~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 26:11: “But for me I walk in my integrity; redeem me, and be gracious to me.”

Let us pray. Lord God, come to the aid of Your people. Help them to take tough stands for the good of all people and give them justice and trust as they continue their work. Bestow Your blessing and grace on our Nation, President, State, Governor, Speaker, staff, and those who continue to support them in their work. 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 Wednesday, March 13, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. COBB-HUNTER moved that when the House adjourns, it adjourn in memory of former Representative Thomas N. Rhoad of Bamberg County, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for President Obama's safety as he travels to Israel.

**COMMUNICATION**

The following was received:

March 18, 2013

The Honorable Charles F. Reid

Clerk of the House

P.O. Box 11867

Columbia, South Carolina 29211

Dear Mr. Reid:

The State Election Commission has certified to this office that Mike Burns received the greatest number of votes cast for the House of Representatives, for District 17, in the special election held March 12, 2013.

I have enclosed a copy of the results received from the State Election Commission as well as a copy of the oath of office for Mr. Mike Burns to sign. Once he has completed the oath, please have it returned to our office and we will send Mr. Burns his commission.

If you have any other questions or need additional information, please contact Tracy Sharpe at 734-2512.

Sincerely,

Mark Hammond

Secretary of State

South Carolina Election Commission

March 18, 2013

Honorable Mark Hammond

Secretary of State

P. O. Box 11350

Columbia, South Carolina 29221

Dear Mr. Secretary,

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies that Mike Burns is the winner of the South Carolina House of Representatives District 17 Special Election held in Greenville County on March 12, 2013.

The results are as follows:

Candidate Votes Percent

Mike Burns, Republican--Winner 805 98.2%

Write-in 15 1.8%

Sincerely,

Marci Andino

Executive Director

Received as information.

**MEMBER-ELECT SWORN IN**

James Mikell "Mike" Burns, Member-elect from District No. 17, presented his credentials and the oath of office was administered to him by the SPEAKER.

**COMMITTEE APPOINTMENT**

**OFFICE OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES**

March 19, 2013

The Honorable James Mikell "Mike" Burns

South Carolina House of Representatives

326-A Blatt Building

Columbia, South Carolina 29211

Dear Mike:

It is with pleasure that I appoint you to serve on the Medical, Military and Public and Municipal Affairs Committee, effective immediately. I know that you will serve on this committee with honor and distinction.

I appreciate your willingness to serve in this capacity. Please do not hesitate to contact me if I may be of assistance to you in any way.

Sincerely,

Robert W. Harrell, Jr.

Speaker of the House

Received as information.

**INVITATIONS**

On motion of Rep. BARFIELD, with unanimous consent, the following were taken up for immediate consideration and accepted:

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Realtors, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Tuesday, April 9, 2013, from 1:00 p.m. to 3:00 p.m. on the State House Grounds.

Sincerely,

Lindsey Davidson

South Carolina Realtors

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Home Builders Association of South Carolina, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, April 9, 2013, from 6:00 p.m. to 8:00 p.m. at the Columbia Marriott.

Sincerely,

Mark Nix, Executive Director

Home Builders Association of South Carolina

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Foundation for the South Carolina Governor's School for Science and Mathematics, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, April 9, 2013, from 7:00 p.m. to 9:00 p.m. at the Capital City Club.

Sincerely,

Kim Bowman, CEO

GSSM Foundation

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of AMI Kids, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, April 10, 2013, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Brittany Powell

AMI Kids

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Jasper County Chamber of Commerce, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, April 10, 2013, from 12:00 p.m. to 2:00 p.m. on the State House Grounds.

Sincerely,

Kendall Malphrus, Executive Director

Jasper County Chamber of Commerce

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the York County Regional Chamber of Commerce, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 10, 2013, from 6:00 p.m. to 8:00 p.m. at the Columbia Convention Center.

Sincerely,

Andrea Agness, Program Manager

York County Regional Chamber of Commerce

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of Clemson University and the Clemson University Foundation, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 10, 2013, from 7:00 p.m. to 9:00 p.m. at 701 Whaley.

Sincerely,

James F. Barker, President

Clemson University

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the City of Camden, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, April 11, 2013, from 8:00 a.m. to 10:00 a.m. in Room 112, of the Blatt Building.

Sincerely,

Ashley S. Hunter

McKay Public Affairs

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of The Citadel Alumni Association, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, April 16, 2013, from 6:00 p.m. to 8:00 p.m. at the State Fairgrounds (Americraft-Cantey Building).

Sincerely,

Sara Roth, Asst. Director

The Citadel Alumni Association

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Association of Probate Judges, the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, April 17, 2013, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Joshua L. Queen, Judge of the Probate Court

South Carolina Association of Probate Judges

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Chapter of the American Society of Landscape Architects, the Members of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Wednesday, April 17, 2013, from 12:00 p.m. to 2:00 p.m. in Room 112 of the Blatt Building.

Sincerely,

Duane F. Christopher, PLA

SC Chapter of the American Society of Landscape Architects

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Carolinas AGC, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 17, 2013, from 6:00 p.m. to 8:00 p.m. at the Palmetto Club.

Sincerely,

Cynthia Mills, President and CEO

Carolinas AGC

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of Conservation Voters of South Carolina, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 17, 2013, from 7:00 p.m. to 9:00 p.m. at the Seibels House.

Sincerely,

Debbie Parker, Program Director

Conservation Voters of South Carolina

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of State Farm Insurance Companies, the Members and staff of the House of Representatives are invited to a Legislative Luncheon. This event will be held on Tuesday, April 23, 2013, from 12:00 p.m. to 2:00 p.m. on the State House Grounds.

Sincerely,

Bruce White

State Farm Insurance Companies

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Association of Municipal Power Systems, the Members of the House of Representatives are invited to a Legislative Reception. This event will be held on Tuesday, April 23, 2013, from 6:00 p.m. to 8:00 p.m. at the Clarion Hotel Downtown.

Sincerely,

Eric Budds, Deputy Executive Director

Municipal Association of South Carolina

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of Delta Sigma Theta Sorority, Inc., the Members of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Wednesday, April 24, 2013, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Rosalyn Frierson, State Social Action Committee Chair

Delta Sigma Theta Sorority, Inc.

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Restaurant and Lodging Association (formerly the Hospitality Association of SC), the Members and staff of the House of Representatives are invited to a Legislative Luncheon to "Taste of South Carolina." This event will be held on Wednesday, April 24, 2013, from 12:00 p.m. to 2:00 p.m. on the State House Grounds.

Sincerely,

Douglas O’Flaherty, Director of Operations

South Carolina Restaurant and Lodging Association

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of The Inn at USC Wyndham Garden, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 24, 2013, from 6:00 p.m. to 8:00 p.m. at the Inn at USC Wyndham Garden, 1619 Pendleton St.

Sincerely,

Ashley Foster, Director of Events

The Inn at USC Wyndham Garden

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the Affordable Housing Coalition of South Carolina, the Members and staff of the House of Representatives are invited to a Legislative Reception. This event will be held on Wednesday, April 24, 2013, from 7:00 p.m. to 9:00 p.m. at the Columbia Convention Center.

Sincerely,

Alisa Mosley, Executive Director

Affordable Housing SC

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of the South Carolina Association of Convenience Stores, the Members and staff of the House of Representatives are invited to a Legislative Breakfast. This event will be held on Thursday, April 25, 2013, from 8:00 a.m. to 10:00 a.m. in Room 112 of the Blatt Building.

Sincerely,

Hannah Griffin, SCACS Account Executive

South Carolina Association of Convenience Stores

March 18, 2013

The Honorable Liston D. Barfield

House Invitations Committee

503 to A Blatt Building

Columbia, South Carolina 29201

Dear Chairman Barfield:

On behalf of BlueCross BlueShield, the Members and staff of the House of Representatives are invited to the Legislative Softball Game and Picnic. This event will be held on Tuesday, April 30, 2013, from 6:00 p.m. to 8:00 p.m. at Capital City Stadium.

Sincerely,

James A. D'Alessio, Vice President of Governmental Affairs

BlueCross BlueShield

**REGULATION RECEIVED**

The following was received and referred to the appropriate committee for consideration:

Document No. 4329

Agency: Department of Agriculture

Statutory Authority: 1976 Code Section 39-25-180

Cheese & Butter

Received by Speaker of the House of Representatives

March 14, 2013

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration February 18, 2014

**REGULATION WITHDRAWN**

Document No. 4264

Agency: Auctioneers' Commission

Statutory Authority: 1976 Code Sections 40-1-70 and 40-6-60

Duplicate Wall or Pocket Card License; Fees

Received by Speaker of the House of Representatives January 17, 2013

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration: Permanently Withdrawn

**REGULATIONS WITHDRAWN AND RESUBMITTED**

Document No. 4309

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-5-60, 59-40-10 et seq., and Public Law 111-117, December 16, 2001, Consolidated Appropriations Act, 2010

Procedures and Standards for Review of Charter School Applications

Received by Speaker of the House of Representatives January 8, 2013

Referred to Education and Public Works Committee

Legislative Review Expiration May 8, 2013

Revised: May 17, 2013

Document No. 4308

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-5-60 and 59-29-170

Gifted and Talented

Received by Speaker of the House of Representatives January 15, 2013

Referred to Education and Public Works Committee

Legislative Review Expiration May 15, 2013

Revised: May 24, 2013

Document No. 4294

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-5-60, 59-18-110, 59-29-10 et seq., 59-29-200, 59-33-30, 59-53-1810, 20 U.S.C. 1232(g), and 20 U.S.C. 6301 et seq.

