the physical and emotional condition of each spouse;

(3) the educational background of each spouse, together with need of each spouse for additional training or education in order to achieve that spouse's income potential;

(4) the employment history and earning potential of each spouse;

(5) the standard of living established during the marriage;

(6) the current and reasonably anticipated earnings of both spouses;

(7) the current and reasonably anticipated expenses and needs of both spouses;

(8) the marital and nonmarital properties of the parties, including those apportioned to him or her in the divorce or separate maintenance action;

(9) custody of the children, particularly where conditions or circumstances render it appropriate that the custodian not be required to seek employment outside the home, or where the employment must be of a limited nature;

(10) marital misconduct or fault of either or both parties, whether or not used as a basis for a divorce or separate maintenance decree if the misconduct affects or has affected the economic circumstances of the parties, or contributed to the breakup of the marriage, except that no evidence of personal conduct which may otherwise be relevant and material for the purpose of this subsection may be considered with regard to this subsection if the conduct took place subsequent to the happening of the earliest of (a) the formal signing of a written property or marital settlement agreement or (b) entry of a permanent order of separate maintenance and support or of a permanent order approving a property or marital settlement agreement between the parties;

(11) the tax consequences to each party as a result of the particular form of support awarded;

(12) the existence and extent of any support obligation from a prior marriage or for any other reason of either party; ~~and~~

(13) the likelihood of retirement, whether that retirement would be voluntary or mandatory, and whether the retirement would result in a decrease in the supporting spouse’s income; and

(14) such other factors the court considers relevant. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Brannon |
| Brantley | 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 |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Johnson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | McEachern |
| Merrill | D. C. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Ott |
| Owens | Patrick | Pinson |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**H. 4738--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HEARN, with unanimous consent, it was ordered that H. 4738 be read the third time tomorrow.

Further proceedings were interrupted by expiration of time on the uncontested Calendar.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4717--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4717 -- Reps. Brannon and Allison: A BILL TO AMEND SECTION 63-7-730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXPEDITED PLACEMENT OF A CHILD WITH A RELATIVE OF THE FIRST OR SECOND DEGREE WHEN A CHILD REMAINS IN THE LEGAL CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES FOLLOWING THE PROBABLE CAUSE HEARING, SO AS TO PROVIDE THAT IF THE COURT FINDS THAT CONTINUING THE CHILD IN THE HOME WOULD BE CONTRARY TO THE WELFARE OF THE CHILD, THE COURT MAY ORDER PLACEMENT WITH A RELATIVE OF THE FIRST OR SECOND DEGREE, WHICH INCLUDES A GRANDPARENT; TO PROVIDE THAT THE COURT SHALL CONSIDER CERTAIN CHARACTERISTICS OF THE RELATIVE AND HOW THESE WOULD IMPACT THE CHILD; AND TO PROVIDE THAT IF THE COURT PLACES A CHILD WITH A RELATIVE OF THE FIRST OR SECOND DEGREE, THE RELATIVE MUST BE NAMED AS A PARTY FOR THE DURATION OF THE CASE.

The Judiciary Committee proposed the following Amendment No. 1 to H. 4717 (COUNCIL\NBD\12286AC12), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 63‑7‑730 of the 1976 Code is amended to read:

“Section 63‑7‑730. (A) If the family court makes a finding at the probable cause hearing that continuing the child in the home would be contrary to the welfare of the child and orders the child to remain in the legal custody of the department ~~at the probable cause hearing~~, the ~~family~~ court may order expedited placement of the child with a relative of the first or second degree, which includes, among other relatives, the child’s grandparents. In making this expedited placement decision, the court shall consider the totality of the circumstances, and the court shall consider the capability of the relative to care for the child, including the character, fitness, attitude, and inclination of the relative as these would impact the child. The court shall require the department to check the names of all adults in the home against the Central Registry of Child Abuse and Neglect, other relevant records of the department, county sex abuse registers, and records for the preceding five years of law enforcement agencies in the jurisdiction in which the person resides and, to the extent reasonably possible, jurisdictions in which the person has resided during that period. The court may hold open the record of the probable cause hearing for up to twenty‑four hours to receive ~~the~~ these reports ~~and based on these reports and other information introduced at the probable cause hearing, the court may order expedited placement of the child in the home of the relative. Nothing in this section precludes the department from requesting or the court from ordering pursuant to the department’s request either a full study of the relative’s home before placement or the licensing or approval of the relative’s home before placement~~.

(B) If the court orders expedited placement of the child with a relative of the first or second degree, that relative must be named as a party for the duration of the case or upon further order by the court.”

SECTION 2. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HEARN explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Anderson | Bales | Ballentine |
| Bannister | Battle | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | Brannon | Brantley |
| H. B. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crawford |
| Crosby | Daning | Delleney |
| Dillard | Edge | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Hamilton |
| Harrell | Harrison | Hearn |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Johnson |
| King | Knight | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | Merrill |
| D. C. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Patrick | Pinson | Putnam |
| Quinn | Rutherford | Ryan |
| Sabb | Sandifer | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**H. 4717--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HEARN, with unanimous consent, it was ordered that H. 4717 be read the third time tomorrow.

