~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Job 42:5: “I had heard of you by the hearing of the ear, but now my eyes see you.”

Let us pray. God of grace, help us recognize Your presence with us as these Representatives and staff continue to do the work of Your people. Bless them with wisdom and integrity. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all who contribute to the success of this Assembly. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the SPEAKER.

After corrections to the Journal of the proceedings of yesterday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. RIDGEWAY moved that when the House adjourns, it adjourn in memory of William Kirby "W. K." Harrington of Manning, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

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

S. 446 -- Senators Massey and L. Martin: A BILL TO RATIFY AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, TO PROVIDE THAT THE LIEUTENANT GOVERNOR MUST BE ELECTED JOINTLY WITH THE GOVERNOR IN A MANNER PRESCRIBED BY LAW; TO ADD SECTION 37 TO ARTICLE III OF THE CONSTITUTION OF THIS STATE, TO PROVIDE THAT THE SENATE SHALL ELECT FROM AMONG ITS MEMBERS A PRESIDENT TO PRESIDE OVER THE SENATE AND TO PERFORM OTHER DUTIES AS PROVIDED BY LAW; TO DELETE SECTIONS 9 AND 10 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE LIEUTENANT GOVERNOR BEING PRESIDENT OF THE SENATE AND, WHILE PRESIDING IN THE SENATE, HAVING NO VOTE, UNLESS THE SENATE IS EQUALLY DIVIDED, TO REMOVE INCONSISTENT PROVISIONS; TO AMEND SECTION 11 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE REMOVAL OF THE LIEUTENANT GOVERNOR FROM OFFICE BY IMPEACHMENT, DEATH, RESIGNATION, DISQUALIFICATION, DISABILITY OR REMOVAL FROM THE STATE, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR TO FULFILL THE UNEXPIRED TERM; AND TO AMEND SECTION 12 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE DISABILITY OF THE GOVERNOR, TO CONFORM APPROPRIATE REFERENCES.

Ordered for consideration tomorrow.

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

S. 561 -- Senator L. Martin: A BILL TO AMEND SECTION 16-17-680 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, SELLING, AND TRANSPORTING OF NONFERROUS METALS, SO AS TO DEFINE THE TERM "COIL" AND PROVIDE THAT A SECONDARY METALS RECYCLER MUST NOT PURCHASE OR OTHERWISE ACQUIRE A COIL.

Ordered for consideration tomorrow.

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

S. 813 -- Senators Hayes, Peeler, O'Dell, Alexander, McElveen, McGill, Pinckney, Johnson, Williams and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-11-625 SO AS TO PROVIDE A PERSON WHO, WITHOUT LEGAL CAUSE OR GOOD EXCUSE, ENTERS A PUBLIC LIBRARY AFTER HAVING BEEN WARNED BY AN EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE LIBRARY NOT TO DO SO OR WITHOUT HAVING BEEN WARNED FAILS AND REFUSES, WITHOUT GOOD CAUSE OR GOOD EXCUSE, TO LEAVE IMMEDIATELY UPON BEING ORDERED OR REQUESTED TO DO SO IS GUILTY OF A MISDEMEANOR TRIABLE IN A MUNICIPAL OR MAGISTRATES COURT, AND TO PROVIDE THE PROVISIONS OF THIS SECTION MUST BE CONSTRUED AS IN ADDITION TO, AND NOT AS SUPERSEDING, ANOTHER STATUTE RELATING TO TRESPASS OR UNLAWFUL ENTRY ON LANDS OF ANOTHER.

Ordered for consideration tomorrow.

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

S. 440 -- Senators Fair, Hutto and Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-19-1435 SO AS TO PROVIDE THAT THE USE OF RESTRAINTS ON JUVENILES APPEARING IN COURT ARE PROHIBITED UNLESS THE RESTRAINTS ARE NECESSARY TO PREVENT HARM OR IF THE JUVENILE IS A FLIGHT RISK AND THERE ARE NO LESS RESTRICTIVE ALTERNATIVES AVAILABLE; TO GIVE A JUVENILE'S ATTORNEY THE RIGHT TO BE HEARD BEFORE THE COURT ORDERS THE USE OF RESTRAINTS; AND IF RESTRAINTS ARE ORDERED, TO REQUIRE THE COURT TO MAKE FINDINGS OF FACT IN SUPPORT OF THE ORDER.

Ordered for consideration tomorrow.

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

S. 687 -- Senator L. Martin: A BILL TO AMEND CHAPTER 15, TITLE 63, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO CHILD CUSTODY AND VISITATION, TO ENACT THE "SOUTH CAROLINA BLIND PERSON'S RIGHT TO PARENT ACT", BY ADDING ARTICLE 4 TO THE CHAPTER SO AS TO PROVIDE THAT A COURT MAY NOT MAKE A DECISION ON GUARDIANSHIP, CUSTODY, OR VISITATION BASED UPON A SOLE CONSIDERATION OF THE BLINDNESS OF A CHILD'S PARENT OR GUARDIAN, AND THAT DECISIONS CONCERNING ADOPTIONS MAY NOT BE BASED UPON THE SOLE CONSIDERATION THAT THE PERSON SEEKING TO ADOPT A CHILD IS BLIND.

Ordered for consideration tomorrow.

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

S. 872 -- Senators Fair, Hutto, Jackson and L. Martin: A BILL TO AMEND SECTION 63-1-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO ESTABLISH IT AS A PERMANENT JOINT COMMITTEE AND TO DELETE OBSOLETE PROVISIONS.

Ordered for consideration tomorrow.

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

S. 343 -- Senator Hayes: A BILL TO AMEND CHAPTER 7, TITLE 36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE, SO AS TO REVISE THE CHAPTER IN ITS ENTIRETY IN ORDER TO PROVIDE FOR THE USE OF ELECTRONIC DOCUMENTS OF TITLE AND TO MAKE CONFORMING CHANGES.

Ordered for consideration tomorrow.

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

S. 840 -- Senator Bryant: A BILL TO AMEND SECTION 44-53-1640, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUBMISSION OF CERTAIN INFORMATION BY DISPENSERS AS PART OF THE STATE PRESCRIPTION MONITORING PROGRAM, SO AS TO REVISE THE MANNER OF SUBMISSION; AND TO AMEND SECTION 44-53-1650, RELATING TO CONFIDENTIALITY AND RELEASE OF DATA FROM THE STATE PRESCRIPTION MONITORING PROGRAM, SO AS TO REQUIRE A COURT ORDER FOR THE RELEASE OF CERTAIN INFORMATION FOR RESEARCH AND EDUCATION PURPOSES, AND TO REQUIRE A COURT ORDER TO RELEASE INFORMATION TO CERTAIN INDIVIDUALS WHEN THE REQUEST IS FOR SYSTEM DATA MAINTAINED FOR LONGER THAN ONE YEAR.

Ordered for consideration tomorrow.

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

S. 779 -- Senator Davis: A BILL TO AMEND CHAPTER 19, TITLE 16 OF THE 1976 CODE, RELATING TO GAMBLING AND LOTTERIES, BY ADDING SECTION 16-19-60, TO PROVIDE THAT CERTAIN SOCIAL CARD AND DICE GAMES ARE NOT UNLAWFUL.

Ordered for consideration tomorrow.

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

S. 1007 -- Senators Campbell and O'Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 29-3-625 SO AS TO PROVIDE A PROCESS FOR EXPEDITING MORTGAGE FORECLOSURES AND TO DEFINE NECESSARY TERMINOLOGY.

Ordered for consideration tomorrow.

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

S. 1076 -- Senators Shealy and Hembree: A BILL TO AMEND ARTICLE 8, CHAPTER 31, TITLE 23 OF THE 1976 CODE, RELATING TO IDENTIFICATION CARDS ISSUED TO AND FIREARM QUALIFICATION PROVIDED FOR RETIRED LAW ENFORCEMENT PERSONNEL, BY AMENDING SECTION 23-31-600(A)(2) TO PROVIDE THAT THE DEFINED TERM IS CONSISTENT WITH FEDERAL LAW, TO AMEND SECTION 23-31-600(E) TO REMOVE THE FEE REQUIREMENT FOR ISSUANCE OF AN IDENTIFICATION CARD PURSUANT TO THIS ARTICLE; AND TO MAKE CONFORMING AMENDMENTS.

