

NO. 17

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

THURSDAY, FEBRUARY 5, 2015
(STATEWIDE SESSION)

Thursday, February 5, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10 a.m.

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

Our thought for today is from Psalm 36:7: "How precious is your steadfast love, O God! All people take refuge in the shadow of your wings."

Let us pray. Dear God, help these Representatives and staff to follow the example set by You, the prophets, and Your Son. Help these people to proclaim the good news of Your love and caring for us. Be their guide in everything they do here to enhance the welfare of the people whom they serve. Protect them as they return home to their families. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to the welfare of Your people. Protect our defenders of freedom as they protect us. Heal the wounds, those seen and those hidden, of our men and women who have suffered and sacrificed for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. DUCKWORTH moved that when the House adjourns, it adjourn in memory of Walter "Walt" Fisher III, of North Myrtle Beach, which was agreed to.

REGULATIONS RECEIVED

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

Document No. 4527

Agency: Department of Consumer Affairs

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Statutory Authority: 1976 Code Sections 37-7-101 et seq., Particularly Sections 37-7-112 and 37-7-121
Consumer Credit Counseling Requirements
Received by Speaker of the House of Representatives
February 4, 2015
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration June 4, 2015

Document No. 4549
Agency: Department of Consumer Affairs
Statutory Authority: 1976 Code Sections 40-58-10 et seq., Particularly Section 40-58-100
Licensing of Mortgage Brokers
Received by Speaker of the House of Representatives
February 4, 2015
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration June 4, 2015

Document No. 4528
Agency: Department of Consumer Affairs
Statutory Authority: 1976 Code Sections 37-16-10 et seq., Particularly Section 37-16-90
Prepaid Legal Services Certificate of Registration
Received by Speaker of the House of Representatives
February 4, 2015
Referred to Labor, Commerce and Industry Committee
Legislative Review Expiration June 4, 2015

ACTING SPEAKER SOTTILE IN CHAIR

SPEAKER IN CHAIR

HOUSE RESOLUTION

The following was introduced:

H. 3528 -- Reps. Rutherford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon,

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Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, UPON THE PASSING OF DORIS A. WHITE HILDEBRAND OF RICHLAND COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3529 -- Reprs. Mitchell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE THE

[HJ]

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REVEREND DR. M. KEITH MCDANIEL ON HIS FIFTH ANNIVERSARY OF GOSPEL MINISTRY AS SENIOR PASTOR OF SPARTANBURG'S MACEDONIA MISSIONARY BAPTIST CHURCH, TO RECOGNIZE HIM FOR HIS POSITIVE INFLUENCE ON THE COMMUNITY, AND TO WISH HIM GOD'S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3530 -- Reprs. Govan, Bamberg, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR RICKEY LEON DANSBY UPON THE OCCASION OF HIS RETIREMENT AFTER YEARS OF OUTSTANDING SERVICE WITH THE UNITED STATES POSTAL SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

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HOUSE RESOLUTION

The following was introduced:

H. 3531 -- Reprs. Norman, Delleney, Felder, King, Long, D. C. Moss, V. S. Moss, Pope, Simrill, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Dillard, Douglas, Duckworth, Erickson, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, Kirby, Knight, Limehouse, Loftis, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, Murphy, Nanney, Neal, Newton, Norrell, Ott, Parks, Pitts, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH POINTE HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3532 -- Reprs. Norman, Delleney, Felder, King, Long, D. C. Moss, V. S. Moss, Pope and Simrill: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE SOUTH POINTE HIGH SCHOOL FOOTBALL TEAM OF YORK 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 AAA STATE CHAMPIONSHIP TITLE.

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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 South Pointe High School football team of York 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 AAA State Championship title.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 3533 -- Rep. Hodges: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE DEATH OF MAYOR BURLEY L. LYONS OF EDISTO BEACH AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

INTRODUCTION OF BILLS

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

H. 3534 -- Rep. Cobb-Hunter: A BILL TO AMEND SECTION 2-77-15, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "ELIGIBLE INSTITUTION" AS IT PERTAINS TO THE SOUTH CAROLINA HIGHER EDUCATION EXCELLENCE ENHANCEMENT PROGRAM, SO AS TO INCLUDE AN INSTITUTION THAT OFFERS AT LEAST ONE NONSECTARIAN PROGRAM AT THE BACCALAUREATE LEVEL, AND TO INCLUDE AN INSTITUTION ACCREDITED BY AN ORGANIZATION THAT IS RECOGNIZED BY THE UNITED STATES DEPARTMENT OF EDUCATION AND ALSO RECEIVES TITLE III FUNDING.

Referred to Committee on Education and Public Works

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H. 3535 -- Rep. Alexander: A BILL TO AMEND SECTION 16-3-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MURDER AND THE PUNISHMENT FOR MURDER, SO AS TO ADD AS A MITIGATING CIRCUMSTANCE, FOR PURPOSES OF THE DEATH PENALTY, THAT THE DEFENDANT HAD A SEVERE MENTAL DISABILITY AT THE TIME OF THE COMMISSION OF THE CRIME, AND TO DEFINE THE PARAMETERS OF THIS MITIGATING CIRCUMSTANCE, PROHIBIT THE DEATH PENALTY FOR A PERSON WHO HAD A SEVERE MENTAL DISABILITY AT THE TIME OF THE COMMISSION OF THE CRIME, AND TO PROVIDE A PROCEDURE FOR A PRETRIAL HEARING AND JURY CONSIDERATION RELATING TO A DEFENDANT WITH A SEVERE MENTAL DISABILITY.

