

Wednesday, February 1, 2017
(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 Psalm 26:8: "O Lord, I love the house in which you dwell, and the place where your glory abides."

Let us pray. Surround us, O Lord, with Your abiding love and safety, as these Representatives strive to be the best in doing what they are elected to do. Give them power and sustain them as they carefully work through the agenda for today. Give them strength, wisdom, and integrity. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all who faithfully fulfill the duties assigned. Protect our first responders and our defenders of freedom at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayer. Amen.

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

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

MOTION ADOPTED

Rep. COBB-HUNTER moved that when the House adjourns, it adjourn in memory of Sheila Catherine Gallagher of Florence, which was agreed to.

COMMUNICATION

The following was received:

January 31, 2017
The Honorable James H. Lucas
Speaker of the House of Representatives
506 Blatt Building
Columbia, South Carolina 29201

WEDNESDAY, FEBRUARY 1, 2017

RE: House Bill 3559

Dear Mr. Speaker,

My son is a lobbyist working on H. 3559, dealing with industrial hemp. Because of this relationship, I respectfully request to recuse myself from any voting, debate, discussion, etc., in the future concerning H. 3559.

Sincerely,
Rep. David Hiott

Received as information.

COMMUNICATION

The following was received:

February 1, 2017
The Honorable James H. Lucas
Speaker of the House of Representatives
506 Blatt Building
Columbia, South Carolina 29201

Dear Mr. Speaker,

I am notifying you that I will not participate in the vote for the judicial election today for the following seat: Family Court, At-Large, Seat 7. Currently, I have a case pending with the spouse for one of the candidates in this race. Thus, in accordance with Section 8-13-700(B) of the S.C. Code of Laws, I recuse myself from voting on the race for this judicial seat because of a potential conflict of interest.

While I know of no existing conflict, I am abstaining from voting on the judicial seat due to an overabundance of caution if a potential conflict may arise in which an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected. I wish to have my recusal noted for the record in the journal.

Sincerely,
Rep. John R. McCravy III

Received as information.

WEDNESDAY, FEBRUARY 1, 2017

CONCURRENT RESOLUTION

The following was introduced:

H. 3621 -- Rep. Gagnon: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 187 AND SOUTH CAROLINA HIGHWAY 29 IN ANDERSON COUNTY "PAUL ROBISON EARLE MEMORIAL INTERSECTION", AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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

CONCURRENT RESOLUTION

The following was introduced:

H. 3623 -- Reps. Atkinson, Alexander, Allison, Anderson, Anthony, Arrington, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR WILLIAM HENRY "BILL" JOHNSON, JR., OF MARION FOR HIS DEDICATED SERVICE TO THE CITIZENS OF MARION COUNTY AND TO WISH HIM MUCH SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS UPON HIS RECENT RETIREMENT AS

WEDNESDAY, FEBRUARY 1, 2017

PRESIDENT AND CEO OF THE PEE DEE FEDERAL SAVINGS BANK.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 320 -- Senator Cromer: A CONCURRENT RESOLUTION TO CONGRATULATE DR. JAMES E. WISEMAN ON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS TWENTY-FIVE YEARS OF OUTSTANDING LEADERSHIP TO THE NEWBERRY OPERA HOUSE FOUNDATION, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS TO COME.

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

INTRODUCTION OF BILLS

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

H. 3622 -- Reps. Ryhal, Atkinson, Burns, Duckworth, Gagnon, Henegan, Herbkersman, Hill, Hixon, Johnson, Kirby, V.S. Moss, Ridgeway, Spires, Taylor and Thayer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-51-210 SO AS TO PROVIDE CERTAIN PODIATRIC SURGERY MUST BE PERFORMED IN CERTAIN FACILITIES, TO PROVIDE A PODIATRIST WHO PERFORMS THESE PROCEDURES MUST MEET CERTAIN CRITERIA, TO PROVIDE FOR THE EXTENSION OF PROFESSIONAL PRIVILEGES TO THESE PODIATRISTS BY CERTAIN HEALTH FACILITIES, TO REQUIRE HEALTH FACILITIES IN THIS STATE PROVIDE THE RIGHT TO PURSUE AND PRACTICE FULL CLINICAL AND SURGICAL PRIVILEGES TO PODIATRISTS WHO MEET CERTAIN CRITERIA, TO PROVIDE AN ABILITY TO LIMIT THESE PRIVILEGES IN CERTAIN CIRCUMSTANCES, TO PROVIDE THIS SECTION DOES NOT REQUIRE A HEALTH FACILITY IN THIS STATE TO OFFER A SPECIFIC HEALTH

WEDNESDAY, FEBRUARY 1, 2017

SERVICE NOT OTHERWISE OFFERED, AND TO PROVIDE THAT IF THE FACILITY DOES OFFER A HEALTH SERVICE, IT MAY NOT DISCRIMINATE AMONG CERTAIN HEALTH PROFESSIONALS AUTHORIZED BY LAW TO PROVIDE THESE SERVICES; AND TO AMEND SECTION 40-51-20, RELATING TO DEFINITIONS, SO AS TO REVISE AND ADD CERTAIN DEFINITIONS.

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

S. 58 -- Senators J. Matthews, Hutto, Johnson, Malloy, M.B. Matthews and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "PORT ENHANCEMENT ZONE ACT"; TO AMEND SECTION 12-6-3360, AS AMENDED, RELATING TO THE JOB TAX CREDIT, SO AS TO PROVIDE FOR A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3367, RELATING TO THE MORATORIUM ON CERTAIN TAXES FOR CERTAIN TAXPAYERS, SO AS TO EXTEND THE MORATORIUM TO TAXPAYERS CREATING AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-6-3375, AS AMENDED, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO INCREASE THE MAXIMUM ANNUAL CREDIT AMOUNT FROM EIGHT MILLION TO NINE MILLION DOLLARS AND TO PROVIDE THAT ONE MILLION DOLLARS MAY BE AWARDED TO A NEW WAREHOUSE OR DISTRIBUTION FACILITY THAT MEETS CERTAIN REQUIREMENTS AND EMPLOYS AT LEAST FIFTY NEW FULL-TIME JOBS IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-10-80, AS AMENDED, RELATING TO JOB DEVELOPMENT CREDITS, SO AS TO ALLOW EIGHTY-FIVE PERCENT OF THE MAXIMUM CREDIT TO BE CLAIMED BY BUSINESSES LOCATED IN A PORT ENHANCEMENT ZONE; TO AMEND SECTION 12-14-60, RELATING TO THE INVESTMENT TAX CREDIT, SO AS TO DOUBLE THE AMOUNT OF THE CREDIT FOR ANY QUALIFIED MANUFACTURING AND PRODUCTIVE EQUIPMENT PROPERTY LOCATED IN A PORT ENHANCEMENT ZONE; AND TO AMEND SECTION 12-36-2120, AS AMENDED, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXTEND THE EXEMPTION FOR MATERIALS HANDLING TO A TAXPAYER THAT INVESTS AT

WEDNESDAY, FEBRUARY 1, 2017

LEAST TWENTY MILLION DOLLARS IN A PORT ENHANCEMENT ZONE, AND TO EXTEND THE EXEMPTION FOR CONSTRUCTION MATERIALS TO A TAXPAYER THAT INVESTS AT LEAST FORTY MILLION DOLLARS, IN REAL AND PERSONAL PROPERTY, IN A PORT ENHANCEMENT ZONE.

Referred to Committee on Ways and Means

S. 67 -- Senator Hutto: A BILL TO AMEND SECTION 12-10-88, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REDEVELOPMENT FEES, SO AS TO SPECIFY TO WHOM REDEVELOPMENT FEES MAY BE REMITTED; TO AMEND SECTION 31-12-30, RELATING TO DEFINITIONS FOR PURPOSES OF THE REDEVELOPMENT OF CERTAIN FEDERAL INSTALLATIONS, SO AS TO DEFINE "REDEVELOPMENT PROJECT"; AND BY ADDING SECTION 31-12-70 SO AS TO AUTHORIZE A REDEVELOPMENT AUTHORITY TO USE REDEVELOPMENT FEES ON CERTAIN OPERATING COSTS.

Referred to Committee on Ways and Means

S. 197 -- Senator Hembree: A BILL TO AMEND SECTION 56-1-10 OF THE 1976 CODE, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE ISSUANCE OF DRIVER'S LICENSES, TO REVISE THE DEFINITION OF CERTAIN TERMS AND TO ADD THE TERMS "MOPED," "DAYLIGHT HOURS," AND "VEHICLE" AND THEIR DEFINITIONS; TO AMEND SECTION 56-1-30, RELATING TO PERSONS EXEMPT FROM OBTAINING A DRIVER'S LICENSE, TO DELETE THE TERM "ARTICLE" AND REPLACE IT WITH THE TERM "CHAPTER"; TO AMEND SECTION 56-1-50, RELATING TO THE ISSUANCE OF A BEGINNER'S PERMIT, TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT RELATES TO THE OPERATION OF MOTOR SCOOTERS, LIGHT MOTOR-DRIVEN CYCLES, AND MOPEDS, TO PROVIDE THAT A PERMITTEE MUST BE ACCOMPANIED BY A MOTORCYCLE-LICENSED DRIVER WHEN DRIVING A MOTORCYCLE DURING CERTAIN HOURS, TO PROVIDE THE LOCATION THAT AN ACCOMPANYING DRIVER MUST BE POSITIONED, AND TO DELETE AN OBSOLETE PROVISION; TO AMEND SECTION 56-1-175, RELATING TO THE ISSUANCE OF A CONDITIONAL DRIVER'S LICENSE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT

WEDNESDAY, FEBRUARY 1, 2017

MOTOR-DRIVEN CYCLE AND THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS"; TO AMEND SECTION 56-1-180, RELATING TO THE ISSUANCE OF A SPECIAL RESTRICTED DRIVER'S LICENSE, TO PROVIDE ADDITIONAL LOCATIONS WHERE A LICENSEE MAY OPERATE A MOTOR VEHICLE, TO MAKE A TECHNICAL CHANGE, TO DELETE THE PROVISION THAT ALLOWS A LICENSEE TO OPERATE A MOTOR SCOOTER OR LIGHT MOTOR-DRIVEN CYCLE, AND TO DELETE THE PROVISION THAT DEFINES THE TERM "DAYLIGHT HOURS"; TO AMEND SECTION 56-1-185, RELATING TO THE REMOVAL OF THE RESTRICTIONS PLACED ON A CONDITIONAL OR SPECIAL RESTRICTED DRIVER'S LICENSE, TO PROVIDE THAT A BEGINNER'S PERMIT, CONDITIONAL LICENSE, OR SPECIAL RESTRICTED LICENSE MAY NOT BE ISSUED TO A PERSON CONVICTED OF CERTAIN VIOLATIONS OF OPERATING A MOPED WHILE UNDERAGE OR WITHOUT A LICENSE FOR A CERTAIN PERIOD OF TIME; TO REPEAL SECTION 56-1-1710, RELATING TO THE DEFINITION OF THE TERM "MOPED"; TO AMEND SECTION 56-1-1720, RELATING TO THE OPERATION OF A MOPED, TO REVISE THE FORM OF LICENSURE A PERSON MUST POSSESS TO OPERATE A MOPED, TO REVISE THE AGE OF A PERSON WHO MAY OBTAIN A MOPED OPERATOR'S LICENSE, TO REVISE THE TIME PERIOD WHEN CERTAIN PERSONS MAY OPERATE A MOPED, TO REVISE THE PENALTIES FOR A VIOLATION OF THIS PROVISION, AND TO DELETE THE PROVISION THAT PROHIBITS THE DEPARTMENT OF MOTOR VEHICLES FROM ISSUING A BEGINNER'S PERMIT OR A SPECIAL RESTRICTED LICENSE TO CERTAIN PERSONS CONVICTED OF A MOPED VIOLATION FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTION 56-1-1730, RELATING TO THE ELIGIBILITY TO OBTAIN, SUSPENSION OF, AND REVOCATION OF A MOPED OPERATOR'S LICENSE, TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-2-2740, RELATING TO MOTOR VEHICLE REGISTRATION AND PROPERTY TAXES, TO PROVIDE FOR THE ISSUANCE OF MOPED VALIDATION DECALS, TO PROVIDE THE COST OF THE DECALS, AND TO PROVIDE THAT THE FEES COLLECTED FOR THE DECALS MUST BE USED TO DEFRAY THE COSTS OF THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND CHAPTER 2, TITLE 56, RELATING TO SPECIALIZED VEHICLES, BY ADDING ARTICLE 3, TO PROVIDE

