~~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 Psalm 105:5: “Remember the wonderful works He has done, His miracles and judgments he uttered-for His chosen ones.”

Let us pray. We give thanks to You, O Lord of all, for the opportunity to make choices for our life. Help these Representatives and staff as they make deliberate and wise choices. Give them wisdom, courage, hope, and integrity in their decision making. Bless our Nation, President, State, Governor, Speaker, staff, and all who serve in these Halls of Government. Protect our defenders of freedom, 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. CROSBY moved that when the House adjourns, it adjourn in memory of Lois Biggs Heatley of Goose Creek, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Representative Thayer who is in the hospital.

**CONFIRMATION OF APPOINTMENT**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., January 30, 2013

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is, therefore, submitted for your consideration.

Local Appointment

Lexington County Master-in Equity

Term Commencing: January 1, 2013

Term Expiring: January 1, 2019

Seat: Master-in-Equity

Reappointment

Mr. James O. Spence

6521 Edmund Highway

Lexington, South Carolina 29073

My very best,

Nikki R. Haley

Governor

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

**CONFIRMATION OF APPOINTMENT**

The following was received:

State of South Carolina

Office of the Governor

Columbia, S.C., January 30, 2013

Mr. Speaker and Members of the House of Representatives:

I am transmitting herewith an appointment for confirmation. This appointment is made with advice and consent of the General Assembly and is, therefore, submitted for your consideration.

Local Appointment

Aiken County Master-in Equity

Term Commencing: June 30, 2013

Term Expiring: June 30, 2019

Seat: Master-in-Equity

Appointment

The Honorable Maurice A. Griffith

1397 Woodbine Road

Aiken, South Carolina 29803

My very best,

Nikki R. Haley

Governor

The appointment was confirmed and a message was ordered sent to the Senate accordingly.

**REPORTS OF STANDING COMMITTEES**

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

H. 3298 -- Reps. Lucas, Delleney, Ballentine, Brannon, Clemmons, Hixon, Huggins, Long, McCoy, Murphy, Nanney, Pitts, Sottile and Thayer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-46 SO AS TO IMPOSE REQUIREMENTS REGARDING THE ACKNOWLEDGMENT OF STATEMENTS OF CANDIDACY AND PUBLICATION OF FILING PERIODS; BY ADDING SECTION 8-13-1115 SO AS TO REQUIRE STATEMENTS OF ECONOMIC INTERESTS TO BE FILED ONLINE NO LATER THAN APRIL FIFTEENTH FOR ALL CANDIDATES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO DELETE REFERENCES TO POLITICAL PARTY CONVENTION; TO AMEND SECTION 7-11-15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS CANDIDATE IN A GENERAL ELECTION, SO AS TO REVISE THE PROCEDURES FOR FILING STATEMENTS OF INTENTION OF CANDIDACY TO BE FILED WITH THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-11-210, AS AMENDED, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REVISE THE PROCEDURES FOR NOTICE SUBMISSIONS, CANDIDATE SIGNATURES, AND OFFICER ACKNOWLEDGMENTS; TO AMEND SECTION 7-13-40, AS AMENDED, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO REVISE THE PROCEDURES FOR CERTIFYING AND COMPILING THE NAMES OF CANDIDATES TO BE PLACED ON PRIMARY BALLOTS; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 8-13-365, AS AMENDED, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO PROVIDE THAT A DISCLOSURE FORM FILED PURSUANT TO THIS SECTION IS DEEMED TO SATISFY ANY OTHER FILING REQUIREMENT MANDATED BY LAW; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PERSONS REQUIRED TO FILE STATEMENT OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO FURNISH A WEBSITE ON WHICH ALL STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE AND TO DESIGNATE AN ANNUAL DEADLINE BY WHICH STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE; TO REPEAL SECTION 7-11-30, RELATING TO CONVENTION NOMINATION OF CANDIDATES; AND TO REPEAL SECTION 7-11-220, RELATING TO NOTICE OR PLEDGE BY CANDIDATES FOR STATE SENATOR.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3033 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 132 TO CHAPTER 3 OF TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL LICENSE PLATES TO RECIPIENTS OF THE DISTINGUISHED FLYING CROSS.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3087 -- Reps. Merrill and Daning: A BILL TO AMEND SECTION 59-40-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VARIOUS CHARTER SCHOOL REQUIREMENTS, POWERS, AND DUTIES, SO AS TO PROVIDE THAT A CHARTER SCHOOL LOCATED ON A FEDERAL MILITARY INSTALLATION OR BASE WHERE THE APPROPRIATE AUTHORITIES HAVE MADE BUILDINGS, FACILITIES, AND GROUNDS ON THE INSTALLATION OR BASE AVAILABLE FOR USE BY THE CHARTER SCHOOL, AS ITS PRINCIPAL LOCATION, ALSO MAY GIVE ENROLLMENT PRIORITY TO OTHERWISE ELIGIBLE STUDENTS WHO ARE DEPENDENTS OF MILITARY PERSONNEL LIVING IN MILITARY HOUSING ON THE BASE OR INSTALLATION OR WHO ARE CURRENTLY STATIONED AT THE BASE OR   
  
