~~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 Proverbs 4:23: “Keep your heart with all diligence, for out of it spring the issues of life.”

Let us pray. Gracious Lord, You have filled us with talents that You desire to be used for the good of all people. Nourish these Representatives with Your good grace that they may give of their time, talents, and resources. Bless them as they serve the people of this State. Keep them in Your love and care. 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 Friday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. D. C. MOSS moved that when the House adjourns, it adjourn in memory of Judge Wade "Chip" Weatherford III of Gaffney, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Nancy Truesdale DeBruhl of Camden, mother of Assistant Sergeant-at-Arms Benny DeBruhl.

**REPORT RECEIVED**

The following was received:

JOINT LEGISLATIVE COMMITTEE TO SCREEN CANDIDATES

FOR COLLEGE AND UNIVERSITIES BOARD OF TRUSTEES

PUBLIC HEARING

Tuesday, May 13, 2014

10:36 a.m.

State House, 3rd Floor Conference Room, Columbia, South Carolina

Reported by: Sheri L. Byers

Registered Professional Reporter

Committee Members In Attendance:

Senator Harvey S. Peeler, Jr., Chairman

Representative William R. "Bill" Whitmire, Vice-Chairman

Senator Thomas C. Alexander

Senator J. Yancey McGill

Senator Robert W. Hayes, Jr.

Staff:

Martha Casto

Julie Price

SENATOR PEELER: If there's no objection, we'll call the meeting to order of the Joint Legislative Committee to Screen Candidates for College and University Boards of Trustees. Members, you have the agenda in front of you. You have one candidate for the Winthrop University at large, Seat 10. Mr. Glenn McCall. Glenn, would you come forward, please, sir.

MR. MCCALL: Yes, sir. Thank you.

SENATOR PEELER: Mr. McCall, would you raise your right hand, please?

MR. MCCALL: Yes, sir.

SENATOR PEELER: Do you swear to tell the truth, the whole truth, and nothing but truth, so help you God?

MR. MCCALL: Yes, I do.

SENATOR PEELER: Would you like to share with the committee why you would like to continue to serve as a trustee on the Winthrop University board.

MR. MCCALL: Yes. This is a role that – I originally went on the board as a designee for Senator -- I mean, for Dr. Zais in his capacity, and as a result in that role you couldn't serve -- you can't serve in a leadership capacity. And I have always had ideas on how to improve, and I still could do that, but I think if you bring and you speak on an idea, then you should be willing to serve to implement those.

 So as a result, when our current or past chairman resigned, the governor asked if I would like to move into his role, which had an unexpired term, and as a result of that, I was asked to serve on the executive committee and chair of the finance committee. So I would like to continue that work. I think the finances of public universities, unless you really get into the audit reports and so forth, it's difficult finding out where you are and where you are trying to go as it relates to finances, and I think we're making some changes and getting the board better information versus the one-page summary at board meetings where we are. So that's what I would like to do, see that work finished and pass it on off to someone, I think.

SENATOR PEELER: Thank you. Because of you and others and the new administration, new president, the future is bright, and I appreciate your willingness to continue to serve.

MR. MCCALL: Thank you, sir.

SENATOR PEELER: Members, you have the information in front of you. Any questions, comments? Representative Whitmire.

REPRESENTATIVE WHITMIRE: Thank you.

Mr. McCall, I want to tell you, you have an excellent university. My mother is a graduate. My son and daughter have masters from there. My wife is a principal, an elementary principal in Oconee County. She says whenever she gets a Winthrop graduate prospectus, she immediately puts that at the top because they're always well prepared and trained to be teachers.

MR. MCCALL: Yes.

SENATOR ALEXANDER: Could we suspend for just a minute.

(Off the record.)

SENATOR PEELER: Pardon the interruption, Rep. Whitmire.

REPRESENTATIVE WHITMIRE: Thank you. As I was saying, just a high regard for your university.

MR. MCCALL: Yes, sir.

REPRESENTATIVE WHITMIRE: I do have one question, though. I've noticed recently that your new president has put in fairly substantial raises for at least two people. What's your opinion on that?

MR. MCCALL: Well, one, I think when we pull the covers off that there's several things that happened. One, as you know, the Budget and Control Board freed up higher ed from having to come – really allowing them to manage their salaries and increases. But I think the board should have been aware. Be it right or wrong, we agree or not, the board should have had a say in that. And I think the only salary increase that really somewhat rubbed me personally inappropriately was the one with the police chief because we were comparing him to the police chief, campus police chief at USC, Clemson, University of North Carolina at Charlotte, and they're managing populations that are five, six times the size of Winthrop. So I didn't think that was -- that definitely was inappropriate. But it has happened, so as a result, we'll put processes in place to ensure, either compensation committee, some review process to make sure not to -- and what I find interesting in higher ed and what I've experienced at Winthrop coming from the business, my background, wanting to have processes and procedures, I'm always accused of micromanaging the university, but we have a fiduciary responsibility. And also we have our reputation in the community that we have to uphold. I mean, our campus police with 5,000 students and he has 26 employees is making more than our county sheriff. So I can't reconcile those things. So as a result, I always tell and respond, we're not asking you or telling the university where to buy their pencils and pens or office supplies. We're asking questions that constituents, our constituents want to know, and I think the taxpayers who are funding the university, probably the last thing, and I'll end on this, what also I'm not understanding and universities don't understand, sure, state appropriations have come down and we would love to get more, but we can't. With an aging population, with other needs that are out there, there's just not enough to go around, but I think the State is generous. And I said, If the State were charging us lease payments for all of these facilities, the State is and the taxpayers are giving a lot every year. We don't pay a dime for those facilities that we're using and vehicles that we're driving. It is all coming from state appropriation. So I think that was wrong to put it back on the legislature. It sent the wrong message to the community. You know, we're not getting appropriation, we're going to have to raise salaries to keep good people. I don't buy that at all.

REPRESENTATIVE WHITMIRE: Is there something in place now that the board will have oversight over this in the future?

MR. MCCALL: Right. We have a meeting in June that we're working now to put a process in place and working with the president to ensure. We want to set a threshold. We don't want to manage every increase that comes by. But you can't give a half million to administration, the administrative staff, and what about all of the folks that are cleaning the floor, the professors, and they're waiting for, we were told, state appropriation, you know, mandate come from the State. So I think, you know, we're working through those things, and we'll have something in place.

REPRESENTATIVE WHITMIRE: Well, I spoke to the York representative earlier this morning, and he was very complimentary of the work you've done.

MR. MCCALL: Thank you.

REPRESENTATIVE WHITMIRE: Since I value his opinion, that's good enough for me.

MR. MCCALL: Thank you.

SENATOR PEELER: Senator Alexander.

SENATOR ALEXANDER: Thank you. I kind of want to follow up on the policy in place. First, let me say again how much I appreciate your willingness to serve and with your experience on the DHEC board, too, I'm sure that's going to continue to be a tremendous asset to you.

 I'm sure you're aware of the issues that we had statewide with policies at the College of Charleston and at USC Upstate. I just -- I don't know how to approach it except to say that I hope you all will have a policy, whatever that policy would be, would you be supportive of at least the president having the ability to know what books, or have you all discussed this?

MR. MCCALL: We've discussed it, the executive committee of the board, and we've heard from parents in the community and especially those from the faith-based community concerned about various literature and not having a dialogue before those things are brought in.

SENATOR ALEXANDER: So hopefully, you all have heard the concern from the General Assembly.