Defined Program, Grades 9-12

Received by Speaker of the House of Representatives January 8, 2013

Referred to Education and Public Works Committee

Legislative Review Expiration May 8, 2013

Revised: May 17, 2013

Document No. 4285

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-19-90, 59-63-30, 59-63-420, 59-63-470, 59-63-480, 59-63-490, 59-63-500, 59-63-510, 59-63-520, 59-63-530, 59-65-30, 59-65-90, and 20 U.S.C. 7165

Transfers and Withdrawals

Received by Speaker of the House of Representatives January 8, 2013

Referred to Education and Public Works Committee

Legislative Review Expiration May 8, 2013

Revised: May 17, 2013

Document No. 4261

Agency: State Board of Education

Statutory Authority: 1976 Code Sections 59-5-60, 59-29-100, and 20 U.S.C. 6301 et seq

Graduation Requirements

Received by Speaker of the House of Representatives January 8, 2013

Referred to Education and Public Works Committee

Legislative Review Expiration May 8, 2013

Revised: May 17, 2013

**HOUSE RESOLUTION**

The following was introduced:

H. 3819 -- Reps. Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, M. Burns, 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, 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 COMMEND HARTSVILLE HIGH SCHOOL ATHLETICS DIRECTOR PHYLLIS CAROL GRIGGS FOR OVER THIRTY YEARS OF OUTSTANDING LEADERSHIP TO THE ATHLETICS PROGRAM AT HARTSVILLE HIGH SCHOOL AND TO CONGRATULATE HER UPON BEING SELECTED AS ATHLETICS DIRECTOR OF THE YEAR BY THE SOUTH CAROLINA ATHLETIC ADMINISTRATORS ASSOCIATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3820 -- Reps. Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, M. Burns, 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, 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 HARTSVILLE HIGH SCHOOL HEAD FOOTBALL COACH JEFFREY THOMAS CALABRESE FOR AN OUTSTANDING SEASON AND TO CONGRATULATE HIM UPON BEING NAMED 2012-2013 COACH OF THE YEAR BY THE SOUTH CAROLINA ATHLETIC COACHES ASSOCIATION.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3821 -- Reps. Bingham, Atwater, Ballentine, Huggins, Kennedy, Ott, Quinn, Spires and Toole: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF LIANE SKINNER HARMAN OF RICHLAND COUNTY, AND TO EXTEND THEIR SINCEREST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3825 -- Reps. Murphy, Harrell, Horne, Jefferson, Knight, Mack and Whipper: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SUMMERVILLE HIGH SCHOOL HEAD BASEBALL COACH BURT BAZZLE AND TO CONGRATULATE HIM FOR REACHING THE FIVE HUNDREDTH WIN OF HIS COACHING CAREER.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3826 -- Reps. Spires, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, M. Burns, 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, 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, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO CONGRATULATE FORMER CLEMSON UNIVERSITY CENTER DALTON FREEMAN OF PELION ON HIS SELECTION AS A MEMBER OF THE CAPITAL ONE ACADEMIC ALL-AMERICA TEAM.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 522 -- Senators Campbell and Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE THE SIGNIFICANT CONTRIBUTIONS AND ACCOMPLISHMENTS OF THE ALCOA MT. HOLLY PLANT IN GOOSE CREEK, SOUTH CAROLINA, UPON THEIR ONE HUNDRED TWENTY-FIFTH ANNIVERSARY AND TO DECLARE MARCH 20, 2013, AS "ALCOA APPRECIATION DAY" IN SOUTH CAROLINA.

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

**INTRODUCTION OF BILLS**

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

H. 3822 -- Reps. Pitts, Loftis and Funderburk: A BILL TO AMEND SECTION 23-31-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF CONCEALABLE WEAPONS PERMITS, SO AS DELETE THE DEFINITIONS OF "RESIDENT", "QUALIFIED NONRESIDENT", "PROOF OF RESIDENCE", AND "PROOF OF OWNERSHIP OF REAL PROPERTY" AND REVISE THE DEFINITIONS OF "PICTURE IDENTIFICATION", "PROOF OF TRAINING", AND "CONCEALABLE WEAPON"; TO AMEND SECTION 23-31-215, AS AMENDED, RELATING TO THE ISSUANCE OF A CONCEALABLE WEAPONS PERMIT, SO AS TO REVISE THE REQUIREMENTS THAT MUST BE MET IN ORDER TO RECEIVE A CONCEALABLE WEAPONS PERMIT, INCREASE THE APPLICATION FEE FOR A PERMIT FOR RESIDENTS OF THE STATE TO ONE HUNDRED DOLLARS AND CREATE A NONRESIDENT APPLICATION FEE OF ONE HUNDRED FIFTY DOLLARS, ALLOW PERMIT APPLICATIONS TO BE SUBMITTED ONLINE WITH SLED, AND TO REVISE THE LIST OF PLACES WHERE A PERSON MAY NOT CARRY A CONCEALABLE WEAPON AND PROVIDE THAT A PERSON MAY NOT CARRY A CONCEALABLE WEAPON INTO A PLACE CLEARLY MARKED WITH A SIGN PROHIBITING THE CARRYING OF A CONCEALABLE WEAPON, PROVIDE THAT A PERMIT IS VALID FOR FIVE YEARS, AND TO REQUIRE SLED TO SEND A RENEWAL NOTICE AT LEAST THIRTY DAYS BEFORE A PERMIT EXPIRES; AND TO REPEAL SECTION 23-31-240 RELATING TO PERSONS ALLOWED TO CARRY A CONCEALABLE WEAPON WHILE ON DUTY.

Referred to Committee on Judiciary

H. 3823 -- Reps. Thayer and Clemmons: A BILL TO AMEND SECTION 44-53-190, AS AMENDED, SECTIONS 44-53-210, 44-53-230, 44-53-250, AND 44-53-270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, RESPECTIVELY, TO DRUGS DESIGNATED AS SCHEDULE I, II, III, IV, AND V CONTROLLED SUBSTANCES AND SECTION 44-53-1510, RELATING TO DRUGS DESIGNATED AS ANABOLIC STEROIDS, ALL SO AS TO ALPHABETIZE THESE LISTINGS AND TO ADD DRUGS TO THESE DESIGNATIONS TO CONFORM TO FEDERAL DRUG DESIGNATIONS AND DESIGNATIONS OF ADJACENT STATES IN ORDER TO ENHANCE AND IMPROVE ILLICIT DRUG ENFORCEMENT.

Referred to Committee on Judiciary

H. 3824 -- Rep. Sandifer: A BILL TO AMEND SECTION 37-5-104, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GARNISHMENT, SO AS TO ALLOW GARNISHMENT FOR A DEBT ARISING FROM A CONSUMER CREDIT SALE, CONSUMER LEASE, CONSUMER LOAN, OR CONSUMER RENTAL-PURCHASE AGREEMENT AND PROVIDE THAT THE GARNISHMENT ACTION MUST BE BROUGHT IN MAGISTRATES COURT; BY ADDING SECTIONS 15-19-120, 15-19-130, 15-19-140, AND 15-19-150 ALL SO AS TO DEFINE NECESSARY TERMS, PROVIDE A PROCEDURE FOR THE GARNISHMENT OF WAGES UNDER CERTAIN CIRCUMSTANCES, AND PROVIDE THAT GARNISHMENT IS SUBJECT TO SPECIFIC DELINEATED LIMITATIONS.