Ordered for consideration tomorrow.

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

S. 356 -- Senators Alexander and Reese: A BILL TO AMEND CHAPTER 1, TITLE 26, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTARIES PUBLIC, SO AS TO DEFINE TERMS, TO MAKE GRAMMATICAL CORRECTIONS, TO PROVIDE THAT TO BE QUALIFIED FOR A NOTARIAL COMMISSION, A PERSON MUST BE REGISTERED TO VOTE AND READ AND WRITE IN THE ENGLISH LANGUAGE, TO AUTHORIZE AND PROHIBIT CERTAIN ACTS OF A NOTARY PUBLIC, TO PROVIDE MAXIMUM FEE A NOTARY MAY CHARGE, TO PROVIDE THE PROCESS FOR GIVING A NOTARIAL CERTIFICATE, TO SPECIFY CHANGES FOR WHICH A NOTARY MUST NOTIFY THE SECRETARY OF STATE, TO PROVIDE THE ELEMENTS AND PENALTIES OF CERTAIN CRIMES RELATING TO NOTARIAL ACTS, AND TO PROVIDE THE FORM FOR A NOTARIZED DOCUMENT SENT TO ANOTHER STATE, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

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

S. 495 -- Senators Lourie and Rankin: A BILL TO AMEND SECTION 23-3-115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO CLARIFY THE DEFINITION OF CHARITABLE ORGANIZATIONS WHICH PAY A REDUCED FEE TO INCLUDE LOCAL PARK AND RECREATION VOLUNTEERS THROUGH A COMMISSION, MUNICIPALITY, COUNTY, OR THE SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM.

Ordered for consideration tomorrow.

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

S. 176 -- Senator Young: A BILL TO AMEND SECTION 22-3-1000 OF THE 1976 CODE, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

Ordered for consideration tomorrow.

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

S. 459 -- Senators Sheheen, Rankin, Alexander and Lourie: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-55, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HOLDS A BEGINNER'S PERMIT OR A RESTRICTED DRIVER'S LICENSE TO DRIVE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE; AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO DRIVE A MOTOR VEHICLE THROUGH A SCHOOL ZONE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE WHEN THE SCHOOL ZONE'S WARNING LIGHTS HAVE BEEN ACTIVATED.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5248 -- Reps. Bedingfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 CONGRATULATE DELVIN CHOICE OF SIMPSONVILLE FOR HIS SUCCESS ON THE NBC SHOW THE VOICE, TO RECOGNIZE HIM FOR HIS FINE REPRESENTATION OF OUR STATE TO A NATIONAL AUDIENCE, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5250 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 THE CARDINAL NEWMAN HIGH SCHOOL BOYS VARSITY SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5251 -- Rep. Bernstein: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CARDINAL NEWMAN HIGH SCHOOL BOYS VARSITY SOCCER TEAM OF RICHLAND COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2014 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Cardinal Newman High School boys varsity soccer team of Richland County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2014 South Carolina Independent School Association Class AAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5252 -- Reps. Ballentine, Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, 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, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, 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 REVEREND JAMES COLEESTER "JIMMY" PITTS, MINISTER OF SINGLES II AND BENEVOLENCE AT RIVERLAND HILLS BAPTIST CHURCH, OF IRMO, SOUTH CAROLINA UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-SIX YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1293 -- Senator McGill: A CONCURRENT RESOLUTION TO COMMEND THE MEMBERS OF THE AMERICAN LEGION RIDERS OF SOUTH CAROLINA FOR THEIR CONDUCT AND SPONSORSHIP OF THE 2014 MOTORCYCLE BENEFIT RIDE, WHICH WAS HELD ON APRIL 26 AND 27, 2014, WHICH EACH YEAR RAISES SUBSTANTIAL FUNDS FOR SCHOLARSHIPS FOR CHILDREN WHO HAVE HAD A PARENT KILLED DURING ACTIVE MILITARY SERVICE SINCE SEPTEMBER 11, 2001.

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

**INTRODUCTION OF BILLS**

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

H. 5249 -- Reps. Funderburk and W. J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-13-220 SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY IN THE ANNUAL GENERAL APPROPRIATIONS ACT BEGINNING WITH FISCAL YEAR 2015-2016 SHALL APPROPRIATE SUCH FUNDS AS IT CONSIDERS APPROPRIATE, NOT TO EXCEED SEVENTY-FIVE THOUSAND DOLLARS, TO ESTABLISH THE "SOUTH CAROLINA ARCHAEOLOGICAL PRESERVATION FUND" FOR THE PURPOSE OF AWARDING GRANTS TO QUALIFIED ARCHAEOLOGISTS TO PRESERVE, EXAMINE, AND EXPLORE PUBLIC AND PRIVATE ARCHAEOLOGICAL SITES IN SOUTH CAROLINA HAVING SIGNIFICANT ARCHEOLOGICAL IMPORTANCE AND DESERVING OF SPECIAL ATTENTION, AND TO CREATE A SEVEN MEMBER COMMITTEE TO AWARD THESE GRANTS UNDER SPECIFIED CONDITIONS.

Referred to Committee on Ways and Means

H. 5253 -- Reps. Murphy, Horne, Harrell, Mack and Knight: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59-1-425, THE GOVERNING BODY OF DORCHESTER SCHOOL DISTRICT TWO MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013-2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT HAS EXHAUSTED ALL STATUTORILY REQUIRED MAKE-UP DAYS REMAINING ON THE 2013-2014 SCHOOL CALENDAR.

On motion of Rep. MURPHY, 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 | Bales | Ballentine |
| Bannister | Barfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| 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 | Norman | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Putnam |
| Ridgeway | Rivers | Robinson-Simpson |
| 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 |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, May 14.

|  |  |
| --- | --- |
| Kris Crawford | William E. "Bill" Crosby |
| Mike Gambrell | Jerry Govan |
| Joseph Neal | Mandy Powers Norrell |
| Richard "Rick" Quinn | Robert Riley |
| Todd Rutherford | Bakari Sellers |
| Garry R. Smith  Chris Hart | Anne Thayer |

**Total Present--119**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HENDERSON a leave of absence for the day to attend the 2014 Emerging Leaders Summit hosted by GOPAC.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**STATEMENT OF ATTENDANCE**

Rep. MITCHELL signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, May 13.

**DOCTORS OF THE DAY**

Announcement was made that Dr. Patricia Witherspoon and Dr. Justin Quinn of Columbia were the Doctors of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. KENNEDY presented to the House the Team Storm 14U Softball Team of Gilbert, the 2013 WFC World Series Champions, their coaches, and other officials.

**SPECIAL PRESENTATION**

Rep. LIMEHOUSE presented to the House the Wando Rugby Club of Charleston County, the 2014 Rugby South Carolina State Champions, their coaches, and other officials.

**CO-SPONSOR ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5249 |
| Date: | ADD: |
| 05/14/14 | W. J. MCLEOD |

**SPEAKER *PRO TEMPORE* IN CHAIR**

**S. 1284--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1284 -- Senator Pinckney: A BILL TO AMEND ACT 190 OF 1991, RELATING TO THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BOARD OF TRUSTEES OF THE SCHOOL DISTRICT OF COLLETON COUNTY MUST BE ELECTED BEGINNING WITH SCHOOL DISTRICT ELECTIONS IN 2014, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

Rep. HODGES explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 73; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Barfield | Bowen | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Funderburk | Gagnon | Hardee |
| Hardwick | Harrell | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Knight | Limehouse | Loftis |
| Lowe | Lucas | Mack |
| McEachern | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Norman |
| Owens | Parks | Pope |
| Putnam | Ridgeway | Rutherford |
| Ryhal | Sabb | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Tallon |
| Taylor | Weeks | Wells |
| Whipper | Williams | Willis |
| Wood |  |  |

**Total--73**

Those who voted in the negative are:

**Total--0**

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

**H. 4996--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4996 -- Reps. Brannon and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-277 SO AS TO REQUIRE ACCIDENT AND HEALTH INSURANCE POLICIES AND HEALTH MAINTENANCE ORGANIZATIONS TO COVER CERTAIN AMINO ACID-BASED ELEMENTAL FORMULAS FOR THE TREATMENT OF CERTAIN DISEASES OR DISORDERS, TO PROHIBIT DENIAL OF THIS COVERAGE FOR TREATMENT ORDERED AS MEDICALLY NECESSARY BY A TREATING PHYSICIAN, AND TO PROVIDE THIS COVERAGE MUST BE FAVORABLE FOR PRESCRIPTION DRUGS AND SERVICES COVERED BY THE PLAN.