**H. 4945--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4945 -- Reps. Funderburk, Harrison, Brantley, McLeod, Butler Garrick, Munnerlyn, Taylor, J. H. Neal, Dillard, Bannister, G. R. Smith, Bowers, Cobb-Hunter, Delleney, Hixon, Long, Pope and Young: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-5-185 SO AS TO AUTHORIZE A PERSON TO REGISTER TO VOTE ELECTRONICALLY ON THE INTERNET WEBSITE OF THE STATE ELECTION COMMISSION, TO PROVIDE A PROCEDURE FOR THIS TYPE OF REGISTRATION AND AUTHORIZE THE STATE ELECTION COMMISSION TO PROMULGATE REGULATIONS TO EFFECTUATE THE PROVISIONS OF THIS ACT.

Reps. CLEMMONS, SELLERS and FUNDERBURK proposed the following Amendment No. 3 to H. 4945 (COUNCIL\GGS\ 22353ZW12), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 4 and adding new SECTIONS 4 AND 5 at the end to read:

/ SECTION 4. Section 7-13-190(B) of the 1976 Code, as last amended by Act 412 of 1998, is further amended to read:

“(B) In partisan elections, whether seeking nomination by political party primary or political party convention, filing by these candidates shall open for the office at twelve o'clock noon on the third Friday after the vacancy occurs for a period to close ten days later at twelve o'clock noon. If seeking nomination by petition, the petitions must be submitted not later than twelve o'clock noon, sixty days prior to the election. Verification of these petitions must be made not later than twelve o'clock noon forty‑five days prior to the election. If seeking nomination by political party primary or political party convention, filing with the appropriate official is the same as provided in Section 7‑11‑15 and if seeking nomination by petition, filing with the appropriate official is the same as provided in Section 7‑11‑70.

A primary must be held on the eleventh Tuesday after the vacancy occurs. A runoff primary must be held on the thirteenth Tuesday after the vacancy occurs. The special election must be on the eighteenth Tuesday after the vacancy occurs. If the eighteenth Tuesday after the vacancy occurs is no more than ~~sixty~~ one hundred twenty days prior to the general election, the special election shall be held on the same day as the general election. If the filing period closes on a state holiday, then filing must be held open through the succeeding weekday. If the date for an election falls on a state holiday, it must be set for the next succeeding Tuesday. For purposes of this section, state holiday does not mean the general election day.”

SECTION 5. This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. Except that SECTION 4 applies to all special elections that have not yet occurred. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS moved to table the amendment, which was agreed to.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Brady |
| Branham | Brantley | H. B. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Johnson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | McEachern |
| McLeod | Merrill | D. C. Moss |
| Munnerlyn | Nanney | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parks | Patrick |
| Pinson | Putnam | Quinn |
| Rutherford | Ryan | Sabb |
| Sandifer | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

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

**H. 4945--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HEARN, with unanimous consent, it was ordered that H. 4945 be read the third time tomorrow.

**H. 4128--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4128 -- Reps. Pitts, Atwater, Toole, Chumley, Delleney, Hosey, D. C. Moss, G. R. Smith, Williams, Willis, Huggins, Bingham, Quinn and Bedingfield: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 1, TITLE 1 SO AS TO PROVIDE THAT GOLD OR SILVER COIN, OR BOTH SHALL BE LEGAL TENDER IN THIS STATE FOR PAYMENT OF CERTAIN DEBTS; AND BY ADDING ARTICLE 26 TO CHAPTER 1, TITLE 1 SO AS TO ESTABLISH A JOINT COMMITTEE FOR THE ADOPTION OF AN ALTERNATE FORM OF CURRENCY.

The Judiciary Committee proposed the following Amendment No. 1 to H. 4128 (COUNCIL\SWB\5253CM12), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Article 18

Gold and Silver as Legal Tender

Section 1‑1‑1110. (A) To the full extent allowed by Article I, Section 10, Clause 1 of the Constitution of the United States, minted gold and silver coins shall be legal tender in the State of South Carolina under the laws of this State.

(B) Any person may employ gold or silver coin, or both, as legal tender in this State under its laws for payment of any debt private or public.

(C) No person may be compelled to accept or tender gold or silver coin, minted or otherwise.

Section 1‑1‑1130. A transaction for the purchase of gold or silver coin shall not be subject to ad valorem or sales tax imposed by South Carolina.”

SECTION 2. Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Article 26

Joint Committee for the Adoption of an Alternate Form of Currency

Section 1‑1‑1710. There is established the Joint Committee on Adoption of an Alternate Currency composed of nine members. The nine members must be appointed as follows:

(1) three Senators appointed by the Chairman of the Senate Finance Committee;

(2) three members of the House of Representatives appointed by the Chairman of the Ways and Means Committee; and

(3) three representatives of the business community, one being a certified public accountant, appointed by the Governor.

Members of the Senate and House of Representatives serve ex officio. The committee chairman must be one of the legislative members and the vice chairman must be one of the business community members. Both officers are to be elected by the membership of the committee. The terms of members appointed by the Governor shall be coterminous with the term of the appointing Governor.

Section 1‑1‑1720. The committee must make a detailed and careful study of the need, means, and schedule for establishing an alternate currency within the State of South Carolina.

Section 1‑1‑1730. The committee may:

(1) hold public hearings;

(2) receive testimony of members of the general public, any employees of the State or any other witnesses who may assist the committee in its duties; and

(3) call for assistance in the performance of its duties from any employees or agencies of the State or any of its political subdivisions.

