~~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 Job 5:17: “How happy is the one whom God reproves; therefore do not despise the discipline of the Almighty.”

Let us pray. Eternal Father, we thank You for Your care and love for each of these, Your people. Guide them to do their best in making decisions. Give them the wisdom to make the best choices. Grant Your blessings upon our Nation, State, and all those who lead us in these days. 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. BRADY moved that when the House adjourns, it adjourn in memory of Wallace Gordon Wright of Columbia, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family of Representative Hart in the death of his sister Deirdra Hart.

**REPORT OF STANDING COMMITTEE**

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

S. 1088 -- Senators McConnell, Ford and Knotts: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE STATE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE STATE ETHICS COMMISSION, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY, SECTION 1-13-40, SECTION 1-31-10, SECTION 8-13-310, SECTION 58-3-20, SECTION 58-31-20, SECTION 63-11-700, SECTION 63-11-920, AND SECTION 63-19-610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE FOR THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5271 -- Rep. Tribble: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE BELL STREET MIDDLE SCHOOL SCIENCE OLYMPIAD TEAM, AND TO CONGRATULATE THE SCHOLARS AND THEIR COACHES FOR CAPTURING THE 2012 SCIENCE OLYMPIAD STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5272 -- Rep. Tribble: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE BELL STREET MIDDLE SCHOOL SCIENCE OLYMPIAD TEAM OF LAURENS COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2012 SOUTH CAROLINA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Bell Street Middle School Science Olympiad team of Laurens County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2012 South Carolina State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5273 -- Rep. Tribble: A HOUSE RESOLUTION TO HONOR AND CONGRATULATE THE CLINTON HIGH SCHOOL SCIENCE OLYMPIAD TEAM AND ITS COACHES ON CAPTURING THE 2012 SCIENCE OLYMPIAD DIVISION C STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5274 -- Rep. Tribble: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CLINTON HIGH SCHOOL SCIENCE OLYMPIAD TEAM, COACHES, AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF RECOGNIZING AND HONORING THEM FOR CAPTURING THE 2012 SCIENCE OLYMPIAD DIVISION C STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Clinton High School Science Olympiad team, coaches, and school officials, at a date and time to be determined by the Speaker, for the purpose of recognizing and honoring them for capturing the 2012 Science Olympiad Division C State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5275 -- Reps. G. R. Smith, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. 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 RECOGNIZE MAY 22, 2012, AS DIABETIC PERIPHERAL NEUROPATHY DAY AT THE STATE CAPITOL TO RAISE AWARENESS OF THE DELETERIOUS EFFECTS OF NERVE DAMAGE DUE TO DIABETIC PERIPHERAL NEUROPATHY.

Whereas, in the United States, it is estimated that 23.6 million people, 7.8 percent of the total population, are affected by diabetes; and

Whereas, the American Diabetes Association estimates that more than half of all people with diabetes suffer from diabetic peripheral neuropathy; and

Whereas, diabetic peripheral neuropathy is a serious condition that damages nerve fibers due to prolonged exposure to high amounts of glucose in the bloodstream; and

Whereas, diabetic peripheral neuropathy often causes intense pain, frequently described as aching, tingling, burning, and numbness of the feet, which can result in serious foot problems due to nerve damage; and

Whereas, although it can hurt, diabetic nerve damage can also lessen the ability to feel pain, heat, and cold, which means that diabetic patients may not feel a foot injury or even a stone in their shoe or a nail in their foot; and

Whereas, the rate of amputees in people with diabetes is ten times higher than in people without the disease, and studies show that more than sixty percent of nontraumatic lower-extremity amputations are due to diabetic peripheral neuropathy; and

Whereas, it is vital that South Carolinians with diabetes be aware of the dangers and warning signs of diabetic peripheral neuropathy and make healthy lifestyle choices to prevent the onset of this life‑changing condition. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, recognize May 22, 2012, as Diabetic Peripheral Neuropathy Day at the State Capitol to raise awareness of the deleterious effects of nerve damage due to diabetic peripheral neuropathy.