Rep. BRANNON moved to adjourn debate on the Bill until Thursday, May 15, which was agreed to.

**H. 4265--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4265 -- Reps. McCoy, Harrell and Merrill: A BILL TO AMEND SECTION 5-3-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROCEDURE FOR ANNEXATION OF SPECIAL PURPOSE DISTRICTS, SO AS TO PROVIDE FOR AN ADDITIONAL METHOD OF ANNEXATION BY RESOLUTION OF A SPECIAL PURPOSE DISTRICT WHEN A PREEXISTING MUNICIPALITY ANNEXES A MAJORITY OF THE POPULATION OF THE DISTRICT OR WHEN A MUNICIPALITY INCORPORATES A MAJORITY OF THE POPULATION OF A DISTRICT.

Rep. DELLENEY moved to adjourn debate on the Bill until Thursday, May 15, which was agreed to.

**H. 3945--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 3945 -- Reps. G. M. Smith, Harrell, Lucas, Bannister, Toole, Stringer, Hamilton, Sottile, Barfield, Bingham, Spires, Hardwick, Owens, Hiott, Long, Erickson, Murphy, Horne, Willis, Gagnon, Simrill, Funderburk, Henderson and W. J. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 4 TO CHAPTER 13, TITLE 8 SO AS TO ESTABLISH THE SOUTH CAROLINA COMMISSION ON ETHICS ENFORCEMENT AND DISCLOSURE, TO PROVIDE FOR ITS POWERS, DUTIES, PROCEDURES, AND JURISDICTION, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; TO REPEAL ARTICLE 3, CHAPTER 13, TITLE 8 RELATING TO THE STATE ETHICS COMMISSION; TO REPEAL ARTICLE 5, CHAPTER 13, TITLE 8 RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES; TO AMEND SECTION 8-13-100, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8-13-700, AS AMENDED, RELATING TO USE OF AN OFFICIAL POSITION OR OFFICE FOR FINANCIAL GAIN, SO AS TO PROVIDE THAT IF A MEMBER OF THE GENERAL ASSEMBLY DETERMINES THAT HE HAS A CONFLICT OF INTEREST, HE MUST COMPLY WITH CERTAIN REQUIREMENTS BEFORE ABSTAINING FROM ALL VOTES ON THE MATTER, AND TO PROVIDE FOR WHEN A PUBLIC OFFICIAL WHO IS REQUIRED TO RECUSE HIMSELF FROM A MATTER MUST DO SO; TO AMEND SECTION 8-13-740, AS AMENDED, RELATING TO REPRESENTATION OF ANOTHER PERSON BY A PUBLIC OFFICIAL BEFORE A GOVERNMENTAL ENTITY, SO AS TO FURTHER DELINEATE WHAT IS CONSIDERED A CONTESTED CASE WHEN REPRESENTATION BY A MEMBER OF THE GENERAL ASSEMBLY IS PERMITTED; TO AMEND SECTION 8-13-745, RELATING TO PAID REPRESENTATION OF CLIENTS AND CONTRACTING BY A MEMBER OF THE GENERAL ASSEMBLY OR AN ASSOCIATE IN PARTICULAR SITUATIONS, SO AS TO DELETE A PROHIBITION AGAINST CERTAIN CONTRACTS WITH AN ENTITY FUNDED WITH GENERAL FUNDS; TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTEREST, SO AS TO FURTHER PROVIDE FOR THESE CONTENTS; TO AMEND SECTION 8-13-1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 8-13-1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBTS, SO AS TO REQUIRE ANY SUCH CONTRIBUTIONS TO BE USED FOR THIS PURPOSE ONLY; TO AMEND SECTION 8-13-1338, RELATING TO PERSONS WHO MAY NOT SOLICIT CONTRIBUTIONS, SO AS TO INCLUDE THE HEAD OF ANY STATE AGENCY WHO IS SELECTED BY THE GOVERNOR, THE GENERAL ASSEMBLY, OR AN APPOINTED OR ELECTED BOARD; TO AMEND SECTION 8-13-1340, AS AMENDED, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER OR THROUGH COMMITTEES CONTROLLED BY A CANDIDATE, SO AS TO DELETE AN EXCEPTION FOR A COMMITTEE CONTROLLED BY A CANDIDATE IF IT IS THE ONLY SUCH COMMITTEE, AND TO MAKE CONFORMING CHANGES; TO AMEND SECTIONS 8-13-1510 AND 8-13-1520, BOTH AS AMENDED, RELATING TO PENALTIES FOR ETHICAL AND OTHER VIOLATIONS, AND BY ADDING SECTION 8-13-1530 SO AS TO FURTHER PROVIDE FOR THE PENALTIES FOR VIOLATIONS AND FOR WHERE CERTAIN WILFUL VIOLATIONS MUST BE TRIED; AND TO REPEAL SECTIONS 8-13-710 AND 8-13-715 RELATING TO REPORTING OF PARTICULAR GIFTS AND AUTHORIZED REIMBURSEMENTS FOR SPEAKING ENGAGEMENTS.

Reps. DELLENEY, NORMAN, HIXON, COLE, TALLON, BRANNON, V. S. MOSS, ROBINSON-SIMPSON, HARDEE, HOSEY, ANDERSON, DOUGLAS, MCEACHERN, MITCHELL, KING and MCCOY requested debate on the Bill.

**S. 764--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 764 -- Senators Alexander, Cromer and Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2, CHAPTER 35, TITLE 43 SO AS TO CREATE THE VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM WITHIN THE OFFICE ON AGING TO RECRUIT, TRAIN, AND SUPERVISE VOLUNTEERS TO SERVE AS COURT APPOINTED GUARDIANS AD LITEM FOR VULNERABLE ADULTS IN ABUSE, NEGLECT, AND EXPLOITATION PROCEEDINGS; TO PROVIDE THE DUTIES AND RESPONSIBILITIES OF A GUARDIAN AD LITEM; TO PROVIDE THAT A GUARDIAN AD LITEM MAY BE A LAYPERSON OR AN ATTORNEY; TO PROVIDE QUALIFICATIONS TO BECOME A GUARDIAN AD LITEM; TO AUTHORIZE THE VULNERABLE ADULT GUARDIAN AD LITEM PROGRAM TO INTERVENE IN PROCEEDINGS TO PETITION FOR REMOVAL OF A GUARDIAN AD LITEM UNDER CERTAIN CONDITIONS; TO PROVIDE THAT CERTAIN INFORMATION, REPORTS, AND RECORDS MUST BE MADE AVAILABLE TO GUARDIANS AD LITEM BY CERTAIN STATE AND FEDERAL AGENCIES, MEDICAL AND DENTAL PRACTITIONERS, AND FINANCIAL INSTITUTIONS; TO PROVIDE THAT REPORTS AND INFORMATION COLLECTED AND MAINTAINED BY THE PROGRAM ARE CONFIDENTIAL AND TO PROVIDE FOR CIVIL IMMUNITY WHEN ACTING IN GOOD FAITH AND IN THE ABSENCE OF GROSS NEGLIGENCE; AND TO AMEND SECTION 43-35-45, RELATING, AMONG OTHER THINGS, TO THE APPOINTMENT OF AN ATTORNEY AND A GUARDIAN AD LITEM FOR A VULNERABLE ADULT IN A PROCEEDING, SO AS TO FURTHER PROVIDE THAT THE COURT SHALL APPOINT AN ATTORNEY FOR A LAY GUARDIAN AD LITEM AND THAT THE GUARDIAN AD LITEM MAY BE REMOVED IF THE VULNERABLE ADULT HAS THE CAPACITY TO ASSIST IN THE CASE.