MR. MCCALL: Yes.

SENATOR ALEXANDER: And that there will be a policy in place, whatever that is.

MR. MCCALL: Right.

SENATOR ALEXANDER: Not dictating it to you, but at least having appropriate books provided especially to the incoming freshmen next year.

MR. MCCALL: Yes, sir. We agree.

SENATOR PEELER: Senator McGill.

SENATOR MCGILL: I wasn't going to ask the question, but what does your police chief make?

MR. MCCALL: He was making 82-, and he received a 33 percent raise, now he's at 110-.

SENATOR MCGILL: Was he a former law officer in a different environment?

MR. MCCALL: I'm not sure. I've heard, and I can't –

SENATOR HAYES: I think he was, but I'm not sure.

MR. MCCALL: I think he was.

SENATOR MCGILL: A lot of times you get what you pay for. Don't ever forget that. This guy might be just that good.

SENATOR PEELER: Any other questions or comments?

Senator from York, Senator Hayes.

SENATOR HAYES: Comment wise, I've worked with Glenn McCall for many years in a number of capacities. He was with the DHEC board. He's the Republican Party chairman in York County. He's on the National Republican Committee. I say that not so much because of the partisan thing, just because of your leadership abilities, and I'm confident -- and he's been on the board at Winthrop and an outstanding member. In anything and everything that he does, he does it a hundred percent. And he has a business background with, you know, in banking and other things, and I think he's just a tremendous asset to the board.

At the appropriate time I would move that he be approved by this board.

SENATOR ALEXANDER: I would second that.

SENATOR PEELER: A motion and a second. Any other discussion? Come to a vote. All in favor say "aye."

(Members respond.)

SENATOR PEELER: The ayes have it. Thank you again for your willingness to serve.

MR. MCCALL: Thank you very much, Senator Peeler.

(The hearing concluded at 10:50 a.m.)

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1214:

S. 1214 -- Senators S. Martin, Peeler, Reese, Bright and Corbin: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG

COUNTY, SO AS TO CHANGE THE NAMES OF FOUR PRECINCTS.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1071:

S. 1071 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-60, AS AMENDED, SECTIONS 50-11-120, 50-11-150, AND SECTIONS 50-11-310, 50-11-335, 50-11-430, ALL AS AMENDED, RELATING TO THE DIVISION OF THE STATE INTO GAME ZONES, SMALL GAME SEASONS, SMALL GAME BAG LIMITS, THE OPEN SEASON FOR ANTLERED DEER, THE BAG LIMIT ON ANTLERED DEER, AND BEAR HUNTING, SO AS TO DECREASE THE NUMBER OF GAME ZONES, REVISE THE DATES FOR THE VARIOUS SMALL GAME SEASONS, TO REVISE THE SMALL GAME BAG LIMITS FOR THE VARIOUS GAME ZONES, REVISE THE DATES FOR THE VARIOUS ANTLERED DEER OPEN SEASON; AND TO REPEAL SECTION 50-11-2110 RELATING TO FIELD TRIALS IN AND PERMITS FOR GAME ZONE NINE.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it recedes from their amendments to H. 4643:

H. 4643 -- Rep. Sandifer: A BILL TO REPEAL SECTION 40-11-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, AND SECTION 40-67-50 BOTH RELATING TO CERTAIN PROFESSIONAL LICENSING FEES.

Very respectfully,

President

**H. 4643--ORDERED ENROLLED FOR RATIFICATION**

A message having been received from the Senate that it had receded from its amendments, it was ordered that the title of the Bill be changed to that of an Act and that the Act be enrolled for ratification.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Rankin, Hutto and Bennett of the Committee of Conference on the part of the Senate on H. 3512:

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.

Very respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5271 -- Reps. Branham, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, 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 CAROLINA ACADEMY HIGH SCHOOL GIRLS TENNIS TEAM OF FLORENCE COUNTY FOR A SUCCESSFUL SEASON, AND TO CONGRATULATE THEM FOR CAPTURING THE 2013 SCISA CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5270 -- Reps. Barfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, 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, 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 RONALD F. SCHEBERLE, EXECUTIVE DIRECTOR OF THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL (ALEC), UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5272 -- Reps. Hardee and Edge: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME "STALVEY BELLAMY INTERSECTION" WHICH IS LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 9 AND 57 IN HORRY COUNTY "STEVENS CROSSROADS" TO REFLECT ITS HISTORICAL DESIGNATION AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5273 -- Rep. Bales: A CONCURRENT RESOLUTION TO CONGRATULATE MR. AND MRS. ERNEST BRAWLEY OF THE LOWER RICHLAND COMMUNITY ON THE OCCASION OF THEIR SEVENTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY BLESSINGS AND FULFILLMENT IN THE DAYS TO COME.

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

**INTRODUCTION OF BILL**

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

S. 1295 -- Senator Coleman: A BILL TO AMEND SECTION 59-53-1710, AS AMENDED, CODE OF LAW OF SOUTH CAROLINA, 1976, RELATING TO THE MIDLANDS TECHNICAL COLLEGE COMMISSION, SO AS TO ADD ONE MEMBER FROM FAIRFIELD COUNTY, AND TO REVISE THE MANNER OF APPOINTING THE CHAIRMAN OF THE COMMISSION; AND TO AMEND SECTIONS 59-53-1720, 59-53-1730, 59-53-1740, AND 59-53-1750, ALL RELATING TO THE MIDLANDS TECHNICAL COLLEGE COMMISSION, SO AS TO MAKE CONFORMING CHANGES.

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

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| King | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Ridgeway | 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 |
| Tallon | Taylor | Thayer |
| Toole | Weeks | Wells |
| White | Williams | Willis |
| Wood |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, May 20.

|  |  |
| --- | --- |
| Terry Alexander | William Bowers |
| Kris Crawford | Tracy Edge |
| Shannon Erickson | Chris Hart |
| Peter McCoy, Jr. | Harold Mitchell |
| V .Stephen Moss | Ralph Norman |
| Richard "Rick" Quinn | Robert Riley |
| Tommy Stringer | Ted Vick |
| Jackson "Seth" Whipper | William R. "Bill" Whitmire |
| Leon Stavrinakis |  |

**Total Present--123**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. STAVRINAKIS a temporary leave of absence due to a hearing in federal court.

**STATEMENT OF ATTENDANCE**

Rep. HOWARD signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Thursday, April 10.

**STATEMENT OF ATTENDANCE**

Rep. HARDWICK 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 6.

**STATEMENT OF ATTENDANCE**

Rep. HOWARD signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, May 7.

**DOCTOR OF THE DAY**

Announcement was made that Dr. John Schaberg of West Columbia was the Doctor of the Day for the General Assembly.

**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 Tuesday, May 27, which was agreed to.

**S. 1032--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1032 -- Senators Campsen, Verdin and Reese: A BILL TO AMEND SECTION 48-39-130 OF THE 1976 CODE, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, TO INCLUDE TEMPORARY QUALIFIED WAVE DISSIPATION DEVICES AS A TECHNIQUE TO BE USED IN THE BEACH/DUNE CRITICAL AREA TO PROTECT THE PUBLIC HEALTH AND SAFETY; TO AMEND SECTION 48-39-270, RELATING TO TERMS PERTAINING TO COASTAL TIDELANDS AND WETLANDS, TO DEFINE QUALIFIED WAVE DISSIPATION DEVICE; AND TO AMEND SECTION 48-39-290, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, TO PROVIDE AN EXCEPTION FOR QUALIFIED WAVE DISSIPATION DEVICES.