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

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5276 -- Reps. Brady, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR KATHY MANESS, A MEMBER OF THE TOWN COUNCIL OF LEXINGTON, AND TO CONGRATULATE HER UPON BEING ELECTED PRESIDENT OF WOMEN IN MUNICIPAL GOVERNMENT WITH THE NATIONAL LEAGUE OF CITIES FOR 2012.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5277 -- Rep. Bowers: A HOUSE RESOLUTION TO CELEBRATE THE JOYOUS OCCASION OF THE ONE HUNDRED THIRTY-FIFTH ANNIVERSARY OF BETHLEHEM BAPTIST CHURCH, AND TO CONGRATULATE AND COMMEND THE CONGREGATION AND ITS PASTORS, PRESENT AND PAST, FOR THEIR YEARS OF SERVICE TO THE HAMPTON COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5278 -- Reps. Tallon, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE STUDENTS, FACULTY, AND PARENTS OF WOODRUFF HIGH SCHOOL IN SPARTANBURG COUNTY FOR THEIR COMMITMENT TO EXCELLENCE, AND TO CONGRATULATE THEM FOR THEIR HIGH ACADEMIC RANKING BY U.S. NEWS AND WORLD REPORT MAGAZINE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5279 -- Rep. Ryan: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WACCAMAW HIGH SCHOOL VARSITY BOYS TENNIS TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE 2012 CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5280 -- Rep. Ryan: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE WACCAMAW HIGH SCHOOL VARSITY BOYS TENNIS TEAM OF GEORGETOWN COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2012 SOUTH CAROLINA CLASS AA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Waccamaw High School varsity boys tennis team of Georgetown County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2012 South Carolina Class AA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5281 -- Reps. Horne, Harrell, Knight and Murphy: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SUMMERVILLE HIGH SCHOOL WINTER DRUM LINE, DIRECTORS, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE SOUTH CAROLINA BAND DIRECTORS ASSOCIATION'S 2012 STATE CHAMPIONSHIP TITLE IN THE SCHOLASTIC A MARCHING PERCUSSION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5282 -- Reps. Funderburk, Erickson, Dillard, Long, Allison, Cobb-Hunter, Knight, Thayer, Butler Garrick, Horne, Brady, Henderson, Munnerlyn, Nanney, Neilson, Parks, Agnew, Alexander, Allen, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Edge, Forrester, Frye, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Herbkersman, Hiott, Hixon, Hodges, Hosey, Howard, Huggins, Jefferson, Johnson, King, Limehouse, Loftis, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Murphy, J. H. Neal, J. M. Neal, Norman, Ott, Owens, Parker, 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, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE GIRLS SCOUTS ON THEIR ONE HUNDREDTH ANNIVERSARY, AND TO DESIGNATE THE YEAR 2012 AS THE "YEAR OF THE GIRL" IN SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5283 -- Reps. Gilliard, McCoy, Stavrinakis, Jefferson, Limehouse, Williams, R. L. Brown, Whipper, 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, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Johnson, King, Knight, Loftis, Long, Lowe, Lucas, Mack, 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, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, White, Whitmire, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SHAROD LAMOR "RODDY" WHITE ON HIS EXTRAORDINARY ATHLETIC ACHIEVEMENTS, AND TO COMMEND HIS SUCCESSFUL EFFORTS TOWARD IMPROVING SOCIETY THROUGH THE RODDY WHITE KEEP THE FAITH FOUNDATION AND STOP THE VIOLENCE SOUTH.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1525 -- Senator Courson: A CONCURRENT RESOLUTION TO EXPRESS APPRECIATION TO MR. GENE CLARK OF RICHLAND COUNTY FOR HIS MANY YEARS OF DEDICATED SERVICE TO THE INDIAN WATERS COUNCIL OF THE BOY SCOUTS OF AMERICA.