Rep. HORNE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 90; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Bowen | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| Delleney | Douglas | Edge |
| Erickson | Felder | Finlay |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Long |
| Lowe | Lucas | McEachern |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Norman | Norrell |
| R. L. Ott | Owens | Pope |
| Putnam | Ridgeway | Riley |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. E. Smith |
| J. R. Smith | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Vick | Weeks |
| Wells | Whipper | Whitmire |
| Williams | Willis | Wood |

**Total--90**

Those who voted in the negative are:

**Total--0**

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

**S. 817--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 817 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-47 SO AS TO REQUIRE PERSONS SEEKING CERTAIN POSITIONS OR WHO VOLUNTEER OR SERVE IN A POSITION SUPPORTED, SPONSORED, OR ADMINISTERED BY THE SOUTH CAROLINA COMMISSION ON NATIONAL AND COMMUNITY SERVICE TO UNDERGO A STATE AND NATIONAL CRIMINAL HISTORY BACKGROUND CHECK AND TO PROVIDE PROCEDURES TO BE FOLLOWED AND FOR THE COSTS OF THE BACKGROUND CHECKS.

Rep. HORNE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Bernstein | Bowen | Bowers |
| Brannon | 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 | Funderburk |
| Gagnon | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

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

**S. 1035--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1035 -- Senators Davis, Rankin, Shealy, Cleary, L. Martin, Grooms, Bright, Pinckney, Coleman, Bryant, Verdin and Campbell: A BILL TO AMEND ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO THE CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH ACT OF 1980, TO ENACT THE MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH ACT; TO ESTABLISH THE MEDICAL CANNABIS THERAPEUTIC TREATMENT RESEARCH PROGRAM AT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE FOR PATIENTS ELIGIBLE TO PARTICIPATE IN THE PROGRAM; TO PROVIDE WHO AND UNDER WHAT CIRCUMSTANCES MEDICAL CANNABIS CAN BE ADMINISTERED TO A PATIENT; TO PROVIDE FOR NOTICE TO A PARTICIPATING PATIENT THAT THE PATIENT WILL BE PARTICIPATING IN A RESEARCH STUDY AND OF THE EXPERIMENTAL NATURE OF THE MEDICAL CANNABIS PROGRAM; TO PROVIDE FOR THE PROTECTION OF A PARTICIPATING PATIENT'S PERSONAL INFORMATION; TO PROVIDE FOR THE OPERATION OF THE PROGRAM BY THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; TO PROVIDE REPORTING REQUIREMENTS BY ACADEMIC MEDICAL CENTERS THAT SUPERVISE OR ADMINISTER MEDICAL CANNABIS TREATMENTS; AND TO PROVIDE CRIMINAL AND CIVIL IMMUNITY FROM STATE ACTIONS OR SUITS ARISING FROM THE PROPER IMPLEMENTATION OF THIS ACT; AND TO PROVIDE THAT THE STATE SHALL DEFEND STATE EMPLOYEES WHO, IN GOOD FAITH, CARRY OUT THE PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO COLLABORATE WITH ACADEMIC MEDICAL CENTERS TO ASSIST INTERESTED PATIENTS WITH THE APPLICATION PROCESS TO PARTICIPATE IN EXISTING UNITED STATES FOOD AND DRUG ADMINISTRATION APPROVED INVESTIGATIONAL NEW DRUG STUDIES CONCERNING MEDICAL CANNABIS.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 1035 (COUNCIL\DKA\1035C002.DKA.VR14), which was adopted:

Amend the bill, as and if amended, Section 44‑53‑110(27), SECTION 1, page 6, beginning on line 1, by striking the item in its entirety and inserting:

/ (27)(a) ‘Marijuana’ means:

~~(1)~~(i) all species or variety of the marijuana plant and all parts thereof whether growing or not;

~~(2)~~(ii) the seeds of the marijuana plant;

~~(3)~~(iii) the resin extracted from any part of the marijuana plant; or

~~(4)~~(iv) every compound, manufacture, salt, derivative, mixture, or preparation of the marijuana plant, marijuana seeds, or marijuana resin.

(b) ‘Marijuana’ does not mean:

~~(1)~~(i) the mature stalks of the marijuana plant or fibers produced from these stalks;

~~(2)~~(ii) oil or cake made from the seeds of the marijuana plant, including cannabidiol derived from the seeds of the marijuana plant;

~~(3)~~(iii) any other compound, manufacture, salt, derivatives, mixture, or preparation of the mature stalks (except the resin extracted therefrom), including cannabidiol derived from mature stalks;

~~(4)~~(iv) the sterilized seed of the marijuana plant which is incapable of germination;

(v) for persons participating in a clinical trial or in an expanded access program related to administering cannabidiol for the treatment of severe forms of epilepsy pursuant to Article 18, Chapter 53, Title 44, a drug or substance approved for the use of those participants by the federal Food and Drug Administration; or

(vi) for persons, or the persons’ parents, legal guardians, or other caretakers, who have received a written certification from a physician licensed in this State that the person has been diagnosed by a physician as having Lennox Gastaut Syndrome, Dravet Syndrome, also known as ‘severe myoclonic epilepsy of infancy’, or any other severe form of epilepsy that is not adequately treated by traditional medical therapies, the substance cannabidiol, a nonpsychoactive cannabinoid, or any compound, manufacture, salt, derivative, mixture, or preparation of any plant of the genus cannabis that contains nine‑tenths of one percent or less of tetrahydrocannabinol and more than fifteen percent of cannabidiol.

(c) For purposes of this item, written certification means a document dated and signed by a physician stating that the patient has been diagnosed with Lennox Gastaut Syndrome, Dravet Syndrome, also known as ‘severe myoclonic epilepsy of infancy’, or any other severe form of epilepsy that is not adequately treated by traditional medical therapies and the physician’s conclusion that the patient might benefit from the medical use of cannabidiol.

(d) A physician is not subject to detrimental action, including arrest, prosecution, penalty, denial of a right or privilege, civil penalty, or disciplinary action by a professional licensing board for providing written certification for the medical use of cannabidiol to a patient in accordance with this section. /

Amend further, Article 18, Chapter 53, Title 44, SECTION 2, by inserting after line 23 / Julian’s Law /

Amend further, Section 44‑53‑1810(1), SECTION 2, page 8, beginning on line 25, by striking the item in its entirety and inserting:

/ (1) ‘Academic medical center’ means a research hospital that operates a medical residency program for physicians and conducts research that involves human subjects, and other hospital research programs conducting research as a sub‑recipient with the academic medical center as the prime awardee. /

Amend further, Section 44‑53‑1810(3), SECTION 2, page 8, beginning on line 38, by striking the item in its entirety and inserting:

/ (3) ‘Cannabidiol’ means a finished preparation containing, of its total cannabinoid content, at least 98 percent cannabidiol and not more than 0.90 percent tetrahydrocannabinol by volume that has been extracted from marijuana or synthesized in a laboratory. /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE explained the amendment.

The amendment was then adopted.

Rep. HORNE proposed the following Amendment No. 2 to S. 1035 (COUNCIL\MS\1035C001.MS.VR14), which was adopted:

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

/ SECTION \_\_. (A) There is created a study committee whose purpose is to develop a plan for the sale and use of medical marijuana in the State should the Drug Enforcement Administration declassify or reclassify marijuana as a controlled substance.