WEDNESDAY, FEBRUARY 1, 2017

FOR THE REGISTRATION, TITLING, AND LICENSING OF MOPEDS, TO PROVIDE PENALTIES FOR A VIOLATION OF THIS ARTICLE, TO REGULATE THE OPERATION OF A MOPED, AND TO REGULATE THE SALE OF A MOPED; TO AMEND ARTICLE 2, CHAPTER 2, TITLE 56, RELATING TO SPECIALIZED VEHICLES, BY ADDING SECTION 56-2-4000, TO PROVIDE A PENALTY FOR A VIOLATION OF THIS CHAPTER; TO AMEND SECTION 56-3-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGISTRATION AND LICENSING OF MOTOR VEHICLES, TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO THE REGISTRATION OF A VEHICLE, TO PROVIDE THAT A CERTIFICATE OF TITLE IS NOT REQUIRED TO REGISTER A MOPED; TO AMEND SECTION 56-3-250, RELATING TO THE REGISTRATION AND LICENSING OF A MOTOR VEHICLE ONCE ALL LOCAL PROPERTY TAXES ARE PAID, TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO A MOPED, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTIONS 56-3-630 AND 56-3-760, RELATING TO VEHICLES CLASSIFIED AS PRIVATE PASSENGER MOTOR VEHICLES AND THE REGISTRATION FEE FOR CERTAIN VEHICLES, TO DELETE THE TERM "MOTOR-DRIVEN CYCLE" AND REPLACE IT WITH THE TERM "MOPED," AND TO MAKE A TECHNICAL CHANGE; TO REPEAL SECTIONS 56-5-120, 56-5-130, 56-5-140, 56-5-150, 56-5-155, 56-5-165, 56-5-410, AND 56-5-1550, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-5-361, RELATING TO THE TERM "PASSENGER CAR" AND ITS DEFINITION, TO DELETE THE TERM "MOTOR-DRIVEN CYCLES" AND ADD THE TERM "MOPEDS"; TO AMEND SECTION 56-5-1555, RELATING TO THE OPERATION OF A MOPED, TO RAISE THE MAXIMUM SPEED AT WHICH A MOPED MAY BE OPERATED; TO AMEND SECTION 56-5-4450, RELATING TO A DISPLAY OF LIGHTS BY A VEHICLE DURING CERTAIN TIMES OF DAY, TO DELETE AN OBSOLETE PROVISION AND MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-9-20, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY ACT, TO DELETE AND REVISE CERTAIN TERMS AND THEIR DEFINITIONS; TO REPEAL SECTION 56-9-110, RELATING TO THE APPLICABILITY OF THE MOTOR VEHICLE FINANCIAL

WEDNESDAY, FEBRUARY 1, 2017

RESPONSIBILITY ACT TO CERTAIN ACCIDENTS OR JUDGMENTS; TO AMEND SECTION 56-10-520, RELATING TO THE OFFENSE OF OPERATING AN UNINSURED MOTOR VEHICLE, TO MAKE A TECHNICAL CHANGE AND TO PROVIDE THAT THIS SECTION APPLIES TO THE OPERATOR OF AN UNINSURED MOPEL WHO IS NOT THE REGISTERED OWNER OF THE MOPEL, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO PROVIDE PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, TO PROVIDE THAT THIS SECTION APPLIES TO A REGISTERED OWNER OF A MOPEL; TO AMEND SECTION 56-15-10, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO REVISE THE DEFINITION OF THE TERM "MOTOR VEHICLE"; TO AMEND SECTION 56-16-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURES, DISTRIBUTORS, DEALERS, AND WHOLESALERS, TO REVISE THE DEFINITION OF THE TERM "MOTORCYCLE" AND REVISE THE TYPE OF VEHICLES REGULATED BY THIS CHAPTER; TO AMEND SECTION 56-19-10, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING THE PROTECTION OF TITLES TO AND INTERESTS IN MOTOR VEHICLES, TO DELETE CERTAIN TERMS AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO VEHICLES THAT ARE EXEMPT FROM THE REQUIREMENT TO OBTAIN A CERTIFICATE OF TITLE, TO MAKE A TECHNICAL CHANGE AND TO ADD MOPEDS TO THE LIST OF EXEMPTED VEHICLES; TO AMEND SECTION 38-77-30, RELATING TO TERMS AND THEIR DEFINITIONS REGARDING AUTOMOBILE INSURANCE, TO DELETE THE TERMS "MOTOR-DRIVEN CYCLES," "MOTOR SCOOTERS," AND "MOPEDS"; TO PROVIDE THAT A PERSON WHO SELLS, SOLICITS, OR ADVERTISES TO SELL CERTAIN MOPEDS PRIOR TO JULY 1, 2018 MUST LABEL THE MOPEDS WITH THEIR SPECIFICATIONS AND PROVIDE A METAL PLATE THAT IDENTIFIES THE VEHICLE, TO PROVIDE A PENALTY FOR FAILURE TO COMPLY WITH THIS PROVISION, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE CERTAIN MOPEDS

WEDNESDAY, FEBRUARY 1, 2017

WITHOUT A METAL IDENTIFICATION PLATE, AND TO PROVIDE A PENALTY FOR FAILURE TO COMPLY WITH THIS PROVISION; TO AMEND SECTION 56-5-2941, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON WHO VIOLATES CERTAIN PROVISIONS TO HAVE INSTALLED ON CERTAIN VEHICLES AN IGNITION INTERLOCK DEVICE, TO PROVIDE THAT THIS PROVISION DOES NOT REQUIRE THE INSTALLATION OF AN IGNITION INTERLOCK DEVICE ON A MOPED; AND TO REPEAL ARTICLE 3, CHAPTER 5, TITLE 56, RELATING TO MOPED REGULATIONS.

Referred to Committee on Education and Public Works

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brown
Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Herbkersman	Hewitt
Henegan	Hiott	Hixon
Hill	Howard	Huggins
Hosey	Johnson	Jordan
Jefferson	Kirby	Knight
King	Long	Lowe
Loftis	Mack	Magnuson
Lucas	McCoy	McCravy
Martin	McKnight	Mitchell

WEDNESDAY, FEBRUARY 1, 2017

McEachern	V. S. Moss	Murphy
D. C. Moss	B. Newton	W. Newton
Neal	Norrell	Ott
Norman	Pitts	Pope
Parks	Quinn	Ridgeway
Putnam	Robinson-Simpson	Ryhal
S. Rivers	Simrill	G. M. Smith
Sandifer	J. E. Smith	Sottile
G. R. Smith	Stavrinakis	Stringer
Spires	Taylor	Thayer
Tallon	Toole	Weeks
Thigpen	Wheeler	Whipper
West	Whitmire	Williams
White	Willis	Yow

Total Present--120

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

DOCTOR OF THE DAY

Announcement was made that Dr. Richard C. Osman of Myrtle Beach was the Doctor of the Day for the General Assembly.

SPECIAL PRESENTATION

Reps. MURPHY, ARRINGTON, BENNETT, JEFFERSON, KNIGHT, MACK and WHIPPER presented to the House the Pinewood Preparatory School Competitive Cheer Team, coaches and other school officials.

STATEMENT FOR THE JOURNAL

I was temporarily out of the Chamber, meeting with Governor McMaster, from 11:00 a.m. until 12:00 p.m.

Rep. Brian White

WEDNESDAY, FEBRUARY 1, 2017

CO-SPONSORS ADDED AND REMOVED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number: H. 3036
Date: ADD:
02/01/17 W. NEWTON

CO-SPONSOR ADDED

Bill Number: H. 3146
Date: ADD:
02/01/17 W. NEWTON

CO-SPONSOR ADDED

Bill Number: H. 3204
Date: ADD:
02/01/17 LOFTIS

CO-SPONSORS ADDED

Bill Number: H. 3442
Date: ADD:
02/01/17 WEST, KING, HENEGAN and BALLENTINE

WEDNESDAY, FEBRUARY 1, 2017

CO-SPONSORS ADDED

Bill Number: H. 3465
Date: ADD:
02/01/17 BALLENTINE, KING and HENEGAN

CO-SPONSORS ADDED

Bill Number: H. 3516
Date: ADD:
02/01/17 BROWN and WHIPPER

CO-SPONSORS ADDED

Bill Number: H. 3546
Date: ADD:
02/01/17 HILL and TOOLE

CO-SPONSOR ADDED

Bill Number: H. 3559
Date: ADD:
02/01/17 WEST

CO-SPONSORS ADDED

Bill Number: H. 3591
Date: ADD:
02/01/17 D. C. MOSS, LOFTIS and HENEGAN

CO-SPONSORS ADDED

Bill Number: H. 3615
Date: ADD:
02/01/17 FELDER, G. R. SMITH, DUCKWORTH,
WILLIAMS and JEFFERSON

CO-SPONSOR ADDED

Bill Number: H. 3516
Date: ADD:
02/01/17 COBB-HUNTER

CO-SPONSOR REMOVED

Bill Number: H. 3529
Date: REMOVE:
02/01/17 HENDERSON

WEDNESDAY, FEBRUARY 1, 2017

SENT TO THE SENATE

The following Bill was taken up, read the third time, and ordered sent to the Senate:

H. 3346 -- Reps. Collins, Clary and Hiott: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO INCREASE THE NUMBER OF BOARD MEMBERS FROM SIX TO SEVEN, TO PROVIDE THE SEVENTH MEMBER INITIALLY MUST BE APPOINTED BY THE GOVERNOR UPON RECOMMENDATION OF A MAJORITY OF THE LEGISLATIVE DELEGATION OF PICKENS COUNTY TO SERVE AT LARGE UNTIL A MEMBER REPRESENTING A NEWLY CREATED SEVENTH SINGLE-MEMBER DISTRICT IS ELECTED AND QUALIFIED IN THE 2022 GENERAL ELECTION, AT WHICH TIME THE AT-LARGE SEAT TERMINATES, AND TO PROVIDE ALL PICKENS COUNTY SCHOOL BOARD MEMBERS MUST BE ELECTED BY MAJORITY VOTE BEGINNING WITH THE GENERAL ELECTION IN 2022.

SENT TO THE SENATE

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

H. 3220 -- Reps. Allison, West, Collins, Felder, B. Newton, Govan, Brown, Whipper, Davis and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-59-175 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL AND TO PROVIDE FOR ITS MEMBERSHIP, DUTIES, AND FUNCTIONS.

