

NO. 60

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015

THURSDAY, MAY 7, 2015
(STATEWIDE SESSION)

Thursday, May 7, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Isaiah 6:3: “Holy, holy, holy is the Lord of hosts; the whole earth is full of his glory.”

Let us pray. Holy God, we thank You for making us worthy to be able to stand in this place and represent the people of our State. Strengthen these Representatives and staff with Your spirit and guide them in every needful thing in order to accomplish their work. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. 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 who suffer and sacrifice 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 *PRO TEMPORE*.

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

MOTION ADOPTED

Rep. KENNEDY moved that when the House adjourns, it adjourn in memory of O. Stanley Smith, Jr., which was agreed to.

REPORT RECEIVED

The following was received:

Judicial Merit Selection Commission
Report of Candidate Qualifications
for Spring 2015

Date Draft Report Issued: Thursday, May 7, 2015

Date and Time Final Report Issued: **Noon**, Tuesday, May 12, 2015

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Judicial candidates are not free to seek or accept commitments until Tuesday, May 12, 2015, at Noon.

Judicial Merit Selection Commission

May 7, 2015

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission's Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service. The Commission found all candidates discussed in this Report to be qualified.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission's evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission's evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on Tuesday, May 12, 2015.** **Further, members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate's qualifications, or commitments to vote for a candidate until 12:00 Noon on Tuesday, May 12, 2015.** In summary, **no member of the General Assembly should, orally or in writing, communicate about a candidate's candidacy until this designated time after release of the Judicial Merit Selection Commission's Report of Candidate Qualifications.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact Elizabeth H. Brogdon, Chief Counsel to the Commission, at (803) 212-6629.

Thank you for your attention to this matter.

Sincerely,
Sen. Larry A. Martin, Chairman

[HJ]

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Judicial Merit Selection Commission

May 7, 2015

Dear Fellow Members of the General Assembly:

This letter is written to call your attention to issues raised during the December 2003 Judicial Merit Selection hearings concerning a judicial candidate's contact with members of the General Assembly, as well as third parties contacting members on a candidate's behalf. It is also to remind you of these issues for the Spring 2015 screening.

Section 2-19-70(C) of the South Carolina Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission ("Commission"). The purpose of this section was to ensure that members of the General Assembly had full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that "the prohibitions of this section do not extend to ***an announcement of candidacy by the candidate and statements by the candidate*** detailing the candidate's qualifications" (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy. Please note that six members of the Commission are also legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means ***no member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission's report.*** The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly, ***only candidates, and not members of the General Assembly,*** are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates' qualifications.

The Commission would again like to remind members of the General Assembly that ***a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate's fitness*** for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call

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Elizabeth H. Brogdon, Chief Counsel to the Commission, at (803) 212-6629.

Sincerely,

Senator Larry A. Martin
Chairman

Representative Alan D. Clemmons
Vice-Chairman

INTRODUCTION

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect on July 1, 1997, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission's finding of "qualified" or "not qualified" is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates' thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates' responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people's personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state's judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees are composed of individuals who are both racially and

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gender diverse, and who also have a broad range of professional experiences (*i.e.*, lawyers, teachers, businessmen, bankers, and advocates for various organizations). The committees were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission's evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee's report so warranted. Summaries of these reports have also been included in the Commission's report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, and judicial temperament. The Commission's investigation includes the following:

- (1) survey of the bench and bar through BallotBox online;
- (2) SLED and FBI investigation;
- (3) credit investigation;
- (4) grievance investigation;
- (5) study of application materials;
- (6) verification of ethics compliance;
- (7) search of newspaper articles;
- (8) conflict of interest investigation;
- (9) court schedule study;
- (10) study of appellate record;
- (11) court observation; and
- (12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of South Carolina and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial

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Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state's judicial system absent credible allegations of a candidate's violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission's nine evaluative criteria that would impact a candidate's fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate's staff interview. These issues are no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate's pledge to uphold the Canons is his or her completed and sworn questionnaire.

Written examinations of the candidates' knowledge of judicial practice and procedure were given at the time of candidate interviews with staff and graded on a "blind" basis by a panel of four persons designated by the Chairman. In assessing each candidate's performance on these practice and procedure questions, the Commission has placed candidates in either the "failed to meet expectations" or "met expectations" category. The Commission feels that these categories should accurately impart the candidate's performance on the practice and procedure questions.

This report is the culmination of lengthy, detailed investigatory work and public hearings. The Commission takes its responsibilities seriously, believing that the quality of justice delivered in South Carolina's courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, which we believe will help you make a more informed decision.

This report conveys the Commission's findings as to the qualifications of all candidates currently offering for election to the South Carolina Supreme Court and Family Court.

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**SUPREME COURT
QUALIFIED AND NOMINATED**

**The Honorable Costa M. Pleicones
Chief Justice**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Justice Pleicones meets the qualifications prescribed by law for judicial service as a Supreme Court judge.

Justice Pleicones was born in 1944. He is 71 years old and a resident of Columbia, SC. Justice Pleicones provided in his application that he has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1968.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Justice Pleicones.

Justice Pleicones demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Justice Pleicones reported that he has made \$136.55 in campaign expenditures for the following: postage of announcement letters (\$82.81), and stationary and envelopes (\$53.74).

Justice Pleicones testified that he has not:

- (a) sought or received the pledge of any legislator prior to screening;
- (b) sought or been offered a conditional pledge of support by a legislator;
- (c) asked third persons to contact members of the General Assembly prior to screening.

Justice Pleicones testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

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(3) Professional and Academic Ability:

The Commission found Justice Pleicones to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Justice Pleicones described his past continuing legal or judicial education during the past five years as follows:

Conference/CLE Name

	<u>Date(s)</u>
(a) 7 th Annual Civil Law Update	01/23/09;
(b) NCBE Conference	04/09;
(c) JMSC CLE	07/31/09;
(d) SCAJ Annual Convention	08/06/09;
(e) Annual Judicial Conference	08/19/09;
(f) SC Bar Tort Law Update	11/13/09;
(g) NCBE Conference	04/05/10;
(h) SC Bar Bridge The Gap	08/02/10;
(i) Annual Judicial Conference	08/18/10;
(j) SC Bar Criminal Law	01/21/11;
(k) SC Bar Trial & Appellate Advocacy	01/21/11;
(l) Northwestern University - JEP	03/28/11;
(m) NCBE Conference	04/28/11;
(n) Supreme Court Historical Society	05/19/11;
(o) Fourth Circuit Judicial Conference	06/24/11;
(p) Pound Justice Institute	07/09/11;
(q) Annual Judicial Conference	08/17/11;
(r) Southern Region High Court Conference	09/15/11;
(s) SC Bar Masters-In-Equity 2011	10/14/11;
(t) SC Bar Criminal Law	01/20/12;
(u) SC Bar Trial & Appellate Advocacy	01/20/12;
(v) NCBE Conference	04/19/12;
(w) Research Fundamentals	07/11/12;
(x) SC Bar Bridge The Gap	07/30/12;
(y) SCAJ Annual Convention	08/12/12;
(z) Annual Judicial Conference	08/22/12;
(aa) Southern Region High Court Conference	09/27/12;
(bb) SCDTAA Annual Meeting	11/08/12;
(cc) SC Bar Dispute Resolution Section	01/24/13;
(dd) SC Bar Trial & Appellate Advocacy Section	01/25/13;
(ee) SC Bar Criminal Law Section	01/25/13;

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(ff)	SC Bar Senior Lawyers Division	01/26/13;
(gg)	Fourth Circuit Judicial Conference	06/27/13;
(hh)	SCDTAA Summer Meeting	07/25/13;
(ii)	SCAJ Annual Convention	08/01/13;
(jj)	SC Bar Bridge The Gap	08/05/13;
(kk)	Annual Judicial Conference	08/21/13;
(ll)	SCDTAA Annual Meeting	11/07/13;
(mm)	SC Bar Bridge The Gap	01/02/14;
(nn)	SC Bar Criminal Law	01/25/14;
(oo)	NCBE Conference	05/01/14;
(pp)	DRI Seminar	07/17/14;
(qq)	NFJE Seminar	07/18/14;
(rr)	SC Bar Bridge The Gap	08/04/14;
(ss)	SCAJ Annual Convention	08/07/14;
(tt)	Annual Judicial Conference	08/21/14;
(uu)	James Lee Otis Lecture (ABOTA)	09/19/14;
(vv)	SCDTAA Annual Meeting	11/06/14;
(ww)	SC Bar	01/23/15;
(xx)	SC Bar	01/24/15.

Justice Pleicones reported that he has taught the following law-related courses:

- (a) On 01/18/12, I spoke to the Richland County Paralegals Association;
- (b) On 01/22/12, I participated in a YLD breakfast meeting;
- (c) I judged a regional moot court competition at the CSOL on 02/04/12, and imparted appellate practice pointers to the participants;
- (d) On 06/30/12, I spoke to a national meeting of clerks of court;
- (e) On 09/12/12, I lectured to an ethics class at USC Law;
- (f) On 10/05/12, I lectured to the annual DNR CLE;
- (g) On 10/19/12, I made a presentation on social media to a national YLD conference;
- (h) On 03/16/13, I was the keynote speaker at the Charleston Hibernian Society banquet. While not strictly law related, a significant part of the address related to judicial selection;
- (i) On 04/01/13, I delivered a lecture to a USC law class on the Constitution;
- (j) From 04/12/13–04/20/13, I headed a US delegation under the sponsorship of the USDOJ and the Justice Academy of Turkey, in Ankara and Istanbul, to advise Turkish officials on American practices with regard to guilty pleas;

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(k) On 07/12/13, I lectured to the SC Criminal Lawyers Association on preservation of issues in appellate practice;

(l) In July 2014, I appeared on a panel in Chicago with Judge Richard Posner and Judge Bernice Donald at the DRI Convention. The topic was effective brief writing;

(m) On 03/04/14, I judged the USC Moot Court Competition;

(n) On 01/23/15, I judged the Black Law Student Association Moot Court Competition;

(o) Additionally, throughout my tenure as a trial and appellate judge, I have been called upon to speak before professional, school, and business groups almost every month. I do not keep specific records on those appearances, but of significance is my selection in June of 2006 for a USAID mission to the Republic of Azerbaijan to lecture 54 judicial candidates on western legal ethics.

Justice Pleicones reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Justice Pleicones did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission's investigation of Justice Pleicones did not indicate any evidence of a troubled financial status. Justice Pleicones has handled his financial affairs responsibly.

The Commission also noted that Justice Pleicones was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Justice Pleicones reported that his last available rating by a legal rating organization, Martindale-Hubbell, was AV and had been at that level for a number of years.

Justice Pleicones reported the following military service:

November 25, 1968–March 1, 1973, Active Duty US Army; March 1, 1973–March 1, 1999, US Army Reserve; Colonel (0-6). Retired. Honorable.

(6) Physical Health:

Justice Pleicones appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Justice Pleicones appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Justice Pleicones was admitted to the SC Bar in 1968.

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Justice Pleicones gave the following account of his legal experience since graduation from law school:

(a) June 1968–November 1968: Preparation of course materials for proposed South Bar Review Course;

(b) November 1968–March 1973: Active Duty United States Army. Legal experience included Chief of Military Justice, Trial Counsel (Prosecutor), and Deputy Staff Judge Advocate;

(c) March 1973–February 1975: Assistant Public Defender for Richland County, SC. Duties entailed defense preparation for and trial of indigent persons accused of criminal offenses. Cases ranged from murder charges through Magistrate and Municipal Court offenses;

(d) February 1975–February 1976: Private practice with law offices of N. Welch Morrisette, and Independent Contractor with Richland County Public Defender Agency. Private practice duties entailed preparation and trial of federal and state civil matters. Independent Contractor duties continued public defense duties, but limited to defense of major crimes;

(e) February 1976–March 1977: Chief Deputy Public Defender, Richland County, South Carolina. Duties included supervision of personnel, in addition to the preparation and trial of major criminal charges such as murder, armed robbery, etc.;

(f) March 1977–January 1981: Private practitioner in general civil and criminal practice with the firm of Harrison and Pleicones, Columbia, SC. Additionally served as Assistant County Attorney for Richland County (August 1977–December 1978) and as County Attorney for Richland County (January 1979–January 1981). Duties included representing Richland County in litigation matters, advising County Council, and supervising staff of twelve;

(g) January 1981–June 1991: Sole General Practitioner (January 1981–October 1984). Partner in Lewis, Babcock, Pleicones & Hawkins (formerly Lewis, Babcock, Gregory & Pleicones) of Columbia, SC (October 1984–June 1991). The firm grew in that time from four to thirteen lawyers and engaged in major civil litigation (both plaintiff and defense litigation). Served as a member of three person executive committee of the firm. Other responsibilities included legislative monitoring and liaison work with the SC General Assembly for two large trade associations. Additional duties as Municipal Judge for the City of Columbia from September 1982–March 1988; At all times during my years as a lawyer, my emphasis was heavily on trial practice.