Reps. VICK and GOLDFINCH proposed the following Amendment No. 1 to S. 1032 (COUNCIL\NBD\1032C002.NBD.AC14), which was tabled:

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

/ SECTION \_\_. Section 48-39-290(B)(2) of the 1976 Code is amended by adding an appropriately lettered subitem at the end to read:

 “( ) Subitem (b) does not apply to an existing erosion control device of at least four thousand contiguous linear feet that is located landward of an area which the department has granted a permit authorizing a renourishment project that does not qualify for public funding and the permit is active as of the date of the enactment of this provision. Subject to approval from the department, like material shall be utilized in the repairing, replacing, or rebuilding of the device unless the provisions of Section 48‑39‑320(C) are not met, and the footprint of the replacement device can be no more than two feet from the footprint of the original device; after June 30, 2021, the provisions of this subitem no longer apply.” /

Renumber sections to conform.

Amend title to conform.

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

Rep. HIOTT proposed the following Amendment No. 2 to S. 1032 (COUNCIL\BBM\1032C001.BBM.VR14), which was tabled:

Amend the bill, as and if amended, page 1, by striking line 34 and inserting:

/ technology, methodology, device, technique, or structure, whether or not referenced /

Renumber sections to conform.

Amend title to conform.

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

Rep. HIOTT explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 111; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| 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 | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| 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 | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Newton | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. E. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Wood |

**Total--111**

 Those who voted in the negative are:

**Total--0**

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

**S. 890--DEBATE ADJOURNED**

The following Bill was taken up:

S. 890 -- Senators Cleary and Rankin: A BILL TO AMEND SECTION 48-39-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, SO AS TO DELETE THE EMERGENCY ORDER EXCEPTION TO ORDERS BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48-39-280, RELATING TO THE SHORELINE FORTY-YEAR RETREAT POLICY, SO AS TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2014, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; AND TO AMEND SECTION 48-39-290, AS AMENDED, RELATING TO CONSTRUCTION RESTRICTIONS SEAWARD OF THE BASELINE, EXCEPTIONS TO RESTRICTIONS, AND SPECIAL PERMITS, SO AS TO ELIMINATE THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT AND TO SUBSTITUTE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AS THE DIVISION TO CONSIDER APPLICATIONS FOR SPECIAL PERMITS.

Rep. HARDWICK moved to adjourn debate on the Bill until Wednesday, May 21, which was agreed to.

**S. 446--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 97; Nays 2

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bingham | Bowen | Brannon |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Hayes | Henderson |
| Herbkersman | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whitmire | Willis |
| Wood |  |  |

**Total--97**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Gilliard | Knight |  |

**Total--2**

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

**S. 561--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. WEEKS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 101; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Dillard | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whipper | Whitmire |
| Willis | Wood |  |

**Total--101**

 Those who voted in the negative are:

**Total--0**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. W. J. MCLEOD a temporary leave of absence to attend a delegation meeting.

Rep. G. M. SMITH moved that the House recede until 3:00 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 3:00 p.m. the House resumed, Acting SPEAKER BALLENTINE in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. J. E. SMITH a temporary leave of absence due to a family commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. LIMEHOUSE a leave of absence for the remainder of the day due to a dental emergency.

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

**H. 3893--DEBATE ADJOURNED**

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

H. 3893 -- Reps. Bedingfield, G. R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson, Rivers, Crosby, McCoy and Wood: A BILL TO AMEND SECTION 59-18-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION

MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

Rep. K. R. CRAWFORD moved to adjourn debate on the Senate Amendments, which was agreed to.

**S. 839--ORDERED ENROLLED FOR RATIFICATION**

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.

The Bill was read the third time, passed and having received three readings in both Houses, it was ordered that the title be changed to that of an Act, and that it be enrolled for ratification.

**S. 986--RETURNED TO THE SENATE WITH AMENDMENTS**

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.

The Bill was read the third time and ordered returned to the Senate with amendments.

**S. 1254--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1254 -- Senators Nicholson and O'Dell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 25/221 BYPASS IN GREENWOOD COUNTY FROM THE INTERSECTION OF UNITED STATES HIGHWAY 25/221 AND UNITED STATES HIGHWAY 25/178, SOUTH OF THE CITY OF GREENWOOD, NORTHEASTERLY TO THE INTERSECTION OF UNITED STATES HIGHWAY 25/221 AND STATE ROAD 101 (SWEETWATER ROAD) "SCHP CORPORAL HENRY CLYDE YONCE HIGHWAY" AND ERECT APPROPRIATE MARKERS AND SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "SCHP CORPORAL HENRY CLYDE YONCE HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1255--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1255 -- Senators Scott and Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE BROAD RIVER ALONG BROAD RIVER ROAD IN THE CITY OF COLUMBIA "FRANCHOT A. BROWN BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "FRANCHOT A. BROWN BRIDGE".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1271--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1271 -- Senator Matthews: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 210 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH THE EASTERN TOWN LIMIT OF THE TOWN OF BOWMAN TO ITS INTERSECTION WITH INTERSTATE HIGHWAY 26 "DR. JULIAN BOLAND HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS "DR. JULIAN BOLAND HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1289--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1289 -- Senator Grooms: A CONCURRENT RESOLUTION TO NAME U.S. HIGHWAY 17-A IN BERKELEY COUNTY FROM AIRPORT DRIVE TO ITS INTERSECTION WITH U.S. HIGHWAY 176 "VETERANS BOULEVARD" IN HONOR OF THE VETERANS WHO HAVE SERVED IN DEFENSE OF THIS GREAT STATE.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1290--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 1290 -- Senator Grooms: A CONCURRENT RESOLUTION TO NAME THE U.S. HIGHWAY 52 VIADUCT IN BERKELEY COUNTY THE "CLARENCE 'MAC' MCGEE" VIADUCT IN HONOR OF THE LIFE AND SERVICE OF CLARENCE MCGEE.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5247--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5247 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 441 AND ORANGE STREET IN LEE COUNTY THE "JOHN 'MR. SING' FRANKLIN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT EACH ENTRANCE TO THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 757--AMENDED, ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 757 -- Senators Hembree, Reese, Shealy, Williams, Malloy, Campbell, Grooms, Verdin, Hayes, Bennett, Gregory, Nicholson, Campsen, Ford, Allen, McGill, Coleman, McElveen, Alexander, Pinckney, Turner, Hutto, Young, Cleary, Sheheen, Massey, Corbin, Rankin, Thurmond and Johnson: A CONCURRENT RESOLUTION TO RECOGNIZE THE WIND ENERGY CAPABILITIES OF SOUTH CAROLINA AS PART OF A MULTI SOURCE ENERGY STRATEGY AND HONOR THE PARTNERSHIP OF LOCAL GOVERNMENTS, ECONOMIC DEVELOPMENT GROUPS, AND THE PRIVATE SECTOR IN THE PURSUIT OF A CLEAN ENERGY SOURCE COMPONENT TO THIS OVERALL STRATEGY FOR THE FUTURE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 757 (COUNCIL\AGM\757C002. AGM.AB14), which was adopted:

Amend the concurrent resolution, as and if amended, by deleting the concurrent resolution in its entirety and inserting:

/ Whereas, South Carolina is well suited to meet the workforce and infrastructure needs related to offshore wind energy development along the East Coast and such development would create long term, well paying jobs for the community; and

Whereas, the thirty‑three wind energy manufacturing facilities currently operating in South Carolina employ over 1,100 people, generate $530 million of output annually in the State of South Carolina, and support 1,797 indirect and induced jobs statewide; and

Whereas, the wind industry commons of South Carolina is in a position to cultivate a Wind Energy Economic Cluster within the State; and

Whereas, the Clemson University Restoration Institute’s “Wind Energy Supply Chain Survey and Offshore Wind Economic Impact Study” determined that the installation of a 1000 megawatt wind farm will have a vast economic impact on the State, particularly in the ten‑year construction phase; and

Whereas, Clemson University’s Wind Turbine Drivetrain Testing Facility in North Charleston is one of a kind and the largest in the world and is well positioned to serve a central role in the further development of a wind energy industry hub for South Carolina, attracting manufacturers; and

Whereas, General Electric operates one of the largest wind turbine manufacturing facilities in the United States in the upstate; and

Whereas, the City of North Myrtle Beach is a Wind Empowered Economic Zone that can bring electric cables ashore in parallel to its deepwater outfall pipes negating any environmental impact while bringing a cable system ashore; and

Whereas, South Carolina’s offshore wind resource is the second largest of the east coast states and represents a long term economic investment opportunity, as well as a long term opportunity for in‑state energy production; and

Whereas, offshore wind energy is a domestic source of energy shielded from hostile foreign interests; and

Whereas, the South Carolina Department of Natural Resources, Marine Resources Division, currently maintains over forty‑five artificial reef areas; and

Whereas, wind turbine foundations create a significant and proven artificial reef effect; and

Whereas, current artificial reef systems contribute a significant economic impact to coastal regions through the sport and business of marine recreation; and

Whereas, over 82% of Marine recreationalists support offshore wind development according to the 2011 survey of marine recreationists’ attitudes toward potential offshore wind energy in South Carolina performed by Clemson University’s Department of Parks, Recreation, and Tourism Management; and

Whereas, supportive local policies and public opinion aid in advancing the benefits associated with offshore wind energy development. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That the members of the South Carolina General Assembly, by this resolution, recognize the wind energy capabilities of South Carolina as part of a multi‑source energy strategy and honor the partnership of local governments, economic development groups, and the private sector in the pursuit of a clean energy source component to this overall strategy for the future.

Further, that South Carolina invites offshore wind energy developers and manufacturers to meet with South Carolina public officials to further South Carolina’s advancement in offshore wind energy.

Further, the General Assembly encourages offshore wind energy developers and manufacturers to utilize the local work force and human resources of South Carolina to plan, site, construct, and operate future projects.

Further, that the State of South Carolina will encourage and require any wind farm system installation that brings cables onto its shore to include marine habitat considerations, full and unfettered at your own risk access to all Marine recreationalists, including commercial charter boats for fishing, diving, ecotourism, and other recreational pursuits, and to make available subleases for the purpose of aquaculture development.

Further, that the State of South Carolina will encourage the development of advanced marine habitat turbine foundation designs, design a plan to require a mooring ball system to eliminate anchor use, and incorporate a plan for wind farm artificial reef enhancement and management within the South Carolina Department of Natural Resources, Marine Resources Division.

Be it further resolved that a copy of this resolution be forwarded to the South Carolina Department of Natural Resources, Marine Resources Division, Clemson University Restoration Institute, and the City of North Myrtle Beach. /

Renumber sections to conform.

Amend title to conform.

/ TO RECOGNIZE THE WIND ENERGY CAPABILITIES OF SOUTH CAROLINA AS PART OF A MULTI‑SOURCE ENERGY STRATEGY AND HONOR THE PARTNERSHIP OF LOCAL GOVERNMENTS, ECONOMIC DEVELOPMENT GROUPS, AND THE PRIVATE SECTOR IN THE PURSUIT OF A CLEAN ENERGY SOURCE COMPONENT TO THIS OVERALL STRATEGY FOR THE FUTURE. /

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The Concurrent Resolution, as amended, was adopted and ordered sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3124--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 3124:

H. 3124 -- Reps. Bingham, Taylor, Long and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-315 SO AS TO PROHIBIT AN EMPLOYER FROM DISMISSING, DEMOTING, SUSPENDING, OR DISCIPLINING AN EMPLOYEE WHO REPORTS CHILD ABUSE OR NEGLECT, WHETHER REQUIRED OR PERMITTED TO REPORT; AND TO CREATE A CAUSE OF ACTION FOR REINSTATEMENT AND BACK PAY WHICH AN EMPLOYEE MAY BRING AGAINST AN EMPLOYER WHO VIOLATES THIS PROHIBITION.

Very respectfully,

President

On motion of Rep. BANNISTER, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. BANNISTER, MCCOY and WEEKS to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**S. 876--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to S. 876:

S. 876 -- Senators Cromer and Campsen: A BILL TO AMEND SECTION 50-11-355 OF THE 1976 CODE, RELATING TO UNLAWFUL DEER HUNTING NEAR A RESIDENCE, TO PROVIDE THAT IT IS UNLAWFUL TO HUNT DEER WITH FIREARMS NEAR A RESIDENCE WITHOUT THE PERMISSION OF THE OWNER AND OCCUPANT.

Very respectfully,

President

On motion of Rep. HARDWICK, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. VICK, HIXON and RILEY to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 20, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it concurs in the amendments proposed by the House to S. 1089:

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.

and has ordered the Bill enrolled for ratification.

Very respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5274 -- Reps. Gambrell, Thayer, 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, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, 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, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. JERE KIRKLEY, DIRECTOR OF THE ANDERSON SCHOOL DISTRICTS ONE AND TWO CAREER AND TECHNOLOGY CENTER, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-THREE YEARS OF OUTSTANDING SERVICE IN EDUCATION, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5275 -- Reps. Tallon, 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, 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, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SPARTANBURG HIGH SCHOOL BOYS VARSITY TENNIS TEAM, COACHES, AND SCHOOL OFFICIALS FOR A PERFECT SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2014 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5276 -- Rep. Tallon: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SPARTANBURG HIGH SCHOOL BOYS VARSITY TENNIS TEAM OF SPARTANBURG 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 CLASS AAAA 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 Spartanburg High School boys varsity tennis team of Spartanburg 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 Class AAAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5277 -- Reps. Quinn, 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, 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, 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 SHERRY P. CARIENS, PRINCIPAL OF OAK GROVE ELEMENTARY SCHOOL IN LEXINGTON SCHOOL DISTRICT ONE, FOR HER MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR AND TO CONGRATULATE HER UPON BEING NAMED 2014 JOSEPH M. BEDENBAUGH ADMINISTRATOR OF THE YEAR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5278 -- Reps. G. M. Smith, Weeks, 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, 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. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WILSON HALL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2014 SOUTH CAROLINA

INDEPENDENT SCHOOL ATHLETIC ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5279 -- Reps. G. M. Smith, Weeks, 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, 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. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WILSON HALL BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2014 SOUTH CAROLINA INDEPENDENT SCHOOL ATHLETIC ASSOCIATION (SCISA) CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5280 -- Reps. W. J. McLeod, Harrell, 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, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, 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 HONOR J. EDWARD SHEALY, WEST ASHLEY HIGH SCHOOL DIRECTOR OF BANDS, FOR HIS MANY YEARS OF DEDICATED SERVICE AS A MUSIC EDUCATOR AND TO CONGRATULATE HIM ON HIS RETIREMENT.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5281 -- Reps. Barfield, H. A. Crawford, Clemmons, Anderson, Hardwick, George, Goldfinch, Hardee, Hayes and Ryhal: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR WILBUR L. "WILL" GARLAND FOR EXTRAORDINARY SERVICE TO HIS COMMUNITY AND TO THE PALMETTO STATE AS AN EDUCATOR AND PUBLIC OFFICIAL.