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

**INTRODUCTION OF BILL**

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

H. 5284 -- Reps. Pitts, Parker, Brantley, Bowen, Cobb-Hunter, Howard, Williams, Spires, Tribble, McEachern, Gambrell, G. A. Brown, Forrester, Funderburk, Jefferson, V. S. Moss, J. H. Neal, Quinn and Willis: A BILL TO AMEND SECTION 7-11-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR A CANDIDATE TO FILE AND RUN FOR PARTISAN OFFICES IN A PRIMARY AND GENERAL ELECTION, SO AS TO ALLOW THE GOVERNING BODY OF A COUNTY TO TRANSFER ALL RESPONSIBILITIES FOR CANDIDATE FILING AND QUALIFICATION FROM THE RESPECTIVE COUNTY PARTY CHAIRMEN OR COUNTY EXECUTIVE PARTY COMMITTEES TO THE AUTHORITY CHARGED BY LAW WITH CONDUCTING THE ELECTION.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Barfield | Battle |
| Bedingfield | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | H. B. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Gilliard | Govan |
| Hamilton | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Putnam |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stringer |
| Taylor | Thayer | Toole |
| Tribble | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, May 16.

|  |  |
| --- | --- |
| Kenny Bingham | Wendy Nanney |
| Chris Murphy | Chandra Dillard |
| Denny Neilson | Paul Agnew |
| B. W. Bannister | Mia Butler Garrick |
| H. B. "Chip" Limehouse | Richard "Rick" Quinn |
| Kevin Ryan | Bakari Sellers |
| Leon Stavrinakis | Edward "Eddie" Tallon |
| Terry Alexander  Tracy Edge | Peter McCoy, Jr. |

**Total Present--118**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Thomas Gibbons of Irmo was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. BALLENTINE presented to the House the Dutch Fork "Silver Foxes" Girls Varsity Basketball Team, the 2012 Class AAAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. POPE presented to the House the Clover High School Choraliers, the South Carolina Music Educators Association 2012 AAAA Choral Festival Champions, their directors and other school officials.

**SENT TO THE SENATE**

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

H. 4243 -- Reps. Quinn, Bingham, Toole, Huggins, Atwater and McLeod: A BILL TO AMEND SECTION 7-27-365, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND ELECTIONS COMMISSION FOR LEXINGTON COUNTY, SO AS TO INCREASE THE COMMISSION'S MEMBERSHIP FROM NINE TO ELEVEN MEMBERS.

**S. 105--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 105 -- Senators Verdin, Leventis and L. Martin: A BILL TO AMEND THE 1976 CODE, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE'S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO AGRITOURISM ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR AGRITOURISM ACTIVITIES.

The Education and Public Works Comm. proposed the following Amendment No. 1 to S. 105 (COUNCIL\SWB\5286CM12), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Article 1, Chapter 7, Title 57 of the 1976 Code, is amended by adding:

“Section 57‑7‑90. It is unlawful for any person to camp, set fires, or cook on a highway. For purposes of this section the term ‘highway’ shall mean as it is defined in Section 57‑3‑120. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days or such other lesser disposition, penalty, or non penalty, as the court determines.” /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

Rep. HENDERSON proposed the following Amendment No. 3 to S. 105 (COUNCIL\MS\7779AHB12):

Amend the bill, as and if amended, by deleting Section 57-7-90, page 105-1, lines 26 through 33, and inserting:

/ “Section 57‑7‑90. (A) It is unlawful for any person to camp, set fires, or cook on a highway. For purposes of this section, the term ‘highway’ shall mean as it is defined in Section 57‑3‑120. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days or such other lesser disposition, penalty, or non penalty, as the court determines.

(B) The provisions of this section do not apply to a person seeking shelter for less than forty-eight hours due to inclement or hazardous weather conditions.” /

Renumber sections to conform.

Amend title to conform.

Rep. HENDERSON explained the amendment.

**POINT OF ORDER**

Rep. J. H. NEAL raised the Point of Order that under Rule 9.3 Amendment No. 2 was out of order in that it was not germane to the Bill.

SPEAKER HARRELL overruled the Point of Order in that Amendment No. 3 was germane to the Bill as previously amended by the adoption of Amendment No. 1.

Reps. HIOTT, RUTHERFORD, TOOLE, TALLON, PARKER, R. L. BROWN, SKELTON, GILLIARD, MACK, V. S. MOSS, TAYLOR and BRANTLEY requested debate on the Bill.