Referred to Committee on Labor, Commerce and Industry

H. 3827 -- Rep. Pitts: A BILL TO AMEND SECTION 44-1-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUESTS FOR FINAL REVIEW OF A DECISION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS BEFORE REQUESTING A CONTESTED CASE HEARING BEFORE THE ADMINISTRATIVE LAW COURT, SO AS TO DELETE PROVISIONS ESTABLISHING INITIAL DECISIONS INVOLVING ACTIONS OF THE DEPARTMENT AS STAFF DECISIONS WHICH BECOME DEPARTMENT DECISIONS AND ULTIMATELY FINAL AGENCY DECISIONS IF NOT APPEALED TO THE BOARD AND TO INSTEAD PROVIDE THAT INITIAL STAFF DECISIONS ARE DEPARTMENT DECISIONS AND FINAL AGENCY DECISIONS IF NOT APPEALED AND THAT SUCH APPEALS MUST BE MADE TO THE ADMINISTRATIVE LAW COURT.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3828 -- Rep. Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-5-15 SO AS TO PROVIDE NECESSARY DEFINITIONS CONCERNING THE REGULATION OF ATTORNEYS AT LAW; TO AMEND SECTION 40-5-10, RELATING TO THE INHERENT POWER OF THE SUPREME COURT OVER ADMISSIONS TO THE PRACTICE OF LAW AND THE PRACTICE OF LAW ITSELF, SO AS TO PROVIDE THESE POWERS ARE SUBJECT TO STATUTORY LAW AS PROVIDED BY THE CONSTITUTION OF THIS STATE; TO AMEND SECTION 40-5-20, RELATING TO THE AUTHORITY OF THE SUPREME COURT TO PROMULGATE CERTAIN RULES AND REGULATIONS CONCERNING THE PRACTICE OF LAW AND THE ESTABLISHMENT OF THE SOUTH CAROLINA STATE BAR, SO AS TO MAKE MEMBERSHIP IN THE BAR OPTIONAL AND TO PROVIDE THE COURT MAY PRESCRIBE THE PROCEDURE FOR LICENSURE AS AN ATTORNEY RATHER THAN ADMISSION TO THE BAR, AND DELETE AN OBSOLETE REFERENCE; AND TO AMEND SECTIONS 40-5-40, 40-5-210, 40-5-220, 40-5-230, AND 40-5-310, ALL RELATING TO THE REGULATION OF ATTORNEYS AT LAW, SO AS TO MAKE CONFORMING CHANGES.

Referred to Committee on Judiciary

S. 75 -- Senator Cromer: A BILL TO AMEND SECTION 40-57-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWALS FOR REAL ESTATE BROKERS AND SALESMEN, SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FROM A SOURCE APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND BY ADDING SECTION 40-57-245 SO AS TO REQUIRE THAT THE DEPARTMENT ASSIGN ONE INVESTIGATOR FOR EVERY TWO THOUSAND FIVE HUNDRED LICENSEES TO ENSURE COMPLAINTS ARE PROCESSED AND CONSIDERED IN AN EXPEDITIOUS MANNER.

Referred to Committee on Labor, Commerce and Industry

S. 214 -- Senators Fair and Ford: A BILL TO AMEND SECTION 40-30-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE MASSAGE/BODYWORK PRACTICE ACT, SO AS TO DELETE THE DEFINITION OF THE DISCIPLINARY PANEL; TO AMEND SECTION 40-30-40, RELATING TO THE ADVISORY PANEL FOR MASSAGE/BODYWORK THERAPY UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, SO AS TO REDESIGNATE THE ADVISORY PANEL TO BE KNOWN AS THE PANEL, TO DELETE CERTAIN QUALIFICATIONS FOR PANEL MEMBERS, TO REDUCE THE TERM OF A PANEL MEMBER TO TWO YEARS, AND TO PROVIDE COMPENSATION FOR MEMBERS; TO AMEND SECTION 40-30-50, RELATING TO DUTIES OF THE PANEL, SO AS TO PROVIDE ADDITIONAL DUTIES AND POWERS; TO AMEND SECTIONS 40-30-220, RELATING TO EQUITABLE REMEDIES AVAILABLE TO THE PANEL, 40-30-230, RELATING TO GROUNDS OF MISCONDUCT, 40-30-240, RELATING TO INVESTIGATIONS OF MISCONDUCT RELATED TO SUBSTANCE ABUSE, 40-30-250, RELATING TO DISCIPLINARY ACTIONS, 40-30-260, RELATING TO VOLUNTARY SURRENDER OF A LICENSE, 40-30-270, RELATING TO APPEALS FROM DISCIPLINARY PANEL DECISIONS, 40-30-300, RELATING TO SERVICE OF PROCESS ON NONRESIDENTS, AND 40-30-310, RELATING TO CIVIL PENALTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40-30-60, RELATING TO USE OF EMPLOYEES OF THE DEPARTMENT AND PROMULGATION OF REGULATIONS BY THE BOARD, SO AS TO REMOVE OBSOLETE REFERENCES; TO AMEND SECTION 40-30-90, RELATING TO REPORTING REQUIREMENTS, SO AS TO REMOVE AN OBSOLETE REFERENCE; AND TO AMEND SECTION 40-30-110, RELATING TO QUALIFICATIONS FOR LICENSURE, SO AS TO REQUIRE CLASSROOM STUDY INSTEAD OF SUPERVISED STUDY, AND TO SPECIFY PROFESSIONAL EXAMINATIONS CONSIDERED ACCEPTABLE FOR LICENSURE; AND TO REPEAL SECTION 40-30-65, RELATING TO THE CREATION AND STRUCTURE OF THE DISCIPLINARY PANEL, SECTION 40-30-70, RELATING TO DUTIES OF THE DISCIPLINARY PANEL, AND SECTION 40-30-210, RELATING TO PROCEDURES BEFORE THE DISCIPLINARY PANEL.

Referred to Committee on Medical, Military, Public and Municipal Affairs

S. 262 -- Senators Leatherman, Setzler and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 44 TO TITLE 11 SO AS TO ENACT THE "HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013" BY PROVIDING FOR STATE NONREFUNDABLE INCOME TAX CREDITS FOR QUALIFIED INVESTMENTS IN BUSINESSES MEETING CERTAIN CRITERIA AND PRIMARILY ENGAGED IN MANUFACTURING, PROCESSING, WAREHOUSING, WHOLESALING, SOFTWARE DEVELOPMENT, INFORMATION TECHNOLOGY SERVICES, RESEARCH AND DEVELOPMENT, OR OTHER NONPROHIBITED SERVICES, TO ESTABLISH THE CRITERIA AND PROCEDURES FOR THE CREDIT, AND TO MAKE THE CREDIT TRANSFERABLE.

Referred to Committee on Ways and Means

S. 310 -- Senators Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-29-95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40-29-225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40-29-325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40-29-500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40-29-80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40-29-200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE-PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40-29-230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

Referred to Committee on Labor, Commerce and Industry

S. 382 -- Senators Grooms, Alexander, L. Martin, Campbell, Davis, McGill, Nicholson, O'Dell, Reese, Shealy, Johnson, Verdin, Williams, Cleary, Allen, Rankin, Setzler, Lourie, Scott, Ford, Turner, Bennett, Corbin, Bright, Hutto, Jackson, Sheheen, Pinckney, Cromer, Hembree, Matthews, McElveen, Young, Hayes and Malloy: A BILL TO AMEND SECTION 56-15-10, RELATING TO DEFINITIONS FOR REGULATING MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO DEFINE THE TERMS "DUE CAUSE" AND "MATERIAL BREACH"; TO AMEND SECTION 56-15-40, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO PROVIDE THAT A MANUFACTURER, DISTRIBUTOR, WHOLESALER, DISTRIBUTOR BRANCH OR DIVISION, FACTORY BRANCH OR DIVISION, WHOLESALE BRANCH OR DIVISION, OR FINANCIAL ARM, OFFICER, AGENT, OR OTHER REPRESENTATIVE THEREOF, MAY NOT REQUIRE OR COERCE A MOTOR VEHICLE DEALER TO OFFER TO SELL OR SELL ANY EXTENDED SERVICE CONTRACT, EXTENDED MAINTENANCE PLAN, FINANCIAL PRODUCT, OR INSURANCE PRODUCT OFFERED, SOLD, OR SPONSORED BY THE MANUFACTURER OR TO SELL, ASSIGN, OR TRANSFER ANY RETAIL INSTALLMENT SALES CONTRACT OR LEASE OBTAINED BY THE MOTOR VEHICLE DEALER IN CONNECTION WITH THE SALE OR LEASE OF A NEW MOTOR VEHICLE MANUFACTURED BY THE MANUFACTURER TO A SPECIFIED FINANCE COMPANY, CLASS OF FINANCE COMPANIES, LEASING COMPANY, CLASS OF LEASING COMPANIES, OR TO ANY OTHER SPECIFIED PERSON; TO AMEND CHAPTER 15, TITLE 56, BY ADDING SECTION 56-15-47, TO PROVIDE THAT A MANUFACTURER MAY NOT PREVENT A MOTOR VEHICLE DEALER FROM DESIGNATING A SUCCESSOR TO THE DEALERSHIP IN THE EVENT OF DEATH OR INCAPACITY OF THE MOTOR VEHICLE DEALER; TO AMEND SECTION 56-15-60, RELATING TO MOTOR VEHICLE DEALER'S CLAIMS FOR COMPENSATION, TO PROVIDE THAT ALL WARRANTY CLAIMS, SERVICE CLAIMS, OR INCENTIVE CLAIMS NOT SPECIFICALLY DISAPPROVED IN WRITING WITHIN THIRTY DAYS OF RECEIPT SHALL BE CONSTRUED AS APPROVED AND PAYMENT MUST FOLLOW WITHIN THIRTY DAYS, AND A MANUFACTURER SHALL NOT UNREASONABLY DISAPPROVE A CLAIM THAT RESULTS IN A CLERICAL OR ADMINISTRATIVE ERROR AND THAT CLAIM DISAPPROVAL MUST BE BASED ON A MATERIAL DEFECT; TO AMEND CHAPTER 15, TITLE 56 BY ADDING SECTION 56-15-95, TO PROVIDE THAT A MANUFACTURER MAY NOT TERMINATE OR CANCEL A FRANCHISE OR SELLING AGREEMENT OF A MOTOR VEHICLE DEALER WITHOUT DUE CAUSE, AND TO DETERMINE WHETHER DUE CAUSE EXISTS, THE COURT SHALL TAKE INTO CONSIDERATION CERTAIN FACTORS PROVIDED IN THE SECTION; BY ADDING SECTION 56-15-96, TO PROVIDE THAT A PERFORMANCE STANDARD, SALES EFFECTIVENESS STANDARD, SALES OBJECTIVE, OR PROGRAM FOR MEASURING DEALERSHIP PERFORMANCE THAT MAY HAVE A MATERIAL EFFECT ON A MOTOR VEHICLE DEALER SHALL BE FAIR, REASONABLE, EQUITABLE, BASED ON ACCURATE INFORMATION, AND UNIFORMLY APPLIED TO OTHER SIMILARLY SITUATED MOTOR VEHICLE DEALERS; AND BY ADDING SECTION 56-15-98, TO PROVIDE A MANUFACTURER OR DISTRIBUTOR, OFFICER, AGENT, OR ANY REPRESENTATIVE OF A MANUFACTURER OR DISTRIBUTOR MAY NOT UNREASONABLY ALTER A NEW MOTOR VEHICLE DEALER'S AREA OF RESPONSIBILITY, AND TO PROVIDE A PROCEDURE TO ALTER A NEW MOTOR VEHICLE DEALER'S AREA OF RESPONSIBILITY.