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

**S. 813--DEBATE ADJOURNED**

The following Bill was taken up:

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.

Rep. WEEKS moved to adjourn debate on the Bill until Wednesday, May 21, which was agreed to.

**S. 440--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 440 (COUNCIL\MS\440C001.MS.AHB14), which was adopted:

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

/SECTION \_\_. Article 5, Chapter 13, Title 24 of the 1976 Code is amended by adding:

 “Section 24-13-425. (A) For the purposes of this section:

 (1) ‘Electronic monitoring device’ includes any device ordered by a court or pursuant to any statute that is utilized to track the location of a person.

 (2) ‘Person’ includes any public or private agency or entity providing electronic monitoring services.

 (B) It is unlawful for any person to knowingly and without authority remove, destroy, or circumvent the operation of an electronic monitoring device which is being used for the purpose of monitoring a person who is:

 (1) complying with the Home Detention Act as set forth in Article 15 of Title 24;

 (2) wearing an electronic monitoring device as a condition of bond or pretrial release;

 (3) wearing an electronic monitoring device as a condition of probation, parole, or community supervision; or

 (4) wearing an electronic monitoring device as required by any other provision of law.

 (C) It shall be unlawful for any person to knowingly and without authority request or solicit any other person to remove, destroy, or circumvent the operation of an electronic monitoring device which is being used for the purposes described in subsection (B).

 (D) Any person who violates the provisions of this section shall be guilty of the misdemeanor offense of tampering with the operation of an electronic monitoring device and shall be imprisoned for not more than three years, or fined up to three thousand dollars, or both.” /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 103; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. 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 | Huggins | Jefferson |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Norman | Norrell |
| R. L. Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--103**

 Those who voted in the negative are:

**Total--0**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 5282--ADOPTED AND SENT TO SENATE**

The following was taken up for immediate consideration:

H. 5282 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 5, 2014, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 17, 2014, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 19, 2014, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN MONDAY, NOVEMBER 10, 2014, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Be it resolved by the House of Representatives, the Senate concurring:

 (A) Pursuant to the provisions of Section 9, Article III of the South Carolina Constitution, 1895, and by the two‑thirds vote required by that section in order to recede for more than thirty consecutive calendar days, each house agrees, by this resolution, to recede from the other body either for a period less than thirty days or for more than thirty days as the case may be.

 (B) Further, the General Assembly by this resolution agrees to bind itself subject to the provisions of this resolution. The Sine Die adjournment date for the General Assembly for the 2014 session is recognized and extended to permit the General Assembly to continue in session after Thursday, June 5, 2014, under the terms and conditions stipulated in this resolution and for this purpose each house agrees that when the Senate and the House of Representatives adjourn on Thursday, June 5, 2014, not later than 5:00 p.m. or at any time prior, each house shall stand adjourned to meet in statewide session on Tuesday, June 17, 2014, at 12:00 noon and to continue in statewide session, if necessary, until not later than 5:00 p.m. on Thursday, June 19, 2014. Each house agrees to limit itself to consideration of the following matters and subject to the following conditions, as applicable:

 (1) receipt and consideration of gubernatorial vetoes;

 (2) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Bill, and introduction, receipt, and consideration of a Continuing Resolution to fund the ordinary expenses of state government, if necessary, until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

 (3) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

 (4) receipt, consideration, and confirmation of appointments;

 (5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

 (6) receipt and consideration of local legislation which has the unanimous consent of the affected delegation;

 (7) receipt, consideration, and disposition of conference and free conference reports on matters not provided for in item (2), for which a committee of conference has been appointed prior to 5:00 p.m. on June 5, 2014; and

 (8) convening of a Joint Assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly.

 (C) When each house recedes subject to subsection (A) and not later than 5:00 p.m. on Thursday, June 19, 2014, the General Assembly shall stand in recess subject to the call of the Speaker of the House for the House of Representatives and the President *Pro Tempore* of the Senate for the Senate at times they consider appropriate for their respective bodies to meet for the consideration of the following matters and subject to the following conditions, as applicable:

 (1) introduction, receipt, and consideration of resolutions affecting Sine Die adjournment;

 (2) receipt and consideration of gubernatorial vetoes;

 (3) receipt and consideration of the General Appropriations Bill, the Capital Reserve Fund Bill, and introduction, receipt, and consideration of a Continuing Resolution to fund the ordinary expenses of state government, if necessary, until the passage of the General Appropriations Bill, concurrence and nonconcurrence and amendments to these bills returned from the other house, and the appointment of members to conference and free conference committees and receipt, consideration, and disposition of conference and free conference reports on the matters identified in this item;

 (4) receipt and consideration of legislation necessary to address any shortfall in revenue meeting the conditions of Section 11‑9‑890;

 (5) introduction, receipt, and consideration of resolutions expressing sympathy or congratulations;

 (6) convening of a Joint Assembly to conduct elections for offices or vacancies in any offices filled by election of the General Assembly; and

 (7) receipt, consideration, and confirmation of magistrate appointments.

 (D) The President *Pro Tempore* of the Senate and the Speaker of the House of Representatives may set a mutually agreed upon time or times prior to Sine Die adjournment for officers of the Senate and House to ratify acts.

 (E) Unless the Session is otherwise adjourned Sine Die at an earlier date, the 2014 session of the General Assembly shall stand adjourned Sine Die not later than Monday, November 10, 2014, when the terms of the office of the senators and representatives chosen at the 2014 general election begin.

 (F) For purposes of Section 1‑3‑210 and after June 19, 2014, when neither the House of Representatives or the Senate have been called into session pursuant to the provisions of this resolution, the General Assembly intends that the legislature be considered in recess for purposes of the Governor being allowed to fill vacancies by interim appointments, except for the office of magistrate which may only be filled by interim appointment upon recommendation of the respective Senatorial delegation.

 (G) For purposes of the Administrative Procedures Act, in regards to the one hundred twenty day period the General Assembly has to review state agency regulations, this one hundred twenty day period is tolled Friday, June 6, 2014, until January 13, 2015.

Rep. HARRELL explained the Concurrent Resolution.

The yeas and nays were taken resulting as follows:

 Yeas 112; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| 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 | 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 | Knight |
| 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 |
| Patrick | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--112**

 Those who voted in the negative are:

**Total--0**

The Concurrent Resolution was adopted and sent to the Senate.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**S. 687--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. MCCOY explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 109; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--109**

 Those who voted in the negative are:

**Total--0**

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

**S. 872--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 872 (COUNCIL\DKA\872C001.DKA.VR14), which was adopted:

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

/ SECTION 1. Section 63‑1‑50 of the 1976 Code is amended to read:

 “Section 63‑1‑50. (A) There is established the Joint Citizens and Legislative Committee on Children to be composed of three members of the House of Representatives appointed by the Speaker of the House, three members of the Senate to be appointed by the President *Pro Tempore* of the Senate, and three members to be appointed by the Governor. The Director of the Department of Juvenile Justice, the Director of the Department of Social Services, the Director of the Department of Disabilities and Special Needs, the Superintendent of the Department of Education, and the Director of the Department of Mental Health ~~shall~~ serve as ex officio, nonvoting members of the committee. Members appointed by the Governor must not be employees of the State ~~of South Carolina~~. Members serve at the pleasure of the appointing authority. The committee shall study issues relating to children as the committee may undertake or as may be requested or directed by the General Assembly. The committee may contract for all necessary legal research and support services, subject to funding as provided in subsection (E).