Referred to Committee on Judiciary

H. 3536 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA WAGE ASSIGNMENT ACT" BY ADDING ARTICLE 3 TO CHAPTER 10, TITLE 41 SO AS TO PROVIDE SPECIFIC PROCEDURES FOR THE ASSIGNMENT OF WAGES EARNED OR TO BE EARNED BY AN EMPLOYEE TO SECURE A DEBT, TO PROVIDE DEFENSES TO A DEMAND FOR A WAGE ASSIGNMENT, TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS, TO PROVIDE AN EMPLOYER MAY NOT DISCHARGE OR SUSPEND AN EMPLOYEE BECAUSE HIS EARNINGS HAVE BEEN SUBJECTED TO WAGE DEMANDS, AND TO PROVIDE EXEMPTIONS; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 10, TITLE 41 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS".

Referred to Committee on Labor, Commerce and Industry

H. 3537 -- Reps. King, Henegan, Norrell, Williams, Cobb-Hunter, Norman, Bamberg, Douglas, Howard, Knight, Mitchell, Funderburk, Long and Rutherford: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF EACH LOCAL SCHOOL DISTRICT BOARD OF TRUSTEES TO ESTABLISH ANNUAL SCHOOL CALENDARS FOR SCHOOLS UNDER ITS JURISDICTION, SO AS TO ADD THE AUTHORITY TO ESTABLISH THE OPENING DATE FOR THE

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ANNUAL SCHOOL CALENDAR OF THESE SCHOOLS, AND TO ELIMINATE A CONFLICTING PROVISION.

Referred to Committee on Education and Public Works

H. 3538 -- Reps. Burns, Ott and Dillard: A BILL TO AMEND SECTION 44-55-1310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEMS, SO AS TO ALLOW FOR NONGRAVITY-BASED SOIL-BASED ON-SITE DISPOSAL SYSTEMS; TO AMEND SECTION 44-55-1320, RELATING TO WASTEWATER COLLECTION, TREATMENT, AND DISCHARGE, SO AS TO AUTHORIZE SINGLE OR MULTIPLE DWELLING UNITS TO USE A COMMUNITY OR COMMERCIAL PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEM; TO AMEND SECTION 44-55-1330, RELATING TO SYSTEM INSTALLATION REQUIREMENTS, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEM AND TO SET DESIGNATIONS FOR THE TRENCH BOTTOM OF A DISPOSAL SYSTEM; TO AMEND SECTION 44-55-1350, RELATING TO TILE FIELD PRODUCT REGULATIONS, SO AS TO ADD THE REQUIREMENTS OF SECTION 44-55-1310 TO REGULATIONS PROMULGATED OVER PASSIVE SOIL-BASED ON-SITE DISPOSAL SYSTEMS; AND TO REPEAL SECTION 44-55-1340 RELATING TO FINANCIAL ASSURANCE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3539 -- Reps. J. E. Smith, Bannister and Simrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-240 SO AS TO ENACT THE "JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE" TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS OR PERSONS PURSUING A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE IN THIS STATE TO TAKE THE UNITED STATES CITIZENSHIP CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, TO DIRECT SCHOOL DISTRICTS TO AWARD A CERTIFICATE OF ACHIEVEMENT TO ALL STUDENTS WHO RECEIVE A GRADE OF 60 OR BETTER ON THE TEST, AND TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH

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CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, AS APPLICABLE.

Referred to Committee on Education and Public Works

S. 342 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-21-225 SO AS TO REQUIRE FILING OF AN ANNUAL ENTERPRISE RISK REPORT BY THE ULTIMATE CONTROLLING PERSON OF AN INSURANCE HOLDING COMPANY, AND TO PROVIDE SPECIFIC REQUIREMENTS FOR THE CONTENT OF THE REPORT; BY ADDING SECTION 38-21-285 SO AS TO ENABLE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE OR HIS DESIGNEE TO PARTICIPATE IN CERTAIN SUPERVISORY COLLEGES, TO PROVIDE RELATED POWERS AND DUTIES, AND TO PROVIDE FOR THE PAYMENT OF RELATED EXPENSES; TO AMEND SECTION 38-21-10, AS AMENDED, RELATING TO DEFINITIONS IN THE INSURANCE HOLDING COMPANY REGULATORY ACT, SO AS TO DEFINE THE TERM "ENTERPRISE RISK"; TO AMEND SECTION 38-21-60, RELATING TO THE STATEMENT REQUIRED BY A PERSON SEEKING TO ACQUIRE CONTROL OF AN INSURER, SO AS TO IMPOSE CERTAIN NOTICE REQUIREMENTS; TO AMEND SECTION 38-21-70, RELATING TO THE CONTENTS OF A STATEMENT THAT MUST BE FILED BY A PERSON SEEKING TO ACQUIRE CONTROL OF AN INSURER, SO AS TO REVISE THE CONTENT REQUIREMENTS; TO AMEND SECTION 38-21-90, RELATING TO APPROVAL BY THE DIRECTOR OF THE ACQUISITION OF CONTROL OF AN INSURER, SO AS TO PROVIDE SPECIFIC REQUIREMENTS FOR PUBLIC HEARINGS WHERE APPROVAL OF MORE THAN ONE COMMISSIONER IS REQUIRED, AND TO DEFINE THE TERM "COMMISSIONER"; TO AMEND SECTION 38-21-110, RELATING TO VIOLATIONS OF CERTAIN PROVISIONS OF THE ACT, SO AS TO INCLUDE EFFECTUATION OF THE DIVESTITURE OF A DOMESTIC INSURER WITHOUT APPROVAL BY THE DIRECTOR OR HIS DESIGNEE; TO AMEND SECTION 38-21-125, RELATING TO ACQUISITIONS OF INSURERS EXEMPT FROM THE ACT, SO AS TO REMOVE CERTAIN ACQUISITIONS SUBJECT TO APPROVAL OR DISAPPROVAL BY THE DIRECTOR OR HIS DESIGNEE FROM THESE EXEMPTIONS; TO AMEND SECTION