Referred to Committee on Judiciary

S. 476 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF FUNERAL SERVICE, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4268, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Labor, Commerce and Industry

S. 501 -- Senator Young: A JOINT RESOLUTION TO AUTHORIZE THE CITY OF NORTH AUGUSTA TO RELOCATE THE WORLD WAR I AND WORLD WAR II MEMORIAL MONUMENT IN CALHOUN PARK TO THE VETERANS MEMORIAL AT WADE HAMPTON VETERANS PARK.

On motion of Rep. HIXON, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Howard | Huggins |
| Jefferson | Kennedy | King |
| Loftis | Long | Lowe |
| Lucas | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Ott | Owens | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**STATEMENT OF ATTENDANCE**

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

|  |  |
| --- | --- |
| Bruce W. Bannister | Grady Brown |
| Lonnie Hosey | Peter McCoy, Jr. |
| Anne Parks | Harold Mitchell |
| Jerry Govan | Patsy Knight |
| David Mack  Tracy Edge | Joseph Neal |

**Total Present--118**

**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. BALLENTINE a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BRANNON a leave of absence for the day due to illness.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. John Evans of Greenville was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3145 |
| Date: | ADD: |
| 03/19/13 | WHIPPER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3554 |
| Date: | ADD: |
| 03/19/13 | MERRILL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3772 |
| Date: | ADD: |
| 03/19/13 | RIVERS and HIXON |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3818 |
| Date: | ADD: |
| 03/19/13 | ERICKSON, SIMRILL, G. M. SMITH, GAMBRELL and BANNISTER |

**CO-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3416 |
| Date: | REMOVE: |
| 03/19/13 | COLE and TALLON |

**COMMUNICATION**

The following was received:

March 18, 2013

The Honorable Charles F. Reid

Clerk of the House

P.O. Box 11867

Columbia, South Carolina 29211

Dear Mr. Reid:

Please accept this letter requesting that my name be removed as a sponsor of H. 3052. This request is made because my name was inadvertently placed upon the bill due to human error.

I was approached, prior to the legislative session, concerning this legislation, and at that time I stated that I would not sponsor it. Unfortunately, due to an scrivener's error in the process, my name was mistakenly placed upon the bill as a sponsor.

I ask that you please remove my name from the bill at the earliest time possible.

Sincerely,

Chip Limehouse

Received as information.

**H. 3229--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3229 -- Reps. Daning and Crosby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-5-170 SO AS TO CREATE THE DIVISION OF INTERSCHOLASTIC ATHLETICS TO SERVE AS THE SOLE GOVERNING BODY OF ATHLETICS FOR SOUTH CAROLINA PUBLIC SCHOOLS, TO PROVIDE FOR A DIRECTOR OF THE DIVISION APPOINTED BY THE SUPERINTENDENT OF EDUCATION, TO PROVIDE MATTERS ABOUT WHICH THE DIVISION SHALL PROMULGATE REGULATIONS AND FOR WHICH THE DIVISION MAY ISSUE EMERGENCY REGULATIONS, TO PROVIDE FOR THE CREATION OF AN ADVISORY COMMITTEE TO ASSIST THE DIVISION IN EVALUATING THE OVERALL INTERSCHOLASTIC ATHLETIC PROGRAM AND RELATED RECOMMENDATIONS, TO PROVIDE FOR THE COMPOSITION OF THE COMMITTEE, AND TO PROVIDE MEMBERS OF THE COMMITTEE SERVE AT THE PLEASURE OF THE SUPERINTENDENT OF EDUCATION AND MAY NOT RECEIVE COMPENSATION; AND TO AMEND SECTION 59-39-160, RELATING TO REQUIREMENTS FOR PARTICIPATION IN INTERSCHOLASTIC ACTIVITIES, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3229 (COUNCIL\AGM\3229C003. AGM.AB13):

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

/ SECTION 1. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59‑5‑170. (A) The Office of Interscholastic Athletics is established within the State Department of Education. The office is the sole governing body of athletics for South Carolina public schools.

(B) The Superintendent of Education shall appoint a director to serve as the administrative head of the office. The director must employ staff as necessary to carry out the duties and responsibilities assigned by the office. The director must have prior experience as either a coach or an athletics director at the high school level.

(C)(1) The State Board of Education must promulgate regulations concerning:

(a) administration of the office;

(b) enforcement of applicable rules, regulations, and statutory provisions;

(c) procedures for reaching decisions on all questions and appeals arising from those decisions;

(d) student eligibility requirements for participation in interscholastic athletics;

(e) administration of related athletic activities of schools subject to the jurisdiction of the office;

(f) official rules for interscholastic athletic contests;

(g) contests with schools not subject to the jurisdiction of the office;

(h) outside competition, camps, clinics, drug and alcohol use, unsportsmanlike conduct, and other matters that affect interscholastic athletics;

(i) organization and conduct of statewide interscholastic competitions, regardless of whether the competition can lead to a state championship, and to establish the terms and conditions for these competitions;

(j) the collection of dues and revenues in a manner similar to the South Carolina High School League;

(k) awards; and

(l) other matters the director considers appropriate to enhance interscholastic athletics in this State.

(2) When establishing regulations, the State Board of Education shall ensure a range of sanctions that may be applied to a student, coach, team, program, or school depending upon the seriousness, frequency, and other factors the office considers relevant to a violation of office rules.

(3) The State Board of Education shall promulgate emergency regulations to ensure the continuance of athletic contests pending approval by the General Assembly of regulations promulgated under subsection (A).

(D)(1) A public school that engages in interscholastic athletics or a private school wishing to compete with a public school in interscholastic athletic events:

(a) must submit to and comply with the provisions of this section; and

(b) may not contract with, join, or otherwise associate with the South Carolina High School League.

(2) A private or charter institution that is a member of the office must be afforded all rights and privileges that are granted to other teams in the league. The office shall not expel or deny membership to a private or charter institution based solely on the status of the institution as a private or charter school. A private or charter institution that applies to join the office may not be denied admission based solely on the status of the institution as a private or charter school.

(E)(1) The office shall establish an advisory committee to assist the evaluation by the office of the overall interscholastic athletic program and to make recommendations to the office concerning matters that would enhance interscholastic athletic competition throughout the State. The advisory committee may make recommendations concerning issues of safety, competitiveness, eligibility, academic requirements, participation and practice limitations, residence and attendance areas, transfers, recruiting, and other issues as requested by the office.

(2) The committee must consist of thirteen members appointed by the Superintendent and consisting of:

(a) two citizens not employed by a school;

(b) one public school coach recommended by the South Carolina High School Coaches Association;

(c) one public school coach recommended by the South Carolina Association of Women’s Sports;

(d) one public school basketball coach recommended by the South Carolina Basketball Coaches Association;

(e) one public school football coach recommended by the South Carolina Football Coaches Association;

(f) one public school baseball coach recommended by the South Carolina Baseball Coaches Association;

(g) one public school cheer coach recommended by the South Carolina Cheer Coaches Association;

(h) one public school track and cross country coach recommended by the South Carolina Track and Cross Country Coaches Association;

(i) one public school athletic trainer recommended by the South Carolina Athletic Trainers Association;

(j) one public school athletics director recommended by the South Carolina Association of Athletics Directors;

(k) one public school principal recommended by the South Carolina Association for School Administrators; and

(l) one member recommended by the South Carolina Independent Schools Association.