Section 1‑1‑1740. The committee may adopt by majority vote rules not inconsistent with this chapter it considers proper with respect to matters relating to the discharge of its duties under this chapter.

Section 1‑1‑1750. Professional and clerical services for the committee must be made available from the staffs of the General Assembly, the State Budget and Control Board, the Office of the State Treasurer, and other state agencies and institutions.

Section 1‑1‑1760. The committee must make reports and recommendations to the General Assembly and the Governor by June 30, 2012, at which time the committee will be dissolved. These findings and recommendations must be published and made available to the public.

Section 1‑1‑1770. The members of the committee are entitled to receive the per diem, mileage, and subsistence as is allowed by law for members of boards, committees, and commissions when engaged in the exercise of their duties as members of the committee. These expenses must be paid from approved accounts of their respective appointing authority. All other costs and expenses of the committee must be paid in equal proportion by the Senate, the House of Representatives, and the Office of the Governor, but only after the expenditures have been approved in advance by the President *Pro Tempore* of the Senate, the Speaker of the House, and the Governor.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY explained the amendment.

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

Yeas 68; Nays 23

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Brady |
| Brannon | Chumley | Clemmons |
| Cole | Corbin | Crawford |
| Daning | Delleney | Edge |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Horne |
| Howard | Huggins | Loftis |
| Long | Lowe | Lucas |
| McEachern | McLeod | D. C. Moss |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Norman | Ott |
| Patrick | Pinson | Quinn |
| Ryan | Sandifer | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Anderson |
| Bales | Branham | H. B. Brown |
| R. L. Brown | Butler Garrick | Cobb-Hunter |
| Dillard | Gilliard | Hodges |
| Jefferson | Johnson | King |
| Knight | Munnerlyn | Neilson |
| Sabb | Sellers | Southard |
| Stavrinakis | Weeks |  |

**Total--23**

So, the amendment was adopted.

Reps. SELLERS, SABB, JOHNSON, BRANNON, H. B. BROWN, MCLEOD and JEFFERSON requested debate on the Bill.

**H. 3757--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3757 -- Reps. Hardwick, Hearn, Mitchell, Long, Erickson, Brady, Butler Garrick, Funderburk, Munnerlyn, Knight, Dillard, Cobb-Hunter, Parks, Huggins, Allison, Tallon, Brannon, Atwater, Whipper, Patrick and J. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 19 TO CHAPTER 3, TITLE 16 SO AS TO DEFINE NECESSARY TERMS, PROVIDE FOR CERTAIN HUMAN TRAFFICKING OFFENSES AND PROVIDE PENALTIES, TO PROVIDE FOR CRIMINAL LIABILITY OF BUSINESS ENTITIES, TO PROVIDE RESTITUTION FOR VICTIMS OF HUMAN TRAFFICKING OFFENSES, TO ESTABLISH AN INTERAGENCY TASK FORCE TO DEVELOP AND IMPLEMENT A PLAN FOR THE PREVENTION OF TRAFFICKING IN PERSONS, TO REQUIRE THE COLLECTION AND DISSEMINATION OF DATA RELATED TO HUMAN TRAFFICKING BY THE STATE LAW ENFORCEMENT DIVISION (SLED), TO REQUIRE MANDATORY LAW ENFORCEMENT TRAINING ON HUMAN TRAFFICKING OFFENSES, TO PROVIDE FOR THE CREATION OF PUBLIC AWARENESS PROGRAMS REGARDING HUMAN TRAFFICKING IN THE STATE, TO ALLOW CIVIL ACTIONS BY VICTIMS OF HUMAN TRAFFICKING, TO PROVIDE THAT CERTAIN STANDARDS OF WORKING CONDITIONS APPLY WITHOUT REGARD TO IMMIGRATION STATUS, TO PROVIDE CERTAIN PROTECTIONS FOR VICTIMS OF HUMAN TRAFFICKING PURSUANT TO THE VICTIMS' BILL OF RIGHTS AND OTHER RELEVANT STATUTORY PROVISIONS, TO REQUIRE THE STATE TO DEVELOP PLANS FOR HOUSING AND COUNSELING, AMONG OTHER THINGS, OF VICTIMS OF HUMAN TRAFFICKING WITHIN ONE HUNDRED EIGHTY DAYS OF THE EFFECTIVE DATE OF THE ACT, TO PROVIDE FOR CERTAIN RIGHTS OF MINOR VICTIMS OF HUMAN TRAFFICKING, TO ESTABLISH HUMAN TRAFFICKING VICTIM-CASEWORKER PRIVILEGE, AND TO CREATE THE OFFENSE OF MALICIOUSLY OR WITH CRIMINAL NEGLIGENCE PUBLISHING, DISSEMINATING, OR OTHERWISE DISCLOSING THE LOCATION OF A HUMAN TRAFFICKING VICTIM, A TRAFFICKING SHELTER, OR A DOMESTIC VIOLENCE SHELTER AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 16-3-930 RELATING TO TRAFFICKING IN PERSONS FOR FORCED LABOR OR SERVICES.