H. 3221 -- Reps. Allison, Collins, Felder, Daning, Govan, Taylor, Knight and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, TO ESTABLISH THREE LEVELS OF

WEDNESDAY, FEBRUARY 1, 2017

FISCAL AND BUDGETARY CONCERNS WITH CONDITIONS AND REQUIREMENTS ASSOCIATED WITH EACH, AND TO DIRECT THE DEPARTMENT TO PROMULGATE REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

H. 3517 -- Reps. Hiott, Kirby, Duckworth, Forrest, Hixon, Hewitt, Davis and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-750 SO AS TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES MAY ISSUE SPECIAL AUTHORIZATION FOR HUNTING AND FISHING TO ANY PERSON WHO IS NOT MORE THAN TWENTY-ONE YEARS OLD WHO HAS BEEN DIAGNOSED WITH A TERMINAL OR LIFE THREATENING ILLNESS OR INJURY WHO IS SPONSORED BY CERTAIN NONPROFIT CHARITABLE ORGANIZATIONS, TO PROVIDE THAT LICENSE, TAG, AND FEE REQUIREMENTS FOR HUNTING AND FISHING ARE WAIVED, AND TO ALLOW THE DIRECTOR TO DETERMINE THE PERIOD OF TIME IN WHICH THE SPECIAL AUTHORIZATION IS VALID.

WEDNESDAY, FEBRUARY 1, 2017

H. 3036--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3036 -- Reps. Delleney, G. R. Smith, Long, G. M. Smith, Elliott, Collins, Magnuson, Pitts, B. Newton, Fry, Taylor, Martin and W. Newton: A BILL TO AMEND SECTION 59-3-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ELECTION OF THE STATE SUPERINTENDENT OF EDUCATION, SO AS TO PROVIDE FOR THE APPOINTMENT OF THE SUPERINTENDENT BY THE GOVERNOR, BY AND WITH THE ADVICE AND CONSENT OF THE SENATE, AND TO PROVIDE FOR THE TERM, QUALIFICATIONS, AND FILLING OF A VACANCY IN THE OFFICE OF SUPERINTENDENT; AND TO REPEAL SECTION 59-3-20 RELATING TO VACANCIES IN THE OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION.

Reps. MCCOY, STAVRINAKIS, G. R. SMITH, CLARY, KIRBY, WHIPPER, SANDIFER, WHITMIRE, WEEKS, KING, OTT, J. E. SMITH, ATWATER, HOSEY, TOOLE, NORRELL, DILLARD, ROBINSON-SIMPSON, MCKNIGHT and BROWN requested debate on the Bill.

H. 3146--REQUESTS FOR DEBATE

The following Joint Resolution was taken up:

H. 3146 -- Reps. Delleney, G. R. Smith, B. Newton, Pitts, G. M. Smith, Daning, Taylor, Martin and W. Newton: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, AS AMENDED, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, TO SERVE AT THE PLEASURE OF THE GOVERNOR BEGINNING IN JANUARY 2023, OR UPON A VACANCY IN THE OFFICE OF THE SUPERINTENDENT OF EDUCATION AFTER THE DATE OF THE RATIFICATION OF THIS AMENDMENT, WHICHEVER OCCURS FIRST, AND TO PROVIDE THAT THE GENERAL ASSEMBLY

WEDNESDAY, FEBRUARY 1, 2017

SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION,
AND QUALIFICATIONS FOR THE OFFICE.

Reps. MCCOY, STAVRINAKIS, G. R. SMITH, TOOLE,
DILLARD, HOSEY, WEEKS, J. E. SMITH, OTT, JEFFERSON,
CLYBURN, KIRBY and ROBINSON-SIMPSON requested debate on
the Joint Resolution.

H. 3442--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3442 -- Reps. Delleney, Felder, Pope, Martin, Norrell, B. Newton,
Simrill, Norman, Thayer, Putnam, Clary, Hamilton, Yow, W. Newton,
Kirby, Erickson, Knight, Hixon, Elliott, Henderson, Bedingfield,
V. S. Moss, Wheeler, Ballentine, King, Henegan and West: A BILL TO
AMEND SECTION 63-9-60, AS AMENDED, CODE OF LAWS OF
SOUTH CAROLINA, 1976, RELATING TO INDIVIDUALS WHO
MAY ADOPT A CHILD, SO AS TO ADD CIRCUMSTANCES
UNDER WHICH A NONRESIDENT MAY ADOPT AND TO
PROVIDE FOR THE RIGHT TO FILE A PETITION FOR
ADOPTION; AND TO AMEND SECTION 63-9-750, RELATING TO
ADOPTION HEARINGS, SO AS TO MAKE TECHNICAL
CORRECTIONS.

Rep. BANNISTER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atkinson	Atwater	Bales
Ballentine	Bannister	Bedingfield
Blackwell	Bradley	Brown
Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Daning	Davis	Dillard
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay

WEDNESDAY, FEBRUARY 1, 2017

Forrest	Fry	Funderburk
Gagnon	Gilliard	Govan
Hamilton	Hardee	Henderson
Henegan	Herbkersman	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	Magnuson
Martin	McCoy	McCravy
McEachern	McKnight	Mitchell
D. C. Moss	V. S. Moss	Neal
B. Newton	W. Newton	Norman
Norrell	Ott	Parks
Pitts	Pope	Putnam
Ridgeway	S. Rivers	Ryhal
Simrill	G. R. Smith	J. E. Smith
Sottile	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Thigpen	Toole
Weeks	West	Wheeler
Whipper	White	Willis
Yow		

Total--103

Those who voted in the negative are:

Total--0

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

H. 3465--AMENDED AND DEBATE ADJOURNED

The following Bill was taken up:

H. 3465 -- Reps. Delleney, Felder, Martin, B. Newton, Knight, Douglas, Putnam, Simrill, Pope, Norman, Thayer, Clary, Hamilton, Yow, Hixon, Elliott, Henderson, Bedingfield, V. S. Moss, Kirby, W. Newton, Ballentine, King and Henegan: A BILL TO AMEND

WEDNESDAY, FEBRUARY 1, 2017

SECTION 63-7-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONAL TERMS USED IN THE CHILDREN'S CODE, SO AS TO CHANGE THE DEFINITION OF A "PARTY IN INTEREST"; TO AMEND SECTION 63-7-1630, RELATING TO CHILD PROTECTION HEARING NOTICE REQUIREMENTS, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE NOTICE IN ADDITIONAL CIRCUMSTANCES; TO AMEND SECTION 63-7-1700, AS AMENDED, RELATING TO PERMANENCY PLANNING, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE NOTICE OF PERMANENCY PLANNING HEARINGS TO CERTAIN INDIVIDUALS, TO ALLOW CERTAIN INDIVIDUALS TO FILE A MOTION FOR REVIEW OF A CASE AT ANY TIME, AND TO GRANT CERTAIN INDIVIDUALS THE RIGHT TO INTERVENE IN A CHILD ABUSE OR NEGLECT ACTION; TO AMEND SECTION 63-7-1710, AS AMENDED, RELATING TO STANDARDS FOR TERMINATION OF PARENTAL RIGHTS, SO AS TO REQUIRE CERTAIN EVIDENCE BEFORE SELECTING A PERMANENT PLAN OTHER THAN TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 63-7-2530, AS AMENDED, RELATING TO PETITIONS TO TERMINATE PARENTAL RIGHTS TO A CHILD, SO AS TO ALLOW A PARTY TO SEEK ADOPTION OF THE CHILD; TO AMEND SECTION 63-9-60, AS AMENDED, RELATING TO INDIVIDUALS WHO MAY ADOPT A CHILD, SO AS TO ADD CIRCUMSTANCES UNDER WHICH A NONRESIDENT MAY ADOPT AND TO PROVIDE FOR THE RIGHT TO FILE A PETITION FOR ADOPTION; TO AMEND SECTION 63-9-330, RELATING TO CONSENT AND RELINQUISHMENT, SO AS TO ALLOW A PERSON OR AGENCY TO SPECIFY A PERSON TO WHOM CONSENT AND RELINQUISHMENT IS DIRECTED; BY ADDING SECTION 63-9-370 SO AS TO ESTABLISH CERTAIN REQUIREMENTS PERTAINING TO THE ADOPTION OF A CHILD WHO IS IN THE CUSTODY OF THE DEPARTMENT OF SOCIAL SERVICES; TO AMEND SECTION 63-9-750, RELATING TO ADOPTION HEARINGS, SO AS TO MAKE TECHNICAL CORRECTIONS; AND TO AMEND SECTION 63-11-720, AS AMENDED, RELATING TO THE SOUTH CAROLINA FOSTER CARE REVIEW BOARD, SO AS TO CLARIFY CERTAIN RIGHTS OF FOSTER PARENTS.

WEDNESDAY, FEBRUARY 1, 2017

Reps. G. R. SMITH and FELDER proposed the following Amendment No. 1 to H. 3465 (COUNCIL\VR\3465C002.NBD.VR17), which was adopted:

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

/ SECTION 1. Section 63-7-20(15) and (17) of the 1976 Code, as last amended by Act 238 of 2016, is further amended to read:

“(15) ‘Legal custody’ means the right to the physical custody, care, and control of a child; the right to determine where the child shall live; the right and duty to provide protection, food, clothing, shelter, ordinary medical care, education, supervision, and discipline for a child and in an emergency to authorize surgery or other extraordinary care. The court may in its order place other rights and duties with the legal custodian. Unless otherwise provided by court order, the parent or guardian retains the right to make decisions of substantial legal significance affecting the child, including consent to a marriage, consent to an adoption, enlistment in the armed forces, and major nonemergency medical and surgical treatment, the obligation to provide financial support or other funds for the care of the child, and other residual rights or obligations as may be provided by order of the court.

(17) ‘Party in interest’ or ‘interested party’ includes the child, the child’s attorney and guardian ad litem, the natural parent, an individual or agency with physical or legal custody of the child, the foster parent, the caregiver, and the local foster care review board.”

SECTION 2. Section 63-7-1630 of the 1976 Code is amended to read:

“Section 63-7-1630. The department shall provide notice of a hearing held in connection with an action filed ~~or pursued under~~ pursuant to subarticle 3 or Section 63-7-1650, 63-7-1660, 63-7-1670, 63-7-1680, 63-7-1700, or 63-7-2550 to the foster parent, the caregiver, the preadoptive parent, or the relative who is providing care for a child. The department shall provide notice pursuant to this section even if the hearing was noticed by a party or interested party other than the department. The department shall send notice pursuant to this section at least ten days before the hearing, except where the parties to the action receive less than ten days’ notice. The notice must be in writing and may be delivered in person or by regular mail. The notice shall inform the foster parent, the caregiver, the preadoptive parent, or the relative of the date, place, and time of the hearing and of the right to attend the hearing and to address the court concerning the child. Notice provided pursuant to this section does not confer on the foster parent, the caregiver, the

WEDNESDAY, FEBRUARY 1, 2017

preadoptive parent, or the relative the status of a party to the action. The department shall file with the family court a certificate of service confirming compliance with the notice requirements of this section.

SECTION 3.A. Section 63-7-1700(A) and (J) of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“(A) The family court shall review the status of a child placed in foster care upon motion filed by the department to determine a permanent plan for the child. The permanency planning hearing must be held no later than one year after the date the child was first placed in foster care. At the initial permanency planning hearing, the court shall review the status of the child and the progress being made toward the child’s return home or toward any other permanent plan approved at the removal hearing. The court’s order shall make specific findings in accordance with this section. An action for permanency planning must be brought for a child who enters the custody of the department by any mechanism, including subarticle 3 or Section 63-7-1660 or 63-9-330. If the child enters the custody of the department pursuant to Section 63-9-330 and no action is pending in the family court concerning the child, the department may initiate the permanency planning hearing with a summons and petition for review. All parties must be served with the motion or the summons and petition at least ten days before the hearing, and no responsive pleading is required. The department shall provide notice pursuant to this section to the foster parent, the caregiver, the preadoptive parent, or the relative who is providing care for the child even if the hearing was noticed by a party or interested party other than the department. The department shall send notice pursuant to this section at least ten days before the hearing, except where the parties to the action receive less than ten days’ notice. The department shall file with the family court a certificate of service confirming compliance with the notice requirements of this section.