 (B) ~~The committee shall become operative on July 1, 2008.~~ The committee ~~must~~ shall submit an annual ~~written~~ report to the Governor, the President *Pro Tempore* of the Senate, and the Speaker of the House no later than the first of February~~, commencing in 2009~~. The report must detail the work of the committee, account for the committee’s expenditures, and provide ~~any~~ findings and recommendations the committee develops relating to children’s issues it has studied.

 (C) The staffing for the committee must be provided by the Children’s Law Center of the University of South Carolina School of Law, subject to funding as provided in subsection (E).

 (D) The committee members ~~are eligible for per diem and mileage~~ may not receive compensation but are entitled to mileage, subsistence, and per diem as ~~provided~~ allowed by law for members of state boards, committees, and commissions.

 (E) The committee shall receive funding as may be provided in the annual general appropriations act or from any other source.

 (F) The committee shall terminate and shall cease to exist effective December 31, ~~2015~~ 2023, unless the General Assembly reauthorizes its continued existence beyond that date by legislation.”

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

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY 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 103; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Branham |
| Brannon | G. A. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Hayes |
| Henderson | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Knight | 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 |
| Norman | Norrell | R. L. Ott |
| Owens | Parks | Pitts |
| Pope | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--103**

 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. 343--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. HORNE explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowen | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | 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 | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | 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 | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Thayer |
| Toole | Vick | Weeks |
| Wells | White | Whitmire |
| Willis | Wood |  |

**Total--104**

 Those who voted in the negative are:

**Total--0**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

**REPORT OF STANDING COMMITTEE**

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

H. 5272 -- Reps. Hardee and Edge: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME "STALVEY BELLAMY INTERSECTION" WHICH IS LOCATED AT THE JUNCTURE OF SOUTH CAROLINA HIGHWAYS 9 AND 57 IN HORRY COUNTY "STEVENS CROSSROADS" TO REFLECT ITS HISTORICAL DESIGNATION AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5283 -- Reps. Neal, Williams, 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, 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, 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, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR GEORGE WINGATE, JR., OF DARLINGTON COUNTY, MINISTER OF MUSIC AT THE NEW PROVIDENCE UNITED METHODIST CHURCH, AND TO THANK HIM FOR HIS NOBLE SERVICE IN THE WORSHIP OF ALMIGHTY GOD.

The Resolution was adopted.

**S. 840--DEBATE ADJOURNED**

The following Bill was taken up:

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.

Rep. WHITE moved to adjourn debate on the Bill until Tuesday, May 27, which was agreed to.

**S. 779--DEBATE ADJOURNED**

The following Bill was taken up:

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.

Rep. SANDIFER moved to adjourn debate on the Bill until Tuesday, May 27.

Rep. HERBKERSMAN moved to table the motion.

By a division vote of 18-61, the House refused to table the motion.

The question then recurred to the motion to adjourn debate until Tuesday, May 27, which was agreed to.

**S. 1007--DEBATE ADJOURNED**

The following Bill was taken up:

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.

Rep. CROSBY moved to adjourn debate on the Bill until Tuesday, May 27, which was agreed to.

**S. 1076--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. HORNE explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Norman |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sabb | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Wood |

**Total--105**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber tending to family matters and missed the vote on S. 1076. If I had been present, I would have voted in favor of the Bill.

 Rep. Wm. Weston J. Newton

**S. 779--RECONSIDERED**

Rep. SANDIFER moved to reconsider the vote whereby debate was adjourned on the following Bill until Tuesday, May 27:

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.

Rep. SIMRILL moved to table the motion to reconsider.

By a division vote of 30-51, the House refused to table the motion to reconsider.

The question then recurred to the motion to reconsider.

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

Yeas 62; Nays 45

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bedingfield | Bernstein |
| Bowen | Branham | Brannon |
| G. A. Brown | R. L. Brown | Clyburn |
| Crosby | Dillard | Douglas |
| Erickson | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Hamilton | Hardee | Hardwick |
| Hart | Herbkersman | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Knight | Long |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | V. S. Moss | Munnerlyn |
| Murphy | Parks | Patrick |
| Pitts | Ridgeway | Robinson-Simpson |
| Rutherford | Sabb | Sandifer |
| Sellers | Skelton | Sottile |
| Spires | Taylor | Thayer |
| Weeks | Whipper | White |
| Whitmire | Willis |  |

**Total--62**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Barfield | Bingham |
| Burns | Clemmons | Cole |
| K. R. Crawford | Delleney | Edge |
| Felder | Finlay | Forrester |
| Goldfinch | Harrell | Henderson |
| Hiott | Hixon | Huggins |
| Loftis | Lowe | Lucas |
| D. C. Moss | Nanney | Norman |
| Norrell | R. L. Ott | Owens |
| Pope | Riley | Rivers |
| Ryhal | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Southard |
| Stringer | Tallon | Toole |
| Vick | Wells | Wood |

**Total--45**

So, the motion to reconsider was agreed to.

**S. 779--ORDERED TO THIRD READING**

The following Bill was taken up:

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.

Rep. HORNE explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 70; Nays 32

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anthony | Bales |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bowen | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Clemmons | Clyburn | Cole |
| Crosby | Dillard | Douglas |
| Erickson | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Horne |
| Hosey | Huggins | Jefferson |
| Knight | Long | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | R. L. Ott | Parks |
| Patrick | Pitts | Pope |
| Quinn | Ridgeway | Robinson-Simpson |
| Rutherford | Ryhal | Sellers |
| Skelton | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Weeks | Whipper |
| White |  |  |

**Total--70**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Barfield |
| Burns | Chumley | H. A. Crawford |
| K. R. Crawford | Delleney | Edge |
| Felder | Forrester | Hardee |
| Hiott | Hixon | Loftis |
| Lowe | Lucas | Nanney |
| Norman | Owens | Riley |
| Rivers | Simrill | G. M. Smith |
| G. R. Smith | J. R. Smith | Stringer |
| Toole | Vick | Wells |
| Willis | Wood |  |

**Total--32**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber tending to family matters and missed the vote on S. 779. If I had been present, I would have voted in favor of the Bill.

 Rep. Wm. Weston J. Newton

**S. 779--MOTION TO RECONSIDER TABLED**

Rep. HERBKERSMAN moved to reconsider the vote whereby the following Bill was read second time:

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.

Rep. HERBKERSMAN moved to table the motion to reconsider, which was agreed to.

**S. 356--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 356 (COUNCIL\BH\356C001.BH.DG14), which was adopted:

/ Amend the bill, as and if amended, SECTION 1, beginning on page 12, by deleting Section 26-1-120(I). /

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 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hart | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Norman | Norrell | Owens |
| Parks | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Wood |

**Total--105**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber tending to family matters and missed the vote on S. 356. If I had been present, I would have voted in favor of the Bill.