(B)(1) Members of the study committee must include:

(a) the Director or a designee of the Department of Agriculture;

(b) the Director or a designee of the Department of Health and Environmental Control;

(c) the Director or a designee of the Department of Revenue;

(d) the Director of a designee of the State Law Enforcement Division;

(e) two members of the House of Representatives appointed by the Speaker of the House, one of whom the Speaker shall designate as a co‑chair of the study committee;

(f) two members of the Senate appointed by the President *Pro Tempore* of the Senate, one of whom the President *Pro Tempore* shall designate as a co‑chair of the study committee;

(g) one member of the public appointed by the Speaker of the House of Representatives;

(h) one member of the public appointed by the President *Pro Tempore* of the Senate;

(i) the President or a designee of the Medical University of South Carolina; and

(j) the President or a designee of Clemson University.

(2) The study committee also may invite representatives of non‑profit entities with expertise in the production of CBD oil to participate in the study committee process.

(3) The House of Representatives Judiciary Committee and the Senate Medical Affairs Committee shall designate staff to assist the study committee.

(C) The study committee shall provide a report with findings and recommendations to the House of Representatives and the Senate by March 15, 2015, at which the study committee shall dissolve. The report must address, at a minimum, methods and procedures for cultivating medical marijuana in the State, the amount of tax to impose on the sale of medical marijuana, the need for an agriculture marketing plan for the sale and use of medical marijuana, and the impact of the sale and use of medical marijuana on public health and wellness. /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 78; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Bannister | Bernstein | Bowen |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Cole | K. R. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Herbkersman |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Knight |
| Limehouse | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | Munnerlyn |
| Norman | Norrell | Parks |
| Pitts | Pope | Quinn |
| Ridgeway | Rivers | Robinson-Simpson |
| Rutherford | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Taylor | Thayer |
| Vick | Weeks | Wells |
| Whipper | White | Wood |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Ballentine |
| Barfield | Brannon | Burns |
| Chumley | Clemmons | H. A. Crawford |
| Hamilton | Hayes | Hiott |
| Kennedy | Loftis | Nanney |
| Putnam | Riley | G. R. Smith |
| Tallon |  |  |

**Total--19**

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

**SPEAKER IN CHAIR**

**S. 1089--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1089 -- Senators Davis, Campsen, Grooms and Pinckney: A BILL TO AMEND SECTION 54-3-700 OF THE 1976 CODE, RELATING TO THE CESSATION OF MARINE TERMINAL OPERATIONS AND THE SALE OF PROPERTY AT PORT ROYAL, TO RECOGNIZE THAT THE STATE PORTS AUTHORITY HAS CEASED OPERATIONS AT PORT ROYAL, TO DIRECT THE STATE PORTS AUTHORITY TO SELL THE PORT ROYAL PROPERTY AS SOON AS PRACTICABLE ON OR BEFORE JUNE 30, 2015 AND TO PROVIDE FLEXIBILITY IN THE MANNER OF SALE, TO PROVIDE FOR CERTAIN CIRCUMSTANCES WHERE THE SALE MAY BE CLOSED AFTER JUNE 30, 2015, TO PROVIDE THAT IF THE PROPERTY IS NOT SOLD BY JUNE 30, 2015 SUBJECT TO THE IDENTIFIED EXCEPTIONS, THE AUTHORITY MUST IRREVOCABLY TRANSFER THE PROPERTY TO THE GENERAL SERVICES DIVISION TO BE SOLD AT AUCTION, TO PROVIDE THAT IF THE PROPERTY DOES NOT SELL AT AUCTION AS PROVIDED, GENERAL SERVICES SHALL MARKET AND SELL THE PROPERTY IN A COMMERCIALLY REASONABLE MANNER; TO PROVIDE FOR AN APPRAISAL OF THE PROPERTY PRIOR TO SALE, TO PROVIDE THAT THE PROPERTY MAY BE SOLD BY THE STATE PORTS AUTHORITY OR GENERAL SERVICES FOR EIGHTY PERCENT OR MORE OF THE APPRAISED VALUE; TO PROVIDE THAT ALL SALES MUST BE MADE ACCORDING TO STATE PROCEDURES, TO PROVIDE FOR THE DISTRIBUTION OF SALES PROCEEDS, AND TO PROVIDE THAT A SALE OF THE PROPERTY PURSUANT TO THIS ACT SATISFIES THE STATE PORTS AUTHORITY BOARD'S FIDUCIARY DUTIES TO THE AUTHORITY AND TO THE AUTHORITY'S BOND HOLDERS.

Rep. ERICKSON proposed the following Amendment No. 1 to S. 1089 (COUNCIL\BH\1089C001.BH.DG14), which was adopted:

Amend the bill, as and if amended, SECTION 2, beginning on page 4, by striking Section 54‑3‑700(D) and inserting:

/ (D) Any real or personal property at Port Royal which is to be sold must be ~~first~~ appraised ~~and then sold at fair market value~~ prior to the sale. The real property appraiser must be a State Certified General Real Estate Appraiser, a member of the Appraisal Institute (MAI), and must be knowledgeable in appraisal and in appraising ~~marine terminal facilities~~ closed industrial sites. The appraisal of the real property should include its future development opportunities and those of the surrounding properties, and give due consideration to the possible existence of adverse environmental conditions and structurally unsound improvements. ~~The State Ports Authority Board of Directors shall exercise its lawful discretion in the acceptance of any sales price with due regard to its fiduciary duties to the authority and for the protection of the interests of the authority’s bondholders as set forth in its bond covenants, and otherwise according to law, including conversion of a nonperforming asset into revenue in the most expeditious manner.~~ The sale of the real property shall comply with all state laws and procedures~~, must be approved by the State Budget and Control Board, and must be on an open‑bid basis, and no bid may be accepted which is less than the property’s fair market value as shown by the appraisal~~. All proceeds from the sale of real and personal property at Port Royal must be retained by the State Ports Authority~~;~~, except as provided in item (C)(3), and except that the Town of Port Royal may petition the State Budget and Control Board, or its successor entity, for a portion of the net proceeds from a sale and may be allocated a portion of these net proceeds in an amount not to exceed five percent of the net proceeds upon showing the allocation is necessary to pay for infrastructure needs directly associated with and necessitated by the closing of the port as Port Royal. These funds must be expended at the direction of the Town Council of Port Royal with the approval of the State Budget and Control Board, or its successor entity, solely for infrastructure, and shall have priority over all other expenditures except usual and necessary closing costs attributable to a sales contract.” /

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Barfield |
| Bernstein | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| Burns | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | Nanney |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

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

**S. 4--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 4 -- Senators Scott, Malloy, Setzler, Matthews, Allen, Coleman, Ford, Hutto, Jackson, Johnson, Lourie, McElveen, McGill, Nicholson, Pinckney, Reese, Sheheen, Williams and Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; AND TO AMEND SECTION 7-15-320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD.

Reps. CLEMMONS, TALLON, NANNEY, GOLDFINCH, H. A. CRAWFORD, HARDWICK, BARFIELD, RYHAL, BRANNON, WOOD, COLE, ALLISON, ANDERSON, SKELTON, G. A. BROWN and SANDIFER requested debate on the Bill.

**S. 1198--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 1198 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER POLLUTION CONTROL PERMITS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4444, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. HIOTT explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Barfield | Bernstein | Bowen |
| Bowers | Brannon | 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 | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Hiott | Hixon |
| Hodges | Horne | Hosey |
| 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 | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Vick |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--103**

Those who voted in the negative are:

**Total--0**

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

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

**H. 3512--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 3512 -- Reps. Quinn and J. E. Smith: A BILL TO AMEND SECTION 61-6-1560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISCOUNTS ON ALCOHOLIC LIQUORS OR NONALCOHOLIC ITEMS, SO AS TO ALLOW A RETAIL DEALER TO OFFER DISCOUNTS AT THE REGISTER THROUGH THE USE OF PREMIUMS, COUPONS, OR STAMPS, SO LONG AS THE COST RELATED TO THE DISCOUNT IS PROVIDED ONLY BY THE RETAIL DEALER AND IS NOT PROHIBITED BY FEDERAL LAW; AND TO AMEND SECTION 61-6-1500, RELATING TO RESTRICTIONS ON RETAIL DEALERS OF CERTAIN ALCOHOLIC PRODUCTS, SO AS TO PROHIBIT CERTAIN TRANSACTIONS TO ANOTHER RETAIL DEALER IN CERTAIN SITUATIONS, TO PROHIBIT CERTAIN TRANSACTIONS BETWEEN LOCATIONS OWNED BY THE SAME RETAIL DEALER, AND TO PROVIDE ADDITIONAL PENALTIES.