(J) A named party, the child’s guardian ad litem, the foster parent or caregiver, or the local foster care review board may file a motion for review of the case at any time. ~~Any other party in interest may move to intervene in the case pursuant to the rules of civil procedure and if the motion is granted, may move for review. Parties in interest include, but are not limited to, the individual or agency with legal custody or placement of the child and the foster parent.~~ The notice of motion and motion for review must be served on the named parties, the child’s guardian ad litem, the foster parent or caregiver, and the local foster care review board at least ten days before the hearing date. The motion must state the reason for review of the case and the relief requested. As

WEDNESDAY, FEBRUARY 1, 2017

required by subsection (A), the department shall provide notice of motion and motion for review to the foster parent or caregiver even if the hearing was noticed by a party or interested party other than the department. The department shall send notice pursuant to this section at least ten days before the hearing, except where the parties to the action receive less than ten days' notice. The department shall file with the family court a certificate of service confirming compliance with the notice requirements of this section."

B. Section 63-7-1700 of the 1976 Code, as last amended by Act 238 of 2016, is further amended by adding a subsection at the end to read:

"() When a child in an out-of-home placement has resided with the same foster parent or other caregiver for more than one hundred twenty days, the foster parent or caregiver has the unconditional right to intervene in any court action pertaining to the child and to seek any relief pertaining to custody of the child and the child's best interests. Any other person or entity may move to intervene in the case pursuant to the rules of civil procedure."

SECTION 4. Section 63-7-1710(C)(1) of the 1976 Code is amended to read:

"(1) to a child for whom the family court has found that initiation of termination of parental rights is not in the best interests of the child, after applying the criteria of Section 63-7-1700(C), (D), (F), or (G) and entering the findings required to select a permanent plan for the child from Section 63-7-1700(C), (D), (F), or (G). For this exemption to apply, the court must find on the record through testimony of at least one witness subject to cross-examination by any party and any party in interest that there are exceptional circumstances regarding the child's mental health, the absence of an adoptive resource, or other compelling reasons for selection of a permanent plan other than termination of parental rights;"

SECTION 5. Section 63-7-2530(A) of the 1976 Code is amended to read:

"(A) A petition seeking termination of parental rights may be filed by the Department of Social Services or any ~~interested~~ party in interest. Any petition seeking termination of parental rights filed by a party in interest also may seek adoption of the child."

SECTION 6. Section 63-9-60 of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

"Section 63-9-60. (A)(1) Any South Carolina resident may petition the court to adopt a child.

WEDNESDAY, FEBRUARY 1, 2017

(B)(1) Placement of children for adoption pursuant to this article is limited to South Carolina residents with exceptions being made. Any nonresident of South Carolina may petition the court to adopt a child in the following circumstances only:

(a) the child is a special needs child, as defined by Section 63-9-30;

(b) there has been public notoriety concerning the child or child's family, and the best interests of the child would be served by placement outside this State;

(c) the child is to be placed for adoption with a relative related biologically or by marriage;

(d) at least one of the adoptive parents is in the military service stationed in South Carolina;

(e) there are unusual or exceptional circumstances such that the best interests of the child would be served by placement with or adoption by nonresidents of this State; or

(f) the child has been in foster care for at least six months after having been legally freed for adoption and no South Carolina resident has been identified as a prospective adoptive home;

(g) a parent has specifically consented to the adoption by the nonresident; or

(h) the department or any agency under contract with the department has placed the child with the nonresident for purposes of adoption.

(2) Before a child is placed within or outside the boundaries of this State for adoption with nonresidents of this State, compliance with Article 11 (Interstate Compact on the Placement of Children) is required, and a judicial determination must be made in this State that one of the circumstances in ~~items (a) through (f) of subsection (A)(1)~~ subsection (B)(1)(a)-(h) applies, whether or not the adoption proceedings are instituted in this State. Additionally, in order to determine if any of the circumstances in ~~items (a) through (f) of subsection (A)(1)~~ subsection (B)(1)(a)-(h) apply, so as to permit placement with a nonresident for the purpose of adoption or adoption by a nonresident, a petition may be brought for the determination before the birth of the child or before placement of the child with the prospective adoptive parents. In ruling on this question the court must include in its order specific findings of fact as to the circumstances allowing the placement of a child with a nonresident or the adoption of a child by a nonresident. The court also must analyze the facts against the objective criteria established in Sections 16-3-1060 and 63-9-310(F) and make specific findings in

WEDNESDAY, FEBRUARY 1, 2017

accordance with the pertinent law and evidence presented. The order resulting from this action does not prohibit or waive the right to refuse to consent to a release of rights or relinquish rights at a later time or to withdraw a consent or relinquish at a later time as provided in this article. The order must be merged with and made a part of any subsequent adoption proceeding, which must be initiated and finalized in this State.

~~(B) This section does not apply to a child placed by the State Department of Social Services or any agency under contract with the department for purposes of placing that child for adoption.~~

(3) Neither the department nor its contractors may delay or deny the placement of a child for adoption by a nonresident if that nonresident has been approved for adoption of the child by another state authorized to approve such placements pursuant to the Interstate Compact on Placement of Children. The department shall provide an opportunity for a hearing, in accordance with the department's fair hearing procedures, to a nonresident who believes that the department, in violation of this section, has delayed or denied placement of a child for adoption.

(C) A petition for adoption of a child may be filed pursuant to this section regardless of which individual or entity has custody of the child. When the department has custody of a child, the rights granted herein to South Carolina residents and nonresidents shall not be diminished, invalidated or negatively affected in any way."

SECTION 7. Section 63-9-330 of the 1976 Code is amended to read:

"Section 63-9-330. (A) Consent or relinquishment for the purpose of adoption, pursuant to Section 63-9-310, must be made by a sworn document, signed by the person or the head of the agency giving consent or relinquishment after the birth of the adoptee, and must specify the following:

- (1) the permanent address of the person or agency making the sworn written statement;
- (2) the date, time, and place of the signing of the statement;
- (3) the date of birth, race, and sex of the adoptee and any names by which the adoptee has been known;
- (4) the relationship of the adoptee to the person or agency giving consent or relinquishment;
- (5) the name and address of the adoptee's mother or father;
- (6) that the consent or relinquishment by the person or agency forfeits all rights and obligations of the person or agency with respect to the named adoptee, including any future child support obligation. Giving consent or relinquishment does not relieve a person from the obligation to pay a child support arrearage unless approved by the court;

WEDNESDAY, FEBRUARY 1, 2017

(7) that consent or relinquishment once given must not be withdrawn except by order of the court upon a finding that it is in the best interests of the child, and that the consent or relinquishment was not given voluntarily or was obtained under duress or through coercion; and that the entry of the final decree of adoption renders any consent or relinquishment irrevocable;

(8) that the person or agency giving the consent or relinquishment understands that consent or relinquishment must not be given if psychological or legal advice, guidance, or counseling is needed or desired and that none is needed or desired;

(9) that the person or agency giving the consent or relinquishment waives further notice of the adoption proceedings, unless the proceedings are contested by another person or agency;

(10) that the person or agency giving the consent or relinquishment is doing so voluntarily, and the consent or relinquishment is not being obtained under duress or through coercion; and

(11) that the person or agency giving the consent or relinquishment has received a copy of the document.

(B) Consent or relinquishment for the purpose of adoption, pursuant to Section 63-9-310, and which contains the information required in subsection (A), also may specify the identification of the prospective adoptive parent or agency to whom the consent or relinquishment is directed.

(C) When a ~~child-placing~~ child-placing agency accepts a relinquishment for the purpose of adoption, which gives the agency the right to consent to an adoption of the child, and which contains the information required in subsection (A) of this section, the consent of the agency for the purpose of adoption is not required to meet the requirements of subsection (A). However, the sworn document relinquishing the child must be filed with the court pursuant to subsection (C) of Section 63-9-710(C).

SECTION 8. Subarticle 3, Article 1, Chapter 9, Title 63 of the 1976 Code is amended by adding:

“Section 63-9-370. (A) If a parent executes a consent or relinquishment for the purpose of adoption directed to a child-placing agency or qualified prospective adoptive parent, and the minor child is in the custody of the department but parental rights have not yet been terminated, the consent is valid, binding, and enforceable by the court to the same extent as if the minor child were not in the custody of the department.

WEDNESDAY, FEBRUARY 1, 2017

(B) Upon execution of the consent or relinquishment of the parent, the child-placing agency or prospective adoptive parent is permitted to intervene in any family court action pertaining to the child and must provide the family court a copy of the preliminary home study of the prospective adoptive parent and any other evidence of the suitability of the placement. The preliminary home study must be maintained with the strictest confidentiality within the court action and in the department's file. A preliminary home study must be provided to the court in all cases in which a child-placing agency or prospective adoptive parent has intervened pursuant to this section. Unless the court has concerns regarding the qualification of the home study provider or concerns that the home study may not be adequate to determine the best interests of the child, the department shall not be required to perform an additional home study. Nothing herein shall prevent the department from performing or procuring a separate home study.

(C) If a child-placing agency or prospective adoptive parent files a motion to intervene in a family court action in accordance with this chapter, the family court promptly shall grant a hearing to determine whether the child-placing agency or prospective adoptive parent has filed the required documents to be permitted to intervene and whether a change of placement of the child is appropriate and in the best interests of the child. The department and the child's guardian ad litem shall be parties to the hearing required pursuant to this subsection. The custody or placement of the child shall not be modified prior to the hearing required pursuant to this subsection.

(D) Upon a determination by the family court that the prospective adoptive parent is properly qualified to adopt the minor child and that the adoption appears to be in the best interests of the minor child, the court shall immediately order the transfer of custody of the minor child to the prospective adoptive parent, under the supervision of the child-placing agency, if any. The child-placing entity, if any, shall thereafter provide monthly supervision reports to the department until finalization of the adoption. If there is no child-placing agency involved, the department may make monthly contact with the prospective adoptive parent until the finalization of the adoption pursuant to Section 63-9-750. If custody is transferred pursuant to this subsection, the department may not be a named party to the adoption action but shall receive notice of the final hearing pursuant to Section 63-9-750 and have the right to attend the hearing and to address the court concerning the child. The department may move to intervene or may otherwise be added as a party in the adoption action pursuant to the rules of civil procedure.

WEDNESDAY, FEBRUARY 1, 2017

(E) In determining whether the best interests of the child are served by transferring the custody of the minor child to the prospective adoptive parent selected by the parent or child-placing agency, the court shall consider the rights of the parent to determine an appropriate placement for the child, the permanency offered, the child's bonding with any potential adoptive home in which the child has been residing, and the importance of maintaining sibling relationships, if possible.

(F) The transfer of custody pursuant to subsection (D) shall not deprive the family court of its jurisdiction, responsibilities and authority over the adoption and the best interests of the child pursuant to Section 63-9-750.

(G) The child-placing agency, if any, is responsible for keeping the family court informed of the status of the adoption proceedings at least every ninety days from the date of the order changing placement of the minor child until the date of the finalization of the adoption.