INSTALLATION NOT TO EXCEED FIFTY PERCENT OF THE TOTAL ENROLLMENT OF THE CHARTER SCHOOL.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3121 -- Reps. Bowen, Daning, Henderson and Southard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 56-5-3890, 56-5-3895, AND 56-5-3897 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO USE AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE A PENALTY, AND TO PROVIDE FOR THE DISTRIBUTION OF MONIES COLLECTED FROM FINES ASSOCIATED WITH VIOLATIONS OF THESE PROVISIONS; AND TO AMEND SECTION 56-1-720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON'S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT POINTS MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF IMPROPER USE OF AN ELECTRONIC COMMUNICATION DEVICE WHILE DRIVING A MOTOR VEHICLE.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3225 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 132 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE FOR THE ISSUANCE OF "SC RIVERKEEPERS" SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report on:

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G. R. Smith, J. E. Smith, Sottile, Stringer, Tallon and Taylor: A BILL TO AMEND SECTIONS 57-5-10, 57-5-70, AND 57-5-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57-5-90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

Ordered for consideration tomorrow.

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

H. 3458 -- Reps. Hosey, Clyburn and Sellers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 278 IN ALLENDALE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO FEED LOT ROAD "LIEUTENANT WINSTON ROBINSON, JR. HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "LIEUTENANT WINSTON ROBINSON, JR. HIGHWAY".

Ordered for consideration tomorrow.

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

H. 3461 -- Rep. Barfield: A HOUSE RESOLUTION TO COMMEND AND SUPPORT THE TAIWAN'S DEMOCRATIC SYSTEM OF GOVERNMENT, ITS CLOSE RELATIONSHIP WITH THE UNITED STATES, AND THE NATION'S MEANINGFUL PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, AND THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, AS WELL AS OTHER INTERNATIONAL ORGANIZATIONS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3466 -- Rep. White: A HOUSE RESOLUTION TO PROVIDE THAT THE STAFF SERVING THE MEMBERS OF THE HOUSE OF REPRESENTATIVES IS NOT REQUIRED TO WORK ON GOOD FRIDAY, MARCH 29, 2013.

Be it resolved by the House of Representatives:

That the staff serving the members of the House of Representatives is not required to work on Good Friday, March 29, 2013.

The Resolution was adopted.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Barfield |
| Bedingfield | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Cobb-Hunter | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Ott | Owens |
| Patrick | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Skelton | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Toole |
| Weeks | Wells | Williams |
| Willis | Wood |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, January 31.

|  |  |
| --- | --- |
| Terry Alexander | Brian White |
| Walton J. McLeod | Anne Parks |
| Beth Bernstein | Kenny Bingham |
| Ralph Kennedy | Carl Anderson |
| William "Bill" Taylor | John R. King |
| William R. "Bill" Whitmire | W. E. "Bill" Sandifer |
| Ralph Norman | Jackson "Seth" Whipper |
| William Clyburn | Leon Stavrinakis |
| G. Murrell Smith | Ted Vick |
| Michael A. Pitts | Gary Simrill |
| Richard "Rick" Quinn | V .S. Moss |
| Todd Rutherford | Chandra Dillard |
| Jerry Govan | Joseph Neal |
| Bakari Sellers | Kris Crawford |
| B. W .Bannister | James E. Smith |