(h) July 1991–March 2000: Resident Circuit Court Judge for the Fifth Judicial Circuit of South Carolina;

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(i) March 2000–Present: Associate Justice, Supreme Court of South Carolina, Seat 2.

Justice Pleicones reported the frequency of his court appearances prior to his service on the bench as follows:*

- (a) Federal: 5 times per year on average;
- (b) State: 95 times per year on average.

Justice Pleicones reported the percentage of his practice involving civil, criminal, and domestic matters prior to his service on the bench as follows:*

- (a) Civil: 70% (including administrative practice);
- (b) Criminal: 10%;
- (c) Domestic: 20%.

Justice Pleicones reported the percentage of his practice in trial court prior to his service on the bench as follows:*

- (a) Jury: 5%;
- (b) Non-jury: 10%.

Justice Pleicones further reported that these percentages represent only matters in trial courts that were actually submitted to a fact finder for resolution.

* The five-year period is 1986–91. Justice Pleicones was elected to the bench in 1991 and he has not practiced since.

Justice Pleicones provided that he most often served as sole and/or chief counsel.

The following is Justice Pleicones' account of his five most significant litigated matters:

(a) Southern Bell v. Steven W. Hamm, 306 S.C. 70, 409 S.E.2d 775 (1991) 60 USLW 2294, 126 P.U.R. 4th 535, 9 ALR 5th 1131.

I believe this case was the first in the United States to judicially approve “caller ID” telephone service. Important constitutional questions were implicated *e.g.*, right to privacy. I argued and won the case in the trial court, and was the principal author of the brief to the South Carolina Supreme Court. I did not argue this case there, as I was pending swearing in to the Circuit Court. The Supreme Court affirmed;

(b) Funderburk v. Funderburk, 281 S.C. 246, 315 S.E.2d 126 (Ct. App. 1984); on cert to SC Supreme Court 286 S.C. 129, 332 S.E.2d 205 (1985).

The Supreme Court reversed the trial court and the Court of Appeals in ruling that jurisdiction of a contractual agreement's voluntary nature was properly before the Family Court, and not the Circuit Court. I did not handle the trial, where my client did not prevail, but did handle the appellate

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stage, with co-counsel. Our client prevailed, and the decision was helpful to the bench and bar in clarifying jurisdictional matters;

(c) Barnwell v. Barber-Coleman Co., 301 S.C. 534, 393 S.E.2d (1989).

The Supreme Court held that punitive damages are not recoverable in a cause of action based solely upon the theory of strict liability. This question was certified to the Court by the United States District Court. I was involved only at the State Court as the author and proponent of an amicus brief filed on behalf of my client, a trade association of property and casualty writers;

(d) Russo v. Sutton, 310 S.C. 200, 422 S.E.2d 750 (1992).

In December of 1990, I tried this case in Common Pleas Court in Richland County and secured a large verdict for the plaintiff. The case is significant because on appeal the defendant's argument as to the non-viability of the cause of action (alienation of affections) was accepted by the Supreme Court, which prospectively did away with the cause of action. This did not affect my client's right to recovery;

(e) State v. Motes, 264 S.C. 317, 215 S.E.2d 190 (1975).

I represented Mr. Motes at trial and on appeal. He was convicted of murder largely upon the testimony of his estranged wife, who was allowed to testify over our objection. The case is significant because in interpreting our statute on first impression, the Supreme Court (and of course the trial judge) ruled that the privilege belonged to the testifying spouse, not the one testified against.

The following is Justice Pleicones' account of five civil appeals he has personally handled:

(a) Funderburk v. Funderburk, 281 S.C. 246, 315 S.E.2d 126, (Ct. App. 1984); quashed by South Carolina Supreme Court after grant of certiorari. 286 S.C. 129, 332 S.E.2d 205 (1985);

(b) Hamm v. Southern Bell, 305 S.C. 1, 406 S.E.2d 157 (1991). Note: This is not the case referred to in 20(a) above;

(c) Peoples Federal Savings and Loan Association v. Myrtle Beach Retirement Group, Inc. et al., 300 S.C. 277, 287 S.E.2d 672 (1989);

(d) Dale v. South Carolina Tax Commission, et al., 276 S.C. 110, 276 S.E.2d 293 (1981). I appeared on behalf of Richland County, another party to the suit;

(e) Truett v. Georgeson, 273 S.C. 661, 258 S.E.2d 499 (1979).

The following is Justice Pleicones' account of the criminal appeals he has personally handled:*

(a) State v. Monroe, 262 S.C. 346, 204 S.E.2d 433, (1974);

(b) State v. Thomas, 264 S.C. 159, 213 S.E.2d 452 (1975);

(c) State v. Motes, 264 S.C. 317, 215 S.E.2d 190 (1975);

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(d) State v. Sweet, 270 S.C. 97, 240 S.E.2d 648 (1978);

(e) State v. Watson, 81-MO-232, S.C. Sup. Ct. (1981); cert denied 454 U.S. 1148, 71 L. Ed. 2d 301 (1982).

In regards to these matters Justice Pleicones noted:

Owing to the age of these files and the fact of several intervening moves, I do not have access to the briefs. I will endeavor to find them and supplement this response. I was chief or sole counsel in each of these cases.

Justice Pleicones reported that he has held the following judicial offices:

(a) March 2000–Present: Associate Justice, Supreme Court of South Carolina. Elected by the General Assembly of South Carolina. Appellate Jurisdiction, state court of last resort;

(b) July 1991–March 2000: Circuit Court Judge, Fifth Judicial Circuit of South Carolina. Elected by the General Assembly of South Carolina. General civil and criminal jurisdiction;

(c) March 1982–September 1988: Municipal Judge, City of Columbia, South Carolina. Criminal jurisdiction only up to a maximum of 30 days in jail, or a \$200 fine.

Justice Pleicones provided the following list of his most significant orders or opinions:

(a) Colleton Prep Academy, Inc. v. Hoover, Universal, Inc., 379 S.C. 181, 666 S.E.2d (2008).

I wrote a dissent in this case explicating the “economic loss rule.” The significance is that the dissent was subsequently adopted as the majority opinion in Sapp v. Ford Motor Co., 386 S.C. 143, 687 S.E.2d 47 (2009);

(b) Arthurs ex rel. Estate of Munn v. Aiken County, 346 S.C. 97, 551 S.E.2d 579 (2001).

Articulation of the “public duty rule” in SC.

(c) State v. Downs, 361 S.C. 141, 604 S.E.2d 377 (2004).

Affirming death penalty holding no deprivation of right to jury on sentencing following entry of an unconditional guilty plea. Case involved interpretation of Ring v. Arizona, 536 U.S. 584, 122 S. Ct. 2428, 153 L. Ed. 2d 556 (2002);

(d) Sweetser v. S.C. Dep’t of Ins. Reserve Fund, 390 S.C. 632, 703 S.E.2d 509 (2010)

Case involved the efficacy of policy language regarding offset of worker’s compensation benefits against UIM coverage;

(e) State v. Jones, 343, S.C. 562, 541 S.E.2d 813 (2001).

Portion of opinion regarding the admissibility of scientific evidence.

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Justice Pleicones reported the following regarding his employment while serving as a judge:

Officer (Colonel), United States Army reserve, 1973–1999.

Beginning in August 1993, I served as Emergency Preparedness Liaison Officer from 1st United States Army to the South Carolina National Guard and militia in South Carolina. Prior to that I was Commander of the 12th Military Law Center. The commanders of 1st Army and of the 120th ARCOM were my supervisors. All duties were military in nature.

Justice Pleicones further reported the following regarding unsuccessful candidacies:

1982 primary election for Richland County Council;

1994 and 1995 campaigns for Supreme Court;

2014 campaign for Chief Justice.

(9) Judicial Temperament:

The Commission believes that Justice Pleicones' temperament has been and would continue to be excellent.

(10) Miscellaneous:

The Midlands Citizens Committee found Justice Pleicones to be Qualified in the evaluative criteria of constitutional qualifications. The Committee found Justice Pleicones to be Well Qualified in the remaining evaluative criteria of physical health, mental stability, ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee stated in its summary, "The institution of Chief Justice of the Supreme Court of South Carolina will be well served by the election of Justice Pleicones."

A complaint was filed against Justice Pleicones by Dr. Marie-Therese H. Assa'ad-Faltas. After reviewing the complaint and hearing testimony from Dr. Faltas, the Judicial Merit Selection Commission found that neither the complaint nor her testimony provided a meritorious allegation related to Justice Pleicones' character, competency, or ethics.

Justice Pleicones is married to Donna Singletary Pleicones. He has two children.

Justice Pleicones reported that he was a member of the following bar associations and professional associations:

(a) SC Bar: At one time I was a member of the House of Delegates;

(b) Richland County Bar: no office held.

Justice Pleicones provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Charter member John Belton O'Neal Chapter (Master of the Bench), American Inns of Court. Resigned 2003;

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(b) Order of AHEPA. An anti-discrimination and fraternal organization. Current member;

(c) Honorary Doctorate, Wofford College, 2002;

(d) Honorary Doctorate, University of South Carolina, 2005;

(e) Kappa Alpha Order Court of Honor;

(f) Palmetto Patriot Award, Adjutant General of SC;

(g) Legion of Merit, Secretary of the Army;

(h) Matthew Perry Civility Award, Richland County Bar Association;

(i) Elected by SC Methodist Conference to Wofford College Board of Trustees for term 2013–2017.

Justice Pleicones further reported:

“My parents were the best people I ever knew. Our family finances were modest, but my parents stressed respect, hard work, and the importance of education. I took those lessons to heart and have always sought to treat everyone with dignity and respect. I work hard and take my position, but not myself - very seriously. I believe I am a very good judge.”

(11) Commission Members’ Comments:

The Commission noted that Justice Pleicones has a strong grasp on legal theory and possesses great intellect. The Commission also noted that Justice Pleicones constantly exhibits a respectful demeanor, has tremendous experience, and will be an excellent Chief Justice.

(12) Conclusion:

The Commission found Justice Pleicones qualified and nominated him for election as Chief Justice of the Supreme Court of South Carolina.

**FAMILY COURT
QUALIFIED AND NOMINATED**

**The Honorable Bryan W. Braddock
Family Court, Fourth Judicial Circuit, Seat 1**

Commission’s Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Braddock meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Braddock was born in 1973. He is 42 years old and a resident of Hartsville, SC. Judge Braddock provided in his application that he

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has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1998.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Braddock.

Judge Braddock demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Braddock reported that he spent \$60 on stationary, \$19.60 on postage, and \$7 on a nametag.

Judge Braddock testified that he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Braddock testified that he is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Braddock to be intelligent and knowledgeable. His performance on the Commission's practice and procedure questions met expectations.

Judge Braddock described his continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) SCSCJA Annual Legislative Seminar	3/25/15 (signed up);
(b) Annual Meeting and CLE Seminar (Municipal Association)	12/5/2014;
(c) 2014 SCAJ Annual Convention	8/7/2014;
(d) Lawyer Mentoring Program	7/15/2014;
(e) 2013 Hot Tips Domestic Seminar	9/27/2013;
(f) Nit, Grit, and Wit: Tales and Talk on Ethics, Substance Abuse	9/26/2013;
(g) 2013 SCAJ Annual Convention	8/2/2013;
(h) Family Court Mediation Training	7/11–15/2013;
(i) [Municipal Judge Training]	3/18/2013;
(j) 2012 SCAJ Annual Convention	8/2/2012;
(k) 2011 SCAJ Annual Convention	8/4/2011;
(l) 2010 SCAJ Annual Convention	8/5/2010;

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- (m) Sporting Clays CLE: Ethics with Judges 4/29/2010;
- (n) Understanding/Defending DUI Cases 4/9/2010;
- (o) Training for Attorneys Appointed in Abuse and Neglect Cases; Twelfth Judicial Circuit 1/15/2010.

Judge Braddock reported that he has taught the following law-related courses:

(a) Better Organize Divorce Cases for Trial, presented for NBI, 12/03/2007;

(b) Use of Web-based software in family court practices; SCAJ Hilton Head Convention, August 2009;

(c) Family Court Case Law Updates, SCAJ Hilton Head Convention, August 2010;

(d) Family Court Case Law Updates, SCAJ Hilton Head Convention, August 2011;

(e) Family Court Case Law Updates, SCAJ Hilton Head Convention, August 2012;

(f) Family Law Essentials Program, SC Bar CLE, June 27, 2014;

(g) Family Law Essentials Program, SC Bar CLE, June 26, 2015 (scheduled).

Judge Braddock reported that he has not published any books or articles.

(4) Character:

The Commission's investigation of Judge Braddock did not reveal evidence of any founded grievances or criminal allegations made against him.

The Commission's investigation of Judge Braddock did not indicate any evidence of disqualifying financial issues. The Commission noted a tax lien that was satisfied.

The Commission also noted that Judge Braddock was punctual and attentive in his dealings with the Commission, and the Commission's investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Braddock reported that his rating by a legal rating organization, Martindale-Hubbell, AV-rated 4.7 out of 5.0. Judge Braddock also reported that his rating by legal rating organization AVVO is 10.0.