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38-21-130, RELATING TO THE REGISTRATION OF MEMBERS OF INSURANCE HOLDING COMPANY SYSTEMS, SO AS TO MAKE A TECHNICAL CORRECTION TO AN INCORRECT REFERENCE; TO AMEND SECTION 38-21-140, RELATING TO REQUIRED STATEMENTS OF REGISTERING MEMBERS OF INSURANCE HOLDING COMPANY SYSTEMS, SO AS TO ADD CERTAIN FINANCIAL STATEMENTS AND A STATEMENT CONCERNING THE GOVERNANCE AND INTERNAL CONTROLS OF THE INSURER BY ITS BOARD, AMONG OTHER THINGS; TO AMEND SECTION 38-21-220, RELATING TO DISCLAIMERS OF AFFILIATION, SO AS TO DELETE LANGUAGE REGARDING CERTAIN REGISTRATION AND REPORTING REQUIREMENTS, AND TO PROVIDE THAT A DISCLAIMER MUST BE CONSIDERED GRANTED ABSENT CERTAIN NOTIFICATION BY THE DIRECTOR, AND TO PROVIDE RELIEF FOR A DENIAL; TO AMEND SECTION 38-21-230, RELATING TO FAILURE TO TIMELY FILE A REGISTRATION STATEMENT OR AMENDMENT TO A REGISTRATION STATEMENT, SO AS TO INCLUDE ENTERPRISE RISK FILING; TO AMEND SECTION 38-21-250, RELATING TO STANDARDS FOR TRANSACTIONS BETWEEN REGISTERED INSUREDS AND THEIR AFFILIATES, SO AS TO PROVIDE THAT AGREEMENTS FOR COST-SHARING SERVICES AND MANAGEMENT MUST INCLUDE PROVISIONS REQUIRED BY REGULATION, TO INCLUDE AMENDMENTS OR MODIFICATIONS OF CERTAIN AFFILIATE AGREEMENTS AMONG TRANSACTIONS INVOLVING DOMESTIC INSURERS AND ANY PERSON IN AN INSURANCE HOLDING COMPANY SYSTEM THAT REQUIRES CERTAIN NOTICE TO THE DEPARTMENT, AND TO PROVIDE REQUIREMENTS FOR THIS NOTICE, AMONG OTHER THINGS; TO AMEND SECTION 38-21-280, RELATING TO THE POWER OF THE DIRECTOR TO COMPEL PRODUCTION OF CERTAIN INFORMATION FROM INSURERS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 38-21-290, RELATING TO CONFIDENTIAL INFORMATION, SO AS TO REVISE THE REQUIREMENTS TO MAKE THE INFORMATION PRIVILEGED AND NOT SUBJECT TO DISCOVERY OR THE FREEDOM OF INFORMATION ACT, AND TO PROVIDE FOR USE OF THIS INFORMATION BY THE DIRECTOR OR HIS DESIGNEE, AMONG OTHER THINGS, AND TO PROVIDE NEITHER THE DIRECTOR OR HIS DESIGNEE MAY BE REQUIRED TO TESTIFY ABOUT THIS INFORMATION IN A

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PRIVATE CIVIL ACTION; TO AMEND SECTION 38-21-340, RELATING TO CRIMINAL PROSECUTIONS AND VIOLATIONS, SO AS TO PROVIDE THAT CERTAIN VIOLATIONS MAY SERVE AS AN INDEPENDENT BASIS FOR THE DIRECTOR TO DISAPPROVE DIVIDENDS OR DISTRIBUTIONS AND FOR PLACING THE INSURER UNDER AN ORDER OF SUPERVISION; AND TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 38 TO RISK RETENTION GROUPS LICENSED AS A CAPTIVE INSURANCE COMPANY, SO AS TO MAKE CONFORMING CHANGES.

Referred to Committee on Labor, Commerce and Industry

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bedingfield
Bernstein	Bingham	Bowers
Bradley	G. A. Brown	R. L. Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hardee
Hardwick	Hayes	Henderson
Henegan	Hicks	Hill
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	King
Kirby	Knight	Limehouse
Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	W. J. McLeod
Mitchell	D. C. Moss	V. S. Moss
Murphy	Newton	Norman

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Norrell	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	Riley	Rivers
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Southard	Spires	Tallon
Thayer	Tinkler	Weeks
Wells	Whipper	White
Williams	Willis	Yow

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on Thursday, February 5.