**Total Present--119**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Marc New of North Charleston was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. G. R. SMITH presented to the House the Hillcrest High School "Lady Rams" Volleyball Team, the 2012 AAAA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. JEFFERSON presented to the House the Cross High School "Trojans" Football Team, the 2012 Class A Division II Champions, their coaches and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3340 |
| Date: | ADD: |
| 01/31/13 | CLEMMONS, GOLDFINCH and H. A. CRAWFORD |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3372 |
| Date: | ADD: |
| 01/31/13 | HORNE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3417 |
| Date: | ADD: |
| 01/31/13 | G. M. SMITH |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3247 |
| Date: | ADD: |
| 01/31/13 | CLEMMONS, BARFIELD, GOLDFINCH and SPIRES |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3116 |
| Date: | ADD: |
| 01/31/13 | RIVERS and WOOD |

**SENT TO THE SENATE**

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

H. 3426 -- Reps. Thayer, Bowen and Putnam: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE WILLIAMSTON NATIONAL GUARD ARMORY TO THE TOWN OF WILLIAMSTON.

H. 3440 -- Reps. J. R. Smith, Clyburn, Hixon, Taylor and Wells: A BILL TO AMEND SECTION 7-27-215, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AIKEN COUNTY VOTER REGISTRATION AND ELECTIONS COMMISSION, SO AS TO DEVOLVE APPOINTMENT AUTHORITY FOR THE EXECUTIVE DIRECTOR FROM THE AIKEN COUNTY LEGISLATIVE DELEGATION TO THE GOVERNING BODY OF AIKEN COUNTY.

**H. 3453--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 3453 -- Reps. Bingham, Allison, Anthony and Hayes: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2013-2014 SCHOOL YEAR BY MAY 15, 2013; TO PROVIDE THAT A CONTINUING-CONTRACT TEACHER WHO IS BEING RECOMMENDED FOR FORMAL EVALUATION THE FOLLOWING SCHOOL YEAR MUST BE NOTIFIED IN WRITING ON OR BEFORE THE DATE THE SCHOOL DISTRICT ISSUES THE WRITTEN OFFER OF EMPLOYMENT OR REEMPLOYMENT; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Joint Resolution was 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 sustained the Point of Order.

**H. 3191--POINT OF ORDER**

The following Bill was taken up:

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56-5-130 AND 56-5-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS "MOTOR VEHICLE" AND "MOTORCYCLE", SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Bill was 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 sustained the Point of Order.

**H. 3340--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 3340 -- Reps. Bannister, Herbkersman, Newton, Ballentine, Harrell, Clemmons, Goldfinch and H. A. Crawford: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 9, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO SESSIONS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE FOR ANNUAL SESSIONS OF THE GENERAL ASSEMBLY COMMENCING ON THE SECOND TUESDAY IN FEBRUARY RATHER THAN THE SECOND TUESDAY IN JANUARY OF EACH YEAR, REQUIRE EACH ANNUAL SESSION OF THE GENERAL ASSEMBLY TO ADJOURN SINE DIE NOT LATER THAN THE FIRST THURSDAY IN MAY EACH YEAR, AND ALLOW THE GENERAL ASSEMBLY TO CONVENE IN LOCAL SESSION AND FOR THE PURPOSE OF BEGINNING COMMITTEE MEETINGS OR HEARINGS ON THE SECOND TUESDAY OF JANUARY EACH YEAR.

**POINT OF ORDER**

Rep. SKELTON made the Point of Order that the Joint Resolution was 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 sustained the Point of Order.