(6) Physical Health:

Judge Braddock appears to be physically capable of performing the duties of the office he seeks.

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(7) Mental Stability:

Judge Braddock appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Braddock was admitted to the SC Bar in 1998.

He gave the following account of his legal experience since graduation from law school:

(a) Clerk for the Honorable Paul M. Burch, August 1998–August 1999; Circuit Court Clerk;

(b) Saleeby & Cox, P.A., Associate Attorney, October 1999–August 2005; Practice Areas: Domestic: 50%; Personal Injury: 30%; Criminal/Traffic: 15%; Miscellaneous: 5%;

(c) Darlington County Public Defender’s Office: Part-time Public Defender, 2000-2001;

(d) Young, Miller, & Braddock, LLC, Full Partner, August 2005-March 2012; Practice Areas: Domestic: 80%; Personal Injury/Workers’ Compensation: 10%; Criminal/Traffic: 10%;

(e) SC Department of Social Service: Contract DSS Abuse and Neglect Attorney for Lee County, 2011–June 30, 2013 (Contract ended);

(f) Braddock Law Firm, LLC, Sole Partner, March 2012–Present. Practice Areas: Domestic: 90%; Personal Injury/Workers’ Compensation: 5%; Criminal/Traffic: 5%. As part of my practice, I am a certified Family Court mediator;

(g) Municipal Judge, City of Hartsville, July 2012–Present;

(h) Magistrate Judge, Darlington County, April 3, 2013–July 25, 2013 [Special Temporary Appointment by Supreme Court].

Judge Braddock reported the frequency of his court appearances during the past five years as follows:

(a) Federal: 0%;

(b) State: 100%.

Judge Braddock reported the percentage of his practice involving civil, criminal, and domestic matters during the past five years as follows:

(a) Civil: 2%;

(b) Criminal: 5%;

(c) Domestic: 93%;

(d) Other: 0%.

Judge Braddock reported the percentage of his practice in trial court during the past five years as follows:

(a) Jury: 2%;

(b) Non-jury: 98%.

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Judge Braddock provided that he most often served as sole counsel.

The following is Judge Braddock's account of his five most significant litigated matters:

(a) Windell Brown v. Cynthia Brown cases: During a series of separate cases between these parties, I argued for a termination of child support based upon the emancipation of the minor daughter, against a Risinger claim filed on behalf of that same child, for two transfers of the custody of another child of the parties, for child support and alimony modifications, and for the termination of permanent, periodic alimony based upon continued cohabitation of the Defendant with a paramour;

(b) Wright Adoption: An adoption case in which I represented the adopting parties in involuntarily terminating the parental rights of the two parents, one of whom became psychologically incapacitated during the pendency of the case. During the pendency of the case, my clients also lost one of their biological children in an automobile accident and eventually separated while the adoption was still pending. I was able to complete the adoption despite these circumstances;

(c) SC DSS v. Covington & McCullough: As attorney for the Department of Social Services in Lee County, I pursued the termination of the parental rights of the biological parents of a minor child who was the victim of sexual abuse. The mother was criminally charged as having committed the abuse against her daughter, and I was able to obtain a finding of sexual abuse against her through the DSS proceedings. The subsequent action for termination of parental rights culminated in an eight (8)-day trial, which included the presentation of multiple expert witnesses on behalf of the Department of Social Services, from which the Court issued an order terminating the parents' rights;

(d) State v. Lawand Sellers: Charged with Assault and Battery, First Degree, and Armed Robbery, my client was facing a possibility of forty (40) years in prison, with a mandatory minimum of ten (10) years, violent, non-parole eligible. I was able to try the matter to a conclusion, and obtained not guilty verdicts from the jury on both counts;

(e) Johnson Divorce: In this case, the other party's parents had built the marital home and sold it to the parties for about 30% of its fair market value. However, my client had also paid the proceeds from the sale of his pre-marital home to his in-laws. When they divorced, the other party tried to claim a special equity interest in the home, asserting a position that 70% of the equity in the home should be hers alone based upon the contribution of her family. I was able to defeat this claim. I also was able to get the Court to use my appraiser's value for the home and, after the other party tried to claim that there was only \$7,500 in marital personal property, I was

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able to use a personal property appraiser to show that the correct value was approximately \$25,000. In addition to this successful argument regarding the equitable distribution, I was able to gain enough visitation for my client as the secondary custodian of the minor children that he actually received child support from the other party, the primary custodian, due to the discrepancy in incomes.

The following is Judge Braddock's account of the civil appeal he has personally handled:

S.C. Dep't of Soc. Servs. v. Marggie Hutson, Eliseo Perez, and Landin Nuan Perez, from the Family Court; Unpublished Opinion No. 2006-UP-238; filed May 15, 2006.

Judge Braddock reported he has not personally handled any criminal appeals.

Judge Braddock further reported the following regarding unsuccessful candidacies:

I sought election as a Family Court Judge in the Spring of 2009 and the Spring of 2011.

(9) Judicial Temperament:

The Commission believes that Judge Braddock's temperament is excellent.

(10) Miscellaneous:

The Pee Dee Citizens Committee on Judicial Qualifications found Judge Braddock Qualified as to constitutional qualifications, physical health, and mental stability, and Well Qualified as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee has no concerns with Judge Braddock's legal knowledge or capability to perform well on the Family Court bench.

Judge Braddock is married to Dusy Renae Spring Braddock. He has three children.

Judge Braddock reported that he was a member of the following Bar associations and professional associations:

- (a) SC Bar Association;
- (b) Darlington County Bar;
- (c) Florence County Bar;
- (d) SC Association for Justice: Board of Governors (2008–2014);
- (e) SC Association for Justice: Legislative Planning Steering Committee (Family Court Representative; 2008–2012);
- (f) SC Association for Justice: Family Law Division Chair (2012–Present);

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- (g) SC Summary Court Judge's Association (January 2013–Present);
- (h) SC Bar, Resolution of Fee Dispute Board (2012–Present);
Chair of formal hearing panel, 2013;
- (i) SC Association for Justice: Executive Committee (2012–2014);
- (j) SC Bar Property Arbitration Panel list for Darlington County (2011; 2013–Present); Chair of Arbitration Panel, 2014; and
- (k) Supreme Court Lawyer Mentoring Program (2014).

Judge Braddock provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) College of Charleston Alumni Association;
- (b) Northern League Baseball League (2012, 2013: baseball coach; Board Member, 2012–Present);
- (c) Hartsville Area Recreational Department (2011: assistant football coach);
- (d) Prospect United Methodist, Choir Director (1999–Present);
- (e) Prospect United Methodist, PPRC Member (including Chair) and Board of Trustees (including Chair) (multiple years);
- (f) Mock Trial Coach, SC Governor's School for Math and Science (Multiple years);
- (g) Mock Trial Judge, SC Middle School Competition, November, 2012;
- (h) Hartsville Upward Basketball League, basketball league (9–10 year olds), 2013–2015;
- (i) University of SC School of Law, 20th Class Reunion Committee;
- (j) SC United Methodist Conference, Board of Trustees (2011–Present; Vice Chairman: 2011–2013; Chairman: 2013–Present).

Judge Braddock further reported:

I am running for the position of a SC Family Court Judge because I believe this would provide the greatest opportunity to have a positive impact on as many people as possible through the Family Court; because I believe my attitude and demeanor would have a positive effect on both the parties and practitioners appearing before me; because I believe that our Family Court system is the most equitable and just part of our judicial system.

I have spent over the last decade of my legal career attempting to gain as wide and varied experience as possible within the Family Court, including serving as a part-time attorney for DSS, volunteering as a guardian for minor Defendants in DJJ matters, mediating Family Court actions, and handling all kinds of Family Court actions. I desire to bring all this experience onto the bench as a Family Court Judge.

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(11) Commission Members' Comments:

The Commission commented that Judge Braddock has excellent experience and demeanor.

(12) Conclusion:

The Commission found Judge Braddock qualified and nominated him for election to the Family Court.

**The Honorable Cely Ann Brigman
Family Court, Fourth Judicial Circuit, Seat 1**

Commission's Findings: QUALIFIED AND NOMINATED

(1) Constitutional Qualifications:

Based on the Commission's investigation, Judge Brigman meets the qualifications prescribed by law for judicial service as a Family Court judge.

Judge Brigman was born in 1961. She is 54 years old and a resident of Darlington, SC. Judge Brigman provided in her application that she has been a resident of SC for at least the immediate past five years and has been a licensed attorney in SC since 1986.

(2) Ethical Fitness:

The Commission's investigation did not reveal any evidence of unethical conduct by Judge Brigman.

Judge Brigman demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to judges, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Brigman reported that she has spend \$48 on postage as it relates to her campaign expenditures.

Judge Brigman testified that she has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

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Judge Brigman testified that she is aware of the Commission's 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Brigman to be intelligent and knowledgeable. Her performance on the Commission's practice and procedure questions met expectations.

Judge Brigman described her continuing legal or judicial education during the past five years as follows:

<u>Conference/CLE Name</u>	<u>Date(s)</u>
(a) Staff/Judges Annual Training	February 2, 2010;
(b) Mandatory School for Magistrates	November 5, 2011;
(c) Annual Legislative Seminar	March 9, 2011;
(d) The Trial of a Criminal Domestic Violence Case	July 1, 2011;
(e) Family Law Section Seminar	January 21, 2012;
(f) Children's Law Committee Seminar	January 22, 2012;
(g) Annual Magistrate Staff Seminar	February 8, 2012;
(h) Avoiding 20 Ethics Traps	July 13, 2012;
(i) 2012 Hot Tips From the Coolest Practitioners	September 28, 2012;
(j) Mandatory School for Magistrates	November 2, 2012;
(k) Family Law Symposium	April 19, 2013;
(l) Domestic Violence and Sexual Assault	May 17, 2013;
(m) 2012 Criminal Law: A View From the Bench	June 30, 2013;
(n) For the DUI Practitioner	June 30, 2013;
(o) Discovery: Problems and Solutions	July 8, 2013;
(p) Unusual Issues Involving Service of Process	July 8, 2014;
(q) Hot Tips From the Coolest Practitioners	September 26, 2014;
(r) Mandatory School for Magistrates	November 7, 2014.

Judge Brigman reported that she has taught the following law-related courses:

(a) I made a presentation at a SC Women Lawyers Seminar on Criminal Domestic Violence in October 2006.

(b) I lectured on the topic of Marriage Dissolution--Process and Procedure at a National Business Institute Seminar in October 2009.

(c) I made a presentation at the SC Bar Hot Tips Seminar in September 2013, "Should the Child Speak to the Judge?"

(d) I was on the Faculty for Law School for Non-Lawyers in April 2014. I taught the Family Law section.

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Judge Brigman reported that she has not published any books and/or articles.

(4) Character:

The Commission's investigation of Judge Brigman did not reveal evidence of any founded grievances or criminal allegations made against her. The Commission's investigation of Judge Brigman did not indicate any evidence of a troubled financial status. Judge Brigman has handled her financial affairs responsibly.

The Commission also noted that Judge Brigman was punctual and attentive in her dealings with the Commission, and the Commission's investigation did not reveal any problems with her diligence and industry.

(5) Reputation:

Judge Brigman reported that she is not rated by any legal rating organization.

Judge Brigman reported that she has held the following public office:

"I have never held public office other than my service as a Magistrate."

(6) Physical Health:

Judge Brigman appears to be physically capable of performing the duties of the office she seeks.

(7) Mental Stability:

Judge Brigman appears to be mentally capable of performing the duties of the office she seeks.

(8) Experience:

Judge Brigman was admitted to the SC Bar in 1986.

She gave the following account of her legal experience since graduation from law school:

(a) From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense I also performed real estate closings;

(b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved Family Court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court;

(c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and have been serving as Chief Magistrate in Darlington County since 2004;

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(d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, LLP. in Florence, SC. My practice was limited to Family Court litigation;

(e) From November 2009 until present, I have practiced with the Jebaily Law Firm in Florence, SC. My practice is limited to Family Court litigation and some matters in probate court;

(f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.

Judge Brigman further reported regarding her experience with the Family Court practice area:

My professional practice as an attorney has been devoted primarily to Family Court litigation for the past fifteen years. I have tried divorce, equitable division of property, child custody, adoption, abuse and neglect and juvenile cases during that time. I have not only tried cases but have participated in mediations and settlement negotiations on behalf of clients involved in Family Court actions. I have served as a guardian ad litem and as the attorney for the guardian ad litem. I have also served as a part-time magistrate for the last eleven years. Both my private practice and my service as a magistrate have prepared me to preside over cases in Family Court.

Judge Brigman reported the frequency of her court appearances prior to her service on the bench as follows:

- (a) Federal: 0%;
- (b) State: 100%;
- (c) Other: 0%.

Judge Brigman reported the percentage of her practice involving civil, criminal, and domestic matters prior to her service on the bench as follows:

- (a) Civil: 0%;
- (b) Criminal: 0%;
- (c) Domestic: 99%;
- (d) Other: 1%.