Bruce W. Bannister	Douglas "Doug" Brannon
Derham Cole, Jr.	Dan Hamilton
Chris Hart	William G. Herbkersman
Ralph Kennedy	James Merrill
Wendy Nanney	Joseph Neal
Richard "Rick" Quinn	Leola Robinson-Simpson
James E. Smith	Tommy Stringer
McLain R. "Mac" Toole	William R. "Bill" Whitmire
William "Bill" Taylor	Mia McLeod

Total Present--120

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. James McCoy of Summerville was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Rep. ATWATER presented to the House the Lexington High School Girls Golf Team, coaches, and other school officials.

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CO-SPONSORS ADDED AND REMOVED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number: H. 3037
Date: ADD:
02/05/15 TAYLOR

CO-SPONSOR ADDED

Bill Number: H. 3088
Date: ADD:
02/05/15 WHIPPER

CO-SPONSORS ADDED

Bill Number: H. 3125
Date: ADD:
02/05/15 BERNSTEIN, FINLAY, J. E. SMITH, HICKS and
GILLIARD

CO-SPONSORS ADDED

Bill Number: H. 3145
Date: ADD:
02/05/15 BALES, ANDERSON, GILLIARD and HICKS

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CO-SPONSOR ADDED

Bill Number: H. 3147
Date: ADD:
02/05/15 TAYLOR

CO-SPONSOR ADDED

Bill Number: H. 3186
Date: ADD:
02/05/15 HICKS

CO-SPONSOR ADDED

Bill Number: H. 3189
Date: ADD:
02/05/15 HICKS

CO-SPONSOR ADDED

Bill Number: H. 3194
Date: ADD:
02/05/15 HICKS

CO-SPONSOR ADDED

Bill Number: H. 3195
Date: ADD:
02/05/15 HICKS

CO-SPONSORS ADDED

Bill Number: H. 3199
Date: ADD:
02/05/15 JEFFERSON and HICKS

CO-SPONSOR ADDED

Bill Number: H. 3202
Date: ADD:
02/05/15 HICKS

CO-SPONSOR ADDED

Bill Number: H. 3218
Date: ADD:
02/05/15 POPE

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CO-SPONSOR ADDED

Bill Number: H. 3247
Date: ADD:
02/05/15 GILLIARD

CO-SPONSORS ADDED

Bill Number: H. 3430
Date: ADD:
02/05/15 RIDGEWAY and NORRELL

CO-SPONSORS ADDED

Bill Number: H. 3509
Date: ADD:
02/05/15 POPE and SIMRILL

CO-SPONSOR ADDED

Bill Number: H. 3343
Date: ADD:
02/05/15 R. L. BROWN

CO-SPONSORS REMOVED

Bill Number: H. 3537
Date: REMOVE:
02/05/15 D. C. MOSS, BEDINGFIELD, G. R. SMITH and ANTHONY

CO-SPONSOR REMOVED

Bill Number: H. 3508
Date: REMOVE:
02/05/15 HIOTT

CO-SPONSOR REMOVED

Bill Number: H. 3490
Date: REMOVE:
02/05/15 SOUTHARD

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SENT TO THE SENATE

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

H. 3303 -- Reps. Newton, Herbkersman and Bowers: A BILL TO AMEND ACT 476 OF 1998, RELATING TO JASPER COUNTY BOARD OF EDUCATION AS THE GOVERNING BODY OF THE SCHOOL DISTRICT OF JASPER COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY BOARD OF EDUCATION MUST BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2016, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

H. 3352 -- Reps. Bowers, Herbkersman and Newton: A BILL TO AMEND ACT 476 OF 1998, RELATING TO JASPER COUNTY BOARD OF EDUCATION AS THE GOVERNING BODY OF THE SCHOOL DISTRICT OF JASPER COUNTY, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE JASPER COUNTY BOARD OF EDUCATION MUST BE ELECTED BEGINNING WITH SCHOOL BOARD ELECTIONS IN 2016, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

H. 3266 -- Reps. Hiott, Bannister, Brannon, Erickson, Henderson, Collins, Sandifer, Corley, Tallon, Taylor, Thayer, Wells, Felder, Kirby, Hixon, Hodges, Riley, Ott, Goldfinch, Hardee, Gagnon, Pitts, Finlay, Southard, D. C. Moss, Chumley, Yow, Huggins, Kennedy, Rivers and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 82 TO TITLE 15 SO AS TO ESTABLISH THE "TRESPASSER RESPONSIBILITY ACT" WHICH PROVIDES A LIMITATION ON LIABILITY BY LAND POSSESSORS TO TRESPASSERS, AND TO PROVIDE EXCEPTIONS.

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ORDERED ENROLLED FOR RATIFICATION

The following Joint Resolution 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. 364 -- Education Committee: A JOINT RESOLUTION TO EXTEND THE DEADLINE REQUIRING THE STATE BOARD OF EDUCATION TO APPROVE THE STATE READING PROFICIENCY PLAN FROM FEBRUARY 1, 2015, AS PROVIDED IN ACT 284 OF 2014, ALSO KNOWN AS THE "SOUTH CAROLINA READ TO SUCCEED ACT", TO JUNE 15, 2015.