 Rep. Wm. Weston J. Newton

**S. 495--DEBATE ADJOURNED**

The following Bill was taken up:

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.

Rep. BANNISTER moved to adjourn debate on the Bill until Wednesday, May 21, which was agreed to.

**S. 176--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

The Committee on Judiciary proposed the following Amendment No. 1 to S. 176 (COUNCIL\MS\176C001.MS.AHB14), which was adopted:

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

/SECTION 1. Section 22‑3‑1000 of the 1976 Code is amended to read:

 “Section 22‑3‑1000. ~~No~~ A motion for a new trial may not be heard unless made within ~~five~~ thirty days from the rendering of the judgment. The right of appeal from the judgment exists for thirty days after the rendering of the judgment. A magistrate’s order of restitution may be appealed within thirty days. The order of restitution may be appealed separately from an appeal~~, if any,~~ relating to the conviction.” /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER 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 91; Nays 16

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bannister | Bowen | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hodges |
| Horne | Hosey | Howard |
| Jefferson | Knight | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Norrell |
| R. L. Ott | Parks | Patrick |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Weeks | Wells |
| Whipper | White | Whitmire |
| Wood |  |  |

**Total--91**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Barfield | Bedingfield |
| Bingham | Felder | Hiott |
| Hixon | Huggins | Kennedy |
| Loftis | Norman | Owens |
| Simrill | G. R. Smith | Toole |
| Willis |  |  |

**Total--16**

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

**LEAVE OF ABSENCE**

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

**S. 459--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 459 (COUNCIL\NBD\459C001. NBD.CM14), which was adopted:

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

/ SECTION 1. Article 31, Chapter 5, Title 56 of the 1976 Code is amended by adding:

 “Section 56‑5‑3890. (A) For purposes of this section:

 (1) ‘Hands‑free wireless electronic communication device’ means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person without holding the device in either hand by utilizing an internal feature or function of the device, an attachment, or an additional device. A hands‑free wireless electronic communication device may require the use of either hand to activate or deactivate an internal feature or function of the device.

 (2) ‘Text‑based communication’ means a communication using text‑based information, including, but not limited to, a text message, an SMS message, an instant message, or an electronic mail message.

 (3) ‘Wireless electronic communication device’ means an electronic device, including, but not limited to, a telephone, a personal digital assistant, a text messaging device, or a computer, which allows a person to wirelessly communicate with another person.

 (B) It is unlawful for a person to use a wireless electronic communication device to compose, send, or read a text‑based communication while operating a motor vehicle on the public streets and highways of this State.

 (C) This section does not apply to a person who is:

 (1) lawfully parked or stopped;

 (2) using a hands‑free wireless electronic communication device;

 (3) summoning emergency assistance;

 (4) transmitting or receiving data as part of a digital dispatch system;

 (5) a public safety official while in the performance of the person’s official duties; or

 (6) using a global positioning system device or an internal global positioning system feature or function of a wireless electronic communication device for the purpose of navigation or obtaining related traffic and road condition information.

 (D)(1) A person who is adjudicated to be in violation of the provisions of this section must be fined not more than twenty‑five dollars, no part of which may be suspended. No court costs, assessments, or surcharges may be assessed against a person who violates a provision of this section. A person must not be fined more than fifty dollars for any one incident of one or more violations of the provisions of this section. A custodial arrest for a violation of this section must not be made, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine. A violation of this section does not constitute a criminal offense. Notwithstanding Section 56‑1‑640, a violation of this section must not be:

 (a) included in the offender’s motor vehicle records maintained by the Department of Motor Vehicles or in the criminal records maintained by SLED; or

 (b) reported to the offender’s motor vehicle insurer.

 (2) During the first one hundred eighty days after this section’s effective date, law enforcement officers shall issue only warnings for violations of this section.

 (E) A law enforcement officer shall not:

 (1) stop a person for a violation of this section except when the officer has probable cause that a violation has occurred based on the officer’s clear and unobstructed view of a person who is using a wireless electronic communication device to compose, send, or read a text‑based communication while operating a motor vehicle on the public streets and highways of this State;

 (2) seize, search, view, or require the forfeiture of a wireless electronic communication device because of a violation of this section;

 (3) search or request to search a motor vehicle, driver, or passenger in a motor vehicle, solely because of a violation of this section; or

 (4) make a custodial arrest for a violation of this section, except upon a warrant issued for failure to appear in court when summoned or for failure to pay an imposed fine.

 (F) The Department of Public Safety shall maintain statistical information regarding citations issued pursuant to this section.

 (G) This section preempts local ordinances, regulations, and resolutions adopted by municipalities, counties, and other local government entities regarding persons using wireless electronic communication devices while operating motor vehicles on the public streets and highways of this State.”

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

Renumber sections to conform.

Amend title to conform.

Rep. OWENS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 99; Nays 6

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bingham | Bowen | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Edge | Erickson |
| Felder | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Govan |
| Hamilton | Hardee | Hardwick |
| Harrell | Hart | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Kennedy |
| Knight | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Neal |
| Norman | Norrell | R. L. Ott |
| Owens | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Tallon |
| Taylor | Toole | Vick |
| Weeks | Wells | Whipper |
| Whitmire | Willis | Wood |

**Total--99**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Chumley | Lowe |
| Nanney | Thayer | White |

**Total--6**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber tending to family matters and missed the vote on S. 459. If I had been present, I would have voted in favor of the Bill.

 Rep. Wm. Weston J. Newton

RECORD FOR VOTING

 I was approved for a temporary leave on the afternoon of May 20, 2014, when the vote was taken on S. 459. If I had been present, I would have voted in favor of this Bill.

 Rep. Joe Daning

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. G. A. BROWN a leave of absence for the remainder of the day.

**S. 1036--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1036 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 15, TITLE 40 SO AS TO ENACT THE "DENTAL SEDATION ACT", TO PROVIDE REQUIREMENTS CONCERNING THE PROVISION OF VARYING LEVELS OF SEDATION TO DENTAL PATIENTS; TO AMEND SECTION 40-15-85, RELATING TO DEFINITIONS IN THE DENTISTRY PRACTICE ACT, SO AS TO ADD NECESSARY DEFINITIONS; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 15, TITLE 40 AS ARTICLE 1 "GENERAL PROVISIONS".

Rep. PARKS explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Brannon | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Douglas | Edge |
| Erickson | Felder | Finlay |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Neal | Norman | Norrell |
| R. L. Ott | Parks | Patrick |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Wood |

**Total--105**

 Those who voted in the negative are:

**Total--0**

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

**S. 1056--POINT OF ORDER**

The following Bill was taken up:

S. 1056 -- Senators Turner, Campbell and Reese: A BILL TO AMEND SECTION 40-25-60 OF THE 1976 CODE, RELATING TO THE LICENSE REQUIRED TO ENGAGE IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS, TO PROVIDE THAT NO PERSON MAY ENGAGE IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS OR DISPLAY A SIGN OR IN ANOTHER WAY ADVERTISE OR REPRESENT HIMSELF AS A PERSON WHO ENGAGES IN THE PRACTICE OF SPECIALIZING IN HEARING AIDS OR OFFER FOR THE SALE OF HEARING AIDS THROUGH THE MAIL, INTERNET, OR OTHER MEANS, UNLESS HE HOLDS AN UNSUSPENDED, UNREVOKED LICENSE ISSUED BY THE DEPARTMENT AND PROVIDES FOR THE DIRECT FITTING, SALE, AND DELIVERY OF THE PRODUCTS, AND TO PROVIDE THAT NOTHING IN THIS CHAPTER PROHIBITS A PERSON FROM ENGAGING IN THE BUSINESS OF SELLING OR OFFERING FOR SALE HEARING AIDS THROUGH THE MAIL, INTERNET, OR OTHER MEANS TO DISTRIBUTORS, DEALERS, OR SPECIALISTS LICENSED IN THIS STATE.