The Judiciary Committee proposed the following Amendment No. 1 to H. 3757 (COUNCIL\MS\7742AHB12), which was adopted:

Amend the bill, as and if amended, by striking all before and after the enacting words and inserting:

/ SECTION 1. Chapter 3, Title 16 of the 1976 Code is amended by adding:

“Article 19

Trafficking in Persons

Section 16‑3‑2010. (A) As used in this article:

(1) ‘Business’ means a corporation, partnership, proprietorship, firm, enterprise, franchise, organization, or self‑employed individual.

(2) ‘Charitable organization’ means a ‘charitable organization’ pursuant to section 33‑56‑20.

(3) ‘Debt bondage’ means the status or condition of a debtor arising from a pledge by the debtor of his personal services or those of a person under his control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined or if the principal amount of the debt does not reasonably reflect the value of the items or services for which the debt was incurred.

(4) ‘Forced labor’ means any type of labor or services performed or provided by a person rendered through another person’s coercion of the person providing the labor or services.

This definition does not include labor or services performed or provided by a person in the custody of the Department of Corrections or a local jail, detention center, or correctional facility.

(5) ‘Involuntary servitude’ means a condition of servitude induced through coercion.

(6) ‘Person’ means an individual, corporation, partnership, charitable organization, or another legal entity.

(7) ‘Sex trafficking’ means the recruitment, harboring, transportation, provision, or obtaining of a person for one of the following when it is induced by force, fraud, or coercion or the person forced to perform the act is under the age of eighteen years and anything of value is given, promised to, or received, directly or indirectly, by another person:

(a) criminal sexual conduct pursuant to section 16‑3‑651;

(b) criminal sexual conduct in the first degree pursuant to section 16‑3‑652;

(c) criminal sexual conduct in the second degree pursuant to section 16‑3‑653;

(d) criminal sexual conduct in the third degree pursuant to section 16‑3‑654;

(e) criminal sexual conduct with a minor pursuant to section 16‑3‑655;

(f) engaging a child for sexual performance pursuant to section 16‑3‑810;

(g) performance pursuant to section 16‑3‑800;

(h) producing, directing or promoting sexual performance by a child pursuant to section 16‑3‑820;

(i) sexual battery pursuant to section 16‑3‑661;

(j) sexual conduct pursuant to section 16‑3‑800; or

(k) sexual performance pursuant to section 16‑3‑800.

(8) ‘Services’ means an act committed at the behest of, under the supervision of, or for the benefit of another person.

(9) ‘Trafficking in persons’ means when a victim is subjected to or a person attempts to subject a victim to sex trafficking; forced labor or services; involuntary servitude; or debt bondage by employing one of the following:

(a) physically restraining or threatening to physically restrain another person;

(b) knowingly destroying, concealing, removing, confiscating, or possessing an actual or purported passport or other immigration document, or another actual or purported government identification document, of the victim;

(c) extortion or blackmail;

(d) causing or threatening to cause financial harm to the victim;

(e) facilitating or controlling a victim’s access to a controlled substance; or

(f) coercion.

(10) ‘Victim of trafficking in persons’ or ‘victim’ means a person who has been subjected to the crime of trafficking in persons.

Section 16‑3‑2020. (A) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, knowing that the victim will be subjected to sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in this subsection, is guilty of trafficking in persons.

(B) A person who recruits, entices, solicits, isolates, harbors, transports, provides, or obtains, or so attempts, a victim, for the purposes sex trafficking, forced labor or services, involuntary servitude or debt bondage through any means or who benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in subsection (A), is guilty of trafficking in persons.

(C) For a first offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than fifteen years.

(D) For a second offense, the person is guilty of a felony and, upon conviction, must be imprisoned not more than thirty years.

(E) For a third or subsequent offense, the person is guilty of a felony and upon conviction, must be imprisoned not more than forty‑five years.

(F) If the victim of an offense contained in this section is under the age of eighteen, an additional term of fifteen years may be imposed in addition and must be consecutive to the penalty prescribed for a violation of this section.

(G) A person who aids, abets, or conspires with another person to violate the criminal provisions of this section must be punished in the same manner as provided for the principal offender and is considered a trafficker.

(H) A business owner who uses his business in a way that participates in a violation of this article, upon conviction, must be imprisoned for not more than ten years in addition to the penalties provided in this section for each violation.

(I) A plea of guilty or the legal equivalent entered pursuant to a provision of this article by an offender entitles the victim of trafficking in persons to all benefits, rights, and compensation granted pursuant to Section 16‑3‑1110.

(J) In a prosecution of a person who is a victim of trafficking in persons, it is an affirmative defense that he was under duress or coerced into committing the offenses for which he is subject to prosecution, if the offenses were committed as a direct result of, or incidental or related to, trafficking.

(K) Evidence of the following facts or conditions do not constitute a defense in a prosecution for a violation of this article, nor does the evidence preclude a finding of a violation:

(1) the victim’s sexual history or history of commercial sexual activity, the specific instances of the victim’s sexual conduct, opinion evidence of the victim’s sexual conduct, and reputation evidence of the victim’s sexual conduct;

(2) the victim’s connection by blood or marriage to a defendant in the case or to anyone involved in the victim’s trafficking;

(3) the implied or express consent of a victim to acts which violate the provisions of this section do not constitute a defense to violations of this section;

(4) age of consent to sex, legal age of marriage, or other discretionary age; and

(5) mistake as to the victim’s age, even if the mistake is reasonable.