H. 3006--POINT OF ORDER

The following Bill was taken up:

H. 3006 -- Reps. Atwater, Bedingfield, Allison, Bannister, Bingham, Brannon, Clemmons, Crosby, Daning, Erickson, Felder, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Horne, Huggins, Limehouse, Loftis, Long, McCoy, Merrill, D. C. Moss, V. S. Moss, Nanney, Newton, Putnam, Quinn, Sandifer, G. M. Smith, G. R. Smith, Sottile, Stringer, Tallon, Thayer, Whitmire, Willis, Southard, Hixon, Pitts, Ballentine, Toole, Simrill, Lucas, Kennedy, Rivers and Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-23-138 SO AS TO PROVIDE A REGULATION PROMULGATED UNDER THE ADMINISTRATIVE PROCEDURES ACT EXPIRES FIVE YEARS FROM THE DATE ON WHICH IT BECOMES EFFECTIVE; TO AMEND SECTION 1-23-120, AS AMENDED, RELATING TO THE APPROVAL OF REGULATIONS, SO AS TO DELETE LANGUAGE REQUIRING A STATE AGENCY TO PERIODICALLY REVIEW REGULATIONS IT PROMULGATES.

POINT OF ORDER

Rep. SANDIFER 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.

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H. 3179--POINT OF ORDER

The following Bill was taken up:

H. 3179 -- Reps. Toole and Sandifer: A BILL TO AMEND SECTION 40-2-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERS OF THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO REVISE THE BOARD COMPOSITION; TO AMEND SECTION 40-2-35, RELATING TO CERTIFIED PUBLIC ACCOUNTANT LICENSURE REQUIREMENTS, SO AS TO ALSO REQUIRE APPLICANTS TO UNDERGO STATE AND FEDERAL CRIMINAL RECORDS CHECKS AND TO REQUIRE CONTINUING EDUCATION OR ADDITIONAL EXPERIENCE, AS APPLICABLE, FOR APPLICANTS WHO DELAY SUBMITTING AN APPLICATION FOR A SUBSTANTIAL PERIOD OF TIME AFTER PASSING THE CERTIFIED PUBLIC ACCOUNTING EXAMINATION OR OBTAINING ACCOUNTING EXPERIENCE; TO AMEND SECTION 40-2-40, RELATING TO QUALIFICATIONS FOR REGISTRATION OF A CERTIFIED PUBLIC ACCOUNTING FIRM, SO AS TO PROVIDE THAT A SIMPLE MAJORITY OF THE FIRM OWNERSHIP MUST BE CERTIFIED PUBLIC ACCOUNTANTS, TO FURTHER PROVIDE QUALIFICATIONS AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS FOR NONCERTIFIED PUBLIC ACCOUNTANT OWNERS, AND TO GIVE THE BOARD OF ACCOUNTANCY THE DISCRETION TO CHARGE REGISTRATION AND RENEWAL FEES; TO AMEND SECTION 40-2-80, AS AMENDED, RELATING TO THE INVESTIGATION OF COMPLAINTS AND DISCIPLINARY PROCEEDINGS, SO AS TO PROVIDE THAT IN CONDUCTING INVESTIGATIONS AND PROCEEDINGS THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY REQUIRE STATE AND FEDERAL CRIMINAL RECORDS CHECKS; TO AMEND SECTION 40-2-250, AS AMENDED, RELATING TO APPLICATIONS FOR LICENSE RENEWAL, SO AS TO PROVIDE THAT APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST AND TO PROVIDE THAT LATE FILINGS MAY RESULT IN REINSTATEMENT FEES AND SANCTIONING OF THE LICENSEE; AND TO AMEND SECTION 40-2-255, RELATING TO APPLICATIONS FOR REGISTRATION RENEWAL, SO AS TO PROVIDE THAT APPLICATIONS MUST BE FILED ON OR BEFORE FEBRUARY FIRST AND TO PROVIDE

[HJ]

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THAT LATE FILINGS MAY RESULT IN SANCTIONING OF THE REGISTRANT.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3145--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3145 -- Reps. Sandifer, Lucas, Thayer, Yow, Long, G. R. Smith, Hixon, Henderson, G. M. Smith, Sottile, Forrester, Felder, Atwater, Toole, Huggins, Pope, Simrill, Bales, Anderson, Gilliard and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-3-700 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PERSON IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGE RESULTING FROM HIS FORCIBLE ENTRY INTO A MOTOR VEHICLE TO REMOVE A CHILD WHO HE REASONABLY BELIEVES IS IN IMMINENT DANGER OF SUFFERING HARM IF NOT REMOVED, AMONG OTHER THINGS, AND TO PROVIDE THAT THIS IMMUNITY DOES NOT AFFECT CERTAIN OTHER CIVIL LIABILITY.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3145 (COUNCIL\AGM\3145C002.AGM.AB15), which was adopted:

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

/ SECTION 1. Article 5, Chapter 3, Title 15 of the 1976 Code is amended by adding:

“Section 15-3-700. (A) A person is immune from civil liability for damage resulting from his forcible entry into a motor vehicle for the purpose of removing a minor or vulnerable adult from the vehicle if the person:

(1) determines that the vehicle is locked or that there is no reasonable alternate method for the minor or vulnerable adult to exit the vehicle;

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(2) has a good faith belief that forcible entry into the vehicle is necessary because the minor or vulnerable adult is in imminent danger of suffering harm if not immediately removed from the vehicle and, based upon the circumstances known to the person at the time, the belief is reasonable;

(3) uses no more force to enter the vehicle and remove the child or vulnerable adult from the vehicle than is necessary under the circumstances;

(4) contacts a local or state law enforcement agency or emergency medical services provider regarding the forcible entry into the motor vehicle to remove a minor or vulnerable adult; and

(5) remains with the minor or vulnerable adult in a location that is safe and out of the elements but reasonably close to the vehicle until law enforcement, fire, or another emergency responder arrives.

(B) The responding local or state law enforcement agency or emergency medical services provider, as soon as practicable, must place a notice on the vehicle stating the current location of the minor or vulnerable adult.

(C) Nothing in this section affects civil liability of a person who attempts to render aid to the minor or vulnerable adult in a manner that is beyond the scope of actions authorized by this section.”

SECTION 2. This act takes effect upon approval by the Governor. /
Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER 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 107; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Clary	Clemmons	Clyburn

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Cole	Collins	Corley
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hamilton
Hardee	Hardwick	Hart
Hayes	Henderson	Henegan
Herbkersman	Hicks	Hill
Hiott	Hixon	Hodges
Hosey	Howard	Huggins
Jefferson	Johnson	Kennedy
King	Kirby	Knight
Limehouse	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
W. J. McLeod	Merrill	D. C. Moss
Murphy	Nanney	Newton
Norman	Norrell	Parks
Pope	Putnam	Ridgeway
Riley	Rivers	Rutherford
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
Whipper	Whitmire	Williams
Willis	Yow	

Total--107

Those who voted in the negative are:

Total--0

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

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RECORD FOR VOTING

I was temporarily out of the Chamber attending a meeting and missed the vote on H. 3145. If I had been present, I would have voted in favor of the Bill.

Rep. Brian White

**H. 3145--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. SANDIFER, with unanimous consent, it was ordered that H. 3145 be read the third time tomorrow.

H. 3199--POINT OF ORDER

The following Bill was taken up:

H. 3199 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Douglas, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, Weeks, W. J. McLeod, Whipper, Hicks and Jefferson: A BILL TO AMEND SECTION 8-13-1318, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBT, SO AS TO REQUIRE THAT CONTRIBUTIONS RECEIVED PURSUANT TO THIS SECTION MUST BE USED FOR THE SOLE PURPOSE OF RETIRING CAMPAIGN DEBT.

Rep. BANNISTER explained the Bill.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3194--POINT OF ORDER

The following Bill was taken up:

H. 3194 -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon,

[HJ]

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Taylor, Wells, Williams, Willis, Long, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, M. S. McLeod, Weeks, W. J. McLeod, Whipper and Hicks: A BILL TO AMEND SECTIONS 8-13-100 AND 8-13-1300, BOTH AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO THE DEFINITIONS OF "CANDIDATE" FOR PURPOSES OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, SO AS TO SPECIFY THAT A "CANDIDATE" IS ALSO A PERSON THAT MAINTAINS AN OPEN BANK ACCOUNT CONTAINING CONTRIBUTIONS; AND TO AMEND SECTION 8-13-1302, AS AMENDED, RELATING TO THE MAINTENANCE OF RECORDS OF CONTRIBUTIONS, SO AS TO AUTHORIZE THE APPROPRIATE SUPERVISORY OFFICE TO REQUEST IN WRITING THE DISCLOSURE OF CERTAIN MANDATORY RECORDS FOR THE PURPOSE OF VERIFYING CAMPAIGN DISCLOSURE FORMS.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3202--POINT OF ORDER

The following Bill was taken up:

H. 3202 -- Reps. Funderburk, Cole, Finlay, Newton, Pope, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, McCoy, Cobb-Hunter, McKnight, Clary, M. S. McLeod, J. E. Smith, Weeks, W. J. McLeod, Whipper and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-27-05 SO AS TO ENTITLE CHAPTER 27 THE "SOUTH CAROLINA WHISTLEBLOWER AND PUBLIC EMPLOYEE PROTECTION ACT"; TO AMEND SECTION 8-27-20, AS AMENDED, RELATING TO REWARDS FOR REPORTS RESULTING IN SAVINGS, SO AS TO ELIMINATE THE TWO THOUSAND DOLLAR CAP ON REWARDS; AND TO AMEND SECTION 8-27-30, AS AMENDED, RELATING TO CIVIL ACTIONS AGAINST AN EMPLOYING

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PUBLIC BODY FOR RETALIATION AGAINST AN EMPLOYEE WHO REPORTS A VIOLATION OF STATE OR FEDERAL LAW OR REGULATION, SO AS TO REMOVE THE ONE-YEAR LIMITATION ON THE PERIOD DURING WHICH THE EMPLOYEE IS PROTECTED FROM ADVERSE EMPLOYMENT ACTIONS, AND TO PROVIDE FOR ADDITIONAL REMEDIES.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3189--POINT OF ORDER