Rep. SPIRES explained the Bill.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the remainder of the day due to a prior commitment.

**S. 1172--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1172 -- Senators Nicholson, Hayes, Turner, Sheheen, L. Martin, McGill, Alexander, O'Dell, Johnson, Scott and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 60-15-75 SO AS TO PROVIDE FOR THE ESTABLISHMENT OF CRITERIA AND GUIDELINES FOR STATE-DESIGNATED CULTURAL DISTRICTS BY THE SOUTH CAROLINA ARTS COMMISSION, TO STATE THE INTENDED PURPOSE OF THE CULTURAL DISTRICTS, AND TO PROVIDE RELATED POWERS AND DUTIES OF THE COMMISSION WITH RESPECT TO THE CULTURAL DISTRICTS.

Rep. JEFFERSON explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 102; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Brannon | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | Crosby | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hardee | Hardwick |
| Harrell | Hart | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | Knight | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| Norrell | R. L. Ott | Owens |
| Parks | Patrick | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Wood |

**Total--102**

 Those who voted in the negative are:

**Total--0**

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

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

**OBJECTION TO RECALL**

Rep. BRANNON asked unanimous consent to recall H. 4413 from the Committee on Education and Public Works.

Rep. K. R. CRAWFORD objected.

**H. 3075--RECALLED FROM COMMITTEE ON JUDICIARY**

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

H. 3075 -- Rep. Rutherford: A BILL TO AMEND SECTION 14-7-1730, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE PRESIDING JUDGE TO HEAR MATTERS ARISING FROM THE PROCEEDINGS OF THE STATE GRAND JURY, SO AS TO PROVIDE THAT A PERSON INDICTED BY A STATE GRAND JURY FOR A BAILABLE OFFENSE MUST HAVE A BOND HEARING WITHIN TWENTY-FOUR HOURS AND BE RELEASED WITHIN A REASONABLE TIME.

**S. 988--RECALLED FROM COMMITTEE ON JUDICIARY**

On motion of Rep. W. J. MCLEOD, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary:

S. 988 -- Senator Cromer: A BILL TO AMEND SECTION 27-2-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTIES OF THE SOUTH CAROLINA GEODETIC SURVEY (SCGS) WITH RESPECT TO DETERMINING COUNTY BOUNDARIES, SO AS TO AUTHORIZE AND DIRECT THE SCGS TO CLARIFY COUNTY BOUNDARIES AND MEDIATE BOUNDARY DISPUTES BETWEEN COUNTIES BY PROVIDING A PROCEDURE ALLOWING THE SCGS ADMINISTRATIVELY TO ADJUST COUNTY BOUNDARIES, TO PROVIDE THE PROCEDURES INCLUDING NOTICE THAT SCGS MUST FOLLOW IN MAKING SUCH ADJUSTMENTS, TO PROVIDE THAT AFFECTED PARTIES MAY APPEAL THESE ADJUSTMENTS TO THE ADMINISTRATIVE LAW COURT IN A DE NOVO HEARING, TO PROVIDE THE METHOD OF DETERMINING THE EFFECTIVE DATE OF THESE ADMINISTRATIVE COUNTY BOUNDARY ADJUSTMENTS AND THE NOTICE REQUIREMENTS FOR THESE ADJUSTMENTS TO BE EFFECTIVE AND TO PROVIDE THAT NOTHING CONTAINED IN THIS ADMINISTRATIVE PROCESS RESTRICTS THE AUTHORITY OF THE GENERAL ASSEMBLY BY LEGISLATIVE ENACTMENT TO ADJUST OR OTHERWISE CLARIFY COUNTY BOUNDARIES BY LEGISLATIVE ENACTMENT.

**H. 3893--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3893 -- Reps. Bedingfield, G. R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson, Rivers, Crosby, McCoy and Wood: A BILL TO AMEND SECTION 59-18-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

Rep. OWENS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 80; Nays 26

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Delleney | Erickson | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hart |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Kennedy | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Norman | Owens | Patrick |
| Pope | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Wells | White | Whitmire |
| Willis | Wood |  |

**Total--80**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bernstein |
| Brannon | R. L. Brown | Clyburn |
| Dillard | Douglas | George |
| Govan | Jefferson | Knight |
| McEachern | Mitchell | Munnerlyn |
| Neal | R. L. Ott | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Skelton | J. E. Smith | Vick |
| Weeks | Whipper |  |

**Total--26**

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

RECORD FOR VOTING

I was approved for a temporary leave on the afternoon of May 20, 2014, when the vote was taken on H. 3893. If I had been present, I would have voted in favor of this Bill.

Rep. Joe Daning

**H. 3893--MOTION TO RECONSIDER TABLED**

Rep. OWENS moved to reconsider the vote whereby the House concurred in the Senate amendments and ordered the following Bill enrolled for ratification:

H. 3893 -- Reps. Bedingfield, G. R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts, Willis, Chumley, Henderson, Rivers, Crosby, McCoy and Wood: A BILL TO AMEND SECTION 59-18-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

Rep. OWENS moved to table the motion to reconsider, which was agreed to.

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

**MOTION NOTED**

Rep. BANNISTER moved to reconsider the vote whereby the following Bill was given second reading and the motion was noted:

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.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 5205 -- Reps. Douglas, 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, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, 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 CONCURRENT RESOLUTION TO DECLARE MAY 11-17, 2014, AS "NURSING HOME WEEK" IN SOUTH CAROLINA AND TO THANK ALL THOSE WHO CONTRIBUTE TO THE SUCCESS OF OUR STATE'S NURSING HOMES.

H. 5258 -- Reps. Gilliard, Harrell, 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, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, 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 JOHN M. MOLONEY, SENIOR DIRECTOR FOR STATE AND LOCAL GOVERNMENT RELATIONS IN SOUTH CAROLINA FOR BOEING, AND TO WISH HIM SUCCESS AS HE RETURNS TO THE GOVERNMENT OPERATIONS OFFICE OF BOEING IN WASHINGTON, D.C., TO ASSUME THE ROLE OF DIRECTOR FOR TRANSPORTATION POLICY.

H. 5270 -- Reps. Barfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, 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, 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 RONALD F. SCHEBERLE, EXECUTIVE DIRECTOR OF THE AMERICAN LEGISLATIVE EXCHANGE COUNCIL (ALEC), UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 5273 -- Rep. Bales: A CONCURRENT RESOLUTION TO CONGRATULATE MR. AND MRS. ERNEST BRAWLEY OF THE LOWER RICHLAND COMMUNITY ON THE OCCASION OF THEIR SEVENTIETH WEDDING ANNIVERSARY AND TO EXTEND BEST WISHES FOR MANY BLESSINGS AND FULFILLMENT IN THE DAYS TO COME.

**ADJOURNMENT**

At 5:08 p.m. the House, in accordance with the motion of Rep. D. C. MOSS, adjourned in memory of Judge Wade "Chip" Weatherford III of Gaffney, to meet at 10:00 a.m. tomorrow.

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