(3) The members of the committee shall serve without compensation, per diem, or travel expenses.

(4) Each member of the committee serves at the pleasure of the Superintendent of Education.

(5) A person may not serve concurrently as a member of the advisory committee and the committee on appeals. A person who has served on the advisory committee may not serve on the committee on appeals during the five year period immediately following his tenure on the advisory committee, and a person who has served on the committee on appeals may not serve on the advisory committee for a period of five years immediately following his tenure on the committee on appeals.

(F)(1) The office shall establish a procedure to ensure each student, school, or coach may appeal an adverse ruling of the office on an alleged violation of this chapter and be afforded due process during the pendency and determination of this appeal.

(2) The procedure required in item (1) must require:

(a) the creation of a thirteen‑member committee on appeals to be constituted as follows;

(i) seven members of the general public with one appointed from each congressional district appointed by the State Superintendent of Education and one of whom the Superintendent shall designate as chair of the committee;

(ii) three people currently employed as athletics coaches or athletics directors in a public high school in this State with one appointed by the Governor, one by the Speaker of the House of Representatives, and one by the President *Pro Tempore* of the Senate who shall serve at the pleasure of the appointing officials;

(iii) one member who is a public high school principal appointed by the State Superintendent of Education;

(iv) one member who is a private school principal or headmaster appointed by the State Superintendent of Education; and

(v) one member of the business community appointed by the South Carolina Chamber of Commerce;

(b) the members of the committee shall receive per diem and mileage to be paid for from dues collected by the office;

(c) each member of the committee who is appointed by the Superintendent serves at the pleasure of the Superintendent of Education;

(d) an appeal of a decision made by the director must be made to the committee on appeals within ninety days after the ruling being appealed is issued;

(e) the committee on appeals must hear the appeal and render a written decision on the matter; and

(f) the decision of the committee on appeals must constitute the final action of the agency on the matter, and this action may be subsequently appealed pursuant to the Administrative Procedures Act. The Administrative Law Court must reviewed an appeal brought under this section on an expedited basis.

(3) The office shall develop an emergency appeals procedure to use if the normal appeals process would affect the participation of a student, team, program, or school in an athletic event.”

SECTION 2. Section 59‑39‑160 of the 1976 Code is amended to read:

“Section 59‑39‑160. (A) To participate in interscholastic activities, students in grades nine through twelve must achieve an overall passing average and either:

(1) pass at least four academic courses, including each unit the student takes that is required for graduation; or

(2) pass a total of five academic courses. Students must satisfy these conditions in the semester preceding participation in the interscholastic activity, if the interscholastic activity occurs completely within one semester or in the semester preceding the first semester of participation in an interscholastic activity if the interscholastic activity occurs over two consecutive semesters and is under the jurisdiction of the ~~South Carolina High School League~~ Office of Interscholastic Athletics.

(B) Academic courses are those courses of instruction for which credit toward high school graduation is given. These may be required or approved electives. ~~All activities currently under the jurisdiction of the South Carolina High School League remain in effect.~~ The monitoring of all other interscholastic activities is the responsibility of the local boards of trustees. Those students diagnosed as handicapped in accordance with the criteria established by the State Board of Education and satisfying the requirements of their Individual Education Plan (IEP) as required by Public Law 94‑142 are permitted to participate in interscholastic activities. A local school board of trustees may impose more stringent standards than those contained in this section for participation in interscholastic activities by students in grades nine through twelve.

(C) The State Board of Education may ~~grant a waiver of~~ waive the requirements of this section~~. This waiver may be granted only~~ when it receives a written statement from a school district superintendent and athletic director ~~has been received~~ stating that a student’s ineligibility to participate in interscholastic activities is due to misinformation concerning eligibility requirements being provided by district personnel. The State Board of Education shall establish guidelines to administer this section.”

SECTION 3. This act takes effect July 1, 2013. /

Renumber sections to conform.

Amend title to conform.

Rep. OWENS explained the amendment.

Rep. OWENS moved to adjourn debate on the amendment, which was agreed to.

Reps. HAYES, ANTHONY, OWENS and HARRELL proposed the following Amendment No. 2 to H. 3229 (COUNCIL\AGM\ 3229C009.AGM.AB13), which was adopted:

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

/ SECTION 1. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59‑5‑170. A public school may not join or affiliate with any interscholastic athletic association, body, or entity unless the constitution, rules, or policies of the association, body, or entity contain the following:

(1) A range of sanctions that may be applied to a student, coach, team, or program and that take into account factors such as the seriousness, frequency, and other relevant factors when there is a violation of the constitution, bylaws, rules, or other governing provisions of the association, body, or entity.

(2) Guarantees that individuals and private or charter institutions are afforded the same rights and privileges that are enjoyed by all other members of the association, body, or entity. Individuals and private or charter institutions may not be expelled or denied membership in the association, body, or entity or restricted in their ability to participate in interscholastic athletics including, but not limited to, state playoffs or championships based solely on their status as a home‑schooled individual, private school, or charter school.

(3)(a) An appeals process in which appeals of the association, body, or entity are made to a disinterested third‑body appellate panel. The appellate body must consist of seven members, with one person appointed by the delegation of each congressional district. Members must serve four‑year terms.

(b) A member of the panel serves until his successor is appointed and qualifies. A vacancy on the panel must be filled in the manner of the original appointment.

(c) Members of the appellate panel may not concurrently serve as officers of the association, body, or entity and may not have served as a member of the executive committee within the last three years. Parents, principals, and coaches must be able to appeal a ruling of the association, body, or entity to the panel. The appellate panel must provide the final ruling in any appeal brought against a decision of the association, body, or entity.

(4) A procedure in place for emergency appeals to be held and decided upon in an expedited manner if the normal appellate process would prohibit the participation of a student, team, program, or school in an athletic event, to include practices.

(5) Provisions, implemented within one year after the effective date of this section, that require the composition of the executive committee of the association, body, or entity be geographically representative of this State.

Section 59‑5‑180. In the event an association, body, or entity fails to include one of the items listed in Section 59‑5‑170, public schools must end their affiliation with the association, body, or entity prior to the beginning of the upcoming school year and are prohibited from paying dues or fees to the association, body, or entity.”

SECTION 2. This act takes effect July 1, 2013. /

Renumber sections to conform.

Amend title to conform.

Rep. ANTHONY explained the amendment.

The amendment was then adopted.

Rep. CROSBY proposed the following Amendment No. 3 to H. 3229 (COUNCIL\AGM\3229C008.AGM.AB13), which was tabled:

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

/ SECTION 1. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59‑5‑170. (A) The Office of Interscholastic Athletics is established within the State Department of Education. The office is the sole governing body of athletics for South Carolina public schools.

(B) The Superintendent of Education shall appoint a director to serve as the administrative head of the office. The director must employ staff as necessary to carry out the duties and responsibilities assigned by the office. The director must have prior experience as either a coach or an athletics director at the high school level.

(C)(1) The State Board of Education must promulgate regulations concerning:

(a) administration of the office;

(b) enforcement of applicable rules, regulations, and statutory provisions;

(c) procedures for reaching decisions on all questions and appeals arising from those decisions;

(d) student eligibility requirements for participation in interscholastic athletics;

(e) administration of related athletic activities of schools subject to the jurisdiction of the office;

(f) official rules for interscholastic athletic contests;

(g) contests with schools not subject to the jurisdiction of the office;

(h) outside competition, camps, clinics, drug and alcohol use, unsportsmanlike conduct, and other matters that affect interscholastic athletics;

(i) organization and conduct of statewide interscholastic competitions, regardless of whether the competition can lead to a state championship, and to establish the terms and conditions for these competitions;

(j) the collection of dues and revenues in a manner similar to the South Carolina High School League;

(k) awards; and

(l) other matters the director considers appropriate to enhance interscholastic athletics in this State.

(2) When establishing regulations, the State Board of Education shall ensure a range of sanctions that may be applied to a student, coach, team, program, or school depending upon the seriousness, frequency, and other factors the office considers relevant to a violation of office rules.

(3) The State Board of Education shall promulgate emergency regulations to ensure the continuance of athletic contests pending approval by the General Assembly of regulations promulgated under subsection (A).

(D)(1) A public school that engages in interscholastic athletics or a private school wishing to compete with a public school in interscholastic athletic events:

(a) must submit to and comply with the provisions of this section; and

(b) may not contract with, join, or otherwise associate with the South Carolina High School League.

(2) A private or charter institution that is a member of the office must be afforded all rights and privileges that are granted to other teams in the league. The office shall not expel or deny membership to a private or charter institution based solely on the status of the institution as a private or charter school. A private or charter institution that applies to join the office may not be denied admission based solely on the status of the institution as a private or charter school.

(E)(1) The office shall establish an advisory committee to assist the evaluation by the office of the overall interscholastic athletic program and to make recommendations to the office concerning matters that would enhance interscholastic athletic competition throughout the State. The advisory committee may make recommendations concerning issues of safety, competitiveness, eligibility, academic requirements, participation and practice limitations, residence and attendance areas, transfers, recruiting, and other issues as requested by the office.