(H) In all actions instituted pursuant to Subarticle 3, Article 3, Chapter 7, Title 63 (Emergency Protective Custody), after if it is determined that reunification is not a viable alternative and before the filing of a petition for termination of parental rights by the department, the court shall advise any parent who is a party to the case of the right to participate in a private adoption plan."

SECTION 9. Section 63-9-750(B)(7) of the 1976 Code is amended to read:

"(7) if the petitioner is a nonresident of this State, the findings pursuant to Section ~~63-9-50~~ 63-9-60(B) are included in the order, and there has been compliance with Article 11 (Interstate Compact on the Placement of Children)."

SECTION 10. Section 63-11-720(A)(5) of the 1976 Code, as last amended by Act 238 of 2016, is further amended to read:

"(5) to advise foster parents of their right to petition the family court for termination of parental rights and for adoption, which is the statutory right of the foster parents pursuant to Sections 63-3-550, 63-7-2530, and 63-9-60, and to encourage these foster parents to initiate these proceedings in an appropriate case when it has been determined by the local review board that return to the natural parent is not in the best interest of the child;"

SECTION 11. Section 63-9-1110 of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

"Section 63-9-1110. Any person may adopt his spouse's child, and any person may adopt a child to whom he is related by blood or marriage. In the adoption of these children:

WEDNESDAY, FEBRUARY 1, 2017

(1) no investigation or report required under the provisions of Section 63-9-520 is required unless otherwise directed by the court or necessary to meet the requirements of Section 63-9-370;

(2) no accounting by the petitioner of all disbursements required under the provisions of Section 63-9-740 is required unless the accounting is ordered by the court;

(3) upon good cause shown, the court may waive the requirement, pursuant to Section 63-9-750, that the final hearing must not be held before ninety days after the filing of the adoption petition;

(4) upon good cause shown, the court may waive the requirement, pursuant to Section 63-9-320(A)(2), of the appointment of independent counsel for an indigent parent; and

(5) upon good cause shown, the court may waive the requirement, pursuant to Section 63-9-60(A)(2), that the adoption proceeding must be finalized in this State.”

SECTION 12. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. HILL moved to adjourn debate on the Bill until Thursday, February 2, which was agreed to.

H. 3204--REQUESTS FOR DEBATE

The following Bill was taken up:

H. 3204 -- Reps. Pope, Long, Magnuson, Elliott, Daning, Pitts, Hixon, Crosby, Taylor, W. Newton and Loftis: A BILL TO AMEND SECTIONS 2-19-10, 2-19-20, 2-19-35, 2-19-70, 2-19-80, AND 2-19-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, SO AS TO CHANGE THE COMMISSION'S PROCESS FOR NOMINATING JUDICIAL CANDIDATES FROM THE NOMINATION OF THREE QUALIFIED CANDIDATES TO THE RELEASE OF A LIST OF ALL QUALIFIED CANDIDATES TO THE GENERAL ASSEMBLY.

WEDNESDAY, FEBRUARY 1, 2017

Reps. RUTHERFORD, HUGGINS, ATWATER, JEFFERSON, PITTS, OTT, KING, FRY, NEAL, MACK, HENEGAN, DOUGLAS, MCEACHERN, WEEKS, CLARY, ANDERSON, CLYBURN, HOSEY, POPE, BROWN, TAYLOR, BLACKWELL, ROBINSON-SIMPSON, DILLARD, MCCOY, STAVRINAKIS, HIXON and KNIGHT requested debate on the Bill.

H. 3427--DEBATE ADJOURNED

The following Bill was taken up:

H. 3427 -- Reps. Lucas, Loftis, Allison, Stringer, Erickson, Simrill, G. R. Smith, McKnight, Robinson-Simpson, Martin, West, Long, Burns, Atwater, McCoy, Hardee, Hewitt, Fry, Jordan, Murphy, Spires, G. M. Smith, McCravy, Clemmons, McEachern, Taylor, Arrington, Johnson, Huggins, Hamilton, Elliott, Funderburk, Bales, Bannister, Blackwell, Bradley, Chumley, Clary, Clyburn, Cobb-Hunter, Cole, Crawford, Delleney, Dillard, Douglas, Forrest, Forrester, Hayes, Henderson, Herbkersman, Hiott, Lowe, D. C. Moss, B. Newton, W. Newton, Pope, Quinn, S. Rivers, Ryhal, Sandifer, Tallon, Thayer, Whitmire, Hixon, Anderson, Anthony, Gagnon, Parks, Pitts, Ott, King, Henegan, Willis, Yow, Williams, Jefferson, Duckworth, White, Finlay, Bernstein, J. E. Smith, Bedingfield, Felder, Bennett, Davis, Mitchell, Rutherford, Neal, Stavrinakis, Govan, Putnam, Collins, Brown, Weeks, Hosey, Bowers, V. S. Moss, Howard, Kirby, Sottile, Whipper, Norrell, Ballentine, Toole, Thigpen, Cogswell, Daning, Crosby, Knight and Wheeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE THE PURPOSE OF THE SECTION, TO PROVIDE THAT, BEGINNING WITH THE 2018-2019 SCHOOL YEAR, PUBLIC HIGH SCHOOLS AND PUBLIC CHARTER HIGH SCHOOLS SHALL OFFER CERTAIN COMPUTER SCIENCE COURSEWORK, TO REQUIRE THE STATE BOARD OF EDUCATION TO ADOPT AND ENSURE IMPLEMENTATION OF GRADE-APPROPRIATE STANDARDS FOR COMPUTER SCIENCE AND COMPUTATIONAL THINKING FOR PUBLIC SCHOOL STUDENTS IN KINDERGARTEN THROUGH TWELFTH GRADE, TO PROVIDE RELATED REQUIREMENTS OF THE STATE DEPARTMENT OF EDUCATION, TO PROVIDE REQUIREMENTS FOR THE OFFICE OF THE GOVERNOR TO ESTABLISH CRITERIA AND

WEDNESDAY, FEBRUARY 1, 2017

PROCESSES FOR DESIGNATING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATH COMMUNITIES AND REGIONS, AND TO PROVIDE RELATED REQUIREMENTS OF SUCH COMMUNITIES AND REGIONS.

Rep. ALLISON moved to adjourn debate on the Bill until Thursday, February 2, which was agreed to.

H. 3340--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3340 -- Reps. Ott, Cobb-Hunter and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-235 SO AS TO PROVIDE THAT THE OWNER OF A DAM WHICH FAILS OR FAILED ON OR AFTER OCTOBER 1, 2015, WHICH HAS A PUBLIC ROAD OR HIGHWAY IN THE STATE HIGHWAY SYSTEM RUNNING ACROSS THE TOP OF IT, MUST PROVIDE WRITTEN NOTIFICATION TO THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL INDICATING WHETHER OR NOT THE OWNER INTENDS TO REPAIR THE DAM AND THE DATE BY WHICH THE REPAIRS ARE ANTICIPATED TO BE COMPLETED, TO PROVIDE THE TIMELINES IN WHICH THIS NOTIFICATION MUST BE PROVIDED, AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROCEED UNDER CERTAIN CONDITIONS AND IN A SPECIFIED MANNER WITH THE PROCESS OF REPAIRING THE PUBLIC ROAD OR HIGHWAY, IF THE DAM OWNER INDICATES THE OWNER DOES NOT INTEND TO REPAIR THE DAM.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No.1 to H. 3340 (COUNCIL\SD\3340C001.NL.SD17), which was adopted:

Amend the bill, as and if amended, by striking Section 49-11-235(A), as contained in SECTION 1, page 1, beginning on line 37, and inserting:

/ (A) In the interest of public health and safety, the owner of a dam which failed or fails or suffered or suffers a breach on or after October 1, 2015, which has a public road or highway in the state highway system running across the top of it, must provide a written notification to the State Department of Transportation and the Department of Health and

WEDNESDAY, FEBRUARY 1, 2017

Environmental Control within one year after the failure or breach, if the failure or breach occurs after the effective date of this section, indicating whether or not the owner intends to repair the dam to appropriate standards and the date by which the repairs are anticipated to be completed. However, the owner of the dam which failed or suffered a breach between October 1, 2015, and the effective date of this section must provide the notification within sixty days after the effective date of this section. The anticipated completion date in the notice must be a date certain with no contingencies which cannot extend more than two years from the date the notification was provided. If the owner fails to give notice, this shall constitute and be construed as a negative intention on the part of the dam owner to fix or repair the dam, in which case the Department of Transportation shall proceed as though a negative response was contained in the notice. /

Amend further, Section 49-11-235, by striking subsection (C), page 2, beginning on line 20, and inserting:

/ (C) If the dam owner in the notice indicates the owner does not intend to repair the dam, the Department of Transportation shall proceed with the process of repairing the public road or highway if suitable rights of way or easements afford the state or the Department of Transportation the right to do so without the necessity of saving or repairing the dam. /

Renumber sections to conform.

Amend title to conform.

Rep. HIOTT explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Atwater
Bales	Ballentine	Bannister
Bedingfield	Bennett	Bernstein
Blackwell	Bradley	Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins

WEDNESDAY, FEBRUARY 1, 2017

Crawford	Crosby	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Erickson
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Govan	Hamilton	Hardee
Henderson	Henegan	Herbkersman
Hewitt	Hill	Hiott
Hixon	Hosey	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby
Knight	Loftis	Long
Lowe	Lucas	Mack
Magnuson	Martin	McCoy
McCravy	McEachern	McKnight
Mitchell	D. C. Moss	V. S. Moss
Murphy	Neal	B. Newton
W. Newton	Norman	Norrell
Ott	Parks	Pitts
Pope	Quinn	Ridgeway
S. Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	Whipper
Whitmire	Williams	Willis
Yow		

Total--109

Those who voted in the negative are:

Total--0

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

WEDNESDAY, FEBRUARY 1, 2017

**H. 3531--POINT OF ORDER, REQUEST FOR DEBATE,
AMENDED, AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3531 -- Reps. Crawford, Clemmons, Fry, Duckworth, Hixon, Hardee, V. S. Moss, Forrest and Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 47 SO AS TO DEFINE CERTAIN TERMS, TO PROHIBIT CERTAIN PERSONS FROM OWNING, POSSESSING, IMPORTING, PURCHASING, OR SELLING A LARGE WILD CAT, NON-NATIVE BEAR, OR GREAT APE, TO AUTHORIZE CONFISCATION OF THESE ANIMALS UNDER CERTAIN CIRCUMSTANCES, AND TO PROVIDE THAT LOCAL GOVERNMENTAL BODIES MAY ADOPT ORDINANCES THAT REGULATE THE POSSESSION OF THESE ANIMALS, TO REGULATE THE TREATMENT OF THESE ANIMALS, AND TO PROVIDE A PENALTY; AND TO AMEND SECTION 47-5-50, RELATING TO THE PROHIBITION OF THE SALE OF WILD CARNIVORES AS PETS AND THE SALE OF DOMESTICATED FERRETS, SO AS TO DELETE THE PROVISION THAT ALLOWS THE PUBLIC DISPLAY, SHOWING, OR EXHIBITION OF CERTAIN WILD CARNIVORES, PRIMATES, OR OTHER ANIMALS.

POINT OF ORDER

Rep. HILL raised the Point of Order, pursuant to Rule 5.13, that H. 3531 required a fiscal impact statement

Rep. HIOTT spoke against the Point and stated that the Bill did not require or bring about the expenditure of state money.

Rep. HILL spoke in favor of the Point.