**SENT TO THE SENATE**

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

H. 3290 -- Reps. Bingham, Bannister, Harrell, Simrill, Merrill, Rutherford, Norman, K. R. Crawford, Sottile, Herbkersman, Barfield, Clemmons, V. S. Moss, Hixon, D. C. Moss, Gambrell, Horne, Erickson, G. R. Smith, Sandifer, Forrester, Cole, Allison, Crosby, Murphy, Spires, Patrick, Hardwick, Putnam, H. A. Crawford, Southard, Henderson, Chumley, Bedingfield, Atwater, Goldfinch, Bowen, Funderburk, Gagnon, Long, Owens, Tallon, Thayer, Vick, Whitmire, Branham, Rivers, Bales and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "BUSINESS FREEDOM TO CHOOSE ACT", BY AMENDING SECTION 44-96-80, RELATING TO COUNTY SOLID WASTE PROGRAMS, INCLUDING A COUNTY'S AUTHORITY TO ENACT ORDINANCES CONSISTENT WITH THE STATE PLAN, LAW, AND REGULATIONS, SO AS TO MAKE TECHNICAL CORRECTIONS, TO DELETE OBSOLETE LANGUAGE, AND TO PROVIDE THAT AN ORDINANCE THAT RESTRICTS SOLID WASTE DISPOSAL AT A PERMITTED FACILITY OR IMPEDES THE DEVELOPMENT OR IMPLEMENTATION OF A RECYCLING PROGRAM IS INCONSISTENT WITH THE PROVISIONS OF CHAPTER 96 OF TITLE 44; AND TO AMEND SECTION 44-55-1210, RELATING TO A COUNTY'S AUTHORITY TO REQUIRE THE COLLECTION AND DISPOSAL OF SOLID WASTE, SO AS TO PROVIDE THAT A COUNTY ORDINANCE IS VOID TO THE EXTENT THAT THE ORDINANCE RESTRICTS OR PROHIBITS SOLID WASTE DISPOSAL AT A PERMITTED FACILITY OR IMPEDES THE DEVELOPMENT OR IMPLEMENTATION OF A RECYCLING PROGRAM.

**H. 3421--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3421 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 527 IN LEE COUNTY FROM MOUNT PLEASANT HIGH SCHOOL TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 "ISAAC C. JOE HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "ISAAC C. JOE HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**LEAVE OF ABSENCE**

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

**H. 3247--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3247 -- Reps. Harrell, Lucas, Delleney, Bannister, Ott, Rutherford, Weeks, G. M. Smith, Pope, Merrill, McCoy, Atwater, Erickson, Henderson, Kennedy, Loftis, Tallon, Bedingfield, Daning, Forrester, Hixon, Lowe, D. C. Moss, V. S. Moss, Murphy, Sottile, Stringer, Gagnon, Herbkersman, Newton, Wells, J. R. Smith, Taylor, Riley, Pitts, White, Vick, Clemmons, Barfield, Goldfinch and Spires: A BILL TO AMEND SECTION 1-7-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMINISTRATION OF THE DOCKET BY THE CIRCUIT SOLICITOR IN GENERAL SESSIONS COURT, SO AS TO CLARIFY THE ROLE OF THE CIRCUIT SOLICITOR IN THE ADMINISTRATION OF THE GENERAL SESSIONS COURT DOCKET AND PROVIDE THAT THIS ABILITY TO ADMINISTER THE DOCKET SHALL NOT INTERFERE WITH THE COURT'S ABILITY TO PROTECT A LITIGANT'S RIGHTS.

Rep. BRANNON moved to adjourn debate on the Bill until Wednesday, February 6.

Rep. TALLON moved to table the motion.

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

Yeas 67; Nays 28

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Edge |
| Finlay | Forrester | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Hamilton | Harrell | Henderson |
| Herbkersman | Hixon | Hodges |
| Kennedy | Knight | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Patrick | Pitts |
| Putnam | Quinn | Ridgeway |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | G. M. Smith | J. E. Smith |
| J. R. Smith | Sottile | Southard |
| Stavrinakis | Stringer | Tallon |
| Taylor | Vick | Weeks |
| Wells | White | Whitmire |
| Willis |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Ballentine | Branham | Brannon |
| K. R. Crawford | Douglas | Erickson |
| Felder | Funderburk | George |
| Hayes | Hiott | Hosey |
| Huggins | Jefferson | Loftis |
| Long | W. J. McLeod | Norman |
| Pope | Sabb | Simrill |
| Spires | Toole | Whipper |
| Wood |  |  |

**Total--28**

So, the motion to adjourn debate was tabled.

Reps. J. E. SMITH and NEAL proposed the following Amendment No. 1 to H. 3247 (COUNCIL\MS\3247C001.MS.AHB13), which was tabled:

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 1‑7‑330 of the 1976 Code is amended to read:

“Section 1‑7‑330. (A) The solicitors shall attend the courts of general sessions for their respective circuits. Preparation of the dockets for general sessions courts shall be ~~exclusively~~ vested in the circuit solicitor and ~~the solicitor~~ he shall determine the order in which cases on the docket are called for trial. Provided, however, that no later than seven days prior to the beginning of each term of general sessions court, the solicitor in each circuit shall prepare and publish a docket setting forth the cases to be called for trial during the term. Notwithstanding the provisions of this section, the circuit solicitor’s ability to administer the general sessions court docket shall not interfere with the court’s ability to safeguard a litigant’s rights including, but not limited to, as provided in subsection (B).