Judge Brigman reported the percentage of her practice in trial court prior to her service on the bench as follows:

- (a) Jury: 0%;
- (b) Non-jury: 100%.

Judge Brigman provided that prior to her service on the bench she most often served as sole counsel.

The following is Judge Brigman's account of her five most significant litigated matters:

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(a) Trey Gerald Smith v. Jennifer Erin Williamson. 07-DR-16-0071

This was a custody/visitation action brought pursuant to the Uniform Child Custody Jurisdiction Act (UCCJA) and the Parental Kidnapping Prevention Act (PKPA). I represented the Defendant mother in this action. My client and the minor child lived in Mississippi. In a previous action between these parties it was established that Mississippi was the home state of the minor child. After the Family Court of Mississippi had issued an order regarding custody, the father filed a second action in SC seeking to modify the Mississippi order. After a full hearing on the merits, the Family Court in SC dismissed the father's complaint. I was able to demonstrate that pursuant to the PKPA the family court in SC lacked jurisdiction and the father would have to pursue his claim in Mississippi, my client's home state.

(b) James Dustin Carnell v. Jessica Marie Carnell'. Tonja Renee Carnell and minor children Brittany Ann Camell and Tiffany Nichole Carnell. 09-DR-161107

This was an action for termination of parental rights and adoption. I represented the biological father and potential adoptive step-mother. We were seeking to terminate the parental rights of the biological mother and allow the step-mother to adopt the minor children. The biological mother contested both the termination of parental rights and the adoption. I was able to establish that the biological mother had failed to visit or support the minor children and that pursuant to the statute, her parental rights to the children should be terminated. Upon terminating the parental rights of the biological mother, the Court allowed the step-mother to adopt the children, over the objections of the biological mother.

(c) Gerald v. Gerald. 09-DR-21-1372, 09-DR-21-1372

This was a Rule to Show Cause action filed during the pendency of a divorce action. I represented the Plaintiff wife who alleged the Defendant had repeatedly violated a prior restraining order issued by the Court. There were numerous instances of unwanted and intrusive contact which the Defendant denied. Through testimony and the introduction of various exhibits I was able to demonstrate to the court that the Defendant had in fact violated the restraining order on numerous occasions, despite his adamant denials. The Court found the Defendant to be in contempt of the prior order.

(d) Langston v. Langston, 2011-DR-21-758

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This was an action for termination of alimony in which I represented the Plaintiff ex-husband. At the time of the parties' divorce, my client was ordered to pay permanent alimony. Several months after the divorce, the ex-wife began living with her paramour. The ex-wife denied that she and the paramour had cohabitated for the requisite 90 days as required by statute. Through extensive discovery, we were able to establish a time line demonstrating the 90 consecutive days. The case actually settled minutes before trial in my client's favor.

(e) McPhail v. McPhail. 2013-DR-16-0321

This was an action for divorce, alimony and attorney fees. I represented the Plaintiff wife in a long term marriage. The Defendant husband was uncooperative throughout the litigation which required the filing of two Rules to Show Cause before we got to the final hearing. The Defendant husband denied he had substantial income and alleged he was unable to pay alimony. I was able to prove through exhibits and testimony that the Defendant's income was significantly higher than he claimed. After a full hearing on the merits the Court awarded my client permanent periodic alimony and required the Defendant to reimburse a substantial portion of her attorney fees.

Judge Brigman reported she has not personally handled any civil or criminal appeals.

Judge Brigman reported that she has held the following judicial office(s):

March 2004 to present: appointed to serve as part-time Magistrate for Darlington County. In 2004, I was appointed to serve as Chief Magistrate and still hold that position. I preside over civil matters in which the amount in controversy does not exceed 7,500.00, and criminal matters that fall within the Magistrate's Court jurisdiction. I also preside over preliminary hearings, all jury trials in the Hartsville area of Darlington County and I conduct bond hearings.

Judge Brigman provided the following list of her most significant orders or opinions:

The cases I preside over in Magistrate's Court do not require written orders.

Judge Brigman reported the following regarding her employment while serving as a judge:

(a) From August 1986 until May 1990, I practiced as an associate with Greene, Lockemy and Bailey in Dillon, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and limited criminal defense. I also performed real estate closings.

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(b) From May 1990 until May 2004, I practiced as an associate with D. Kenneth Baker, P.A. in Darlington, SC. My responsibilities involved family court litigation, civil litigation primarily representing plaintiffs in personal injury actions, and residential real estate closings. I also handled cases in Probate Court.

(c) In March 2004, I was appointed to fill a position as a part-time Magistrate for Darlington County. I still hold this position and have been serving as Chief Magistrate in Darlington County since 2004.

(d) From May 2004 until November 2009, I practiced as an associate with McDougall and Self, LLP, in Florence, SC. My practice was limited to Family Court litigation.

(e) From November 2009 until present, I have practiced with the Jebaily Law Firm in Florence, SC. My practice is limited to family court litigation and some matters in probate court.

(f) From June 2010 until June 2011, I was a part-time attorney for the Clarendon County guardian ad litem program. I represented lay guardians in matters involving the Department of Social Services.

Judge Brigman further reported the following regarding unsuccessful candidacies:

(a) In 2011, I was a candidate for a Family Court judgeship for the Fourth Judicial Circuit. I came out of screening but withdrew before the election. The seat was filled by Hon. Salley H. McIntyre.

(b) In the fall of 2012, I was a candidate for a family court judgeship At-Large Seat 4. I did not come out of screening.

(9) Judicial Temperament:

The Commission believes that Judge Brigman's temperament would be excellent.

(10) Miscellaneous:

The Pee Dee Citizen's Committee on Judicial Qualification found Judge Brigman to be Qualified as to constitutional qualifications, physical health, and mental stability, and Well Qualified as to ethical fitness, professional and academic ability, character, reputation, experience, and judicial temperament. The Committee found that based on the evaluative criteria, Judge Brigman meets and exceeds the requirements in each area.

Judge Brigman is married to Gregory Wendell Brigman. She has two children.

Judge Brigman reported that she was a member of the following Bar associations and professional associations:

- (a) SC Bar Association;
Current Member, Family Law Council;

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Past Member, House of Delegates;
Past Member, Board of Governors;

- (b) Darlington County Bar Association;
- (c) Florence County Bar Association;
- (d) SC Association for Justice;
- (e) SC Women Lawyers Association;
- (f) Summary Court Judges Association.

Judge Brigman provided that she was a member of the following civic, charitable, educational, social, or fraternal organizations:

- (a) Award of Excellence, SC Coalition Against Domestic Violence, 2008;
- (b) American Heart Association.

Judge Brigman further reported:

For the past several years, my practice has been devoted primarily to the practice of family law. I have tried to increase my professional skills by attending educational family law seminars and by speaking at these seminars. My service as a Magistrate has taught me the importance of exercising patience, understanding and restraint with both litigants and attorneys. I believe I have the ability and temperament needed to serve on the Family Court bench.

(11) Commission Members' Comments:

The Commission believes that Judge Brigman would bring good experience to the Family Court bench.

(12) Conclusion:

The Commission found Judge Brigman qualified and nominated her for election to the Family Court.

CONCLUSION

The Judicial Merit Screening Commission found the following candidates QUALIFIED AND NOMINATED:

SUPREME COURT

SUPREME COURT, CHIEF JUSTICE Costa M. Pleicones

FAMILY COURT

FOURTH JUDICIAL CIRCUIT, SEAT 1 Bryan W. Braddock

FOURTH JUDICIAL CIRCUIT, SEAT 1 Cely Anne Brigman

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Respectfully submitted,

Sen. Larry A. Martin
Chairman

Sen. George E. Campsen III

Sen. Gerald Malloy

Ms. Kristian C. Bell

Mr. Joseph Preston Strom, Jr.

Rep. Alan D. Clemmons
Vice Chairman

Rep. Bruce W. Bannister

Rep. David J. Mack III

Ms. Susan T. Wall

Mr. Robert M. Wilcox

Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 6, 2015

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber May 7, at a mutually convenient time, for the purpose of ratifying Acts.

Very respectfully,
President

On motion of Rep. KENNEDY the invitation was accepted.

HOUSE RESOLUTION

The following was introduced:

H. 4147 -- Reps. Huggins, 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, Jefferson, Johnson, Jordan, 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,

[HJ]

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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 CHIEF OF POLICE BRIAN BUCK UPON THE OCCASION OF HIS RETIREMENT FROM THE IRMO POLICE DEPARTMENT, TO THANK HIM FOR HIS TWENTY-FOUR YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 4148 -- 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, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, 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 RECOGNIZE AND HONOR THE INESTIMABLE CONTRIBUTIONS OF SMALL BUSINESSES TO THE FUNCTIONS OF A FREE MARKET AND TO THE COMPETITIVENESS OF THE AMERICAN ECONOMY, AND TO DECLARE MAY 4 THROUGH MAY 8, 2015, AS "NATIONAL SMALL BUSINESS WEEK."

The Resolution was adopted.

[HJ]

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INTRODUCTION OF BILLS

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

H. 4146 -- Rep. Hardwick: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-23-15 SO AS TO INCREASE THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT.

On motion of Rep. HARDWICK, 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	Atwater
Bales	Ballentine	Bedingfield
Bernstein	Bingham	Bowers
Bradley	G. A. Brown	R. L. Brown
Burns	Clary	Clemmons
Clyburn	Cobb-Hunter	Collins
H. A. Crawford	Crosby	Daning
Delleney	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
George	Gilliard	Goldfinch
Hardee	Hardwick	Hayes
Henderson	Henegan	Herbkersman
Hill	Hiott	Hodges
Hosey	Howard	Jefferson
Kennedy	Kirby	Knight
Loftis	Long	Lucas
Mack	McKnight	Mitchell
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Ott	Parks	Pope
Putnam	Ridgeway	Riley
Rivers	Ryhal	Sandifer
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Tinkler

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Toole	Wells	White
Williams	Willis	Yow

STATEMENT OF ATTENDANCE

I came in after the roll call and was present for the Session on .

Terry Alexander	Mike Anthony
Justin Bamberg	Derham Cole, Jr.
Christopher A. Corley	Chandra Dillard
Jerry Govan	Dan Hamilton
Chris Hart	Donna Hicks
William "Bill" Hixon	Chip Huggins
Jay Jordan	John R. King
H. B. "Chip" Limehouse	Phillip Lowe
Peter McCoy, Jr.	Walton J. McLeod
James Merrill	Joseph Neal
Mandy Powers Norrell	Richard "Rick" Quinn
Leola Robinson-Simpson	Todd Rutherford
Gary Simrill	G. Murrell Smith
Leon Stavrinakis	Anne Thayer
David Weeks	Jackson "Seth" Whipper
William R. "Bill" Whitmire	Mia S. McLeod

Total Present--116

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. HORNE a leave of absence for the day.

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. JOHNSON a leave of absence for the day.

DOCTOR OF THE DAY

Announcement was made that Dr. T. Edwin Evans of Seneca was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Reps. YOW and HENEGAN presented to the House the Jesus Is Lord Christian School Girls Varsity Volleyball Team, coaches, and other school officials.

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SPECIAL PRESENTATION

Reps. BOWERS, BRADLEY, ERICKSON, HERBKERSMAN, HODGES, NEWTON and COLLINS presented to the House the Battery Creek High School Wrestling Team, coaches, and other school officials.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

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

CO-SPONSORS ADDED

Bill Number: H. 3325
Date: ADD:
05/07/15 MITCHELL and GOVAN

CO-SPONSOR ADDED

Bill Number: H. 4049
Date: ADD:
05/07/15 HICKS

CO-SPONSOR ADDED

Bill Number: H. 4050
Date: ADD:
05/07/15 HICKS

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CO-SPONSOR ADDED

Bill Number: H. 4080
Date: ADD:
05/07/15 MITCHELL

CO-SPONSOR ADDED

Bill Number: H. 4143
Date: ADD:
05/07/15 WILLIS

LEAVE OF ABSENCE

The SPEAKER *PRO TEMPORE* granted Rep. JORDAN a leave of absence for the remainder of the day due to legislative business in his district.

H. 4143--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4143 -- Reps. Hamilton, Nanney, Burns, Bannister, Henderson, Herbkersman, Loftis, G. R. Smith, Stringer and Willis: A BILL TO AMEND ACT 432 OF 1947, AS AMENDED, RELATING TO THE GREENVILLE HEALTH SYSTEM AND ITS BOARD OF TRUSTEES, SO AS TO REVISE THE HOUSE OF REPRESENTATIVES DISTRICTS CONSTITUTING THE DISTRICTS WHICH COMPRISE HOUSE DISTRICT RESIDENCY SEATS ON THE BOARD FROM WHICH SIX MEMBERS OF THE BOARD MUST BE APPOINTED.