(L) A person who violates the provisions of this section may be prosecuted by the State Grand Jury pursuant to section 14‑7‑1600 when a victim is trafficked in more than one county or a trafficker commits the offense of trafficking in persons in more than one county.

Section 16‑3‑2030. (A) The principal owners of a business, a business entity, including a corporation, partnership, charitable organization, or another legal entity, that knowingly aids or participates in an offense provided in this article is criminally liable for the offense and will be subject to a fine or loss of business license in the State, or both.

(B) If the principal owners of a business entity are convicted of violating a section of this article, the court or Secretary of State, when appropriate, may:

(1) order its dissolution or reorganization;

(2) order the suspension or revocation of any license, permit, or prior approval granted to it by a state or local government agency; or

(3) order the surrender of its charter if it is organized under state law or the revocation of its certificate to conduct business in the State if it is not organized under state law.

Section 16‑3‑2040. (A) An offender convicted of a violation of this article must be ordered to pay mandatory restitution to the victim as provided in this section.

(B) If the victim of trafficking dies as a result of being trafficked, a surviving spouse of the victim is eligible for restitution. If no surviving spouse exists, restitution must be paid to the victim’s issue or their descendants per stirpes. If no surviving spouse or issue or descendants exist, restitution must be paid to the victim’s estate. A person named in this subsection may not receive funds from restitution if he benefited or engaged in conduct described in this article.

(C) If a person is unable to pay restitution at the time of sentencing, or at any other time, the court may set restitution pursuant to section 16‑3‑1270.

(D) Restitution for this section, pursuant to Section 16‑3‑1270, means payment for all injuries, specific losses, and expenses sustained by a crime victim resulting from an offender’s criminal conduct pursuant to section 16‑3‑1110 (12)(a).

(E) Notwithstanding another provision of law, the applicable statute of limitations for a victim of trafficking in persons is pursuant to section 16‑3‑1110 12(a).

(F) Restitution must be paid to the victim promptly upon the conviction of the defendant. The return of the victim to his home country or other absence of the victim from the jurisdiction does not prevent the victim from receiving restitution.

Section 16‑3‑2050. (A) The Attorney General shall establish an interagency task force to develop and implement a State Plan for the Prevention of Trafficking in Persons. The task force shall meet at least quarterly and should include all aspects of trafficking in persons, including sex trafficking and labor trafficking of both United States citizens and foreign nationals, as defined in Section 16‑3‑2010. The Attorney General also shall collect and publish relevant data to this section on their website.

(B) The task force shall consist of, at a minimum, representatives from:

(1) the Office of the Attorney General, who must be Chair;

(2) the South Carolina Labor, Licensing and Regulation;

(3) the South Carolina Police Chiefs Association;

(4) the South Carolina Sheriffs’ Association;

(5) the State Law Enforcement Division;

(6) the Department of Health and Environmental Control Board;

(7) the United States Department of Labor;

(8) the State Office of Victim Assistance;

(9) the South Carolina Commission on Prosecution Coordination;

(10) the Department of Social Services;

(11) a representative from the Governor’s office

(12) a representative from the Employment Security Commission; and

(13) two persons appointed by the Attorney General from nongovernmental organizations, especially those specializing in trafficking in persons, those representing diverse communities disproportionately affected by trafficking, agencies devoted to child services and runaway services, and academic researchers dedicated to the subject of trafficking in persons.

(C) The Attorney General shall invite representatives of the United States Attorneys’ offices and of federal law enforcement agencies’ offices within the State, including the Federal Bureau of Investigations and the United States Immigration and Customs Enforcement office, to be members of the task force.

(D) The task force shall carry out the following activities either directly or through one or more of its constituent agencies:

(1) develop the state plan within eighteen months of the effective date of this act;

(2) coordinate the implementation of the state plan; and

(3) starting one year after the formation after the task force, submit an annual report of its findings and recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate on or before December thirty‑first of each calendar year.

(E) The task force shall consider carrying out the following activities either directly or through one or more of its constituent agencies:

(1) coordinate the collection and sharing of trafficking data among government agencies, which data collection must respect the privacy of victims of trafficking in persons;

(2) coordinate the sharing of information between agencies for the purposes of detecting criminal groups engaged in trafficking in persons;

(3) explore the establishment of state policies for time limits for the issuance of Law Enforcement Agency (LEA) endorsements as described in C.F.R. Chapter 8, Section 214.11(f)(1);

(4) establish policies to enable state government to work with nongovernmental organizations and other elements of civil society to prevent trafficking in persons and provide assistance to United States citizens and foreign national victims;

(5) review the existing services and facilities to meet trafficking victims’ needs and recommend a system to coordinate services including, but not limited to, health services, including mental health, housing, education and job training, English as a second language classes, interpreting services, legal and immigration services, and victim compensation;

(6) evaluate various approaches used by state and local governments to increase public awareness of the trafficking in persons, including United States citizens and foreign national victims of trafficking in persons;

(7) mandatory training for law enforcement agencies, prosecutors, and other relevant officials in addressing trafficking in persons;

(8) collect and periodically publish statistical data on trafficking, that must be posted on the Attorney General’s website;

(9) prepare public awareness programs designed to educate potential victims of trafficking in persons and their families on the risks of victimization. These public awareness programs must include, but are not limited to:

(a) information about the risks of becoming a victim, including information about common recruitment techniques, use of debt bondage, and other coercive tactics, risk of maltreatment, rape, exposure to HIV or AIDS and other sexually transmitted diseases, and psychological harm related to victimization in trafficking cases;

(b) information about the risks of engaging in commercial sex and possible punishment;

(c) information about victims’ rights in the State;

(d) methods for reporting suspected recruitment activities; and

(e) information on hotlines and available victims’ services; and

(10) preparation and dissemination of awareness materials to the general public to educate the public on the extent of trafficking in persons, both United States citizens and foreign nationals, within the United States and to discourage the demand that fosters the exploitation of persons that leads to trafficking in persons.