(2) The committee must consist of thirteen members appointed by the Superintendent and consisting of:

(a) two citizens not employed by a school;

(b) one public school coach recommended by the South Carolina High School Coaches Association;

(c) one public school coach recommended by the South Carolina Association of Women’s Sports;

(d) one public school basketball coach recommended by the South Carolina Basketball Coaches Association;

(e) one public school football coach recommended by the South Carolina Football Coaches Association;

(f) one public school baseball coach recommended by the South Carolina Baseball Coaches Association;

(g) one public school cheer coach recommended by the South Carolina Cheer Coaches Association;

(h) one public school track and cross country coach recommended by the South Carolina Track and Cross Country Coaches Association;

(i) one public school athletic trainer recommended by the South Carolina Athletic Trainers Association;

(j) one public school athletics director recommended by the South Carolina Association of Athletics Directors;

(k) one public school principal recommended by the South Carolina Association for School Administrators; and

(l) one member recommended by the South Carolina Independent Schools Association.

(3) The members of the committee shall serve without compensation, per diem, or travel expenses.

(4) Each member of the committee serves at the pleasure of the Superintendent of Education.

(5) A person may not serve concurrently as a member of the advisory committee and the committee on appeals. A person who has served on the advisory committee may not serve on the committee on appeals during the five year period immediately following his tenure on the advisory committee, and a person who has served on the committee on appeals may not serve on the advisory committee for a period of five years immediately following his tenure on the committee on appeals.

(F)(1) The office shall establish a procedure to ensure each student, school, or coach may appeal an adverse ruling of the office on an alleged violation of this chapter and be afforded due process during the pendency and determination of this appeal.

(2) The procedure required in item (1) must require:

(a) the creation of a thirteen‑member committee on appeals to be constituted as follows;

(i) seven members of the general public with one appointed from each congressional district appointed by the State Superintendent of Education and one of whom the Superintendent shall designate as chair of the committee;

(ii) three people currently employed as athletics coaches or athletics directors in a public high school in this State with one appointed by the Governor, one by the Speaker of the House of Representatives, and one by the President *Pro Tempore* of the Senate who shall serve at the pleasure of the appointing officials;

(iii) one member who is a public high school principal appointed by the State Superintendent of Education;

(iv) one member who is a private school principal or headmaster appointed by the State Superintendent of Education; and

(v) one member of the business community appointed by the South Carolina Chamber of Commerce;

(b) the members of the committee shall receive per diem and mileage to be paid for from dues collected by the office;

(c) each member of the committee who is appointed by the Superintendent serves at the pleasure of the Superintendent of Education;

(d) an appeal of a decision made by the director must be made to the committee on appeals within ninety days after the ruling being appealed is issued;

(e) the committee on appeals must hear the appeal and render a written decision on the matter; and

(f) the decision of the committee on appeals must constitute the final action of the agency on the matter, and this action may be subsequently appealed pursuant to the Administrative Procedures Act. The Administrative Law Court must reviewed an appeal brought under this section on an expedited basis.

(3) The office shall develop an emergency appeals procedure to use if the normal appeals process would affect the participation of a student, team, program, or school in an athletic event.”

SECTION 2. Section 59‑39‑160 of the 1976 Code is amended to read:

“Section 59‑39‑160. (A) To participate in interscholastic activities, students in grades nine through twelve must achieve an overall passing average and either:

(1) pass at least four academic courses, including each unit the student takes that is required for graduation; or

(2) pass a total of five academic courses. Students must satisfy these conditions in the semester preceding participation in the interscholastic activity, if the interscholastic activity occurs completely within one semester or in the semester preceding the first semester of participation in an interscholastic activity if the interscholastic activity occurs over two consecutive semesters and is under the jurisdiction of the ~~South Carolina High School League~~ Office of Interscholastic Athletics.

(B) Academic courses are those courses of instruction for which credit toward high school graduation is given. These may be required or approved electives. ~~All activities currently under the jurisdiction of the South Carolina High School League remain in effect.~~ The monitoring of all other interscholastic activities is the responsibility of the local boards of trustees. Those students diagnosed as handicapped in accordance with the criteria established by the State Board of Education and satisfying the requirements of their Individual Education Plan (IEP) as required by Public Law 94‑142 are permitted to participate in interscholastic activities. A local school board of trustees may impose more stringent standards than those contained in this section for participation in interscholastic activities by students in grades nine through twelve.

(C) The State Board of Education may ~~grant a waiver of~~ waive the requirements of this section~~. This waiver may be granted only~~ when it receives a written statement from a school district superintendent and athletic director ~~has been received~~ stating that a student’s ineligibility to participate in interscholastic activities is due to misinformation concerning eligibility requirements being provided by district personnel. The State Board of Education shall establish guidelines to administer this section.”

SECTION 3. This act takes effect July 1, 2013. /

Renumber sections to conform.

Amend title to conform.

Rep. CROSBY explained the amendment.

Rep. HAYES moved to table the amendment.

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

Yeas 104; Nays 5

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Loftis |
| Long | Lowe | Lucas |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Nanney | Newton |
| Norman | Ott | Owens |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--104**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Chumley | Crosby | Merrill |
| Murphy | G. R. Smith |  |

**Total--5**

So, the amendment was tabled.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3229 (COUNCIL\AGM\3229C003. AGM.AB13), which was tabled:

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

/ SECTION 1. Chapter 5, Title 59 of the 1976 Code is amended by adding:

“Section 59‑5‑170. (A) The Office of Interscholastic Athletics is established within the State Department of Education. The office is the sole governing body of athletics for South Carolina public schools.

(B) The Superintendent of Education shall appoint a director to serve as the administrative head of the office. The director must employ staff as necessary to carry out the duties and responsibilities assigned by the office. The director must have prior experience as either a coach or an athletics director at the high school level.

(C)(1) The State Board of Education must promulgate regulations concerning:

(a) administration of the office;

(b) enforcement of applicable rules, regulations, and statutory provisions;

(c) procedures for reaching decisions on all questions and appeals arising from those decisions;

(d) student eligibility requirements for participation in interscholastic athletics;

(e) administration of related athletic activities of schools subject to the jurisdiction of the office;

(f) official rules for interscholastic athletic contests;

(g) contests with schools not subject to the jurisdiction of the office;

(h) outside competition, camps, clinics, drug and alcohol use, unsportsmanlike conduct, and other matters that affect interscholastic athletics;

(i) organization and conduct of statewide interscholastic competitions, regardless of whether the competition can lead to a state championship, and to establish the terms and conditions for these competitions;

(j) the collection of dues and revenues in a manner similar to the South Carolina High School League;

(k) awards; and

(l) other matters the director considers appropriate to enhance interscholastic athletics in this State.

(2) When establishing regulations, the State Board of Education shall ensure a range of sanctions that may be applied to a student, coach, team, program, or school depending upon the seriousness, frequency, and other factors the office considers relevant to a violation of office rules.

(3) The State Board of Education shall promulgate emergency regulations to ensure the continuance of athletic contests pending approval by the General Assembly of regulations promulgated under subsection (A).

(D)(1) A public school that engages in interscholastic athletics or a private school wishing to compete with a public school in interscholastic athletic events:

(a) must submit to and comply with the provisions of this section; and

(b) may not contract with, join, or otherwise associate with the South Carolina High School League.

(2) A private or charter institution that is a member of the office must be afforded all rights and privileges that are granted to other teams in the league. The office shall not expel or deny membership to a private or charter institution based solely on the status of the institution as a private or charter school. A private or charter institution that applies to join the office may not be denied admission based solely on the status of the institution as a private or charter school.

(E)(1) The office shall establish an advisory committee to assist the evaluation by the office of the overall interscholastic athletic program and to make recommendations to the office concerning matters that would enhance interscholastic athletic competition throughout the State. The advisory committee may make recommendations concerning issues of safety, competitiveness, eligibility, academic requirements, participation and practice limitations, residence and attendance areas, transfers, recruiting, and other issues as requested by the office.

(2) The committee must consist of thirteen members appointed by the Superintendent and consisting of:

(a) two citizens not employed by a school;

(b) one public school coach recommended by the South Carolina High School Coaches Association;

(c) one public school coach recommended by the South Carolina Association of Women’s Sports;

(d) one public school basketball coach recommended by the South Carolina Basketball Coaches Association;

(e) one public school football coach recommended by the South Carolina Football Coaches Association;

(f) one public school baseball coach recommended by the South Carolina Baseball Coaches Association;

(g) one public school cheer coach recommended by the South Carolina Cheer Coaches Association;

(h) one public school track and cross country coach recommended by the South Carolina Track and Cross Country Coaches Association;

(i) one public school athletic trainer recommended by the South Carolina Athletic Trainers Association;

(j) one public school athletics director recommended by the South Carolina Association of Athletics Directors;

(k) one public school principal recommended by the South Carolina Association for School Administrators; and

(l) one member recommended by the South Carolina Independent Schools Association.