The yeas and nays were taken resulting as follows:

Yeas 67; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Bales	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
G. A. Brown	Burns	Chumley
Cole	Corley	H. A. Crawford
Crosby	Delleney	Douglas
Duckworth	Felder	Forrester
Funderburk	George	Hardee
Hardwick	Hayes	Herbkersman

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Hicks	Hixon	Jefferson
King	Kirby	Loftis
Long	Lowe	Lucas
McEachern	McKnight	M. S. McLeod
Merrill	D. C. Moss	Murphy
Nanney	Newton	Norman
Norrell	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	Riley	Rutherford
Ryhal	G. M. Smith	G. R. Smith
Spires	Stringer	Tallon
Taylor	Thayer	Tinkler
Wells	White	Williams
Willis		

Total--67

Those who voted in the negative are:

Total--0

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

**H. 4143--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. HAMILTON, with unanimous consent, it was ordered that H. 4143 be read the third time tomorrow.

SENT TO THE SENATE

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

H. 4076 -- Reps. Pitts and Willis: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS, TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO MAKE TECHNICAL CORRECTIONS.

[HJ]

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H. 4106 -- Reps. Long, Lucas, Norrell and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO DELETE TWO PRECINCTS, ADD NINE PRECINCTS, AND REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time, passed and, having received three readings in both Houses, it was ordered that the title of each be changed to that of an Act, and that they be enrolled for ratification:

S. 588 -- Senators Young, Setzler and Massey: A BILL TO AMEND SECTION 7-7-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD FIVE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

S. 578 -- Senators Hembree, Campbell and Cleary: A BILL TO AMEND SECTION 48-39-170(C) OF THE 1976 CODE, TO PROVIDE A THREE-YEAR STATUTE OF LIMITATIONS ON THE ENFORCEMENT VIOLATIONS RELATING TO MINOR DEVELOPMENT ACTIVITIES EXCEPT IN INSTANCES WHERE THE ALLEGED VIOLATOR KNOWINGLY OR INTENTIONALLY WITHHELD INFORMATION RELATING TO THE ALLEGED VIOLATION.

H. 3878--DEBATE ADJOURNED

The following Bill was taken up:

H. 3878 -- Reps. White, Pope, Clemmons, Duckworth, Goldfinch, Hardwick, Johnson, H. A. Crawford, George, Yow, Ryhal, Hardee, Hayes and Kirby: A BILL TO AMEND SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO

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INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

Rep. GAMBRELL moved to adjourn debate on the Bill until Tuesday, May 12, which was agreed to.

H. 4080--ORDERED TO THIRD READING

The following Joint Resolution was taken up:

H. 4080 -- Reps. W. J. McLeod and Mitchell: A JOINT RESOLUTION TO CREATE A VOTING SYSTEM STUDY COMMITTEE, TO PROVIDE FOR THE MEMBERSHIP AND STAFFING OF THE STUDY COMMITTEE, AND TO PROVIDE FOR THE STUDY COMMITTEE'S REPORT AND DISSOLUTION.

Rep. W. J. MCLEOD explained the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 81; Nays 26

Those who voted in the affirmative are:

Alexander	Anderson	Anthony
Bales	Ballentine	Bamberg
Bannister	Bernstein	Bowers
G. A. Brown	R. L. Brown	Burns
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	H. A. Crawford	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hayes	Henderson
Henegan	Hiott	Hixon
Hodges	Hosey	Huggins
Jefferson	Kennedy	King
Kirby	Knight	Limehouse

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Loftis	Lowe	Mack
McEachern	McKnight	M. S. McLeod
Mitchell	Murphy	Norrell
Ott	Parks	Pitts
Pope	Ridgeway	Riley
Robinson-Simpson	Ryhal	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Taylor	Thayer
Tinkler	Wells	Whitmire
Williams	Willis	Yow

Total--81

Those who voted in the negative are:

Allison	Atwater	Bedingfield
Bingham	Bradley	Chumley
Crosby	Felder	Hicks
Hill	Lucas	McCoy
Merrill	D. C. Moss	Nanney
Norman	Putnam	Quinn
Rivers	Sandifer	G. M. Smith
Southard	Stringer	Tallon
Toole	White	

Total--26

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

OBJECTION TO MOTION

Rep. W. J. MCLEOD asked unanimous consent that H. 4080 be read a third time tomorrow.

Rep. MERRILL objected.

H. 3663--FREE CONFERENCE POWERS GRANTED

Rep. MERRILL moved that the Committee of Conference on the following Bill be resolved into a Committee of Free Conference and briefly explained the Conference Committee's reasons for this request:

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF

[HJ]

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TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

The yeas and nays were taken resulting as follows:
Yeas 110; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atwater	Bales	Ballentine
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
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	Forrester	Funderburk
Gagnon	Gambrell	George
Gilliard	Goldfinch	Hamilton
Hardee	Hardwick	Hayes
Henderson	Herbkersman	Hicks
Hill	Hiott	Hixon
Hodges	Hosey	Huggins
Jefferson	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

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Nanney	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
White	Whitmire	Williams
Willis	Yow	

Total--110

Those who voted in the negative are:

Total--0

So, the motion to resolve the Committee of Conference into a Committee of Free Conference was agreed to.

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER *PRO TEMPORE* appointed Reps. BINGHAM, MERRILL and COBB-HUNTER to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

H. 3663--FREE CONFERENCE REPORT ADOPTED

FREE CONFERENCE REPORT

H. 3663

The General Assembly, Columbia, S.C., May 7, 2015

The COMMITTEE OF CONFERENCE, to whom was referred (Doc. No. H:\LEGWORK\CONFREPORTS\MS\3663C001.MS.AH15.DOCX):

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND

[HJ]

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DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ Whereas, the members of the General Assembly of the State of South Carolina recognize the rich and diverse history of South Carolina State University founded in 1896 in Orangeburg, South Carolina, and the significant contribution that the university has made to the higher education community as well as its current students and alumni; and

Whereas, on February 13, 2015, the Executive Director of the Executive Budget Office informed South Carolina State University that in its opinion the university would end the current fiscal year with another operating deficit; and

Whereas, eroding public trust and confidence in the willingness or ability of South Carolina State University to successfully operate within a balanced budget, coupled with ongoing accreditation concerns related to financial, governance, and other matters, are among factors adversely impacting university enrollment which is at a level greatly in need of stabilization; and

Whereas, the Southern Association of Colleges and Schools has expressed concerns regarding governing board conflicts of interests and board/administration structure as well as financial stability and controls of South Carolina State University, and the General Assembly

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recognizes that maintaining accreditation by the Southern Association of Colleges and Schools is of great importance; and

Whereas, in addition, the General Assembly recognizes and acknowledges the need to follow up on this temporary action that is so critical at this juncture with permanent, statewide legislation to restructure the Board of Trustees and general governance of South Carolina State University with particular emphasis on maintaining the institutional knowledge of members of the Board of Trustees going forward and staggering terms of newly appointed Board of Trustees members to maintain that essential consistency in the university's governance as it seeks to accomplish its important educational mission. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. (A) Immediately upon the appointment of an Interim South Carolina State University Board of Trustees pursuant to subsection (B), the current members of the Board of Trustees of South Carolina State University are hereby removed from service, and their positions, powers, and duties are hereby transferred to the newly appointed Interim Board of Trustees pursuant to subsection (B).

(B) Section 59-127-20 of the South Carolina Code, relating to the South Carolina State University Board of Trustees, election, and term, is suspended until June 30, 2018. There is established a new Interim Board of Trustees of South Carolina State University, to be composed of:

- (1) one member appointed by the Governor;
- (2) one member appointed by the State Treasurer;
- (3) one member appointed by the chairman of the Ways and Means Committee of the House of Representatives;
- (4) one member appointed by the chairman of the Senate Finance Committee;
- (5) one member appointed by the State Superintendent of Education;
- (6) one member appointed by the chairman of the Ways and Means Higher Education and Technical Colleges Subcommittee;
- (7) one member appointed by the chairman of the Senate Finance Higher Education Subcommittee; and
- (8) the President of the South Carolina State University National Alumni Association, to serve ex officio and nonvoting;

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(9) and the South Carolina State University Student Government Association President, to serve ex officio and nonvoting.

The members of the Interim Board of Trustees must be appointed no later than seven days following the effective date of this joint resolution. The Interim Board of Trustees shall meet as soon as practical and elect a chairman and other officers from its membership. Vacancies must be filled in the manner of the original appointment.

(C) Unless extended by the General Assembly, the Interim Board of Trustees established pursuant to subsection (B) shall serve until June 30, 2018, or until a full new Board of Trustees is elected and qualified pursuant to Chapter 127, Title 59. The term of office for each seat on the Board of Trustees shall be suspended as of the date of removal pursuant to subsection (A) until a new member of the Board of Trustees is elected to that seat pursuant to Chapter 127, Title 59, after June 30, 2018. Initial terms of the new members of the Board of Trustees shall be the unexpired term of the seat to which they are elected.

(D) The Interim Board of Trustees is responsible solely for the selection, periodic evaluation, and retention or termination of the university's president.

(E) The Interim Board of Trustees shall ensure there is a clear and appropriate distinction between the policy-making functions of the Interim Board of Trustees and the responsibility of the university's president, administration, and faculty to administer and implement policies and that the university has a clearly defined organizational structure that delineates responsibility for the administration of policies.

(F) The Interim Board of Trustees shall ensure that the university has qualified administrative and academic officers with the experience and competence necessary to lead the university.

(G) Notwithstanding any other provision of law, the Interim Board of Trustees is authorized to develop programmatic, personnel, and related policies it deems necessary to ensure that the university operates within its appropriated and authorized budget. The policies the Interim Board of Trustees develops may be across all operations of the university including, but not limited to, administration, academics, auxiliary operations, public service activities, and athletics. Programmatic and personnel policies developed by the Interim Board of Trustees pursuant to this subsection must be reported as information to the Commission on Higher Education and the State Division of Human Resources, respectively, as soon as is practicable after implementation.

(H) The Interim Board of Trustees, in consultation with the president, shall review both the educational accreditation of the university and the

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past and current financial situation of the university and make recommendations regarding the path that the university must pursue in order to lead the university out of the current financial crisis with an emphasis on having the university return to the valuable and functional institution of higher learning that it has been in the past. Any recommendations made by the Interim Board of Trustees shall also be provided as information to the Executive Budget Office and made public on the university's website.

(I) The Interim Board of Trustees shall be indemnified in the same manner as members of the Retirement System Investment Commission, mutatis mutandis.

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

Amend title to conform.

Senator Robert W. Hayes, Jr.	Representative James H. Merrill
Senator Darrell Jackson	Representative Kenneth A. Bingham
Senator C. Bradley Hutto	Representative Gilda Cobb-Hunter
On Part of the Senate.	On Part of the House.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Atwater	Bales	Ballentine
Bannister	Bedingfield	Bernstein
Bingham	Bradley	G. A. Brown
R. L. Brown	Burns	Clary
Clemmons	Cobb-Hunter	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Erickson
Finlay	Forrester	Funderburk
Gagnon	Gambrell	Gilliard
Goldfinch	Hamilton	Hardee
Hardwick	Hayes	Henderson
Herbkersman	Hicks	Hiott
Hixon	Hodges	Hosey
Huggins	Jefferson	Kennedy
King	Knight	Limehouse

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Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Murphy
Nanney	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	Thayer
Tinkler	Weeks	Wells
White	Whitmire	Williams
Willis	Yow	

Total--101

Those who voted in the negative are:

Total--0

The Free Conference Report was adopted and a message was ordered sent to the Senate accordingly.

H. 4135--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4135 -- Reps. Bedingfield, Hamilton, G. R. Smith, Burns, Allison, Willis, Putnam, Bannister, Chumley, Dillard, Henderson, Loftis, Nanney and Stringer: A BILL TO AMEND ARTICLE 18, CHAPTER 53, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GREENVILLE TECHNICAL COLLEGE AREA COMMISSION, SO AS TO REVISE THE MANNER IN WHICH MEMBERS OF THE BOARD ARE SELECTED, TO REVISE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD, AND TO REVISE OR PROVIDE FOR OTHER PROVISIONS RELATING TO THE SELECTION OF BOARD MEMBERS.

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The yeas and nays were taken resulting as follows:

Yeas 91; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Atwater
Bales	Ballentine	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	G. A. Brown
R. L. Brown	Burns	Chumley
Cole	Corley	H. A. Crawford
Crosby	Daning	Delleney
Douglas	Duckworth	Erickson
Felder	Forrester	Funderburk
Gagnon	George	Hamilton
Hardee	Hardwick	Hayes
Henderson	Henegan	Herbkersman
Hicks	Hill	Hixon
Hodges	Huggins	Jefferson
Kennedy	King	Knight
Limehouse	Loftis	Long
Lowe	Lucas	McCoy
McKnight	M. S. McLeod	W. J. McLeod
Mitchell	D. C. Moss	V. S. Moss
Nanney	Newton	Norman
Norrell	Ott	Parks
Pitts	Pope	Putnam
Quinn	Ridgeway	Riley
Rivers	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stringer	Tallon
Thayer	Tinkler	Toole
Weeks	Wells	White
Whitmire	Williams	Willis
Yow		

Total--91

Those who voted in the negative are:

Total--0

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

**H. 4135--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BEDINGFIELD, with unanimous consent, it was ordered that H. 4135 be read the third time tomorrow.