Rep. COLE proposed the following Amendment No. 1A to H. 3512 (COUNCIL\BH\3512C001.BH.DG14), which was adopted:

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

/ SECTION \_\_\_. A. Section 61‑2‑90 of the 1976 Code is amended to read:

“Section 61‑2‑90. A person desiring a license or permit under this title must file with the department an application in writing on forms provided by the department containing a statement under oath setting forth:

(1) the name, address, date of birth, race, and nationality of the person applying for the license or permit;

(2) the exact location where the business is proposed to be operated;

(3) a description of the type of business to be operated;

(4) whether the applicant or an owner of the business has been involved in the sale of alcoholic liquors, beer, or wine in this or another state and whether ~~he~~ the applicant or owner has had a license or permit suspended or revoked; and

(5) ~~whether the applicant has been a legal resident of this State for at least thirty days before the date of application, and has maintained his principal place of abode in the State for at least thirty days before the date of application;~~

~~(6)~~ other information required by the department to determine if the application meets all statutory requirements for the license or permit and to determine the true owners of the business seeking the license or permit.”

B. Article 17, Chapter 4, Title 61 of the 1976 Code is amended to read:

“Article 17

Brewpubs

Section 61‑4‑1700. For purposes of this article:

(1) ‘Brewpub’ means a tavern, public house, restaurant, or hotel which produces on the permitted premises a maximum of ~~two~~ five hundred thousand barrels a year of beer for sale to consumers, wholesalers, or exporters on the permitted premises.

(2) ‘Permitted premises’ means those areas normally used by the permittee or licensee to conduct his business and includes, but is not limited to, the selling areas, brewing areas, storage areas, food preparation areas, and parking areas.

(3) ‘Person’ means an individual, partnership, corporation, or other form of business organization.

Section 61‑4‑1710. The department may issue a brewpub permit to a person to operate a brewpub in this State subject to the requirements of this chapter and the payment of a biennial brewpub permit fee of two thousand dollars.

Section 61‑4‑1720. The brewpub permit provided for in this article is in lieu of a permit required for the manufacture of beer or sale of beer and wine including, but not limited to, a brewer’s and retailer’s permit. The sale of alcoholic liquors for consumption on the premises by the drink requires an appropriate license which may be issued to the holder of a brewpub permit who meets all other qualifications for the license under this title.

Section 61‑4‑1730. Beer brewed on a permitted premises pursuant to this article must be taxed as provided in Section 12‑21‑1035. The permittee shall maintain adequate records as determined by the department to ensure the collection of this tax.

Section 61‑4‑1740. A brewpub permit authorizes the holder to:

(1) produce on the permitted premises a maximum of ~~two~~ five hundred thousand barrels of beer a year ~~of beer~~ for sale:

(a) on draft for consumption on the permitted premises;

(b) in a sanitary container ~~brought to the premises by the purchaser and~~ filled at the tap by the permittee at the time of sale; ~~and~~

(c) in bottles and cans for consumption by the purchaser off the premises; and

(d) in kegs, bottles, and cans to a wholesaler;

(2) sell the beer of a producer ~~which~~ that has been purchased from a wholesaler through the normal three‑tier distribution chain set forth in Section 61‑4‑940;

(3) serve food or otherwise be qualified as a public eating establishment. This provision may not be construed to exempt a permittee or licensee from the requirement that food must be served in order for a license for the consumption of alcoholic liquors on the premises to be issued; and

(4) sell beer produced on the permitted premises to wholesalers licensed under Chapter 4, Title 61; however, beer produced on the permitted premises shall be sold to exporters and nonresident wholesalers only when the purchase is not for resale in this State.

Section 61‑4‑1750. No person holding a brewpub permit ~~may~~ shall sell beer, ale, porter, or other similar malt or fermented beverages on draft, on tap, from kegs, or from other containers unless approved by the rules and regulations of the Department of Health and Environmental Control governing eating and drinking establishments and other retail food establishments, if the brewpub permittee is subject to those rules and regulations.

Section 61‑4‑1760. ~~No brewpub permittee may sell or ship the beer produced on the permitted premises for sale in another location.~~ Reserved.

Section 61‑4‑1770. The department may suspend or revoke the permit or license of a person who violates the provisions of this article.”

C. Notwithstanding the general effective date of this act, this SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. COLE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 4

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bernstein |
| Bowers | Brannon | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | King |
| Knight | Limehouse | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Norman | Pitts | Pope |
| Putnam | Ridgeway | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Thayer | Vick | Weeks |
| Whipper | White | Whitmire |
| Wood |  |  |

**Total--88**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Barfield | J. R. Smith | Taylor |
| Wells |  |  |

**Total--4**

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 2A to H. 3512 (COUNCIL\MS\3512C001.MS.AHB14), which was adopted:

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

/ SECTION \_\_. A. Section 61‑6‑4160 of the 1976 Code is amended to read:

“Section 61‑6‑4160. It is unlawful to sell alcoholic liquors on Sunday except as authorized by law, on ~~statewide election days~~ Christmas Day, or during periods proclaimed by the Governor in the interest of law and order or public morals and decorum. Full authority to proclaim these periods is conferred upon the Governor in addition to all his other powers. A person who violates a provision of this section is guilty of a misdemeanor and, upon conviction, must be punished as follows:

(a) for a first offense, by a fine of two hundred dollars or imprisonment for sixty days;

(b) for a second offense, by a fine of one thousand dollars or imprisonment for one year; and

(c) for a third or subsequent offense, by a fine of two thousand dollars or imprisonment for two years.”

B. This SECTION takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 55; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bernstein | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Daning | Dillard |
| Douglas | George | Gilliard |
| Hardwick | Harrell | Herbkersman |
| Hodges | Horne | Hosey |
| King | Knight | Limehouse |
| McCoy | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Neal | Norrell | Pitts |
| Pope | Putnam | Ridgeway |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Skelton | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Thayer | Vick |
| Weeks |  |  |

**Total--55**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Barfield | Burns |
| Chumley | Clemmons | H. A. Crawford |
| Delleney | Felder | Finlay |
| Goldfinch | Hamilton | Hayes |
| Hixon | Huggins | Loftis |
| Lowe | Lucas | Nanney |
| Norman | Owens | Quinn |
| Riley | Rivers | Simrill |
| G. R. Smith | J. R. Smith | Southard |
| Stringer | Tallon | Wells |
| White | Willis | Wood |

**Total--33**

The amendment was then adopted.

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

**H. 5225--DEBATE ADJOURNED**

The following Bill was taken up:

H. 5225 -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

Rep. BRANHAM moved to commit the Bill to the Committee on Ways and Means.

Rep. LOWE moved to table the motion.

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

Yeas 53; Nays 49

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Ballentine | Barfield | Bingham |
| Burns | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Daning |
| Delleney | Erickson | Felder |
| Finlay | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardwick |
| Harrell | Herbkersman | Hixon |
| Huggins | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | D. C. Moss |
| Murphy | Nanney | Owens |
| Pitts | Pope | Putnam |
| Quinn | Riley | Rivers |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Thayer |
| Wells | White | Whitmire |
| Williams | Willis |  |

**Total--53**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Bernstein |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clyburn | Cobb-Hunter | Dillard |
| Douglas | Funderburk | George |
| Govan | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| King | Knight | Mack |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | Munnerlyn |
| Neal | Norrell | R. L. Ott |
| Ridgeway | Robinson-Simpson | Rutherford |
| Sabb | Skelton | J. E. Smith |
| Southard | Stavrinakis | Taylor |
| Vick | Weeks | Whipper |
| Wood |  |  |

**Total--49**

So, the motion to commit the Bill was tabled.

Rep. SKELTON moved to continue the Bill.