The following Bill was taken up:

H. 3189 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. M. Smith, G. R. Smith, McCoy, Clary, J. E. Smith, W. J. McLeod, Weeks, Whipper and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-13-1313 SO AS TO REQUIRE A PERSON WHO IS NOT A COMMITTEE AND WHO MAKES AN INDEPENDENT EXPENDITURE IN AN AGGREGATE AMOUNT OR VALUE IN EXCESS OF FIVE HUNDRED DOLLARS DURING A CALENDAR YEAR OR MAKES AN ELECTIONEERING COMMUNICATION TO FILE A REPORT OF SUCH EXPENDITURE OR COMMUNICATION WITH THE STATE ETHICS COMMISSION; AND TO AMEND SECTION 8-13-1300, AS AMENDED, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO DEFINE "ELECTIONEERING COMMUNICATION".

POINT OF ORDER

Rep. BANNISTER 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.

[HJ]

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H. 3195--POINT OF ORDER

The following Bill was taken up:

H. 3195 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Spires, Tallon, Taylor, Wells, Williams, Willis, Bernstein, Long, Douglas, Henderson, G. M. Smith, McCoy, Clary, M. S. McLeod, Weeks, W. J. McLeod, Whipper and Hicks: A BILL TO AMEND SECTION 2-17-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ACTS PROHIBITED OF LOBBYISTS' PRINCIPALS, SO AS TO DELETE THE SPECIFIC AUTHORIZATION FOR AMERICAN LEGISLATIVE EXCHANGE COUNCIL CONVENTIONS AND CONFERENCES; AND TO AMEND SECTION 8-13-1348, AS AMENDED, RELATING TO THE USE OF CAMPAIGN FUNDS FOR PERSONAL EXPENSES, SO AS TO CLARIFY THE TYPE OF PROHIBITED EXPENSES.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3186--POINT OF ORDER

The following Bill was taken up:

H. 3186 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. R. Smith, G. M. Smith, McCoy, Clary, J. E. Smith, W. J. McLeod, Weeks, Whipper and Hicks: A BILL TO AMEND SECTION 8-13-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO ETHICS AND GOVERNMENT ACCOUNTABILITY, SO AS TO REVISE THE DEFINITION OF "BUSINESS WITH WHICH HE IS ASSOCIATED"; AND TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS, SO

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AS TO REVISE THE FORM AND REQUIRED CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3168--POINT OF ORDER

The following Bill was taken up:

H. 3168 -- Reps. Tallon, McCoy and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 9, TITLE 25 SO AS TO ENACT THE "SOUTH CAROLINA EMERGENCY MANAGEMENT LAW ENFORCEMENT ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE QUALIFICATIONS, POWERS, DUTIES, AND LIMITATIONS OF SPECIAL LAW ENFORCEMENT OFFICERS SERVING PURSUANT TO THIS ARTICLE.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3125--POINT OF ORDER

The following Bill was taken up:

H. 3125 -- Reps. Quinn, Cobb-Hunter, M. S. McLeod, Felder, Atwater, Toole, Huggins, Pitts, Pope, Weeks, Whipper, R. L. Brown, Gilliard, Hicks, Bernstein, Finlay and J. E. Smith: A BILL TO AMEND SECTION 14-7-1610, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE GRAND JURY SYSTEM AND LEGISLATIVE FINDINGS AND APPLICABILITY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 14-7-1630, AS AMENDED, RELATING TO

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JURISDICTION OF THE STATE GRAND JURY, SO AS TO INCLUDE CRIMES INVOLVING TRAFFICKING IN PERSONS IN THE PURVIEW OF THE STATUTE; TO AMEND SECTION 16-3-2010, RELATING TO DEFINITIONS FOR PURPOSES OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE DEFINITION OF "SEX TRAFFICKING"; BY ADDING SECTION 16-3-2100 SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESS ESTABLISHMENTS, PROVIDE LANGUAGE FOR THE POSTING, AND PROVIDE A PENALTY FOR THE FAILURE TO POST THE INFORMATION; AND TO AMEND SECTION 16-3-2050, RELATING TO THE INTERAGENCY TASK FORCE FOR THE PREVENTION OF TRAFFICKING IN PERSONS, SO AS TO REVISE THE MEMBERSHIP OF THE TASK FORCE.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3247--POINT OF ORDER

The following Joint Resolution was taken up:

H. 3247 -- Reps. Rutherford, Douglas, McCoy, McKnight, Weeks, W. J. McLeod and Gilliard: A JOINT RESOLUTION TO CONTINUE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" UNTIL DECEMBER 31, 2015.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

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H. 3519--POINT OF ORDER

The following Bill was taken up:

H. 3519 -- Rep. Merrill: A BILL TO RATIFY AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, TO PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO PROVIDE FOR ANY OTHER LAW NECESSARY TO ENSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3323--SENT TO THE SENATE

The following Bill was taken up:

H. 3323 -- Reps. V. S. Moss, Ott, Hiott, Hixon and Jefferson: A BILL TO AMEND CHAPTER 23, TITLE 46, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "SOUTH CAROLINA NOXIOUS WEED ACT" SO AS TO DELETE THE TERM "COMMISSIONER" AND REPLACE IT WITH THE TERM "COMMISSION", TO REVISE THE DEFINITION OF THE TERMS "COMMISSION", "AUTHORIZED INSPECTOR", AND "NOXIOUS WEED", TO PROVIDE A DEFINITION FOR THE TERM "DIRECTOR", TO MAKE TECHNICAL CHANGES, AND TO DELETE THE TERM "SOUTH CAROLINA DEPARTMENT OF AGRICULTURE" AND REPLACE IT WITH THE TERM "DIVISION

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OF REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY"; AND TO ESTABLISH THE POWERS AND DUTIES OF THE STATE CROP PEST COMMISSION AND THE DIRECTOR OF THE REGULATORY AND PUBLIC SERVICE PROGRAMS, CLEMSON UNIVERSITY.