S. 426--POINT OF ORDER

The following Bill was taken up:

S. 426 -- Senators Sheheen, Hayes, Malloy and Allen: A BILL TO AMEND TITLE 14 OF THE 1976 CODE, RELATING TO COURTS, BY ADDING CHAPTER 31, TO ESTABLISH A MENTAL HEALTH COURT PROGRAM, TO PROVIDE FOR A SYSTEM THAT DIVERTS MENTALLY ILL OFFENDERS TO APPROPRIATE TREATMENT PROGRAMS RATHER THAN INCARCERATION, TO PROVIDE FOR ELIGIBILITY TO PARTICIPATE IN MENTAL HEALTH COURT, TO PROVIDE THAT EXISTING MENTAL HEALTH COURTS ESTABLISHED PURSUANT TO AN ADMINISTRATIVE ORDER OF THE SUPREME COURT SHALL CONTINUE IN EXISTENCE, TO PROVIDE THAT EACH SOLICITOR MUST ESTABLISH A PROGRAM, TO PROVIDE FOR QUALIFICATIONS FOR SERVICE AS A MENTAL HEALTH COURT JUDGE, TO PROVIDE THAT MENTAL HEALTH COURT JUDGES HAVE THE SAME PROTECTIONS FROM CIVIL LIABILITY AND IMMUNITY AS OTHER JUDICIAL OFFICERS IN THIS STATE; AND TO PROVIDE THAT SOLICITORS WHO ACCEPT STATE FUNDING FOR THE PROGRAM MUST ESTABLISH IT WITHIN ONE HUNDRED EIGHTY DAYS.

POINT OF ORDER

Rep. HIOTT 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 *PRO TEMPORE* sustained the Point of Order.

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S. 183--POINT OF ORDER

The following Bill was taken up:

S. 183 -- Senators Hayes and Bryant: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16-3-2010, RELATING TO HUMAN TRAFFICKING DEFINITIONS, SO AS TO DEFINE "COERCION"; BY AMENDING SECTION 16-3-2020, RELATING TO HUMAN TRAFFICKING OFFENSES, SO AS TO PROVIDE THAT A PERSON IS CONSIDERED A TRAFFICKER IF THE PERSON SOLICITS OR PARTICIPATES IN PROSTITUTION WITH ANOTHER PERSON KNOWING THAT THE OTHER PERSON IS A HUMAN TRAFFICKING VICTIM, TO PROVIDE THAT A VICTIM CONVICTED OF A HUMAN TRAFFICKING VIOLATION OR PROSTITUTION MAY MOTION THE COURT TO VACATE THE CONVICTION, AND TO PROVIDE THAT A VICTIM IS NOT SUBJECT TO PROSECUTION FOR HUMAN TRAFFICKING OR PROSTITUTION IF THE VICTIM WAS A MINOR AT THE TIME OF THE OFFENSE, AND TO PROVIDE THAT A VICTIM'S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CRIMINAL ACTION; BY AMENDING SECTION 16-3-2030, RELATING TO BUSINESSES AND HUMAN TRAFFICKING, SO AS TO PROVIDE THAT A COURT MAY CONSIDER DISGORGEMENT OF PROFIT FROM A BUSINESS INVOLVED IN HUMAN TRAFFICKING AND DISBARMENT FROM GOVERNMENT CONTRACTS; BY AMENDING SECTION 16-3-2040, RELATING TO HUMAN TRAFFICKING RESTITUTION, SO AS TO PROVIDE THAT THE COURT MAY ORDER AN AMOUNT REPRESENTING THE VALUE OF THE VICTIM'S LABOR OR SERVICES; BY AMENDING SECTION 16-3-2050, RELATING TO THE HUMAN TRAFFICKING TASK FORCE, SO AS TO PROVIDE THAT THE TASK FORCE MAY MAKE GRANTS OR CONTRACTS TO DEVELOP OR EXPAND VICTIM SERVICE PROGRAMS; BY AMENDING SECTION 16-3-2060, RELATING TO HUMAN TRAFFICKING CIVIL ACTIONS, SO AS TO PROVIDE THAT A VICTIM'S SEXUAL HISTORY IS NOT ADMISSIBLE BY A DEFENDANT IN A CIVIL ACTION; BY AMENDING SECTION 16-3-2070, RELATING TO VICTIMS' RIGHTS AND THE STATE CRIME VICTIM'S COMPENSATION FUND, SO AS TO PROVIDE THAT HUMAN TRAFFICKING VICTIMS ARE CONSIDERED VICTIMS REGARDLESS OF IMMIGRATION STATUS, TO

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PROVIDE THAT THE PICTURES AND IMAGES OF VICTIMS MUST BE KEPT CONFIDENTIAL, AND TO PROVIDE THE PROTOCOL A LAW ENFORCEMENT OFFICER SHALL FOLLOW WHEN INTERACTING WITH A VICTIM; AND BY ADDING SECTION 16-3-2100, SO AS TO REQUIRE THE POSTING OF INFORMATION REGARDING THE NATIONAL HUMAN TRAFFICKING RESOURCE CENTER HOTLINE IN CERTAIN BUSINESSES.

POINT OF ORDER

Rep. HIOTT 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 *PRO TEMPORE* sustained the Point of Order.

S. 255--POINT OF ORDER

The following Bill was taken up:

S. 255 -- Senator Thurmond: A BILL TO AMEND SECTION 17-1-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESTRUCTION OF ARREST AND BOOKING RECORDS, SO AS TO PROVIDE THAT A PERSON OR ENTITY WHO PUBLISHES ON THE PERSON OR ENTITY'S WEBSITE THE ARREST AND BOOKING RECORDS OF A PERSON WHOSE CHARGES HAVE BEEN DISCHARGED OR DISMISSED, OR OF A PERSON WHO IS FOUND NOT GUILTY OF A CHARGE, SHALL, WITHOUT FEE OR COMPENSATION, REMOVE THE ARREST AND BOOKING RECORDS WITHIN THIRTY DAYS OF A WRITTEN REQUEST, AND TO PROVIDE THE PENALTIES FOR A PERSON OR ENTITY WHO FAILS TO REMOVE THE ARREST AND BOOKING RECORDS.

POINT OF ORDER

Rep. ANDERSON 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 *PRO TEMPORE* sustained the Point of Order.

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H. 3852--POINT OF ORDER

The following Bill was taken up:

H. 3852 -- Reps. Tallon, Bannister, Loftis, Burns, Brannon, Allison, Ballentine, Bamberg, Bedingfield, Bingham, Clary, Clemmons, Cole, Collins, Delleney, Duckworth, Finlay, Forrester, Gagnon, Gambrell, Goldfinch, Hamilton, Hardee, Hardwick, Henderson, Hicks, Hiott, Home, Huggins, Kennedy, Kirby, Long, McCoy, Merrill, D. C. Moss, V. S. Moss, Newton, Norman, Norrell, Pope, Quinn, Rutherford, Ryhal, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Taylor, Thayer, Willis, Yow, Bradley and Anthony: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-18-75 SO AS TO PROVIDE FOR ESCHEATMENT TO THE STATE OF UNCLAIMED UNITED STATES SAVINGS BONDS, TO PROVIDE FOR JUDICIAL DETERMINATION OF ESCHEATMENT, TO PROVIDE FOR PROCEDURES FOR CHALLENGING ESCHEATMENT, TO PROVIDE FOR DEPOSIT OF THE PROCEEDS OF ESCHEATMENT; AND BY ADDING SECTION 27-18-76 SO AS TO PROVIDE THAT A PERSON CLAIMING AN INTEREST IN A UNITED STATES SAVINGS BOND MAY FILE A CLAIM WITH THE ADMINISTRATOR ADMINISTERING THE UNIFORM UNCLAIMED PROPERTY ACT AND TO PROVIDE FOR LIMITATIONS ON SUCH CLAIMS.

POINT OF ORDER

Rep. HIOTT 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 *PRO TEMPORE* sustained the Point of Order.

H. 3325--POINT OF ORDER

The following Bill was taken up:

H. 3325 -- Reps. J. E. Smith, Hodges, Weeks, Whipper, Mitchell and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 61, TITLE 15 SO AS TO ENACT THE "UNIFORM PARTITION OF HEIRS' PROPERTY ACT"; TO DEFINE NECESSARY TERMS; TO PROVIDE FOR NOTICE BY PUBLICATION IN A PARTITION

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ACTION, TO PROVIDE PROCEDURES FOR A COURT TO FOLLOW IN DETERMINING THE VALUE OF THE PROPERTY AND FACTORS FOR A COURT TO CONSIDER FOR DIFFERENT TYPES OF PARTITIONS, TO PROVIDE FOR OPEN-MARKET SALES, SEALED BIDS, OR AUCTIONS, TO DESIGNATE THE EXISTING PROVISIONS OF CHAPTER 61 AS ARTICLE 1; TO AMEND SECTION 15-61-10, RELATING TO PARTITION ACTIONS, SO AS TO PROVIDE FOR A COURT HEARING TO DETERMINE IF THE PARTITION ACTION CONCERNS HEIRS' PROPERTY; AND TO AMEND SECTION 15-61-100, RELATING TO WRITS OF PARTITION, SO AS TO DELETE OBSOLETE REFERENCES.

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 *PRO TEMPORE* sustained the Point of Order.

H. 3521--POINT OF ORDER

The following Bill was taken up:

H. 3521 -- Reps. Limehouse, Putnam, Clemmons, Gagnon, Hill, Rivers, Thayer and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 14-1-250 SO AS TO PREVENT A COURT OR OTHER ENFORCEMENT AUTHORITY FROM ENFORCING FOREIGN LAW INCLUDING, BUT NOT LIMITED TO, SHARIA LAW IN THIS STATE FROM A FORUM OUTSIDE OF THE UNITED STATES OR ITS TERRITORIES UNDER CERTAIN CIRCUMSTANCES.

POINT OF ORDER

Rep. MCCOY 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 *PRO TEMPORE* sustained the Point of Order.

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S. 500--POINT OF ORDER

The following Bill was taken up:

S. 500 -- Senator Hayes: A BILL TO AMEND ARTICLE 23, CHAPTER 17, TITLE 63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM INTERSTATE FAMILY SUPPORT ACT, SO AS TO ENACT AMENDMENTS TO THAT ACT ADOPTED BY THE NATIONAL CONFERENCE OF COMMISSIONERS FOR UNIFORM STATE LAWS IN 2008, AS REQUIRED BY THE FEDERAL "PREVENTING SEX TRAFFICKING AND STRENGTHENING FAMILIES ACT" INCLUDING, BUT NOT LIMITED TO, AMENDMENTS ADDRESSING INTERNATIONAL RECOVERY OF CHILD SUPPORT AND OTHER FAMILY MAINTENANCE AND DETERMINATION OF PARENTAGE.

POINT OF ORDER

Rep. MCCOY 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 *PRO TEMPORE* sustained the Point of Order.

S. 179--POINT OF ORDER

The following Bill was taken up:

S. 179 -- Senators L. Martin and Hembree: A BILL TO AMEND SECTION 61-6-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF ALCOHOLIC LIQUORS, SO AS TO INCLUDE POWDERED OR CRYSTALLINE ALCOHOLS WHEN HYDROLYZED IN THE DEFINITION OF ALCOHOLIC LIQUORS AND TO AMEND SECTION 61-6-4157, RELATING TO THE PROHIBITION TO POSSESS, USE, SELL, OR PURCHASE POWDERED ALCOHOL, SO AS TO INCLUDE BOTH POWDERED AND CRYSTALLINE ALCOHOL WHEN HYDROLYZED.

POINT OF ORDER

Rep. HIOTT made the Point of Order that the Bill was improperly before the House for consideration since its number and title have not

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been printed in the House Calendar at least one statewide legislative day prior to second reading.

The SPEAKER *PRO TEMPORE* sustained the Point of Order.

H. 4142--ORDERED TO THIRD READING

The following Bill was taken up:

H. 4142 -- Rep. Ballentine: A BILL TO AMEND SECTION 7-7-465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN RICHLAND COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

Those who voted in the affirmative are:

Anderson	Bales	Ballentine
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
G. A. Brown	R. L. Brown	Burns
Chumley	Clemmons	Clyburn
Cole	Corley	Crosby
Delleney	Dillard	Douglas
Erickson	Felder	Forrester
Funderburk	Gagnon	George
Gilliard	Hamilton	Hardee
Hardwick	Hayes	Henderson
Henegan	Herbkersman	Hicks
Hill	Hosey	Huggins
Jefferson	Kennedy	Kirby
Knight	Limehouse	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
McKnight	M. S. McLeod	D. C. Moss
V. S. Moss	Murphy	Nanney
Newton	Norman	Norrell
Ott	Parks	Pitts
Pope	Putnam	Quinn

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Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
G. M. Smith	G. R. Smith	J. E. Smith
Sottile	Southard	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Tinkler
Toole	Weeks	Wells
White	Whitmire	Williams
Willis	Yow	

Total--92

Those who voted in the negative are:

Total--0

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

**H. 4142--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. BALLENTINE, with unanimous consent, it was ordered that H. 4142 be read the third time tomorrow.