**S. 1107--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, May 17, which was adopted:

S. 1107 -- Senators Leventis, Hayes, Rose and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-1-77 SO AS TO PROVIDE A BOARD OR COMMISSION THAT REGULATES THE LICENSURE OF A PROFESSION OR OCCUPATION UNDER TITLE 40 MAY ISSUE A TEMPORARY LICENSE FOR A PROFESSION OR OCCUPATION IT REGULATES TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE REQUIREMENTS FOR OBTAINING THIS LICENSE, AND TO PROVIDE TIME LIMITS ON THE VALIDITY OF THIS LICENSE.

**S. 1125--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, May 17, which was adopted:

S. 1125 -- Senators Bright, Bryant, S. Martin, Thomas, Gregory, Knotts, Campbell, Rose, Cromer, Fair, Campsen, Grooms, Peeler and Shoopman: A BILL TO AMEND SECTION 41-35-120 OF THE 1976 CODE, RELATING TO DISQUALIFICATION FOR UNEMPLOYMENT BENEFITS, TO PROVIDE THAT A PERSON DISCHARGED FROM EMPLOYMENT FOR CAUSE IS INELIGIBLE FOR BENEFITS FOR TWENTY WEEKS BEGINNING WITH THE DATE THE PERSON FILED A BENEFITS REQUEST.

**S. 1392--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Thursday, May 17, which was adopted:

S. 1392 -- Senators Campbell and Ford: 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.

**S. 1014--DEBATE ADJOURNED**

Rep. HORNE moved to adjourn debate upon the following Bill until Tuesday, May 22, which was adopted:

S. 1014 -- Senator Knotts: A BILL TO AMEND SECTION 17-5-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS REQUIRED FOR CANDIDATES FOR CORONER, SO AS TO REQUIRE THAT PERSONS WHO QUALIFY FOR THE BALLOT BY MEANS OF EXPERIENCE QUALIFICATIONS TO HAVE ATTAINED THAT EXPERIENCE IN THE TEN YEARS BEFORE FILING AN AFFIDAVIT OF CANDIDACY, TO ELIMINATE TWO YEARS EXPERIENCE AS A LICENSED PRIVATE DETECTIVE AS A QUALIFICATION FOR THE BALLOT, AND TO PROVIDE THAT THE CORONERS TRAINING ADVISORY COMMITTEE SHALL DETERMINE THOSE FORENSIC SCIENCE DEGREE AND CERTIFICATION PROGRAMS THAT QUALIFY AS "RECOGNIZED" FOR PURPOSES OF THE TRAINING REQUIREMENTS REQUIRED FOR CANDIDATES FOR CORONER.

**S. 1149--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. DELLENEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Branham | Brannon | Brantley |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crawford | Crosby | Daning |
| Delleney | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | Johnson |
| Knight | Limehouse | Loftis |
| Long | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Owens | Parker | Parks |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--107**

Those who voted in the negative are:

**Total--0**

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

**LEAVE OF ABSENCE**

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

**S. 1127--DEBATE ADJOURNED**

The following Bill was taken up:

S. 1127 -- Senator Peeler: A BILL TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, AMONG OTHER THINGS, TO THE CREATION OF THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING AUTHORITY, SO AS TO ELIMINATE THE SPECIFIC NUMBER OF BOARD MEMBERS THAT MUST BE APPOINTED TO GOVERN A DEPARTMENT; TO AMEND SECTIONS 40-9-30 AND 40-9-37, BOTH RELATING TO MEMBERSHIP ON THE BOARD OF CHIROPRACTIC EXAMINERS, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE NEWLY CREATED SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-15-20, RELATING TO MEMBERSHIP ON THE STATE BOARD OF DENTISTRY, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND BY ADDING AN ADDITIONAL LAY MEMBER; TO AMEND SECTION 40-33-10, RELATING TO MEMBERSHIP ON AND DUTIES OF THE STATE BOARD OF NURSING, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND TO DELETE THE PROVISION AUTHORIZING THE BOARD TO ESTABLISH A FEE SCHEDULE IN REGULATIONS; TO AMEND SECTION 40-43-40, RELATING TO MEMBERSHIP ON THE STATE BOARD OF PHARMACY, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-45-10, RELATING TO MEMBERSHIP ON THE STATE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND BY ADDING AN ADDITIONAL MEMBER FROM THE GENERAL PUBLIC; TO AMEND SECTION 40-47-10, RELATING TO MEMBERSHIP ON AND DUTIES OF THE STATE BOARD OF MEDICAL EXAMINERS, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND TO DELETE THE PROVISION AUTHORIZING THE BOARD TO ESTABLISH AN INITIAL FEE SCHEDULE IN REGULATIONS; TO AMEND SECTION 40-47-11, RELATING TO MEMBERSHIP ON THE MEDICAL DISCIPLINARY COMMISSION, SO AS TO DECREASE COMMISSION PHYSICIAN MEMBERSHIP FROM THIRTY-SIX TO THIRTY-FIVE BY CONTINUING TO APPOINT FIVE PHYSICIAN COMMISSIONERS FROM EACH CONGRESSIONAL DISTRICT, BY ELIMINATING THE SIX AT-LARGE PHYSICIAN COMMISSIONERS, AND BY DECREASING LAY COMMISSION MEMBERSHIP FROM TWELVE TO SEVEN BY APPOINTING ONE, RATHER THAN TWO, LAY COMMISSIONERS FROM EACH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-75-10, RELATING TO MEMBERSHIP ON THE BOARD OF EXAMINERS FOR THE LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALIST, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 44-1-20, RELATING TO MEMBERSHIP ON THE BOARD OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 44-9-30 AND SECTIONS 44-20-210 AND 44-20-225, BOTH AS AMENDED, RELATING, RESPECTIVELY, TO MEMBERSHIP ON THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, MEMBERSHIP ON THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS, AND MEMBERSHIP ON CONSUMER ADVISORY BOARDS TO THE COMMISSION ON DISABILITIES AND SPECIAL NEEDS, SO AS TO MAINTAIN THE SEVEN MEMBER MENTAL HEALTH COMMISSION, THE SEVEN MEMBER COMMISSION ON DISABILITIES AND SPECIAL NEEDS, AND THE SEVEN MEMBER CONSUMER ADVISORY BOARDS BY PROVIDING THAT ONE MEMBER MUST BE APPOINTED FROM EACH CONGRESSIONAL DISTRICT AND BY ELIMINATING THE ONE STATE AT LARGE MEMBER FROM EACH COMMISSION AND FROM EACH BOARD; BY ADDING SECTION 1-1-1320 SO AS TO PROVIDE FOR THE CONTINUATION OF THE TERM OF A PERSON WHO REPRESENTS A CONGRESSIONAL DISTRICT ON A BOARD, COMMISSION, OR COMMITTEE WHOSE RESIDENCY IS TRANSFERRED TO ANOTHER CONGRESSIONAL DISTRICT BY A CHANGE IN THE COMPOSITION OF THE DISTRICT; TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER TO REPRESENT THE CONGRESSIONAL DISTRICT FOR WHICH THE TRANSFERRED MEMBER WOULD HAVE SERVED IF THAT DISTRICT IS UNSERVED BY A RESIDENT MEMBER; AND TO PROVIDE FOR THE EXPIRATION OF TERMS AND VACANCIES OCCURRING IN THE AFFECTED DISTRICTS; AND TO DELETE OBSOLETE LANGUAGE AND MAKE CHANGES NECESSARY TO CONFORM TO THE PROVISIONS OF THIS ACT.

Rep. DELLENEY moved to adjourn debate on the Bill until Thursday, May 17, which was agreed to.

**S. 391--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. BINGHAM moved to adjourn debate on the motion to reconsider until Thursday, May 17, which was agreed to.