The Bill was read the third time and ordered sent to the Senate.

MOTION PERIOD

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

H. 3041--DEBATE ADJOURNED

The following Joint Resolution was taken up:

H. 3041 -- Reps. Delleney, Allison, Atwater, Ballentine, Bannister, Bedingfield, Bingham, Bradley, Brannon, Burns, Clary, Clemmons, Collins, H. A. Crawford, Daning, Duckworth, Erickson, Forrester, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Herbkersman, Hicks, Hill, Hiott, Hixon, Horne, Huggins, Kennedy, Limehouse, Loftis, Long, Lowe, Lucas, McCoy, Merrill, D. C. Moss, V. S. Moss, Murphy, Nanney, Newton, Pitts, Pope, Putnam, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stringer, Tallon, Taylor, Thayer, Wells, White, Whitmire, Willis, Yow, McKnight and Funderburk: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY

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WHICH THE SUPERINTENDENT OF EDUCATION MAY BE REMOVED FROM OFFICE.

Rep. HAYES moved to adjourn debate on the Joint Resolution until Tuesday, February 10, which was agreed to.

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3505 -- Rep. Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR CHAKA KHAN FOR HER OUTSTANDING CAREER AS A SINGER, SONGWRITER, ACTOR, AND ACTIVIST WHICH HAS SPANNED FIVE DECADES AND TO WELCOME HER TO THE PALMETTO STATE AS THE FEATURED ARTIST AT THE 2015 LEGENDS OF...CONCERT SERIES.

H. 3387 -- Reprs. Clemmons, H. A. Crawford, Duckworth, Johnson, Goldfinch and Hardee: A CONCURRENT RESOLUTION TO CELEBRATE THAT UNIQUE AMERICAN DANCE FORM CALLED THE SHAG, SINCE 1984 THE OFFICIAL STATE DANCE OF SOUTH CAROLINA, AND TO DECLARE 2015 THE "YEAR OF THE SHAG DANCE" IN THE PALMETTO STATE.

H. 3475 -- Reprs. Ridgeway, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile,

THURSDAY, FEBRUARY 5, 2015

Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR JOHN FRANKLIN THAMES, TEACHER AND COACH AT MANNING HIGH SCHOOL, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTY-FIVE YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 3493 -- Reps. Douglas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE RICHARD WINN ACADEMY EIGHT-MAN FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STATE CHAMPIONSHIP TITLE.

H. 3503 -- Reps. Kennedy, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill,

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Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE BILLY C. COLEMAN OF SALUDA COUNTY FOR HIS OUTSTANDING PUBLIC AND COMMUNITY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

H. 3504 -- Reps. J. E. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BRIGADIER GENERAL JIM C. CHOW, OF THE SOUTH CAROLINA AIR NATIONAL GUARD, UPON THE OCCASION OF HIS RETIREMENT AFTER MORE THAN THIRTY YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 3506 -- Rep. Alexander: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE EXCEPTIONAL WORK OF THE

THURSDAY, FEBRUARY 5, 2015

AUNTIE KAREN FOUNDATION TO EMPOWER, ENLIGHTEN,
AND EDUCATE THROUGH THE ARTS.

ADJOURNMENT

At 11:06 a.m. the House, in accordance with the motion of Rep. DUCKWORTH, adjourned in memory of Walter "Walt" Fisher III of North Myrtle Beach, to meet at 10:00 a.m. tomorrow.

THURSDAY, FEBRUARY 5, 2015

H. 3006	17	H. 3490	15
H. 3037	13	H. 3493	31
H. 3041	29	H. 3503	31
H. 3088	13	H. 3504	32
H. 3125	13, 26	H. 3505	30
H. 3145	13, 19, 22	H. 3506	32
H. 3147	14	H. 3508	15
H. 3168	26	H. 3509	15
H. 3179	18	H. 3519	28
H. 3186	14, 25	H. 3528	2
H. 3189	14, 24	H. 3529	3
H. 3194	14, 22	H. 3530	4
H. 3195	14, 25	H. 3531	5
H. 3199	14, 22	H. 3532	5
H. 3202	14, 23	H. 3533	6
H. 3218	14	H. 3534	6
H. 3247	15, 27	H. 3535	7
H. 3266	16	H. 3536	7
H. 3303	16	H. 3537	7, 15
H. 3323	28	H. 3538	8
H. 3343	15	H. 3539	8
H. 3352	16		
H. 3387	30	S. 342	9
H. 3430	15	S. 364	17
H. 3475	30		