(B) Notwithstanding the provisions of this section and pursuant to Section 14, Article I of the Constitution of South Carolina, 1895, which provides that any person charged with an offense shall enjoy the right to a speedy and public trial by an impartial jury:

(1) if a defendant makes a motion for a speedy trial, the court shall schedule trial of the case during the next term of court to be heard by a judge of competent jurisdiction;

(2) if a defendant has been incarcerated for one year or more and a trial has not been scheduled, the circuit solicitor shall notify the Chief Justice of the Supreme Court and the chief administrative judge for the general sessions court with jurisdiction over the offense. Within two weeks of notification, the chief administrative judge shall schedule a status conference and if trial is not set for the next term of court, the chief administrative judge shall set a bond hearing for a review of the defendant’s bond.” /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Reps. J. E. SMITH and NEAL proposed the following Amendment No. 2 to H. 3247 (COUNCIL\MS\3247C002.MS.AHB13), which was tabled:

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

/ SECTION \_\_. Each circuit solicitor shall notify, in writing, the Chief Justice of the Supreme Court and the chief administrative judge of the general sessions court with jurisdiction over the case, of all cases pending as of the effective date of this act in which a defendant has been incarcerated for over two years and for whom trial has not been set. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Rep. J. E. SMITH moved to table the amendment, which was agreed to.

Rep. RUTHERFORD proposed the following Amendment No. 7 to H. 3247 (COUNCIL\AGM\3247C002.AGM.AB13):

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 1‑7‑330 of the 1976 Code is amended to read:

“Section 1‑7‑330. (A) The solicitors shall attend the courts of general sessions for their respective circuits. Preparation of the dockets for general sessions courts shall be ~~exclusively~~ vested in the circuit solicitor and ~~the solicitor~~ he shall determine the order in which cases on the docket are called for trial. Provided, however, that no later than seven days prior to the beginning of each term of general sessions court, the solicitor in each circuit shall prepare and publish a docket setting forth the cases to be called for trial during the term. Notwithstanding the provisions of this section, the circuit solicitor’s ability to administer the general sessions court docket shall not interfere with the court’s ability to safeguard a litigant’s rights including, but not limited to, as provided in subsection (B).

(B) If a trial has not been scheduled for a defendant within one hundred and twenty days after his incarceration, the defendant or his attorney may make a motion for a speedy trial, and the chief administrative judge who receives the motion is responsible for scheduling the trial in a timely manner.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. BANNISTER moved to adjourn debate on the Bill until Tuesday, February 5.

Rep. WEEKS moved to table the motion.

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

Yeas 25; Nays 87

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Brannon | Clyburn |
| Cobb-Hunter | Delleney | Dillard |
| Douglas | George | Gilliard |
| Hosey | Howard | Jefferson |
| Lucas | McEachern | D. C. Moss |
| Munnerlyn | Neal | Parks |
| Robinson-Simpson | Sabb | Sellers |
| G. M. Smith | J. E. Smith | Weeks |
| Williams |  |  |

**Total--25**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | R. L. Brown | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Huggins |
| Kennedy | Loftis | Long |
| Lowe | McCoy | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Ott |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Rutherford |
| Ryhal | Sandifer | Simrill |
| Skelton | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Wells | Whipper | White |
| Whitmire | Willis | Wood |

**Total--87**

So, the House refused to table the motion to adjourn debate.

The question then recurred to the motion to adjourn debate on the Bill until Tuesday, February 5, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 3467 -- Reps. Harrell, Rutherford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO COMMEND THE HONORABLE JAMES E. SMITH, JR. FOR HIS SEVENTEEN YEARS OF DISTINGUISHED MILITARY SERVICE IN THE SOUTH CAROLINA ARMY NATIONAL GUARD AND TO CONGRATULATE HIM UPON THE OCCASION OF HIS WELL-DESERVED PROMOTION TO THE RANK OF MAJOR.