**H. 3152--SENATE AMENDMENTS CONCURRED IN AND JOINT RESOLUTION ENROLLED**

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

H. 3152 -- Reps. Young, Daning, Harrison, Allison, G. R. Smith, Stringer, Taylor, Forrester, Hamilton, Murphy, G. M. Smith, Bingham, Long, Patrick, Viers, Funderburk, Horne, Willis, Weeks, Pope, Simrill, Clemmons, Harrell, Bedingfield and Edge: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, SO AS TO PROVIDE THAT THE LIEUTENANT GOVERNOR MUST BE ELECTED JOINTLY WITH THE GOVERNOR IN A MANNER PRESCRIBED BY LAW; TO ADD SECTION 37 TO ARTICLE III OF THE CONSTITUTION OF THIS STATE, SO AS TO PROVIDE THAT THE SENATE SHALL ELECT FROM AMONG ITS MEMBERS A PRESIDENT TO PRESIDE OVER THE SENATE AND TO PERFORM OTHER DUTIES AS PROVIDED BY LAW; TO DELETE SECTIONS 9 AND 10 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE LIEUTENANT GOVERNOR BEING PRESIDENT OF THE SENATE AND, WHILE PRESIDING IN THE SENATE, HAVING NO VOTE, UNLESS THE SENATE IS EQUALLY DIVIDED, SO AS TO REMOVE INCONSISTENT PROVISIONS; AND TO AMEND SECTION 12 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE DISABILITY OF THE GOVERNOR, SO AS TO CONFORM APPROPRIATE REFERENCES.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 16

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brannon |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crawford | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Gambrell | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | J. H. Neal | J. M. Neal |
| Neilson | Norman | Ott |
| Owens | Parker | Patrick |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Whipper |
| White | Whitmire | Willis |
| Young |  |  |

**Total--97**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Anderson | Bowers |
| Brantley | G. A. Brown | H. B. Brown |
| Butler Garrick | Funderburk | Gilliard |
| Govan | Jefferson | Mack |
| McEachern | Parks | Rutherford |
| Williams |  |  |

**Total--16**

The Senate Amendments were agreed to, and the Joint Resolution having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

STATEMENT FOR THE JOURNAL

I was away from the Chamber with leave during the vote on adopting the Senate Amendments to H. 3152. If I had been present, I would have voted in favor of adopting H. 3152.

Rep. Chip Huggins

STATEMENT FOR THE JOURNAL

As a co-sponsor of H. 3152, I support an amendment to the constitution to provide that the Governor and Lieutenant Governor be elected jointly. However, I disagree with the Senate Amendment that would delay this change until 2018, should the citizens of South Carolina vote in favor of this proposal to amend the constitution. If approved by the voters of this state, this restructuring measure should go into effect during the 2014 elections.

Rep. Laurie Slade Funderburk

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3417--POINT OF ORDER**

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

H. 3417 -- Rep. Funderburk: A BILL TO AMEND SECTION 6-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY TO ESTABLISH SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO INCLUDE THE PROVISION OF EMERGENCY MEDICAL AND RESCUE RESPONSE SERVICES AS AN AUTHORIZED PURPOSE FOR WHICH A SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT MAY BE ESTABLISHED.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Senate Amendments were improperly before the House for consideration since its number and title have not been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

**H. 3256--SENATE AMENDMENTS CONCURRED IN**

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

H. 3256 -- Rep. Herbkersman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE LANDING AT BUCKINGHAM OFF FOUNDING ISLAND ROAD IN BEAUFORT COUNTY "WILLIAM F. MARSCHER II MEMORIAL LANDING" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LANDING THAT CONTAIN THE WORDS "WILLIAM F. MARSCHER II MEMORIAL LANDING".

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Battle | Bingham | Bowers |
| Brady | Branham | Brannon |
| Brantley | H. B. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Cole | Corbin | Crawford |
| Crosby | Daning | Dillard |
| Erickson | Forrester | Gambrell |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | J. M. Neal | Neilson |
| Norman | Owens | Parker |
| Patrick | Pinson | Pope |
| Putnam | Quinn | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Weeks |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--92**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**S. 1501--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1501 -- Senator Coleman: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 34 IN FAIRFIELD COUNTY FROM ITS INTERSECTION WITH DOUGLAS ROAD TO ITS INTERSECTION WITH CLARKE BRIDGE ROAD "EDWARD L. STEVENSON, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "EDWARD L. STEVENSON, JR. MEMORIAL HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**SPEAKER IN CHAIR**

**S. 105--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 105 -- Senators Verdin, Leventis and L. Martin: A BILL TO AMEND THE 1976 CODE, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE'S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO AGRITOURISM ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR AGRITOURISM ACTIVITIES.