(3) The members of the committee shall serve without compensation, per diem, or travel expenses.

(4) Each member of the committee serves at the pleasure of the Superintendent of Education.

(5) A person may not serve concurrently as a member of the advisory committee and the committee on appeals. A person who has served on the advisory committee may not serve on the committee on appeals during the five year period immediately following his tenure on the advisory committee, and a person who has served on the committee on appeals may not serve on the advisory committee for a period of five years immediately following his tenure on the committee on appeals.

(F)(1) The office shall establish a procedure to ensure each student, school, or coach may appeal an adverse ruling of the office on an alleged violation of this chapter and be afforded due process during the pendency and determination of this appeal.

(2) The procedure required in item (1) must require:

(a) the creation of a thirteen‑member committee on appeals to be constituted as follows;

(i) seven members of the general public with one appointed from each congressional district appointed by the State Superintendent of Education and one of whom the Superintendent shall designate as chair of the committee;

(ii) three people currently employed as athletics coaches or athletics directors in a public high school in this State with one appointed by the Governor, one by the Speaker of the House of Representatives, and one by the President *Pro Tempore* of the Senate who shall serve at the pleasure of the appointing officials;

(iii) one member who is a public high school principal appointed by the State Superintendent of Education;

(iv) one member who is a private school principal or headmaster appointed by the State Superintendent of Education; and

(v) one member of the business community appointed by the South Carolina Chamber of Commerce;

(b) the members of the committee shall receive per diem and mileage to be paid for from dues collected by the office;

(c) each member of the committee who is appointed by the Superintendent serves at the pleasure of the Superintendent of Education;

(d) an appeal of a decision made by the director must be made to the committee on appeals within ninety days after the ruling being appealed is issued;

(e) the committee on appeals must hear the appeal and render a written decision on the matter; and

(f) the decision of the committee on appeals must constitute the final action of the agency on the matter, and this action may be subsequently appealed pursuant to the Administrative Procedures Act. The Administrative Law Court must reviewed an appeal brought under this section on an expedited basis.

(3) The office shall develop an emergency appeals procedure to use if the normal appeals process would affect the participation of a student, team, program, or school in an athletic event.”

SECTION 2. Section 59‑39‑160 of the 1976 Code is amended to read:

“Section 59‑39‑160. (A) To participate in interscholastic activities, students in grades nine through twelve must achieve an overall passing average and either:

(1) pass at least four academic courses, including each unit the student takes that is required for graduation; or

(2) pass a total of five academic courses. Students must satisfy these conditions in the semester preceding participation in the interscholastic activity, if the interscholastic activity occurs completely within one semester or in the semester preceding the first semester of participation in an interscholastic activity if the interscholastic activity occurs over two consecutive semesters and is under the jurisdiction of the ~~South Carolina High School League~~ Office of Interscholastic Athletics.

(B) Academic courses are those courses of instruction for which credit toward high school graduation is given. These may be required or approved electives. ~~All activities currently under the jurisdiction of the South Carolina High School League remain in effect.~~ The monitoring of all other interscholastic activities is the responsibility of the local boards of trustees. Those students diagnosed as handicapped in accordance with the criteria established by the State Board of Education and satisfying the requirements of their Individual Education Plan (IEP) as required by Public Law 94‑142 are permitted to participate in interscholastic activities. A local school board of trustees may impose more stringent standards than those contained in this section for participation in interscholastic activities by students in grades nine through twelve.

(C) The State Board of Education may ~~grant a waiver of~~ waive the requirements of this section~~. This waiver may be granted only~~ when it receives a written statement from a school district superintendent and athletic director ~~has been received~~ stating that a student’s ineligibility to participate in interscholastic activities is due to misinformation concerning eligibility requirements being provided by district personnel. The State Board of Education shall establish guidelines to administer this section.”

SECTION 3. This act takes effect July 1, 2013. /

Renumber sections to conform.

Amend title to conform.

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

Rep. MERRILL spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 106; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Kennedy | King |
| Loftis | Long | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Ott | Owens |
| Pitts | Pope | Powers Norrell |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis |  |  |

**Total--106**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Crosby |  |  |

**Total--1**

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

**H. 3163--DEBATE ADJOURNED**

Rep. TAYLOR moved to adjourn debate upon the following Bill until Wednesday, March 20, which was adopted:

H. 3163 -- Reps. Taylor, G. R. Smith, Long and Daning: A BILL TO AMEND SECTION 30-4-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES AND THE TIME IN WHICH A PUBLIC BODY MUST RESPOND TO A REQUEST MADE UNDER THE FREEDOM OF INFORMATION ACT, SO AS TO PROVIDE FOR THE ELECTRONIC TRANSMISSION OF PUBLIC RECORDS UNDER THE ACT, TO PROVIDE A PUBLIC BODY MAY NOT CHARGE FOR STAFF TIME BUT MAY CHARGE THE PREVAILING COMMERCIAL RATE FOR COPY COSTS WHEN RESPONDING TO A REQUEST, TO PROVIDE A PUBLIC BODY MAY NOT ASSESS A COPY CHARGE WHEN PROVIDING A RECORD STORED OR TRANSMITTED IN ELECTRONIC FORMAT, TO PROVIDE A PUBLIC BODY MAY REQUIRE A DEPOSIT BEFORE FULFILLING A REQUEST, TO REVISE THE TIME LIMITS FOR RESPONDING TO A REQUEST, TO PROVIDE THAT DURING THE HOURS OF OPERATION OF A PUBLIC BODY IT MUST MAKE AVAILABLE WITHOUT WRITTEN REQUEST ALL DOCUMENTS RECEIVED OR REVIEWED BY A MEMBER OF THE BODY IN A PUBLIC MEETING DURING THE PRECEDING SIX MONTHS, AND TO PROVIDE THAT A PUBLIC BODY MAY SATISFY THIS REQUIREMENT BY MAKING THE RECORDS AVAILABLE ON THE INTERNET; TO AMEND SECTION 30-4-100, RELATING TO EQUITABLE REMEDIES AVAILABLE UNDER THE ACT, SO AS TO PROVIDE FOR SPECIFIC ENFORCEMENT AND CIVIL CONTEMPT REMEDIES WHEN A PUBLIC BODY FAILS TO COMPLY WITH THE TIME LIMITS FOR RESPONDING TO A REQUEST; AND TO AMEND SECTION 30-4-110, RELATING TO FINES AND CRIMINAL PENALTIES FOR A VIOLATION OF THE ACT, SO AS TO INCREASE THE FINES AND PROVIDE AN OFFICER OR PUBLIC OFFICIAL WHO WILFULLY VIOLATES THE ACT MAY BE PUNISHED PURSUANT TO THE ACT.

**H. 3491--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3491 -- Reps. Sandifer, Clemmons, Atwater, Ott, D. C. Moss, Erickson, Herbkersman, Ballentine, Forrester, Sottile, Lowe, Toole, Bales and Weeks: A BILL TO AMEND SECTION 27-32-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING VACATION TIME SHARING PLANS, SO AS TO DEFINE AND REDEFINE CERTAIN TERMS; TO AMEND SECTION 27-32-55, RELATING TO FEES FOR THE RESALE OF AN INTEREST IN A VACATION TIMESHARE, SO AS TO PROVIDE REQUIREMENTS OF A RESALE VACATION TIMESHARE SERVICE PROVIDER; TO AMEND SECTION 27-32-80, RELATING TO THE TRANSFER OF AN INTEREST IN A VACATION TIME SHARING PLAN FROM A SELLER TO A THIRD PARTY, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A RESALE OF THE INTEREST; AND TO AMEND SECTION 27-32-130, RELATING TO ENFORCEMENT AND IMPLEMENTATION PROVISIONS, SO AS TO MAKE THE PROVISIONS APPLICABLE TO A VACATION TIME SHARING ASSOCIATION.

Reps. SANDIFER, OWENS, G. M. SMITH, WHITMIRE, HIOTT, FORRESTER, J. R. SMITH, BARFIELD, RYHAL, ANDERSON, CLEMMONS, GOLDFINCH, LOFTIS, BEDINGFIELD, G. R. SMITH, HARDEE, GAGNON and J. E. SMITH requested debate on the Bill.

**H. 3541--REQUESTS FOR DEBATE**

The following Joint Resolution was taken up:

H. 3541 -- Reps. Harrell, J. E. Smith, Bales, Williams, Bannister, J. R. Smith, Patrick, Brannon, Erickson, Huggins, Kennedy, Ballentine, M. S. McLeod, Bernstein, Atwater, Cole, Funderburk, George, Hixon, Long, McCoy, W. J. McLeod, Pitts, Pope, G. R. Smith, Tallon, Taylor, Wood and Knight: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED; AND TO AMEND SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT AND INSPECTOR GENERAL, SO AS TO DELETE AN OBSOLETE REFERENCE TO INSPECTOR GENERAL, TO MAKE A CONFORMING CHANGE TO THE RANK OF THE ADJUTANT GENERAL, TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS AMENDMENT, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY FOLLOWING THE GENERAL ELECTION, WHICH MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS AMENDMENT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE.