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

Yeas 44; Nays 59

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bernstein | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Douglas | Funderburk | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | V. S. Moss |
| Munnerlyn | Neal | Norrell |
| R. L. Ott | Ridgeway | Robinson-Simpson |
| Rutherford | Sabb | Skelton |
| Southard | Taylor | Vick |
| Weeks | Whipper |  |

**Total--44**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bingham | Brannon |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Daning | Delleney | Erickson |
| Felder | Finlay | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hamilton | Hardwick | Harrell |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Merrill | D. C. Moss | Murphy |
| Nanney | Norman | Owens |
| Pitts | Pope | Putnam |
| Riley | Rivers | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Tallon | Wells |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--59**

So, the House refused to continue the Bill.

Rep. ALEXANDER moved to table the Bill.

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

Yeas 44; Nays 61

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bernstein | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Dillard |
| Douglas | Edge | Funderburk |
| George | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Munnerlyn |
| Neal | Norman | Norrell |
| R. L. Ott | Ridgeway | Robinson-Simpson |
| Rutherford | Sabb | Skelton |
| Southard | Taylor | Vick |
| Weeks | Whipper |  |

**Total--44**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bingham | Brannon |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Daning | Delleney | Erickson |
| Felder | Finlay | Forrester |
| Gagnon | Gambrell | Gilliard |
| Goldfinch | Hamilton | Hardwick |
| Harrell | Hixon | Horne |
| Huggins | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | Merrill |
| D. C. Moss | Murphy | Nanney |
| Owens | Pitts | Pope |
| Putnam | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Wells | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--61**

So, the House refused to table the Bill.

Rep. ALEXANDER spoke against the Bill.

Rep. K. R. CRAWFORD moved to adjourn debate on the Bill until Thursday May 15, which was agreed to.

**H. 5228--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5228 -- Rep. Daning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF UNITED STATES HIGHWAYS 52 AND 78 IN CHARLESTON COUNTY "WILLIAM E. 'BILL' CROSBY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE FOUR ENTRANCE POINTS TO THIS INTERCHANGE THAT CONTAIN THE WORDS "WILLIAM E. 'BILL' CROSBY INTERCHANGE".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1272--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1272 -- Senators Cromer, Setzler, Courson, Massey and Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 1 AND MORGAN DRIVE IN THE CITY OF LEXINGTON "ARMY SPECIALIST THOMAS DAY CAUGHMAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS THAT CONTAIN THIS DESIGNATION TO HONOR ARMY SPECIALIST THOMAS DAY CAUGHMAN WHO MADE THE ULTIMATE SACRIFICE IN DEFENSE OF HIS COUNTY WHILE ON PATROL IN BAGHDAD, IRAQ DURING OPERATION IRAQI FREEDOM.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**S. 815--DEBATE ADJOURNED**

The following Bill was taken up:

S. 815 -- Senators L. Martin and Campsen: A BILL TO AMEND SECTION 7-11-30, SOUTH CAROLINA CODE OF LAWS, 1976, TO PROVIDE THAT A PARTY MAY CHOOSE TO CHANGE NOMINATION OF CANDIDATES BY PRIMARY TO A CONVENTION IF THREE-FOURTHS OF THE CONVENTION MEMBERSHIP APPROVES OF THE CONVENTION NOMINATION PROCESS, AND A MAJORITY OF THE VOTERS IN THAT PARTY'S NEXT PRIMARY ELECTION APPROVES THE USE OF A CONVENTION.

Rep. HIOTT moved to adjourn debate on the Bill until Thursday, May 15, which was agreed to.

**S. 839--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 839 -- Senators Bryant, Bright and Davis: A BILL TO AMEND TITLE 46 OF THE 1976 CODE, RELATING TO AGRICULTURE, BY ADDING CHAPTER 55 CONCERNING INDUSTRIAL HEMP; TO PROVIDE THAT IT IS LAWFUL TO GROW INDUSTRIAL HEMP IN THIS STATE; TO CLARIFY THAT INDUSTRIAL HEMP IS EXCLUDED FROM THE DEFINITION OF MARIJUANA; TO PROHIBIT GROWING INDUSTRIAL HEMP AND MARIJUANA ON THE SAME PROPERTY OR OTHERWISE GROWING MARIJUANA IN CLOSE PROXIMITY TO INDUSTRIAL HEMP TO DISGUISE THE MARIJUANA GROWTH; AND TO DEFINE NECESSARY TERMS.

Rep. HODGES explained the Bill.

Rep. G. R. SMITH moved to adjourn debate on the Bill.

Rep. V. S. MOSS moved to table the motion.

Rep. G. R. SMITH demanded the yeas and nays which were taken, resulting as follows:

Yeas 76; Nays 25

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Bannister | Bernstein | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Clemmons | Clyburn |
| Cobb-Hunter | K. R. Crawford | Crosby |
| Daning | Delleney | Douglas |
| Edge | Erickson | Finlay |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hardwick |
| Harrell | Hayes | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | King |
| Knight | Limehouse | Loftis |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Neal | Norrell | R. L. Ott |
| Pope | Ridgeway | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Simrill | Skelton | G. M. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Taylor |
| Thayer | Wells | Whipper |
| Williams |  |  |

**Total--76**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Burns | Chumley | Cole |
| Forrester | Gambrell | Hamilton |
| Kennedy | Lowe | Nanney |
| Pitts | Putnam | Riley |
| Rivers | Sandifer | G. R. Smith |
| J. R. Smith | Stringer | Tallon |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--25**

So, the motion to adjourn debate was tabled.

Rep. G. R. SMITH moved that the House do now adjourn, which was not agreed to.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 72; Nays 28

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bales |
| Bannister | Bernstein | Bowers |
| Branham | G. A. Brown | R. L. Brown |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Funderburk |
| Gagnon | George | Goldfinch |
| Hardwick | Harrell | Hayes |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Jefferson | King | Knight |
| Limehouse | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Neal | Norrell |
| R. L. Ott | Pitts | Pope |
| Ridgeway | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Simrill |
| Skelton | G. M. Smith | J. E. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Taylor | Thayer |
| Wells | Whipper | Williams |

**Total--72**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Brannon | Burns | Chumley |
| Clemmons | H. A. Crawford | Felder |
| Forrester | Gambrell | Hamilton |
| Huggins | Kennedy | Loftis |
| Lowe | Nanney | Putnam |
| Quinn | Riley | Rivers |
| G. R. Smith | J. R. Smith | Stringer |
| Tallon | White | Willis |
| Wood |  |  |

**Total--28**

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

**S. 986--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 986 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-90 OF THE 1976 CODE, RELATING TO HUNTING, FISHING, OR TRAPPING WITHOUT CONSENT ON THE LAND OF OTHERS, TO INCREASE THE PENALTIES FOR THESE OFFENSES.

Rep. STAVRINAKIS proposed the following Amendment No. 1 to S. 986 (COUNCIL\BH\986C001.BH.DG14), which was ruled out of order:

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

/ SECTION \_\_\_. Section 56‑7‑10 of the 1976 Code, as last amended by Act 68 of 2005, is further amended to read:

“Section 56‑7‑10. (A) There will be a uniform traffic ticket used by all law enforcement officers in arrests for traffic offenses and for the following additional offenses:

Offense Citation

Interfering with Police Officer Serving

Process Section 16‑5‑50

Dumping Trash on Highway/Private Property Section 16‑11‑700

Indecent Exposure Section 16‑15‑130

Disorderly Conduct Section 16‑17‑530

Damaging Highway Section 57‑7‑10

Place Glass, Nails, Etc. on Highway Section 57‑7‑20

Obstruction of Highway by Railroad Cars,

Etc. Section 57‑7‑240

Signs Permitted on Interstate Section 57‑25‑140

Brown Bagging Section 61‑5‑20

Drinking Liquors in Public Conveyance Section 61‑13‑360

Poles Dragging on Highway Section 57‑7‑80

Open Container Section 61‑9‑87

Purchase or Possession of Beer or

Wine by a Person Under Age Section 63‑19‑2440

Purchase or Possession of Alcoholic

Liquor by a Person Under Age

Twenty‑One Section 63‑19‑2450

Unlawful Possession and Consumption

of Alcoholic Liquors Section 61‑5‑30

Sale of Beer or Wine on Which Tax Has

Not Been Paid Section 61‑9‑20

Falsification of Age to Purchase Beer

or Wine Section 61‑9‑50

Unlawful Purchase of Beer or Wine for

a Person Who Cannot Legally Buy Section 61‑9‑60

Unlawful Sale or Purchase of Beer or Wine,

Giving False Information as to Age, Buying

Beer or Wine Unlawfully for Another Section 61‑9‑85

Employment of a Person Under the Age

of Twenty‑One as an Employee in

Retail or Wholesale or Manufacturing

Liquor Business Section 61‑13‑340

Failure to Remove Doors from

Abandoned Refrigerators Section 16‑3‑1010

Malicious Injury to Animals or Personal

Property Section 16‑11‑510

Timber, Logs, or Lumber Cutting, Removing,

Transporting Without Permission, Valued

at Less Than Fifty Dollars Section 16‑11‑580

Littering Section 16‑11‑700

Larceny of a Bicycle Valued at Less Than

One Hundred Dollars Section 16‑13‑80

Cock Fighting Section 16‑17‑650

Ticket Scalping Section 16‑17‑710

Glue Sniffing Section 44‑53‑1110

Trespassing Section 16‑11‑755

Trespassing Section 16‑11‑600

Trespassing Section 16‑11‑610

Trespassing Section 16‑11‑620

Negligent Operation of Watercraft;

Operation of Watercraft While Under

Influence of Alcohol or Drugs Section 50‑21‑110

Negligence of Boat Livery to Provide

Proper Equipment and Registration Section 50‑21‑120

Interference with Aids to Navigation

or Regulatory Markers or Operation of

Watercraft in Prohibited Area Section 50‑21‑170

Operation of Watercraft Without a

Certificate of Title Section 50‑23‑190

Parking on private property without

permission Section 16‑11‑760

Certificate of Veterinary Inspection;

Requirement for Out‑of‑State Livestock

or Poultry Section 47‑4‑60

Inhibition of Livestock Inspection Section 47‑4‑120

Imported Swine Section 47‑6‑50

Operating Equine Sales Facility or

Livestock Market Without Permit Section 47‑11‑20

Liability of Person Removing Livestock

for Slaughter Section 47‑11‑120

Notice to Disinfect Section 47‑13‑310

Quarantine of Livestock or Poultry Section 47‑4‑70

Unlawful for Horse to Enter State Unless

Tested Section 47‑13‑1350

Quarantine of Exposed Horses Section 47‑13‑1360

Proof of Test Required for Public

Assembly of Horses Section 47‑13‑1370

False Certificates Section 47‑13‑1390

Unlawful to Feed Garbage to Swine Section 47‑15‑20

Notification Required from Certain

Persons Disposing of Garbage Section 47‑15‑40

Sale of Uninspected Meat and Meat Products Section 47‑17‑60

Sale of Uninspected Poultry and Poultry

Products Section 47‑19‑70

(B) No other ticket may be used for these offenses. The service of the uniform traffic ticket shall vest all traffic, recorders’, and magistrates’ courts with jurisdiction to hear and to dispose of the charge for which the ticket was issued and served. This ticket will be designed by the department and approved by the Attorney General within thirty days of submission by the department. A law enforcement agency may utilize computers and other electronic devices to issue uniform traffic citations and store information resulting from the issuance of a traffic citation if this method of issuing a citation has been approved by the Department of Public Safety.

(C) Incident to a plea negotiation or agreement, a law enforcement officer or other person authorized by law to prosecute an offense for which a uniform traffic ticket is issued may invalidate the ticket and reissue a uniform traffic ticket for another offense.” /

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

Rep. HIOTT moved to table the amendment.

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

Yeas 15; Nays 80

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Clemmons | Felder | Forrester |
| Goldfinch | Hardwick | Hiott |
| Hixon | Lucas | V. S. Moss |
| Nanney | Pitts | Southard |
| Spires | Taylor | Wells |

**Total--15**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Bernstein | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Funderburk |
| Gagnon | Gambrell | George |
| Hamilton | Harrell | Hayes |
| Hosey | Howard | Huggins |
| Jefferson | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| Munnerlyn | Murphy | Neal |
| Norrell | R. L. Ott | Parks |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Stavrinakis | Stringer |
| Tallon | Thayer | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--80**

So, the House refused to table the amendment.

**POINT OF ORDER**

Rep. HIOTT raised the Point of Order that under Rule 9.3 Amendment No. 1 to S. 986 was out of order in that it was not germane to the Bill.

Rep. STAVRINAKIS spoke against the Point.

SPEAKER HARRELL sustained the Point of Order and stated that the Bill deals with trespassing offenses but Amendment No. 1 deals with the type of tickets to be used by law enforcement officers in traffic cases. He sustained the point and ruled the amendment out of order.

Reps. LUCAS and HIOTT proposed the following Amendment No. 2 to S. 986 (COUNCIL\NL\986C001.NL.SD14), which was adopted:

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

/ SECTION \_\_. Title 15 of the 1976 Code is amended by adding:

“CHAPTER 82

Limitation on Liability of Land Possessors to Trespassers

Trespasser Responsibility Act

Section 15‑82‑10. (A) As used in this section, the terms:

(1) ‘Possessor of land’ means the possessor of any fee, reversionary, or easement interest in real property, including an owner, lessee, or other lawful occupant;

(2) ‘Trespasser’ means a person who enters or remains on the land of another without permission or without legal privilege.

(B) A possessor of land owes no duty to a trespasser except to refrain from causing a wilful or wanton injury.

(C) Notwithstanding subsection (B), a possessor of land is subject to liability for physical harm to children trespassing thereon caused by an artificial condition upon the land if:

(1) the place where the condition exists is one upon which the possessor knows or has reason to know that children are likely to trespass;

(2) the condition is one of which the possessor knows or has reason to know and which he realizes or should realize will involve an unreasonable risk of death or serious bodily harm to such children;

(3) the children because of their youth do not discover the condition or realize the risk involved in intermeddling with it or in coming within the area made dangerous by it;

(4) the utility to the possessor of maintaining the condition and the burden of eliminating the danger are slight as compared with the risk to children involved; and

(5) the possessor fails to exercise reasonable care to eliminate the danger or otherwise to protect the children.

(D) This chapter does not affect any immunities from or defenses to civil liability established by another section of the South Carolina Code of Laws or available at common law to which a possessor of land may be entitled.” /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Bernstein | Bowers | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| 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 | Goldfinch | Hamilton |
| Hardwick | Harrell | Hayes |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Neal | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Pitts | Pope |
| 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 |
| Taylor | Thayer | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--102**

Those who voted in the negative are:

**Total--0**

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

Rep. HOSEY 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. 5207 -- Rep. Bannister: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF AUGUSTA STREET IN THE CITY OF GREENVILLE FROM ITS INTERSECTION WITH MAULDIN ROAD TO ITS INTERSECTION WITH SOUTH CHURCH STREET "DAVID H. WILKINS BOULEVARD" AND INSTALL APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY INDICATING THIS DESIGNATION IN RECOGNITION OF FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES AND UNITED STATES AMBASSADOR TO CANADA DAVID H. WILKINS' YEARS OF HARD WORK AND SERVICE TO HIS COMMUNITY, STATE, AND COUNTRY.

H. 5246 -- Reps. H. A. Crawford, Hardwick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, 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, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR KAYLA ASHLEY MAXWELL, SIXTH GRADE MATH TEACHER AT FORESTBROOK MIDDLE SCHOOL, AND TO CONGRATULATE HER UPON BEING NAMED THE 2014-2015 HORRY COUNTY TEACHER OF THE YEAR.

**ADJOURNMENT**

At 12:31 p.m. the House, in accordance with the motion of Rep. RIDGEWAY, adjourned in memory of William Kirby "W. K." Harrington of Manning, to meet at 10:00 a.m. tomorrow.

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