Rep. HENDERSON proposed the following Amendment No. 3 to S. 105 (COUNCIL\MS\7779AHB12), which was tabled:

Amend the bill, as and if amended, by deleting Section 57-7-90, page 105-1, lines 26 through 33, and inserting:

/ “Section 57‑7‑90. (A) It is unlawful for any person to camp, set fires, or cook on a highway. For purposes of this section, the term ‘highway’ shall mean as it is defined in Section 57‑3‑120. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days or such other lesser disposition, penalty, or non penalty, as the court determines.

(B) The provisions of this section do not apply to a person seeking shelter for less than forty-eight hours due to inclement or hazardous weather conditions.” /

Renumber sections to conform.

Amend title to conform.

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

Reps. OWENS and WHITE proposed the following Amendment No. 4 to S. 105 (COUNCIL\SWB\5319CM12), which was adopted:

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

/ SECTION 1. Chapter 25, Title 57 of the 1976 Code is amended by adding:

“Article 8

Agritourism and Tourism Oriented Signage Program

“Section 57‑25‑800. As used in this article:

(1) ‘Agritourism‑oriented facility’ means a type of location where an agritourism activity, as defined in Section 46‑53‑10(1), is carried out by an agritourism professional, as defined in Section 46‑53‑10(2), or another type of agricultural facility recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830 (A);

(2) ‘Tourism‑oriented facility’ means a type of facility recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830 (A);

(3) ‘Conventional highway’ means a highway with at‑grade intersections and without control of access; and

(4) ‘Rural’ means an area outside the limits of an incorporated municipality having a population of 5,000 or more according to the most recent decennial census of the United States Bureau of Census.

Section 57‑25‑810. In an effort to promote and assist South Carolina facilities that have an interest in educating, sharing, and selling their programs and products to the general public, the Department of Transportation is directed to create and supervise a coordinated, self‑funded, statewide program related to providing directional signs along certain of the state’s rural conventional highways and non‑interstate scenic byways leading to tourism and agritourism‑oriented facilities. The statewide program shall be operated according to standards and regulations consistent with the Manual on Uniform Traffic Control Devices authorized to be adopted and promulgated by the Department of Transportation. The standards and regulations may provide for the use of official logos developed by the Department of Parks, Recreation and Tourism and the Department of Agriculture in compliance with the federal Manual on Uniform Traffic Control Devices. The standards and regulation may also provide for cooperative agreements between the department and private interests for the administration of the program and for the use and display of names for tourism and agritourism information signs on the highway right‑of‑way.

Section 57‑25‑820. (A) The Department of Transportation shall be responsible for the erection and maintenance of the official signs giving specific information to the traveling public providing directions to tourism and agritourism‑oriented facilities. All signs must conform to department rules and regulations regarding the size and placement of the signs and be in compliance with all federal and state regulations.

(B) The department of Transportation shall coordinate with the Department of Agriculture and the Department of Parks, Recreation and Tourism, as applicable, to allow those departments to promote tourism and agritourism‑oriented facilities participating in this directional signage program.

(C) The criteria for selection of qualified agritourism facilities shall be recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A). The criteria for selection of qualified tourism facilities shall be recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A).

(D) The approval of applications for signs for agritourism and tourism oriented facilities must be determined by an oversight committee. The oversight committee shall consist of the following members and shall meet at the call of the chairman semiannually to consider applications for signage:

(1) Secretary of the Department of Transportation, or his designee, serving as chairman;

(2) Director of the Department of Parks, Recreation and Tourism, or his designee;

(3) Commissioner of the Department of Agriculture, or his designee;

(4) President of the South Carolina Association of Tourism Regions (SCATR), or his designee, and a member of SCATR appointed by its president;

(5) President of the South Carolina Travel and Tourism Coalition, or his designee, and a member of the SCTTC appointed by its president.