Whereas, the members of the South Carolina House of Representatives were pleased to learn of the recent promotion of The Honorable James E. Smith, Jr. to the rank of Major in the South Carolina Army National Guard (SCARNG); and

Whereas, following his family’s long history of dutiful military service during America’s conflicts, Major Smith began his military career as a Judge Advocate General’s Corps (JAG) Officer in the United States Army Reserve in 1996 where he served until transferring to the SCARNG in 1998; and

Whereas, no doubt foreshadowing his subsequent military career shift to the Infantry, Major Smith’s innate leadership and tactical abilities in a combat environment were first made evident during the 218th Heavy Separate Brigade’s 2000 National Training Center (NTC) rotation at Fort Irwin, California, where, while still a military attorney, then First Lieutenant Smith led a successful, spontaneous counterattack against the NTC Opposing Force (OPFOR) who were attempting to overrun the 218th Brigade Headquarters; and

Whereas, it was during a visit to Ground Zero in New York City shortly after 9/11 that then Captain Smith realized his calling to transfer from the JAG Corps to the Infantry, so he could lead combat troops on the battlefield as part of the Global War on Terrorism; and

Whereas, less than seventy‑two hours after learning that a transfer to the Infantry at the age of thirty‑seven would necessitate resigning his commission, enlisting in the United States Army, and completing Basic Training, Officer Candidacy School (OCS), and the Infantry Officer Basic Course (IOBC), Major Smith submitted his resignation from the JAG Corps and enlisted as a Private; and

Whereas, not content merely to complete the required courses, Major Smith excelled, competing against Soldiers nearly twenty years his junior and graduating as the Number One Graduate from his Basic Training class and in the top of his class at both OCS and IOBC; and

Whereas, Major Smith’s destiny to lead Infantry Soldiers on the battlefield was fulfilled in the spring of 2007 when the SCARNG’s, 218th Brigade Combat Team deployed to Afghanistan for a one-year tour as part of Operation Enduring Freedom; and

Whereas, in recognition of his superior leadership style, superb operational instincts, and unparalleled relationship‑building skills, Major Smith was selected to be one of the first Police Mentor Team Chiefs for an Afghan National Police (ANP) District Headquarters in one of Afghanistan’s most notoriously dangerous provinces; and

Whereas, Major Smith’s Regular Army Senior Rater evaluated him as the number two Captain of the seventy‑three under his command in Afghanistan, stating “Captain Smith is a warrior. He was wounded and led his team without complaint or hesitation. His vision, instincts, hard‑nosed execution and that of his great team made a real difference in the war here. He is an officer of unrivaled potential, uncommon judgment, and impeccable character.”; and

Whereas, Major Smith, his team, and their Afghan counterparts performed an exceedingly difficult mission in an exemplary manner, gaining the trust and confidence of the citizens they supported and demonstrating steadfast personal courage while conducting numerous successful combat operations throughout their grueling one‑year tour of duty; and

Whereas, Major James E. Smith, Jr. has deservedly received many of our country’s highest military awards and decorations, including the Purple Heart, the Combat Infantryman’s Badge, the Bronze Star Medal, the Meritorious Service Medal, and the Army Commendation Medal. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the South Carolina House of Representatives, by this resolution, commend The Honorable James E. Smith, Jr. for his seventeen years of distinguished military service in the South Carolina Army National Guard and congratulate him upon the occasion of his well‑deserved promotion to the rank of Major.

Be it further resolved that a copy of this resolution be provided to The Honorable James E. Smith, Jr.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3468 -- Reps. Jefferson, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. WILLA ELAINE NORTON OF BERKELEY COUNTY FOR HER OUTSTANDING WORK AS AN EDUCATOR AND TO CONGRATULATE HER ON BEING NAMED 2012-2013 ELEMENTARY SCHOOL PRINCIPAL OF THE YEAR FOR BERKELEY COUNTY SCHOOL DISTRICT.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3469 -- Reps. Gambrell, Bowen, Gagnon, Putnam, White, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE ANDERSON COUNTY FIRE DEPARTMENT FOR THE VALUABLE PUBLIC SERVICE IT RENDERS EVERY DAY, AND TO CONGRATULATE THE DEPARTMENT AT THE CELEBRATION OF ITS FIFTIETH ANNIVERSARY.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3470 -- Reps. Ridgeway, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR EDWARD R. FRYE, JR., CEO OF CLARENDON MEMORIAL HOSPITAL, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SEVEN YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**INTRODUCTION OF BILLS**