(a) The general public awareness materials may include information on the impact of trafficking on individual victims, whether United States citizens or foreign nationals, aggregate information on trafficking in persons worldwide and domestically, and warnings of the criminal consequences of engaging in trafficking in persons. These materials may include pamphlets, brochures, posters, advertisements in mass media, and other appropriate media. All materials must be designed to communicate to the target population.

(b) Materials described in this section may include information on the impact of trafficking in persons on individual victims. However, information on the experiences of individual victims must preserve the privacy of the victim and the victim’s family.

(c) All public awareness programs must be evaluated periodically by the task force to ensure their effectiveness.

Section 16‑3‑2060. (A) A person who is a victim of trafficking in persons may bring a civil action in the court of common pleas. The court may award actual damages, compensatory damages, punitive damages, injunctive relief, and other appropriate relief. A prevailing plaintiff also must be awarded attorney’s fees and costs. Treble damages must be awarded on proof of actual damages when the defendant’s acts were wilful and malicious.

(B) Pursuant to Section 16‑3‑1110, the applicable statute of limitations for a crime victim who has a cause of action against an incarcerated offender is tolled and does not expire until three years after the offender’s sentence is completed, including probation and parole, or three years after release from commitment pursuant to Chapter 48, Title 44, whichever is later. However, this provision does not shorten any other tolling period of the statute of limitations which may exist for the victim.

(C) The statute of limitations for the filing of a civil suit does not begin to run until a minor victim has reached the age of majority.

(D) If a victim entitled to sue is under a disability at the time the cause of action accrues, so that it is impossible or impractical for him to bring an action, then the time of the disability is not part of the time limited for the commencement of the action. Disability includes, but is not limited to, insanity, imprisonment, or other incapacity or incompetence.

(E) The running of the statute of limitations may be suspended when a victim could not have reasonably discovered the cause of action due to circumstances resulting from the trafficking situation, such as psychological trauma, cultural and linguistic isolation, and the inability to access services.

(F) A defendant is estopped to assert a defense of the statute of limitations when the expiration of the statute is due to conduct by the defendant inducing the victim to delay the filing of the action or placing the victim under duress.

Section 16‑3‑2070. (A) Victims of trafficking in persons pursuant to this article are considered victims for purposes of the Victims’ Bill of Rights and are entitled to all appropriate forms of compensation available pursuant to the State Crime Victim’s Compensation Fund in accordance with the provisions of Article 13, Chapter 3, Title 16. Victims of trafficking in persons pursuant to this article also are entitled to the rights provided in Article 15, Chapter 3, Title 16.

(B) In addition to the provisions of subsection (A), in a prosecution for violations of the criminal provisions of this article, the identity of the victim and the victim’s family must be kept confidential by ensuring that names and identifying information of the victim and victim’s family are not released to the public, including by the defendant.

(C) Pursuant to Section 16‑3‑1240, it is unlawful, except for purposes directly connected with the administration of the victim’s compensation fund, for any person to solicit, disclose, receive, or make use of or authorize, knowingly permit, participate in or acquiesce in the use of any list, or names of, or information concerning persons applying for or receiving awards without the written consent of the applicant or recipient. The records, papers, files, and communications of the board, its panel and the director and his staff must be regarded as confidential information and privileged and not subject to disclosure under the Freedom of Information Act as contained in Chapter 3, Title 30.

Section 16‑3‑2080. (A) For purposes of this section:

(1) ‘Domestic violence shelter’ means a facility whose purpose is to serve as a shelter to receive and house persons who are victims of criminal domestic violence and that provides services as a shelter.

(2) ‘Trafficking shelter’ means a confidential location which provides emergency housing for victims of trafficking in persons.

(3) ‘Grounds’ means the real property of the parcel of land upon which a domestic violence or trafficking shelter or a domestic violence or trafficking shelter’s administrative offices are located, whether fenced or unfenced.

(B) A person who maliciously or with criminal negligence publishes, disseminates, or otherwise discloses the location of a trafficking victim, a trafficking shelter, a domestic violence shelter, or another place designated as a trafficking shelter or domestic violence shelter, without the authorization of that trafficking victim, trafficking shelter, or domestic violence shelter, is guilty of a misdemeanor and, upon conviction, must be imprisoned not more than three years.

(C) It is unlawful for a person who has been charged with or convicted of a violation of Section 16‑3‑2020 to enter or remain upon the grounds or structure of a domestic violence or trafficking shelter in which the victim resides or the domestic violence shelter’s administrative offices or the trafficking shelter’s administrative offices.

(D) The domestic violence shelter and trafficking shelter must post signs at conspicuous places on the grounds of the domestic violence shelter, trafficking shelter, the domestic violence shelter’s administrative offices, and the trafficking shelter’s administrative offices which, at a minimum, must read substantially as follows: ‘NO TRESPASSING – VIOLATORS WILL BE SUBJECT TO CRIMINAL PENALTIES’.