(6) President of the Outdoor Advertising Association of South Carolina, or his designee, and a member of the Outdoor Advertising Association appointed by its President.

Section 57‑25‑830. (A) Qualified facilities which elect to participate in the directional signage program must submit an application to the Department of Transportation on a form to be supplied by the department. Eligibility and approval to participate in the signage program must be determined by written criteria to be set forth by the Department of Transportation in regulation.

(B) Participating facilities are responsible for the cost of the signs and their installation and maintenance.”

SECTION 2. The Department of Agriculture and the Department of Parks, Recreation and Tourism must develop logos to be utilized for the signage authorized by this act. The logos developed may be used by those departments for other promotional purposes associated with tourism and agritourism.

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

Renumber sections to conform.

Amend title to conform.

Rep. OWENS explained the amendment.

The amendment was then adopted.

Rep. TAYLOR proposed the following Amendment No. 5 to S. 105 (COUNCIL\SWB\5311CM12), which was ruled out of order:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Article 1, Chapter 5, Title 57 of the 1976 Code is amended by adding:

“Section 57‑5‑200. (A) The Department of Transportation shall include “Aiken” on all existing and future signage that directs motor vehicle traffic to the City of Augusta, Georgia along the eastbound and westbound lanes of traffic at Exit 107 on Interstate Highway 26, and along the northbound and southbound lanes of traffic at Exit 16 on Interstate Highway 77.

(B) Public funds shall not be used to implement the provisions contained in this section.

(C) The South Carolina Department of Transportation is directed to petition the appropriate entities for Aiken, South Carolina, to be included on the ‘list of control cities’ as published by the American Association of State Highway and Transportation Officials for use in guide signs on interstate highways.” /

Renumber sections to conform.

Amend title to conform.

Rep. TAYLOR explained the amendment.

**POINT OF ORDER**

Rep. SELLERS raised the Point of Order that under Rule 9.3 Amendment No. 5 was out of order in that it was not germane to the Bill.

Rep. TAYLOR spoke against the point stating that the original Bill dealt with signs on roads and directional signs.

SPEAKER HARRELL sustained the Point of Order in that the Bill, as amended by Amendment No. 4, relates to signs that specifically direct the public to agribusiness tourism facilities on non-interstate highways and rural roads. He stated that Amendment No. 5 went beyond the scope of the Bill, as amended by Amendment No. 4, and directed that the Town of Aiken be included as a destination on interstate directional signs. Therefore, he sustained the point of order and ruled Amendment No. 5 out of order.

Rep. TAYLOR proposed the following Amendment No. 6 to S. 105 (COUNCIL\AGM\19618AB12), which was ruled out of order:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Article 1, Chapter 5, Title 57 of the 1976 Code is amended by adding:

“Section 57‑5‑200. The South Carolina Department of Transportation is directed to petition the appropriate entities for Aiken, South Carolina, to be included on the ‘list of control cities’ as published by the American Association of State Highway and Transportation Officials for use in guide signs on interstate highways.”/

Renumber sections to conform.

Amend title to conform.

Rep. TAYLOR explained the amendment.

**POINT OF ORDER**

Rep. SELLERS raised the Point of Order that under Rule 9.3 Amendment No. 6 was out of order in that it was not germane to the Bill.

Rep. TAYLOR spoke against the point stating that on the list of control cities would be Augusta, Georgia, and cities such as Charleston, Spartanburg, and Columbia.

SPEAKER HARRELL sustained the Point of Order and ruled that Amendment No. 6 was not germane to the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| 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 | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | 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 | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Young |  |

**Total--113**

Those who voted in the negative are:

**Total--0**

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

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

**MOTION NOTED**

Rep. OWENS moved to reconsider the vote whereby S. 105 was given second reading and the motion was noted.

**ADJOURNMENT**

At 11:53 a.m. the House, in accordance with the motion of Rep. BRADY, adjourned in memory of Wallace Gordon Wright of Columbia, to meet at 10:00 a.m. tomorrow.

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