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

H. 3471 -- Reps. Hamilton, Norman, Huggins, Ballentine and Henderson: A BILL TO AMEND SECTION 27-37-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EJECTMENT PROCEEDINGS, SO AS TO PROVIDE A MANNER FOR EJECTING TENANTS, TO REDUCE THE NUMBER OF DAYS WITHIN WHICH A TENANT MUST RESPOND TO A RULE TO VACATE, AND TO PROVIDE IF THE TENANT FAILS TO APPEAR AND SHOW CAUSE WITHIN FIVE DAYS AFTER SERVICE OF THE RULE THE MAGISTRATE SHALL ISSUE A WARRANT OF EJECTMENT AND THE TENANT MUST BE EJECTED BY CERTAIN LAW ENFORCEMENT OFFICIALS; TO AMEND SECTION 27-37-30, RELATING TO SERVICE OF THE RULE TO EVICT, SO AS TO PROVIDE THIS SERVICE ONLY MAY BE MADE BY LEAVING THE RULE AFFIXED TO THE MOST CONSPICUOUS PART OF THE PREMISES; TO AMEND SECTION 27-37-60, RELATING TO A TRIAL FOR AN EJECTMENT ACTION, SO AS TO PROVIDE A BENCH TRIAL RATHER THAN A JURY TRIAL IS AVAILABLE TO A TENANT; TO AMEND SECTION 27-37-70, RELATING TO THE DESIGNATION OF PARTIES IN AN EJECTMENT ACTION, SO AS TO CONFORM TO THE PROVISION THAT A BENCH TRIAL RATHER THAN A JURY TRIAL IS AVAILABLE; TO AMEND SECTION 27-37-100, RELATING TO THE EFFECT OF A VERDICT FOR THE PLAINTIFF, SO AS TO PROVIDE A MAGISTRATE IMMEDIATELY MUST ISSUE A WRIT OF EJECTMENT AND THE TENANT MUST BE EJECTED BY A CONSTABLE OR SHERIFF, AND TO PROVIDE A MANNER IN WHICH THE EJECTMENT MUST BE EXECUTED; AND TO REPEAL SECTION 27-37-40 RELATING TO THE EJECTMENT OF A TENANT FOR FAILURE TO SHOW CAUSE; SECTION 27-37-80 RELATING TO THE RIGHT TO A JURY TRIAL; AND SECTION 27-37-160 RELATING TO THE EXECUTION OF A WRIT OF EJECTMENT.

Referred to Committee on Judiciary

H. 3472 -- Reps. Owens, Harrell and Patrick: A BILL TO AMEND SECTION 59-40-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED.

Referred to Committee on Education and Public Works

H. 3473 -- Reps. Delleney, Quinn, Simrill, Pope, D. C. Moss, G. R. Smith, Owens, Taylor, Loftis, Putnam, H. A. Crawford, Hamilton, J. R. Smith, Newton, Allison, Bannister, Barfield, Bedingfield, Clemmons, Cole, Erickson, Felder, Finlay, Gagnon, Gambrell, Goldfinch, Hardee, Henderson, Herbkersman, Hiott, Hixon, Horne, Kennedy, Long, Lowe, McCoy, V. S. Moss, Murphy, Norman, Pitts, Sandifer, G. M. Smith, Stringer, Tallon, Toole, Wells, White and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-285 SO AS TO PROHIBIT THE STATE AND OTHER ENTITIES FROM ESTABLISHING, OPERATING, OR PURCHASING INSURANCE FROM AN AMERICAN HEALTH BENEFIT EXCHANGE AND TO MAKE SUCH HEALTH INSURANCE CONTRACTS VOID; BY ADDING SECTION 12-6-3577 SO AS TO GIVE AN INDIVIDUAL A TAX CREDIT IF TAXED UNDER 26 U.S.C. SECTION 5000A OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT; AND BY ADDING SECTION 1-7-180 SO AS TO ALLOW THE ATTORNEY GENERAL TO BRING AN ACTION AGAINST A PERSON OR ENTITY CAUSING HARM WHEN IMPLEMENTING THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

Referred to Committee on Judiciary

H. 3474 -- Reps. Erickson, Owens, Newton, Patrick, Bowen, McCoy, Huggins, Herbkersman, Simrill, Atwater, Cole, Felder, Forrester, Gambrell, Henderson, Loftis, Long, Merrill, Nanney, Pope, Tallon, Thayer and White: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY SCHOOL TERM, COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS, AND MAKE-UP DAYS, SO AS TO PROVIDE A SCHOOL DISTRICT MAY USE INSTRUCTIONAL HOURS OR INSTRUCTIONAL DAYS TO SATISFY REQUIREMENTS FOR SCHOOL CALENDARS, COLLEGIAL PROFESSIONAL DEVELOPMENT DAYS, AND MAKE-UP DAYS, AND TO PROVIDE A DATE BEFORE WHICH THE OPENING DATE OF A SCHOOL MAY BEGIN UNLESS THE SCHOOL OPERATES ON A YEAR-ROUND MODIFIED CALENDAR.