H. 3151--SENT TO THE SENATE

The following Bill was taken up:

H. 3151 -- Rep. G. R. Smith: A BILL TO AMEND SECTION 59-29-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUISITE STUDY OF THE UNITED STATES CONSTITUTION AND OTHER TEXTS REFLECTING THE HISTORY OF THE UNITED STATES IN PUBLIC HIGH SCHOOLS AND PUBLICLY-SUPPORTED COLLEGES AND UNIVERSITIES, SO AS TO PROVIDE THAT PUBLIC COLLEGES AND UNIVERSITIES MAY SATISFY THE INSTRUCTIONAL COMPONENT OF THIS REQUIREMENT BY PROVIDING AND ASSIGNING CERTAIN RELATED READING; TO AMEND SECTION 59-29-130, RELATING TO THE REQUIREMENT THAT THESE SUBJECTS BE GIVEN FOR AT LEAST ONE YEAR, SO AS TO REVISE THE REQUIREMENT FOR COLLEGES AND UNIVERSITIES; AND TO AMEND SECTION 59-29-140, RELATING TO THE ROLE OF THE STATE SUPERINTENDENT

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OF EDUCATION TO ENFORCE THESE STUDY REQUIREMENTS AND PRESCRIBE SUITABLE TEXTS, SO AS TO TRANSFER THESE FUNCTIONS, WITH RESPECT TO COLLEGES AND UNIVERSITIES, TO THE COMMISSION OF HIGHER EDUCATION.

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. CLEMMONS.

H. 3027--DEBATE ADJOURNED

The following Bill was taken up:

H. 3027 -- Reps. Clemmons, Long, G. R. Smith, Erickson, Putnam, Bedingfield, Loftis and McCoy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2-65-140 SO AS TO REQUIRE THAT BY OCTOBER THIRTY-FIRST OF EACH YEAR, EACH STATE AGENCY SHALL SUBMIT A REPORT DETAILING ITS FEDERAL RECEIPTS AND DEVELOPING A PLAN SHOULD ITS FEDERAL RECEIPTS BE REDUCED, TO REQUIRE THAT BY FEBRUARY FIFTEENTH OF EACH YEAR, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE AND THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE MUST PLACE THE MOST RECENTLY RECEIVED REPORT ON THE AGENDA FOR REVIEW AND CONSIDERATION.

Rep. CLEMMONS moved to adjourn debate on the Bill until Wednesday, May 13, which was agreed to.

S. 154--DEBATE ADJOURNED

The following Bill was taken up:

S. 154 -- Senators Shealy and Campsen: A BILL TO AMEND SECTION 59-39-160 OF THE 1976 CODE, RELATING TO ELIGIBILITY TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES, TO PROVIDE THE STATE BOARD OF EDUCATION MAY GRANT A WAIVER OF THE REQUIREMENTS IF A STUDENT'S INELIGIBILITY TO PARTICIPATE IN

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INTERSCHOLASTIC ACTIVITIES IS DUE TO A LONG-TERM ABSENCE AS A RESULT OF A MEDICAL CONDITION, BUT THE STUDENT HAS BEEN MEDICALLY CLEARED TO PARTICIPATE OR FOR ANY OTHER REASONABLE CIRCUMSTANCE AS DETERMINED BY THE STATE BOARD OF EDUCATION.

Rep. HAYES moved to adjourn debate on the Bill until Wednesday, May 13, which was agreed to.

S. 47--DEBATE ADJOURNED

The following Bill was taken up:

S. 47 -- Senators Malloy, Kimpson, Johnson, Pinckney, Thurmond, Setzler, Grooms, Lourie, McElveen, Allen, Shealy, Coleman, Campsen, Scott and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240, SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY-WORN CAMERAS.

Rep. DANING moved to adjourn debate on the Bill until Tuesday, May 19, which was agreed to.

RECURRENCE TO THE MORNING HOUR

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

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 7

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has requested and has granted free conference powers and appointed Senators Hutto, Jackson and Hayes of the Committee of Free Conference on the part of the Senate on H. 3663:

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET

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AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

Very respectfully,
President
Received as information.

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., Thursday, May 7

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Free Conference on H. 3663. The Report of the Committee of Free Conference, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification.

H. 3663 -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

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Very respectfully,
President
Received as information.

**H. 3890--SENATE AMENDMENTS CONCURRED IN AND
BILL ENROLLED**

On the motion of Rep. STRINGER, with unanimous consent, the Senate Amendments to the following Bill were taken up for immediate consideration:

H. 3890 -- Rep. Norrell: A BILL TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS REQUIRING SCHOOLS TO CLOSE MUST BE MADE UP, SO AS TO PROVIDE THAT WHEN SCHOOLS CLOSE BECAUSE THE GOVERNOR DECLARES A STATE OF EMERGENCY DUE TO SNOW, EXTREME WEATHER CONDITIONS, OR OTHER NATURAL DISASTERS, STUDENTS IN THOSE SCHOOLS ARE NOT REQUIRED TO MAKE UP ANY DAYS MISSED AS A RESULT.

Rep. STRINGER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Bales
Bamberg	Bannister	Bedingfield
Bingham	Bradley	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clyburn	Cole
Collins	Corley	H. A. Crawford
Crosby	Daning	Dillard
Erickson	Felder	Finlay
Forrester	Funderburk	Gambrell
George	Gilliard	Goldfinch
Hardee	Hardwick	Henderson
Henegan	Herbkersman	Hicks
Hill	Hiott	Hixon

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Hodges	Hosey	Huggins
Jefferson	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	Newton
Norrell	Ott	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Robinson-Simpson
Ryhal	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Southard
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks
Wells	Whipper	White
Williams	Yow	

Total--92

Those who voted in the negative are:

Total--0

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.

REPORTS OF STANDING COMMITTEES

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

S. 726 -- Senators Cromer, Setzler, Shealy, Massey and Courson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 1, CHARTER OAK ROAD, AND PISGAH CHURCH ROAD IN LEXINGTON COUNTY "SERGEANT JOHN DAVID MEADOR II INTERSECTION" AND ERECT

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APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

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

H. 4103 -- Reps. Funderburk, Norrell, Long, Erickson, Crosby, Anthony, Bales, Herbkersman, W. J. McLeod, Newton, Norman, Simrill, Tinkler and Yow: A HOUSE RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NOT QUALIFY A CONTRACTOR OR CONTRACTING FIRM TO PARTICIPATE IN DEPARTMENT OF TRANSPORTATION CONTRACTS AS A PRIME CONTRACTOR OR A SUBCONTRACTOR IF THE FIRM IS OWNED BY A TRUST THAT BENEFITS A PERSON OR FIRM WHO HAS BEEN DISQUALIFIED FOR BIDDING ON DEPARTMENT CONTRACTS OR A DISQUALIFIED PERSON'S FAMILY, OR IF THE DISQUALIFIED PERSON OR FIRM PROVIDES FINANCIAL SUPPORT OR LOANS TO THE CONTRACTOR OR CONTRACTING FIRM.

Ordered for consideration tomorrow.

INTRODUCTION OF BILLS

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

H. 4149 -- Rep. Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-235 SO AS TO PROVIDE FOR CERTAIN TERMS AND THEIR DEFINITIONS RELATING TO CERTIFICATIONS ISSUED BY A CHIEF LAW ENFORCEMENT OFFICER FOR THE TRANSFERING OR MAKING OF A FIREARM, THE APPLICATION PROCESS FOR AND ISSUANCE OF THESE CERTIFICATIONS, AND THE PROCESS TO APPEAL A DENIAL OF AN APPLICATION FOR CERTIFICATION.

Referred to Committee on Judiciary

H. 4150 -- Reps. Long and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-210 SO AS TO DESIGNATE THE SEVENTEENTH

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DAY OF SEPTEMBER OF EACH YEAR AS "UNITED STATES CONSTITUTION DAY".

Referred to Committee on Education and Public Works

H. 4151 -- Reps. Pitts, White and Bannister: A BILL TO AMEND SECTION 12-21-735, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STAMP TAX ON CIGARETTES AND TOBACCO PRODUCTS, SO AS TO REQUIRE AND PROVIDE FOR THE PROPER AFFIXING OF STAMPS, INCLUDING PROVISIONS FOR EXEMPT PACKAGES, UNIQUE SERIAL NUMBERING OF STAMPS, REVOCATION OF THE LICENSE OF A PERSON VIOLATING THESE PROVISIONS, LIMITATIONS ON THE RECEIPT AND SALE OF UNTAXED CIGARETTES, TO PROVIDE FOR RETURN AND PAYMENT OF THE TAX, AND TO AUTHORIZE THE DEPARTMENT OF REVENUE TO PROMULGATE REGULATIONS NECESSARY TO ESTABLISH, IMPLEMENT, AND ENFORCE THESE PROVISIONS.

Referred to Committee on Ways and Means

H. 4152 -- Reps. Hicks, Quinn, Ballentine, Huggins, Atwater, Hill, Bedingfield, Bingham, Hamilton, G. R. Smith, Stringer, Thayer, Toole and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-517 SO AS TO REPLACE THE INCOME TAX IMPOSED ON THE TAXABLE INCOME OF INDIVIDUALS, ESTATES, TRUSTS, AND CERTAIN OTHER ENTITIES IN TAX YEARS BEGINNING AFTER 2014 BY REDUCING THE RATE OF TAXATION BY ONE QUARTER OF ONE PERCENT FOR FOUR YEARS.

Referred to Committee on Ways and Means

Rep. GEORGE moved that the House adjourn pending ratification of Acts, which was agreed to.

RATIFICATION OF ACTS

At 2:15 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 20, S. 237) -- Senators Allen, Corbin and Thurmond: A JOINT RESOLUTION TO CONTINUE THE "STUDY COMMITTEE ON EXPUNGEMENT OF CRIMINAL OFFENSES" UNTIL DECEMBER 31, 2015.

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(R. 21, S. 358) -- Senators Verdin, Campsen and McElveen: AN ACT TO AMEND SECTION 56-5-70, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF VEHICULAR REQUIREMENTS DURING A DECLARED STATE OF EMERGENCY, SO AS TO PROVIDE FOR AN EXTENSION OF THE TIME PERIOD FOR UP TO ONE HUNDRED TWENTY DAYS RELATING TO SUSPENSIONS OF REGISTRATION, PERMITTING, LENGTH, WIDTH, WEIGHT, AND LOAD ON NON-INTERSTATE ROUTES FOR CERTAIN VEHICLES, AND TO MAKE SUSPENSIONS OF TIME OF SERVICE REQUIREMENTS FOR THIRTY DAYS UNLESS EXTENDED BY FEDERAL REGULATION FOR BOTH INTERSTATE AND NON-INTERSTATE ROUTES FOR CERTAIN VEHICLES.

(R. 22, S. 376) -- Senators Grooms and Campsen: AN ACT TO AMEND SECTION 55-1-80, RELATING TO COUNTY AVIATION COMMISSIONS, SO AS TO ALLOW FOR INCREASED MEMBERSHIP ON CERTAIN COUNTY AVIATION COMMISSIONS, TO PROVIDE FOR THE APPOINTMENT OF THE NEW MEMBERS, TO PROVIDE THAT MAYORS OF CERTAIN MUNICIPALITIES SHALL SERVE EX OFFICIO ON CERTAIN AVIATION COMMISSIONS OR AUTHORITIES, AND TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MULTICOUNTY AVIATION COMMISSION OR AUTHORITY; AND TO REPEAL ACT 130 OF 2007 WHICH INCREASED THE CHARLESTON COUNTY AVIATION AUTHORITY BY TWO MEMBERS.

(R. 23, S. 391) -- Senators Young, Massey, Turner, Thurmond, Johnson, McElveen, Shealy, Hembree, Cromer, Setzler, Alexander, Davis and Scott: AN ACT TO AMEND SECTION 59-112-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN-STATE TUITION RATES FOR MILITARY PERSONNEL AND THEIR DEPENDENTS UNDER CERTAIN CONDITIONS, SO AS TO PROVIDE THAT ACTIVE DUTY MILITARY PERSONNEL MAY BE CHARGED LESS THAN THE UNDERGRADUATE TUITION RATE FOR SOUTH CAROLINA RESIDENTS FOR COURSES THAT ARE PRESENTED ON A DISTANCE BASIS, REGARDLESS OF RESIDENCY, AND TO PROVIDE FOR THE MANNER IN WHICH AND CONDITIONS

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UNDER WHICH CERTAIN VETERANS RECEIVING SPECIFIED FEDERAL EDUCATIONAL BENEFITS AND ENROLLED IN A STATE INSTITUTION AND PERSONS RELATED TO THE VETERAN RECEIVING SPECIFIED FEDERAL EDUCATIONAL BENEFITS AND ENROLLED IN A STATE INSTITUTION ARE ENTITLED TO RECEIVE IN-STATE TUITION RATES WITHOUT REGARD TO THE LENGTH OF TIME THE INDIVIDUAL HAS RESIDED IN THE STATE.