(E) This section does not apply if the person has legitimate business or any authorization, license, or invitation to enter or remain upon the grounds or structure of the domestic violence or trafficking shelter or the domestic violence or trafficking shelter’s administrative offices.

(F) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not more than three thousand dollars or imprisoned for not more than three years, or both. If the person is in possession of a dangerous weapon at the time of the violation, the person is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both.”

SECTION 2. Section 16‑3‑930 of the 1976 Code is repealed.

SECTION 3. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 4. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 5. This act takes effect one hundred eighty days after approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

Rep. BANNISTER explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Ballentine | Bannister | Barfield |
| Battle | Bedingfield | Bingham |
| Bowen | Brady | Branham |
| Brannon | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Edge | Erickson | Forrester |
| Funderburk | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Howard | Huggins | Jefferson |
| Johnson | King | Knight |
| Loftis | Long | Lowe |
| Lucas | McEachern | McLeod |
| Merrill | D. C. Moss | Munnerlyn |
| Murphy | Nanney | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Patrick | Putnam |
| Quinn | Ryan | Sabb |
| Sandifer | Sellers | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**H. 3757--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. BANNISTER, with unanimous consent, it was ordered that H. 3757 be read the third time tomorrow.

**H. 4943--AMENDED AND DEBATE ADJOURNED**

The following Bill was taken up:

H. 4943 -- Reps. Lowe, Crawford, Erickson, Patrick, Brannon, Ott, Bowers, G. A. Brown, Clemmons, Cole, Frye, Merrill, Pitts, Spires, Tallon, White, Knight and G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-715 SO AS TO PROVIDE FOR THE HUNTING OF COYOTES, ARMADILLOS, AND FERAL HOGS ON PRIVATE PROPERTY DURING NIGHTTIME HOURS.

The Agriculture, Natural Resources and Environmental Affairs Committee proposed the following Amendment No. 1 to H. 4943 (COUNCIL\NBD\12289CM12), which was adopted:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Article 4, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑715. Notwithstanding another provision of law, on private property, the landowner, or his lessee or agent with written permission, a valid hunting license, and the landowner’s contact information in his possession, may take coyotes, armadillos, and feral hogs during the nighttime hours from one hour after official sunset on the last day of February to one hour before official sunrise the first day of July of that same year. The method of such taking shall be with any legal firearm or archery equipment and may be with or without the aid of bait, electronic calls, artificial light, infrared, thermal or laser sighting devices, night vision devices, or any device aiding the identification or targeting of species. All center fire rifles must be fired from an elevated position at least ten feet from the ground when hunting between the hours of one hour after sunset until one hour before sunrise.”

SECTION 2. Section 50-16-70 of the 1976 Code, as last amended by Act 211 of 2010, is further amended to read:

“Section 50-16-70. (A) A person violating the provisions of this chapter, or any condition of a permit issued pursuant to this chapter, is guilty of a misdemeanor and, upon conviction, must be fined not more than ~~one thousand~~ five hundred dollars or imprisoned not more than ~~six months~~ thirty days, or both. The department must suspend the hunting privileges of a person convicted of violating this chapter for one year from the date of the conviction.

(B) In addition to any other penalty, every vehicle, animal, firearm, or other equipment used by an individual violating Section 50-16-20 is forfeited to the department and must be disposed of in accordance with Section 50-11-740.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. LOWE explained the amendment.

The amendment was then adopted.

Rep. HIOTT proposed the following Amendment No. 2 to H. 4943 (COUNCIL\SWB\5254ZW12), which was tabled:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Section 50-16-70 of the 1976 Code, as last amended by Act 211 of 2010, is further amended to read:

“Section 50-16-70. (A) A person violating the provisions of this chapter, or any condition of a permit issued pursuant to this chapter, is guilty of a misdemeanor and, upon conviction, must be fined not ~~more than one thousand dollars~~ less than five hundred dollars nor more than two thousand five hundred dollars or imprisoned not more than ~~six months~~ thirty days, or both. The department must suspend the hunting privileges of a person convicted of violating this chapter for one year from the date of the conviction.

(B) In addition to any other penalty, every vehicle, animal, firearm, or other equipment used by an individual violating Section 50-16-20 is forfeited to the department and must be disposed of according to law.

(C) Notwithstanding any other provision of law, the magistrates court has jurisdiction to try any criminal case that arises under this chapter.” /

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

Rep. FRYE moved to table the amendment, which was agreed to.

Rep. LOWE moved to adjourn debate on the Bill until Tuesday, April 24, which was agreed to.

Rep. MCLEOD moved that the House adjourn pending ratification of acts.

**MOTION NOTED**

Rep. SKELTON moved to reconsider the vote whereby H. 5025 was read second time and the motion was noted.