Referred to Committee on Education and Public Works

H. 3475 -- Reps. Erickson, Newton, Patrick, Bowen, McCoy, Atwater, Huggins, Herbkersman, Simrill, Cole, Felder, Forrester, Gambrell, Henderson, Loftis, Long, Merrill, Nanney, Owens, Pitts, Pope, Riley, Tallon, Thayer, Toole and White: A JOINT RESOLUTION TO PROVIDE THAT NO STATE AGENCY, DEPARTMENT, OR ENTITY BY REGULATION OR OTHERWISE MAY ADMINISTRATIVELY INCREASE OR IMPLEMENT A FEE FOR PERFORMING A SERVICE OR FUNCTION, OR A CIVIL PENALTY OR FINE FOR FAILURE TO COMPLY WITH A REQUIREMENT OR PROVISION OF LAW UNDER ITS JURISDICTION WITHOUT THE SPECIFIC APPROVAL OF THE INCREASED OR NEW FEE, FINE, OR PENALTY BY THE GENERAL ASSEMBLY BY CONCURRENT RESOLUTION ON A RECORDED ROLL CALL VOTE; TO PROVIDE THAT GENERAL APPROVAL BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION OF A REGULATION OF A STATE AGENCY OR DEPARTMENT UNDER THE ADMINISTRATIVE PROCEDURES ACT WHEREIN A FEE, FINE, OR PENALTY INCREASE OR IMPOSITION IS CONTAINED DOES NOT CONSTITUTE APPROVAL UNDER THE REQUIREMENTS OF THIS SECTION, AND IF AN INCREASE OR IMPLEMENTATION IS CONTAINED IN THAT JOINT RESOLUTION, THE INCREASE OR IMPLEMENTATION IS NULL AND VOID; TO PROVIDE CERTAIN EXCEPTIONS; AND TO PROVIDE FOR THE DURATION OF THIS PROVISION.

Referred to Committee on Judiciary

H. 3476 -- Reps. Norman, Funderburk, Huggins, Bedingfield, Delleney, Felder, Hamilton, Hiott, Lucas, D. C. Moss, V. S. Moss, Simrill, G. M. Smith, G. R. Smith, J. E. Smith and Toole: A BILL TO AMEND SECTIONS 11-43-120, 11-43-130, 11-43-150, 11-43-160, 11-43-170, 11-43-180, 11-43-220, 11-43-510, 11-43-520, 11-43-540, 11-43-550, AND 11-43-560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CREATION, DUTIES, AND FUNCTIONS OF THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO PROVIDE THAT THE BANK IS ADMINISTERED BY THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION, TO ELIMINATE ITS BOARD OF DIRECTORS, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED PROJECT", TO PROVIDE THAT A PROJECT MAY NOT BE DESIGNATED AS AN ELIGIBLE PROJECT FOR PURPOSES OF BANK FUNDING IN ADVANCE OF THE CURRENT AVAILABILITY OF FUNDING FOR THE COMPLETION OF THAT SPECIFIC PROJECT, AND TO REVISE THE CRITERIA THAT MUST BE USED IN MAKING A DETERMINATION WHETHER AN ELIGIBLE PROJECT IS A QUALIFIED PROJECT.

Referred to Committee on Ways and Means

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3460 -- Reps. Ballentine, Govan, Huggins, Funderburk, Bowen, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Gagnon, Gambrell, George, Gilliard, Goldfinch, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, 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, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE SCHOOL IMPROVEMENT COUNCILS OF SOUTH CAROLINA FOR THIRTY-FIVE YEARS OF FOSTERING DIRECT CIVIC ENGAGEMENT IN PUBLIC EDUCATION.

**ADJOURNMENT**

At 11:21 a.m. the House, in accordance with the motion of Rep. CROSBY, adjourned in memory of Lois Biggs Heatley of Goose Creek, to meet at 10:00 a.m. tomorrow.

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