(R. 24, S. 578) -- Senators Hembree, Campbell and Cleary: AN ACT TO AMEND SECTION 48-39-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR A VIOLATION OF THE CHAPTER ON COASTAL TIDELANDS AND WETLANDS, SO AS TO PROVIDE A THREE-YEAR STATUTE OF LIMITATIONS ON ENFORCEMENT VIOLATIONS RELATING TO MINOR DEVELOPMENT ACTIVITIES EXCEPT IN INSTANCES WHERE THE ALLEGED VIOLATOR KNOWINGLY OR INTENTIONALLY WITHHELD INFORMATION RELATING TO THE ALLEGED VIOLATION, TO DESCRIBE ACTS OF CONCEALMENT, AND TO APPLY THIS ACT TO ALL FUTURE ENFORCEMENT ACTIONS AND ENFORCEMENT ACTIONS PENDING AS OF JANUARY 1, 2015.

(R. 25, S. 588) -- Senators Young, Setzler and Massey: AN ACT TO AMEND SECTION 7-7-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD FIVE PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

(R. 26, S. 599) -- Senator O'Dell: AN ACT TO AMEND ACT 1147 OF 1968, AS AMENDED, RELATING TO THE G. FRANK RUSSELL CAREER CENTER, SO AS TO RENAME THE CENTER THE G. FRANK RUSSELL TECHNOLOGY CENTER, AND TO MAKE A TECHNICAL CORRECTION REDUCING THE MEMBERSHIP OF THE TECHNOLOGY CENTER'S ADVISORY COMMITTEE FROM SEVEN MEMBERS TO SIX MEMBERS DUE TO THE DISSOLUTION OF THE GREENWOOD COUNTY BOARD OF EDUCATION PURSUANT TO ACT 175 OF 1997.

[HJ]

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(R. 27, S. 673) -- Senator Sheheen: AN ACT TO AMEND SECTION 4-9-82, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF ASSETS BY A HOSPITAL PUBLIC SERVICE DISTRICT, SO AS TO SPECIFY THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO A TRANSACTION THAT INCLUDES THE HOSPITAL PUBLIC SERVICE DISTRICT'S ENTRY INTO A LEASE OF ANY OR ALL OF ITS REAL PROPERTY ASSOCIATED WITH THE DELIVERY OF HOSPITAL SERVICES REGARDLESS OF THE LENGTH OF THE TERM OF THE REAL PROPERTY LEASE OR WHETHER OR NOT THE TRANSACTION ALSO INCLUDES THE SALE OR LEASE OF OTHER ASSETS OF THE DISTRICT, AND TO PROVIDE APPLICATION LIMITATIONS.

(R. 28, H. 3118) -- Reps. Pitts and White: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-525 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; BY ADDING SECTION 50-11-580 SO AS TO ESTABLISH MALE WILD TURKEY HUNTING SEASON AS MARCH 20 THROUGH MAY 5, DECLARE THE SATURDAY AND SUNDAY PRECEDING MARCH 20 OF EACH YEAR TO BE "SOUTH CAROLINA YOUTH TURKEY HUNTING WEEKEND" AND PROVIDE A PROCEDURE FOR YOUTH TURKEY HUNTING ON THIS WEEKEND, TO PROVIDE A WILD TURKEY BAG LIMIT, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO REPORT TO THE GENERAL ASSEMBLY CERTAIN WILD TURKEY RESOURCES INFORMATION INCLUDING RECOMMENDATIONS REGARDING THE SEASON AND THE BAG LIMITS; TO AMEND SECTIONS 50-11-530, 50-11-540, AND 50-11-544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE DEPARTMENT'S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, TO ALLOW THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE

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HUNTING OF WILD TURKEYS, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL; AND TO SUSPEND THE PROVISIONS OF SECTION 50-11-520 UPON THE EFFECTIVE DATE OF THE ACT UNTIL NOVEMBER 7, 2018, WHEN SECTION 50-11-580 IS REPEALED.

(R. 29, H. 3323) -- Reps. V.S. Moss, Ott, Hiott, Hixon and Jefferson: AN ACT 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 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.

(R. 30, H. 3324) -- Reps. J.E. Smith, G.M. Smith, Yow, Hardee, Clemmons, Goldfinch, Hardwick, Johnson, Duckworth, W.J. McLeod and Gilliard: A JOINT RESOLUTION TO ESTABLISH A COMMITTEE TO STUDY STATE AND LOCAL LEVEL VETERANS ISSUES; TO MAKE APPROPRIATE LEGISLATIVE RECOMMENDATIONS FOR IMPROVING THE STRUCTURE, DELIVERY, AND COORDINATION OF VETERANS SERVICES IN SOUTH CAROLINA; AND TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP, DURATION, AND STAFFING.

(R. 31, H. 3393) -- Rep. Lowe: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-630 SO AS TO PROVIDE THAT A PERSON SHALL OBTAIN A FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP IN ADDITION TO OBTAINING REQUIRED STATE HUNTING LICENSES AND PERMITS, TO PROVIDE THAT THE

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DEPARTMENT OF NATURAL RESOURCES MAY CONTRACT WITH THE UNITED STATES FISH AND WILDLIFE SERVICE TO MAKE THE FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP AVAILABLE THROUGH THE LICENSE SALES SYSTEM OF THE DEPARTMENT, TO PROVIDE FOR THE ENDORSEMENT OF THE STAMP ON STATE HUNTING LICENSES BY THE DEPARTMENT, AND TO PROVIDE FOR RELATED FEES, AMONG OTHER THINGS; AND TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUE GENERATED FROM THE SALE OF HUNTING LICENSES, SO AS TO PROVIDE THAT FEES REMITTED TO THE DEPARTMENT FOR EACH FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP MUST BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THESE FEES.

(R. 32, H. 3443) -- Reps. Long, Erickson, Daning, Atwater, Bradley, Hixon, Newton, Ridgeway, Simrill, Spires, G.M. Smith, Weeks and Johnson: AN ACT TO AMEND SECTION 40-37-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASING, POSSESSING, ADMINISTERING, SUPPLYING, AND PRESCRIBING OF CERTAIN PHARMACEUTICAL AGENTS BY OPTOMETRISTS AND THE PROHIBITION ON SCHEDULE I AND II CONTROLLED SUBSTANCES, SO AS TO CLARIFY THAT SCHEDULE II CONTROLLED SUBSTANCES THAT HAVE BEEN RECLASSIFIED FROM SCHEDULE III TO SCHEDULE II ON OR AFTER OCTOBER 6, 2014, MAY CONTINUE TO BE PURCHASED, POSSESSED, ADMINISTERED, SUPPLIED, AND PRESCRIBED BY AN OPTOMETRIST.

(R. 33, H. 3464) -- Reps. R.L. Brown, Whipper and G.A. Brown: AN ACT TO AMEND SECTION 40-7-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO BARBERS AND BARBERING, SO AS TO DELETE AND REPLACE THE CURRENT LANGUAGE WITH LICENSING REQUIREMENTS FOR BARBER SCHOOLS AND BARBER SCHOOL INSTRUCTORS.

(R. 34, H. 3547) -- Reps. J.E. Smith and Yow: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-2350 SO AS TO PROVIDE THAT THE REEMPLOYMENT RIGHTS AND PROTECTIONS GRANTED TO

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MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD AND SOUTH CAROLINA STATE GUARD WHO SERVE STATE DUTY SHALL APPLY ALSO TO A PERSON WHO IS EMPLOYED IN SOUTH CAROLINA BUT IS A MEMBER OF ANOTHER STATE'S NATIONAL GUARD OR STATE GUARD.

(R. 35, H. 3662) -- Rep. Atwater: AN ACT TO AMEND SECTION 6 9 55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROHIBITION ON THE ENFORCEMENT OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, SO AS TO REMOVE PROVISIONS ALLOWING ENFORCEMENT OF THE CODE AFTER A CERTAIN DATE.

(R. 36, H. 3663) -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON AN INTERIM BOARD OF TRUSTEES WHO SHALL SERVE UNTIL JUNE 30, 2018, OR UNTIL A FULL NEW BOARD OF TRUSTEES IS ELECTED AND QUALIFIED; TO PROVIDE THAT THE INTERIM BOARD OF TRUSTEES IS RESPONSIBLE FOR THE SELECTION, PERIODIC EVALUATION, AND RETENTION AND TERMINATION OF THE UNIVERSITY'S PRESIDENT; TO PROVIDE FOR OTHER SPECIFIC DUTIES OF THE INTERIM BOARD OF TRUSTEES; AND TO DIRECT THE INTERIM BOARD OF TRUSTEES, IN CONSULTATION WITH THE PRESIDENT OF THE UNIVERSITY, TO REVIEW THE EDUCATIONAL ACCREDITATION AND THE PAST AND CURRENT FINANCIAL SITUATION OF THE UNIVERSITY AND MAKE RECOMMENDATIONS TO DIRECT THE UNIVERSITY OUT OF THE CURRENT FINANCIAL CRISIS WITH AN EMPHASIS ON HAVING THE UNIVERSITY RETURN TO THE VALUABLE AND FUNCTIONAL INSTITUTION OF HIGHER LEARNING.

(R. 37, H. 3668) -- Reps. Pitts and Goldfinch: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-365 SO AS TO PROVIDE THAT ALL NONEXEMPT PERSONS MUST WEAR A HAT, COAT, OR VEST OF SOLID VISIBLE INTERNATIONAL ORANGE WHILE ON WILDLIFE MANAGEMENT AREA LANDS DURING DEER HUNTING SEASON.

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(R. 38, H. 3683) -- Reps. Williams, Hosey, Gilliard, Mack and Yow: AN ACT TO AMEND SECTION 25-1-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

(R. 39, H. 3762) -- Reps. Hayes and Hiott: AN ACT TO AMEND SECTION 50-11-2460, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANIMAL TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO PROVIDE THAT A TRAP MAY BEAR ITS OWNER'S DEPARTMENT OF NATURAL RESOURCES-ISSUED CUSTOMER NUMBER; AND TO REPEAL SECTION 50-11-2550 RELATING TO THE TRANSPORTATION OF SKINS, FURS, PELTS, OR HIDES OF FURBEARING ANIMALS OUT OF STATE.

(R. 40, H. 3890) -- Rep. Norrell: AN ACT TO AMEND SECTION 59-1-425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENT THAT ALL SCHOOL DAYS MISSED FOR SCHOOL CLOSINGS NECESSITATED BY WEATHER CONDITIONS OR OTHER DISRUPTIONS MUST BE MADE UP, SO AS TO PROVIDE WHEN DESIGNATED MAKE-UP DAYS ARE USED OR ARE NO LONGER AVAILABLE IN A DISTRICT, THE DISTRICT BOARD OF TRUSTEES BY MAJORITY VOTE MAY WAIVE THE MAKE-UP REQUIREMENT FOR THREE OR FEWER ADDITIONAL MISSED DAYS; TO PROVIDE THAT AFTER THE 2014-2015 SCHOOL YEAR THIS WAIVER MAY NOT BE GRANTED FOR A SCHOOL IN THE DISTRICT UNTIL THE SCHOOL HAS MADE UP THREE FULL DAYS OR THE EQUIVALENT NUMBER OF HOURS MISSED; TO EXTEND WAIVERS TO ALL CHARTER SCHOOLS AND HOME SCHOOLING PROGRAMS LOCATED IN THE DISTRICT; TO PROVIDE CONDITIONS IN WHICH THE STATE BOARD MAY WAIVE ADDITIONAL MISSED DAYS AND TO IMPOSE A REPORTED REQUIREMENT; AND TO DELETE PROVISIONS AUTHORIZING THE GENERAL ASSEMBLY TO WAIVE MISSED DAYS.

(R. 41, H. 3900) -- Reps. Allison, Brannon, Cole, Forrester, Hicks and Tallon: AN ACT TO REAPPORTION THE SPECIFIC ELECTION

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DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 5 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE TRUSTEES' TERMS AND MANNER OF ELECTION.

(R. 42, H. 4055) -- Reps. Cole and Mitchell: AN ACT TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED BEGINNING WITH THE 2015 SCHOOL DISTRICT ELECTIONS, TO DESIGNATE A MAP NUMBER ON WHICH THESE ELECTION DISTRICTS ARE DELINEATED, AND TO PROVIDE DEMOGRAPHIC INFORMATION PERTAINING TO THE REAPPORTIONED ELECTION DISTRICTS.

MOTION NOTED

Rep. MERRILL moved to reconsider the vote whereby H. 4080 was given second reading and the motion was noted.

ADJOURNMENT

At 2:30 p.m. the House, in accordance with the motion of Rep. KENNEDY, adjourned in memory of O. Stanley Smith, Jr., to meet at 10:00 a.m. tomorrow.

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