The SPEAKER overruled the Point of Order. The SPEAKER stated that stated that a Bill "effecting" or bringing about or causing the expenditure of money by the State required a fiscal impact. The SPEAKER stated that H. 3531 did not cause the expenditure of money by the State, and he overruled the Point of Order.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No.1 to H. 3531 (COUNCIL\CM\3531C001.GT.CM17), which was adopted:

Amend the bill, as and if amended, Section 47-2-60(A), as contained in SECTION 1 by deleting lines 26 through 28 on page 6, and inserting:

WEDNESDAY, FEBRUARY 1, 2017

/ Section 47-2-60. (A) The animal control authority and its staff and agents, local law enforcement agents, state law enforcement agents, and county sheriffs are authorized and empowered to enforce the provisions of this chapter. /

Amend the bill further, Section 47-2-70, as contained in SECTION 1, by deleting lines 35 and 36 on page 6, and inserting:

/ “Section 47-2-70. A person who violates this chapter must be fined not more than one thousand dollars or imprisoned for not more than thirty days for a first offense, and must be fined not more than five thousand dollars or imprisoned for not more than ninety days for a second offense.” /

Amend the bill further by deleting SECTION 2 in its entirety on pages 6 and 7, and inserting:

/ SECTION 2. Section 47-5-50(D) of the 1976 Code is amended to read:

“(D) This section does not apply to the sale, purchase, donation, or transfer of ownership of carnivores between publicly-owned zoos or animal dealers located in this State and licensed by the United States Department of Agriculture (USDA) under the Animal Welfare Act on the effective date of this chapter. These exemptions do not allow for the sale, purchase, donation, or transfer of ownership to private individuals in this State. Any public displays, showings, or exhibitions of wild carnivores, primates, or any other animal will default to the Animal Welfare Act-9 CFR 2.131- Handling of Animals ~~animals for which a USDA licensed rabies vaccine does not exist are allowed only when these displays, showings, or exhibitions prevent any possible contact by these animals with the members of the general public.~~” /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

Rep. HILL requested debate on the Bill.

Rep. HIXON continued speaking.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

WEDNESDAY, FEBRUARY 1, 2017

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 5

Those who voted in the affirmative are:

Allison	Anthony	Arrington
Atkinson	Ballentine	Bannister
Bernstein	Blackwell	Bradley
Brown	Burns	Caskey
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Henderson	Henegan
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Mack	Martin	McCoy
McKnight	Mitchell	D. C. Moss
V. S. Moss	Murphy	Neal
B. Newton	W. Newton	Norman
Norrell	Ott	Parks
Pitts	Pope	Quinn
Ridgeway	S. Rivers	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thayer	Thigpen
Toole	Weeks	West
Wheeler	Whipper	Whitmire
Williams	Willis	Yow

Total--99

WEDNESDAY, FEBRUARY 1, 2017

Those who voted in the negative are:

Bedingfield	Hill	Magnuson
McCravy	Putnam	

Total--5

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

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

RECURRENCE TO THE MORNING HOUR

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

H. 3296--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3296 -- Reps. Willis, Hamilton and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 140 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VIRGINIA TECH SPECIAL LICENSE PLATES.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3296 (COUNCIL\CM\3296C003.GT.CM17), which was adopted:

Amend the bill, as and if amended, Section 56-3-14010(B), as contained in SECTION 1, page 1, by deleting lines 37-39, and inserting:

/ (B) The fees collected in excess of the cost of producing the license plates must be distributed to the South Carolina Palmetto Chapter of Virginia Tech. /

Renumber sections to conform.

Amend title to conform.

Rep. WILLIS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

WEDNESDAY, FEBRUARY 1, 2017

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Atkinson	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Blackwell	Bradley	Brown
Burns	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Douglas	Duckworth
Elliott	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hardee
Henderson	Henegan	Hewitt
Hill	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lucas
Mack	Magnuson	Martin
McCoy	McCravy	McEachern
McKnight	Mitchell	V. S. Moss
Murphy	Neal	B. Newton
Norman	Norrell	Ott
Parks	Pitts	Pope
Putnam	Quinn	Ridgeway
S. Rivers	Ryhal	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Weeks	West
Wheeler	Williams	Willis
Yow		

Total--97

WEDNESDAY, FEBRUARY 1, 2017

Those who voted in the negative are:

Lowe

Total--1

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

H. 3289--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3289 -- Reps. G. R. Smith and Knight: A BILL TO AMEND SECTION 56-5-1930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTANCE THAT MUST BE MAINTAINED BETWEEN VEHICLES TRAVELING ALONG A HIGHWAY, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE OPERATOR OF ANY NONLEADING VEHICLE TRAVELING IN A PROCESSION OF VEHICLES IF THE SPEED OF EACH VEHICLE IS AUTOMATICALLY COORDINATED.

The Committee on Education and Public Works proposed the following Amendment No. 1 to H. 3289 (COUNCIL\CM\3289C002.GT.CM17), which was adopted:

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

/ SECTION 1. Section 56-5-1930 of the 1976 Code is amended to read:

“Section 56-5-1930. ~~(a)~~(A) The ~~driver~~ operator of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

~~(b)~~(B) The ~~driver~~ operator of any truck or motor vehicle drawing another vehicle when traveling upon a roadway outside of a business or residence district and which is following another truck or motor vehicle drawing another vehicle shall, whenever conditions permit, leave sufficient space so that an overtaking vehicle may enter and occupy such space without danger, except that this shall not prevent a truck or motor vehicle drawing another vehicle from overtaking and passing any vehicle or combination of vehicles.

WEDNESDAY, FEBRUARY 1, 2017

(e)(C) Motor vehicles being ~~driven~~ operated upon any roadway outside of a business or residence district in a caravan or motorcade whether or not towing other vehicles shall be so operated as to allow sufficient space between each such vehicle or combination of vehicles so as to enable any other vehicle to enter and occupy such space without danger. This provision shall not apply to funeral processions.

(D) This section does not apply to the operator of any nonleading vehicle travelling in a procession of vehicles if the speed of each vehicle is automatically coordinated.”

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

Rep. PUTNAM explained the amendment.
The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:
Yeas 96; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Bales
Ballentine	Bamberg	Bannister
Bernstein	Blackwell	Bradley
Brown	Burns	Chumley
Clary	Clemmons	Clyburn
Cogswell	Cole	Collins
Crawford	Crosby	Daning
Davis	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Forrest	Forrester
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hardee
Hart	Henderson	Henegan
Hewitt	Hill	Hiott
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lucas

WEDNESDAY, FEBRUARY 1, 2017

Mack	Magnuson	Martin
McCoy	McCravy	McEachern
Mitchell	D. C. Moss	V. S. Moss
Neal	B. Newton	W. Newton
Norman	Norrell	Ott
Parks	Pitts	Pope
Putnam	Quinn	Ridgeway
S. Rivers	Rutherford	Simrill
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Taylor	Thayer	Toole
Weeks	Wheeler	Whipper
Williams	Willis	Yow

Total--96

Those who voted in the negative are:

Total--0

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

H. 3218--REQUEST FOR DEBATE WITHDRAWN

Reps. LOWE withdrew his request for debate on H. 3218; however, other requests for debate remained on the Bill.

**H. 3619--RECALLED AND REFERRED TO COMMITTEE
ON AGRICULTURE, NATURAL RESOURCES AND
ENVIRONMENTAL AFFAIRS**

On motion of Rep. HIOTT, with unanimous consent, the following Bill was ordered recalled from the Committee on Judiciary and was referred to the Committee on Agriculture, Natural Resources and Environmental Affairs:

H. 3619 -- Rep. Atwater: A BILL TO AMEND SECTION 47-1-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO CRUELTY TO ANIMALS, SO AS TO DEFINE THE TERM "COMPANION ANIMAL"; AND BY ADDING SECTION 47-1-45 SO AS TO PROHIBIT THE TATTOOING OR PIERCING OF A COMPANION ANIMAL

WEDNESDAY, FEBRUARY 1, 2017

EXCEPT FOR SPECIFIED REASONS AND, WHEN AUTHORIZED, PERFORMED BY SPECIFIED PERSONS, AND TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION WHICH IS A MISDEMEANOR.

H. 3331--RECOMMITTED

The following House Resolution was taken up:

H. 3331 -- Reps. Hill and Magnuson: A HOUSE RESOLUTION TO AMEND RULE 6.3 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, RELATING TO THE ORDER OF BUSINESS OF THE HOUSE OF REPRESENTATIVES, SO AS TO ADD THE OFFICIAL PLEDGE TO THE FLAG OF THE STATE OF SOUTH CAROLINA TO THE DAILY ORDER OF BUSINESS.

Rep. CLEMMONS moved to recommit the Resolution to the Committee on Rules, which was agreed to.

H. 3500--RECOMMITTED

The following House Resolution was taken up:

H. 3500 -- Rep. White: A HOUSE RESOLUTION TO AMEND RULE 5.13 OF THE RULES OF THE HOUSE OF REPRESENTATIVES, RELATING TO THE REQUIREMENT THAT EACH BILL EFFECTING THE EXPENDITURES OF MONEY BY THE STATE MUST HAVE ATTACHED TO IT IN WRITING SUCH COMMENT OF THE APPROPRIATE STATE OFFICE REGARDING THE BILL'S IMPACT ON THE FINANCES OF THE STATE, SO AS TO REVISE THE RULE TO PROVIDE THAT EACH BILL OR JOINT RESOLUTION EFFECTING THE EXPENDITURE OF MONEY BY THE STATE, BEFORE BEING DELIVERED TO THE HOUSE DESK FOR PLACEMENT ON THE CALENDAR, SHALL HAVE ATTACHED TO IT IN WRITING A FISCAL IMPACT STATEMENT FROM THE OFFICE OF REVENUE AND FISCAL AFFAIRS OR OTHER APPROPRIATE STATE OFFICE.

Rep. CLEMMONS moved to recommit the Resolution to the Committee on Rules, which was agreed to.

WEDNESDAY, FEBRUARY 1, 2017

MOTION PERIOD

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

H. 3218--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3218 -- Reps. Lucas, Hiott, V. S. Moss, West, Pitts and Crosby: A BILL TO AMEND SECTION 49-11-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS UNDER THE DAMS AND RESERVOIRS SAFETY ACT, SO AS TO REVISE CERTAIN DEFINITIONS IN ORDER TO MAKE THE PROVISIONS OF THIS ACT FURTHER APPLICABLE TO CERTAIN DAMS; AND TO AMEND SECTION 49-11-150, RELATING TO DAM OR RESERVOIR OWNERS BEING RESPONSIBLE FOR THE SAFE MAINTENANCE OF THEIR DAMS OR RESERVOIRS, NOTICE TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OF DAM OR RESERVOIR OWNERSHIP CHANGES, AND EMERGENCY ACTION PLAN REQUIREMENTS FOR SPECIFIED DAM OWNERS, SO AS TO REQUIRE ANNUAL REPORTING TO THE DEPARTMENT BY DAM OR RESERVOIR OWNERS OF CERTAIN OWNER CONTACT AND OTHER INFORMATION, TOGETHER WITH A COMPLETED OWNER CHECKLIST, AND TO REQUIRE THE OWNERS OF DAMS OR RESERVOIRS CLASSIFIED AS A HIGH OR SIGNIFICANT HAZARD ANNUALLY TO PROVIDE A CURRENT EMERGENCY ACTION PLAN INCLUDING CONTACT INFORMATION OF SPECIFIED OFFICIALS, DOWNSTREAM RESIDENTS, AND BUSINESS OWNERS.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No.1 to H. 3218 (COUNCIL\SD\3218C004.NL.SD17), which was adopted:

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

/ SECTION 1. Section 49-11-120(4) of the 1976 Code is amended to read:

“(4) ‘Dam’ means an artificial barrier with appurtenant works, including, but not limited to, dams, levees, dikes, or floodwalls for the impoundment or diversion of waters or other fluids where failure may cause danger to life or property. However, this does not include a dam:

WEDNESDAY, FEBRUARY 1, 2017

(a) less than twenty-five feet in height from the natural bed of the stream or watercourse measured at the downstream toe of the dam, or less than twenty-five feet from the lowest elevation of the outside limit of the dam, if it is not across a stream channel or watercourse, to the maximum water storage elevation and has an impounding capacity at maximum water storage elevation of less than fifty-acre feet unless a situation exists where the hazard potential as determined by the department is such that dam failure or improper reservoir operation may cause loss of human life or serious damage to homes, industrial and commercial facilities, public utilities, main and secondary highways, or railroads;

(b) owned or operated by a department or an agency of the federal government;

(c) owned or licensed by the Federal Energy Regulatory Commission, the South Carolina Public Service Authority, the Nuclear Regulatory Commission, the United States Corps of Engineers, or other responsible federal licensing agencies considered appropriate by the department;

~~(d) upon which the Department of Transportation or county or municipal governments have accepted maintenance responsibility for a road or highway where that road or highway is the only danger to life or property with respect to failure of the dam."~~

SECTION 2. Section 49-11-150 of the 1976 Code is amended to read:

"Section 49-11-150. (A) The owner of a dam or reservoir constructed in this State solely is responsible for maintaining the dam or reservoir in a safe condition throughout the life of the structure. The owner of a dam or reservoir shall inform the department in writing within thirty days after title to the dam or reservoir legally has been transferred from his ownership. The notice must include the name, ~~and address~~ home or business address, phone number, and email address, if any, of the new owner.

(B) In addition to the requirements of subsection (A), an owner of a dam or reservoir not exempt from the provisions of this article also must provide the department annually no later than July first of each year with current contact information regarding the owner, including name, home or business address, phone number, and email address, if any, together with a completed dam owner checklist on a form provided by the department.

~~(C) The owner of a dam or reservoir whose failure likely would cause loss of life or substantial property damage, a dam or reservoir~~

WEDNESDAY, FEBRUARY 1, 2017

classified as a high or significant hazard ~~under existing regulations,~~
annually no later than July first of each year shall provide the department
a current emergency action plan in the format the department by
regulation requires, including updated contact information for
emergency management officials, such as police, fire, EMS, or utility
departments or personnel, and for downstream residents and business
owners located in the inundation zone for that dam or reservoir.
However, nothing in the emergency action plan or any other provision
of law or regulation shall require or impose a responsibility on the owner
of a dam or reservoir classified as a high or significant hazard to notify
any downstream residents or business owners located in the inundation
zone for that dam or reservoir if the dam or reservoir owner has reason
to believe that it is near failure or has failed. The owner must notify
emergency officials and the department's Dams and Reservoirs Safety
program of the dam or reservoir's failure or potential failure. It is the
responsibility of the emergency management officials identified in the
emergency action plan to inform any downstream residents or business
owners located in the inundation zone of this fact and to cause them to
be evacuated if it is considered necessary."

SECTION 3. Section 49-11-170 of the 1976 Code is amended by
adding an appropriately numbered subsection to read:

“() The department shall not require any changes to the dam or its
appurtenant works due to reclassification of a dam unless failure would
likely cause loss of life, or the department, through inspection, identifies
repairs that must be made.”

SECTION 4. This act takes effect upon approval by the Governor. /
Renumber sections to conform.
Amend title to conform.

Rep. HIOTT spoke in favor of the amendment.

Rep. HILL spoke against the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 3

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Arrington	Atkinson	Bales

WEDNESDAY, FEBRUARY 1, 2017

Ballentine	Bannister	Bedingfield
Bennett	Bernstein	Blackwell
Bradley	Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crawford
Crosby	Daning	Davis
Delleney	Dillard	Douglas
Duckworth	Elliott	Erickson
Felder	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Henderson	Henegan
Herbkersman	Hewitt	Hiott
Hixon	Hosey	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Loftis	Long	Lowe
Lucas	Mack	Martin
McCoy	McEachern	McKnight
Mitchell	D. C. Moss	V. S. Moss
Murphy	Neal	B. Newton
W. Newton	Norman	Norrell
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
S. Rivers	Robinson-Simpson	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Weeks	Wheeler
Whipper	Whitmire	Williams
Willis	Yow	

Total--104

Those who voted in the negative are:

Hill	Magnuson	McCravy
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Total--3

WEDNESDAY, FEBRUARY 1, 2017

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

STATEMENT FOR THE JOURNAL

I am notifying the House of my support for two candidates in my absence from the House floor. I am supporting R.W. Frierson for Family Court At - large Seat 8 and Milton G. Kimpson, Administrative Law Court Seat 2.

Thanks to everyone for all the support shown to me since my injury.
Rep. Michael F. Rivers

JOINT ASSEMBLY

At 12:00 noon the Senate appeared in the Hall of the House. The President of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

**ELECTION OF A SUPREME COURT JUDGE,
COURT OF APPEALS JUDGES, CIRCUIT COURT JUDGES,
FAMILY COURT JUDGES, AND AN ADMINISTRATIVE
LAW COURT JUDGE**

The Reading Clerk of the Senate read the following Concurrent Resolution:

S. 108 -- Senators Campsen, Malloy and Hembree: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, FEBRUARY 1, 2017, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUSTICE OF THE SUPREME COURT, SEAT 5, UPON HIS SWEARING IN AS CHIEF JUSTICE OF THE SUPREME COURT, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JULY 31, 2020; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 1, WHOSE TERM WILL EXPIRE JUNE 30, 2017; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 2, WHOSE TERM WILL EXPIRE JUNE 30, 2017; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 9, UPON HIS ELECTION TO THE COURT OF APPEALS, CHIEF JUDGE, SEAT 5, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE

WEDNESDAY, FEBRUARY 1, 2017

CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE FEBRUARY 10, 2017, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2018; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, AT-LARGE, SEAT 1, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH WILL EXPIRE JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE, WHICH WILL EXPIRE JUNE 30, 2022; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, AT-LARGE, SEAT 7, WHOSE TERM WILL BE FROM JULY 1, 2017, UNTIL JUNE 30, 2023; TO ELECT A JUDGE TO A NEWLY CREATED SEAT ON THE FAMILY COURT, AT-LARGE, SEAT 8, WHOSE TERM WILL BE FROM JULY 1, 2017, UNTIL JUNE 30, 2023; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE ADMINISTRATIVE LAW COURT, SEAT 2, UPON HIS RETIREMENT ON OR BEFORE JUNE 30, 2017, THE SUCCESSOR WILL FILL A NEW TERM OF THAT OFFICE WHICH WILL EXPIRE ON JUNE 30, 2022.

The PRESIDENT recognized Rep. G. M. SMITH, of behalf of the Judicial Merit Selection Commission.

ELECTION OF A SUPREME COURT JUSTICE, SEAT 5

The PRESIDENT announced that nominations were in order for a Supreme Court Justice, Seat 5.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: the Honorable Diane Schafer Goodstein, the Honorable George C. James, Jr., and the Honorable W. Keith Kelly.

Rep. G. M. SMITH stated that the Honorable W. Keith Kelly and the Honorable Diane Schafer Goodstein had withdrawn from the race and placed the name of the remaining candidate in nomination, the Honorable George C. James, Jr.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 1, 2017

Whereupon, the PRESIDENT announced that the Honorable George C. James, Jr., was duly elected for the term prescribed by law.

ELECTION OF A COURT OF APPEALS JUDGE, SEAT 1

The PRESIDENT announced that nominations were in order for a Court of Appeals Judge, Seat 1.

Rep. G. M. SMITH, on behalf of the Judicial Screening Committee, stated that the Honorable Paul Edgar Short, Jr., had been screened, found qualified, and placed his name in nomination.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Paul Edgar Short, Jr., was duly elected for the term prescribed by law.

ELECTION OF A COURT OF APPEALS JUDGE, SEAT 2

The PRESIDENT announced that nominations were in order for a Court of Appeals Judge, Seat 2.

Rep. G. M. SMITH, on behalf of the Judicial Screening Committee, stated that the Honorable Harris Bruce Williams had been screened, found qualified, and placed his name in nomination.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable Harris Bruce Williams was duly elected for the term prescribed by law.

ELECTION OF A COURT OF APPEALS JUDGE, SEAT 9

The PRESIDENT announced that nominations were in order for a Court of Appeals Judge, Seat 9.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Blake Alexander Hewitt, the Honorable David Garrison "Gary" Hill and the Honorable Alison Renee Lee.

Rep. G. M. SMITH stated that Blake Alexander Hewitt and the Honorable Alison Renee Lee had withdrawn from the race and placed the name of the remaining candidate, the Honorable David Garrison "Gary" Hill, in nomination.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

WEDNESDAY, FEBRUARY 1, 2017

Whereupon, the PRESIDENT announced that the Honorable David Garrison “Gary” Hill was duly elected for the term prescribed by law.

CIRCUIT COURT, SEVENTH JUDICIAL CIRCUIT, SEAT 2

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, Seventh Judicial Circuit, Seat 2.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Grace Gilchrist Knie and the Honorable James Donald Willingham II.

Rep. G. M. SMITH stated that the Honorable James Donald Willingham II had withdrawn from the race and placed the name of the remaining candidate, Grace Gilchrist Knie, in nomination.

Rep. HILL requested a roll call.

The Reading Clerk of the Senate called the roll of the Senate, and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Grace Gilchrist Knie:

Alexander	Allen	Bennett
Campbell	Campsen	Climer
Corbin	Courson	Cromer
Davis	Fanning	Goldfinch
Gregory	Grooms	Hembree
Hutto	Johnson	Kimpson
Leatherman	Malloy	Martin
Massey	Matthews, John	Matthews, Margie
McElveen	McLeod	Nicholson
Peeler	Rankin	Reese
Rice	Sabb	Scott
Senn	Setzler	Shealy
Sheheen	Talley	Timmons
Turner	Verdin	Williams
Young		

Total--43

On the motion of Rep. COBB-HUNTER, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 1, 2017

The following named Representatives voted for Grace Gilchrist Knie:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Ballentine
Bamberg	Bannister	Bedingfield
Bennett	Bernstein	Blackwell
Bowers	Bradley	Brown
Burns	Caskey	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cogswell	Cole
Collins	Crawford	Crosby
Danig	Davis	Delleney
Dillard	Douglas	Duckworth
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Gilliard	Govan	Hamilton
Hardee	Hart	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hiott	Hixon
Hosey	Howard	Huggins
Jefferson	Johnson	Jordan
King	Kirby	Knight
Long	Lowe	Lucas
Mack	Martin	McCoy
McEachern	McKnight	Mitchell
D. C. Moss	V. S. Moss	Murphy
Neal	B. Newton	W. Newton
Norman	Norrell	Ott
Parks	Pope	Putnam
Quinn	Ridgeway	S. Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Thigpen	Toole	Weeks
West	Wheeler	Whipper
White	Whitmire	Williams

Total--114

WEDNESDAY, FEBRUARY 1, 2017

The following named Representatives voted against Grace Gilchrist Knie:
Hill

Total--1

Whereupon, the PRESIDENT announced that Grace Gilchrist Knie was duly elected for the term prescribed by law.

CIRCUIT COURT, AT-LARGE, SEAT 1

The PRESIDENT announced that nominations were in order for a Circuit Court Judge, At-Large, Seat 1.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Meliah Bowers Jefferson, the Honorable George Marion McFaddin, Jr., and Timothy Ward Murphy.