Rep. BARFIELD proposed the following Amendment No. 1 to H. 3541 (COUNCIL\GGS\3541C001.GGS.HTC13), which was tabled:

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

/ SECTION 1. It is proposed that Section 4, Article XIII of the Constitution of this State be amended to read:

“Section 4. (A) There ~~shall~~must be an Adjutant ~~and Inspector~~ General elected by the qualified electors of the State at the same time and in the same manner as other state officers, who shall rank as ~~Brigadier~~ Major General, and whose duties and compensation ~~shall~~must be prescribed by law. The Governor ~~shall~~, by and with the advice and consent of the Senate, shall appoint ~~such~~ other staff officers as the General Assembly may direct.

(B) Beginning with the expiration of the term of the Adjutant General serving in office on the date of the ratification of the provisions of this paragraph, to offer as a candidate for the office of Adjutant General, an individual must be a qualified elector of South Carolina and have been federally recognized in the rank of Colonel (O-6) or higher in at least one of the branches of the United States Armed Forces.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 4, Article XIII of the Constitution of this State, relating to state constitutional officers, be amended so as to delete an obsolete reference to the Inspector General; to make a conforming change to the rank of the Adjutant General; and to provide that upon the expiration of the term of the Adjutant General serving in office on the date of the ratification of this provision, to offer as a candidate for the office of Adjutant General, an individual must be a qualified elector of South Carolina and have been federally recognized in the rank of Colonel (O-6) or higher in at least one of the branches of the United States Armed Forces.”

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”/

Renumber sections to conform.

Amend title to conform.

Rep. BARFIELD explained the amendment.

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

Rep. BARFIELD moved to recommit the Joint Resolution to the Committee on Judiciary.

Rep. BANNISTER moved to table the motion.

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

Yeas 95; Nays 9

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | R. L. Brown | Clyburn |
| Cobb-Hunter | Cole | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Loftis | Long | Lucas |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Ott |
| Parks | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Sabb |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Taylor |
| Toole | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--95**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Barfield | G. A. Brown | Clemmons |
| Hardee | Owens | Ryhal |
| Sandifer | Stringer | Weeks |

**Total--9**

So, the motion to recommit the Joint Resolution was tabled.

Reps. SANDIFER, G. A. BROWN, ANTHONY, BALES, BARFIELD, K. R. CRAWFORD, WHITMIRE, DANING, J. E. SMITH, QUINN, BANNISTER, ANDERSON, BEDINGFIELD, J. R. SMITH, HARDEE, D. C. MOSS, ATWATER and G. R. SMITH requested debate on the Joint Resolution.

**H. 3540--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3540 -- Reps. Harrell, J. E. Smith, Bales, Hosey, Cobb-Hunter, Bannister, J. R. Smith, Patrick, Brannon, Erickson, Taylor, Huggins, Kennedy, Ballentine, Bernstein, Sellers, Williams, Jefferson, M. S. McLeod, Atwater, Bowers, R. L. Brown, Cole, Douglas, George, Hixon, Long, McCoy, Mitchell, Pitts, Pope, G. R. Smith, Tallon, Wood, Weeks and Knight: A BILL TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE ADJUTANT GENERAL TO THE LIST OF OFFICERS OR ENTITIES THE GOVERNING BOARD OF WHICH MAY BE REMOVED BY THE GOVERNOR ONLY FOR CERTAIN REASONS CONSTITUTING CAUSE; TO AMEND SECTION 25-1-320, RELATING TO THE STATE ADJUTANT GENERAL, SO AS TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE 2014 GENERAL ELECTION, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY THAT FOLLOWS THE GENERAL ELECTION THAT MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS ACT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO ESTABLISH CERTAIN QUALIFICATIONS FOR THE OFFICE OF ADJUTANT GENERAL; TO AMEND SECTION 25-1-340, AS AMENDED, RELATING TO VACANCIES IN THE OFFICE OF ADJUTANT GENERAL, SO AS TO DELETE A REFERENCE TO THE ELIGIBILITY REQUIREMENTS OF CONSTITUTIONAL OFFICERS; AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE EFFECTIVE UPON THE RATIFICATION OF AMENDMENTS TO SECTION 7, ARTICLE VI, AND SECTION 4, ARTICLE XIII OF THE CONSTITUTION OF THIS STATE DELETING THE REQUIREMENT THAT THE STATE ADJUTANT GENERAL BE ELECTED BY THE QUALIFIED ELECTORS OF THIS STATE.

Reps. BANNISTER, BEDINGFIELD, HIOTT, OWENS, J. R. SMITH, TALLON, BALES, FINLAY and J. E. SMITH requested debate on the Bill.

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

**H. 3766--RECALLED FROM COMMITTEE**

**ON WAYS AND MEANS**

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

H. 3766 -- Reps. J. E. Smith, Sottile and Harrell: A JOINT RESOLUTION TO DIRECT A TRANSFER TO REPLENISH THE ACCOUNTS THAT WERE USED TO FUND EMERGENCY REPAIRS TO THE USS LAFFEY; TO GRANT THE PATRIOTS POINT DEVELOPMENT AUTHORITY A THREE-YEAR PERIOD, BEGINNING ON MAY 1, 2014, DURING WHICH IT SHALL MAKE INTEREST-ONLY PAYMENTS ON THE AMOUNT USED TO REPLENISH THE ORIGINAL SOURCE ACCOUNTS AT AN INTEREST RATE AND TERMS TO BE DETERMINED BY THE OFFICE OF THE STATE TREASURER; AND BEGINNING MAY 1, 2017, TO REQUIRE THE PATRIOTS POINT DEVELOPMENT AUTHORITY TO COMMENCE ANNUAL PAYMENTS OF $400,000 UNTIL MAY 1, 2028, AT WHICH TIME A FINAL PAYMENT OF $6,068,867.72 SHALL BECOME DUE AND PAYABLE.

**H. 3453--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3453 -- Reps. Bingham, Allison, Anthony, Hayes and Atwater: 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.

Rep. BINGHAM proposed the following Amendment No. 1 to H. 3453 (COUNCIL\DKA\3453C001.DKA.SD13), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 1, line 36, by striking / May 5, 2013 / and inserting / May 15, 2013 /.

Renumber sections to conform.

Amend title to conform.

Rep. BINGHAM explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| King | Loftis | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Ott | Owens |
| Parks | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--108**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Long |  |  |

**Total--1**

The Senate Amendments were amended, and the Joint Resolution was ordered returned to the Senate.

**H. 3773--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3773 -- Reps. Newton, Bowers, Erickson, Herbkersman, Hodges and Patrick: A CONCURRENT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND ITS COMPONENT FEDERAL HIGHWAY ADMINISTRATION TO TAKE A LEADING ROLE IN ORGANIZING AND PROVIDING REGULAR PUBLIC FERRY SERVICE TO DAUFUSKIE ISLAND IN BEAUFORT COUNTY.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 3781--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3781 -- Reps. Herbkersman, Newton and Patrick: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE DEPARTMENT'S REPLACEMENT BRIDGE LOCATED ALONG SPANISH WELLS ROAD ON HILTON HEAD ISLAND "CHARLIE SIMMONS, SR. MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "CHARLIE SIMMONS, SR. MEMORIAL BRIDGE".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 480--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 480 -- Senators Alexander, Hutto and Rankin: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2013, AS THE TIME TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2016; TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE THIRD DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2016; TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FIFTH DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2016; AND TO ELECT A PUBLIC SERVICE COMMISSIONER FOR THE SEVENTH DISTRICT, AS A SUCCESSOR TO THE PUBLIC SERVICE COMMISSIONER FOR THE AT-LARGE SEAT, FOR A TERM EXPIRING ON JUNE 30, 2016.

The Concurrent Resolution was adopted and sent to the Senate.

Rep. HARDEE 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. 3801 -- Reps. G. R. Smith, 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, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. 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 EXPRESS DEEP APPRECIATION TO THE INDEPENDENT COLLEGES AND UNIVERSITIES IN SOUTH CAROLINA DURING "INDEPENDENT COLLEGE AND UNIVERSITY WEEK" OF APRIL 15 THROUGH 19, 2013, AND ON "INDEPENDENT COLLEGE AND UNIVERSITY DAY" ON APRIL 17, 2013, FOR THEIR OUTSTANDING CONTRIBUTIONS IN EDUCATING THE YOUTH OF OUR STATE AND NATION.

H. 3786 -- Reps. Erickson, M. S. McLeod, Spires, 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, 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, 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, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 9, 2013, AS "CHILDREN'S ADVOCACY DAY" IN SOUTH CAROLINA.

**ADJOURNMENT**

At 1:16 p.m. the House, in accordance with the motion of Rep. COBB-HUNTER, adjourned in memory of former Representative Thomas N. Rhoad of Bamberg County, to meet at 10:00 a.m. tomorrow.

\*\*\*