**RATIFICATION OF ACTS**

At 1:46 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R166, S. 710) -- Senators Knotts, O’Dell, Ford, Alexander, Bryant and Setzler: AN ACT TO AMEND SECTION 56‑1‑140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE AND CONTENTS OF A SOUTH CAROLINA DRIVER’S LICENSE, SO AS TO, UPON THE LICENSEE’S REQUEST AND PROOF OF ELIGIBILITY, INCLUDE A VETERAN STATUS DESIGNATION ON THE DRIVER’S LICENSE; TO AMEND SECTION 56‑1‑3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS, SO AS TO, UPON THE CARD HOLDER’S REQUEST AND PROOF OF ELIGIBILITY, INCLUDE A VETERAN STATUS DESIGNATION ON THE SPECIAL IDENTIFICATION CARD; BY ADDING SECTION 56‑1‑205 SO AS TO PROVIDE THAT, UPON PROOF OF ELIGIBILITY, AN APPLICANT FOR A SOUTH CAROLINA DRIVER’S LICENSE MAY HAVE A NOTATION PLACED ON HIS DRIVER’S LICENSE THAT THE APPLICANT IS HEARING IMPAIRED; AND BY ADDING SECTION 56‑3‑1920 SO AS TO PROVIDE THAT, UPON PROOF OF ELIGIBILITY, A HEARING IMPAIRED DRIVER MAY APPLY TO THE DEPARTMENT OF MOTOR VEHICLES FOR A HEARING IMPAIRED IDENTIFICATION PLACARD.

(R167, H. 4595) -- Reps. Bingham, Allison, Anthony and White: AN ACT 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 FURTHER PROVIDING FOR THE DOLLAR AMOUNT OF THE TRANSFER AND FOR OTHER TERMS AND CONDITIONS OF THE TRANSFER; AND TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW, SCHOOL DISTRICTS UNIFORMLY MAY NEGOTIATE SALARIES BELOW THE SCHOOL DISTRICT SALARY SCHEDULE FOR THE 2012‑2013 SCHOOL YEAR FOR RETIRED TEACHERS.

(R168, H. 4632) -- Rep. Battle: AN ACT TO FORM ALL SCHOOL DISTRICTS IN MARION COUNTY INTO A SINGLE SCHOOL DISTRICT ENTITLED THE “MARION COUNTY SCHOOL DISTRICT” ON JULY 1, 2012, TO PROVIDE THAT THERE MUST BE NO ELECTED COUNTY SUPERINTENDENT OF EDUCATION FOR MARION COUNTY WITH ALL POWERS AND DUTIES OF THIS OFFICE DEVOLVED UPON THE MARION COUNTY BOARD OF EDUCATION WHICH MUST BE THE GOVERNING BODY OF THE MARION SCHOOL DISTRICT, TO PROVIDE FOR THE MANAGERIAL AND OTHER ADMINISTRATIVE STAFF FOR THE DISTRICT, TO PROVIDE FOR THE MANNER IN WHICH CONTRACTS OF EMPLOYMENT FOR TEACHERS AND OTHER PROFESSIONAL PERSONNEL OF THE DISTRICT MUST BE OFFERED, TO PROVIDE FOR THE FISCAL AUTHORITY AND AFFAIRS OF THE DISTRICT, INCLUDING THE MANNER IN WHICH AD VALOREM TAXES FOR THE BENEFIT OF THE DISTRICT MUST BE LEVIED FOR OPERATING AND GENERAL OBLIGATION DEBT PURPOSES, AND TO PROVIDE FOR OTHER RELATED PROVISIONS TO EFFECTUATE THIS FORMATION ON JULY 1, 2012.

(R169, H. 4664) -- Rep. Clyburn: AN ACT 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 FURTHER PROVIDE FOR THE APPOINTMENT OF CERTAIN MEMBERS OF THE GOVERNING BOARD OF THE AUTHORITY; AND BY ADDING SECTION 11-50-55 SO AS TO PROVIDE THAT THE AUTHORITY, BY A MAJORITY VOTE OF THE BOARD OF DIRECTORS, MAY HIRE A DIRECTOR FOR THE AUTHORITY, SO LONG AS AT LEAST ONE OF THE GUBERNATORIAL APPOINTEES AND AT LEAST THREE OF THE LEGISLATIVE APPOINTEES VOTE IN FAVOR OF THE HIRING.

(R170, H. 4983) -- Reps. Pope, King, Norman, Simrill, Delleney, Long and D.C. Moss: AN ACT TO AMEND SECTION 50‑11‑870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BIRD SANCTUARIES AND THE USE OF FIREARMS WITHIN THEIR BORDERS, SO AS TO REVISE THE BOUNDARIES OF CERTAIN BIRD SANCTUARIES IN YORK COUNTY.

(R171, H. 5042) -- Rep. Funderburk: AN ACT TO AMEND SECTION 7‑7‑340, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN KERSHAW COUNTY, SO AS TO CONSOLIDATE THE “CAMDEN NO. 3” AND THE “CAMDEN NO. 4” PRECINCTS INTO THE “HOBKIRK’S HILL” PRECINCT, TO ADD THE “ELGIN NO. 6” PRECINCT, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE DIVISION OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5128 -- Reps. Huggins, Ballentine, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, 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, 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, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO CONGRATULATE MARIA KENNEDY MUNGO OF COLUMBIA ON THE OCCASION OF HER FIFTIETH BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY MORE YEARS OF HEALTH AND HAPPINESS.

**ADJOURNMENT**

At 1:50 p.m. the House, in accordance with the motion of Rep. WILLIAMS, adjourned in memory of James Floyd Davis of Hartsville, to meet at 10:00 a.m. tomorrow.

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