Rep. G. M. SMITH stated that Timothy Ward Murphy and Meliah Bowers Jefferson had withdrawn from the race and placed the name of the remaining candidate, the Honorable George Marion McFaddin, Jr., in nomination.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that the Honorable George Marion McFaddin, Jr., was duly elected for the term prescribed by law.

FAMILY COURT, EIGHTH JUDICIAL CIRCUIT, SEAT 2

The PRESIDENT announced that nominations were in order for a Family Court Judge, Eighth Judicial Circuit, Seat 2.

Rep. G. M. SMITH,, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Mindy Westbrook Zimmerman and Samuel M. Price, Jr.

Rep. G. M. SMITH stated that Samuel M. Price, Jr., had withdrawn from the race and placed the name of the remaining candidate, Mindy Westbrook Zimmerman, in nomination.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that Mindy Westbrook Zimmerman was duly elected for the term prescribed by law.

WEDNESDAY, FEBRUARY 1, 2017

FAMILY COURT, AT-LARGE, SEAT 7

The PRESIDENT announced that nominations were in order for a Family Court Judge, At-Large, Seat 7.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Huntley Smith Crouch, Thomas “Tommy” Tredway Hodges, and Delton Wright Powers, Jr.

Rep. G. M. SMITH stated that Huntley Smith Crouch had withdrawn from the race and placed the names of the two remaining candidates Thomas “Tommy” Tredway Hodges and Delton Wright Powers, Jr., in nomination.

The Reading Clerk of the Senate called the roll of the Senate and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Thomas Tredway Hodges:

Allen	Bennett	Climer
Corbin	Courson	Cromer
Gambrell	Hembree	Martin
Massey	McElveen	Peeler
Rankin	Reese	Rice
Sabb	Setzler	Talley
Timmons	Turner	Verdin
Young		

Total--22

The following named Senators voted for Delton Wright Powers, Jr.:

Alexander	Campbell	Campsen
Davis	Fanning	Goldfinch
Gregory	Grooms	Hutto
Johnson	Kimpson	Leatherman
Malloy	<i>Matthews, John</i>	<i>Matthews, Margie</i>
McLeod	Nicholson	Scott
Senn	Shealy	Sheheen
Williams		

Total--22

On the motion of Rep. COBB-HUNTER, with unanimous consent, the members of the House voted by electronic roll call.

WEDNESDAY, FEBRUARY 1, 2017

The following named Representatives voted for Thomas Tredway

Hodges:

Allison	Anthony	Arrington
Atwater	Bales	Ballentine
Bannister	Bedingfield	Bennett
Blackwell	Bradley	Burns
Caskey	Chumley	Clary
Clyburn	Cobb-Hunter	Cogswell
Cole	Collins	Crosby
Daning	Delleney	Dillard
Elliott	Erickson	Felder
Forrest	Forrester	Funderburk
Gagnon	Gilliard	Hamilton
Henderson	Herbkersman	Hiott
Hixon	Huggins	Knight
Loftis	Long	Magnuson
Martin	McCoy	McKnight
Mitchell	V. S. Moss	Murphy
B. Newton	W. Newton	Ott
Pitts	Pope	Putnam
Quinn	S. Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Weeks	West
Whipper	White	Whitmire
Willis		

Total--76

The following named Representatives voted for Delton Wright

Powers, Jr.:

Alexander	Anderson	Atkinson
Bamberg	Bernstein	Bowers
Brown	Clemmons	Davis
Douglas	Duckworth	Finlay
Fry	Govan	Hardee
Hart	Hayes	Henegan
Hewitt	Hill	Hosey
Howard	Jefferson	Johnson

WEDNESDAY, FEBRUARY 1, 2017

Jordan	King	Kirby
Lowe	Lucas	Mack
McEachern	D. C. Moss	Neal
Norman	Norrell	Parks
Ridgeway	Ryhal	J. E. Smith
Thigpen	Wheeler	Williams
Yow		

Total--43

RECAPITULATION

Total number of Senators voting.....	44
Total number of Representatives voting	119
Grand Total	163
Necessary to a choice.....	82
Of which Thomas Tredway Hodges received	98
Of which Delton Wright Powers, Jr. received	65

Whereupon, the PRESIDENT announced that Thomas “Tommy” Tredway Hodges was duly elected for the term prescribed by law.

FAMILY COURT, AT-LARGE, SEAT 8

The PRESIDENT announced that nominations were in order for a Family Court Judge, At-Large, Seat 8.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: The Honorable Rosalyn W. Frierson, Laurel Eden Harvey Hendrick, and Martha M. Rivers Davisson.

Rep. G. M. SMITH stated that Martha M. Rivers Davisson had withdrawn from the race and placed the names of the two remaining candidates, the Honorable Rosalyn W. Frierson and Laurel Eden Harvey Hendrick, in nomination.

The Reading Clerk of the Senate called the roll of the Senate and the Senators voted *viva voce* as their names were called.

The following named Senators voted for Hon. Rosalyn W. Frierson:

Allen	Davis	Fanning
Gambrell	Goldfinch	Gregory
Hutto	Johnson	Kimpson

WEDNESDAY, FEBRUARY 1, 2017

Leatherman	Malloy	Matthews, John
Matthews, Margie	McElveen	McLeod
Nicholson	Rankin	Reese
Sabb	Scott	Senn
Setzler	Sheheen	Talley
Williams		

Total--25

The following named Senators voted for Laurel Eden Harvey
Hendrick:

Alexander	Bennett	Campbell
Campsen	Climer	Corbin
Courson	Cromer	Grooms
Hembree	Martin	Massey
Peeler	Rice	Shealy
Timmons	Turner	Verdin
Young		

Total--19

On the motion of Rep. COBB-HUNTER, with unanimous consent, the
members of the House voted by electronic roll call.

The following named Representatives voted for Hon. Rosalyn W.

Frierson:

Alexander	Anderson	Anthony
Bales	Bamberg	Bannister
Bowers	Brown	Clemmons
Clyburn	Cobb-Hunter	Crawford
Danig	Dillard	Douglas
Duckworth	Elliott	Fry
Funderburk	Gilliard	Govan
Hamilton	Hardee	Hayes
Henderson	Henegan	Herbkersman
Hosey	Howard	Jefferson
Johnson	King	Kirby
Knight	Lowe	Lucas
Mack	McEachern	McKnight
Mitchell	Murphy	Neal
Norrell	Ott	Parks

WEDNESDAY, FEBRUARY 1, 2017

Pitts	Putnam	Ridgeway
S. Rivers	Robinson-Simpson	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Thigpen	Weeks	Whipper
Williams	Yow	

Total--59

The following named Representatives voted for Laurel Eden Harvey

Hendrick:

Allison	Arrington	Atkinson
Atwater	Ballentine	Bennett
Bernstein	Blackwell	Bradley
Burns	Caskey	Chumley
Clary	Cogswell	Cole
Collins	Crosby	Davis
Delleney	Erickson	Felder
Finlay	Forrest	Forrester
Gagnon	Hart	Hewitt
Hill	Hiott	Hixon
Huggins	Jordan	Loftis
Long	Magnuson	Martin
McCoy	McCravy	D. C. Moss
V. S. Moss	B. Newton	W. Newton
Norman	Pope	Quinn
Rutherford	Ryhal	Sandifer
Simrill	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Toole	West
Wheeler	White	Whitmire

Total--60

RECAPITULATION

Total number of Senators voting.....	44
Total number of Representatives voting	119
Grand Total	163
Necessary to a choice.....	82
Of which Hon. Rosalyn W. Frierson received	84
Of which Laurel Eden Harvey Hendrick received	79

WEDNESDAY, FEBRUARY 1, 2017

Whereupon, the PRESIDENT announced that the Honorable Rosalyn W. Frierson was duly elected for the term prescribed by law.

ADMINISTRATIVE LAW COURT, SEAT 2

The PRESIDENT announced that nominations were in order for an Administrative Law Court Judge, Seat 2.

Rep. G. M. SMITH, on behalf of the Judicial Merit Selection Commission, stated that the following candidates had been screened and found qualified: Milton G. Kimpson, Grady L. "Leck" Patterson III, and Debra Sherman Tedeschi.

Rep. G. M. SMITH stated that Debra Sherman Tedeschi and Grady L. "Leck" Patterson III had withdrawn from the race and placed the name remaining candidate, Milton G. Kimpson, in nomination.

On the motion of Rep. G. M. SMITH, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

Whereupon, the PRESIDENT announced that Milton G. Kimpson was duly elected for the term prescribed by law.

JOINT ASSEMBLY RECEDES

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

THE HOUSE RESUMES

At 12:42 p.m. the House resumed, the SPEAKER in the Chair.

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 3613 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee,

WEDNESDAY, FEBRUARY 1, 2017

Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR REVEREND WILLIAM PAUL "BILL" DIECKMANN, DIRECTOR OF MISSIONS FOR THE COLUMBIA METRO BAPTIST ASSOCIATION, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-EIGHT YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 3574 -- Reps. J. E. Smith, Bales, Ballentine, Bernstein, Douglas, Finlay, Hart, Howard, McEachern, Neal, Rutherford, Thigpen, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bamberg, Bannister, Bedingfield, Bennett, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Delleney, Dillard, Duckworth, Elliott, Erickson, Felder, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, West, Wheeler, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE TRADITION OF HARBISON INSTITUTE AND HARBISON JUNIOR COLLEGE IN PROVIDING OPEN-DOOR ACCESS TO HIGHER EDUCATION FOR DIVERSE STUDENTS FROM ALL BACKGROUNDS AND SOCIO-ECONOMIC CIRCUMSTANCES

WEDNESDAY, FEBRUARY 1, 2017

AND TO DECLARE WEDNESDAY, FEBRUARY 22, 2017, AS "HARBISON HISTORY DAY" IN SOUTH CAROLINA.

H. 3608 -- Reps. White, Alexander, Allison, Anderson, Anthony, Arrington, Atkinson, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bennett, Bernstein, Blackwell, Bowers, Bradley, Brown, Burns, Caskey, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cogswell, Cole, Collins, Crawford, Crosby, Daning, Davis, Dellaney, Dillard, Douglas, Duckworth, Elliott, Erickson, Felder, Finlay, Forrest, Forrester, Fry, Funderburk, Gagnon, Gilliard, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, King, Kirby, Knight, Loftis, Long, Lowe, Lucas, Mack, Magnuson, Martin, McCoy, McCravy, McEachern, McKnight, Mitchell, D. C. Moss, V. S. Moss, Murphy, Neal, B. Newton, W. Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, M. Rivers, S. Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Thigpen, Toole, Weeks, West, Wheeler, Whipper, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF CRYSTAL JADE DUNBAR, ECONOMIST AND PROGRAM COORDINATOR II WITH THE BOARD OF ECONOMIC ADVISORS OF THE SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE, TO CELEBRATE HER LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

H. 3402 -- Reps. Felder, Allison, Arrington, Bennett, Bernstein, Cobb-Hunter, Crawford, Davis, Dillard, Douglas, Erickson, Funderburk, Henderson, Henegan, Knight, Norrell, Parks, Robinson-Simpson and Thayer: A CONCURRENT RESOLUTION TO DECLARE JANUARY 18, 2017, "SC UNITED IN TEAL & WHITE LOBBY DAY" IN SOUTH CAROLINA AND ENCOURAGE ALL CITIZENS TO BE AWARE OF THE NEED FOR EARLY SCREENING FOR CERVICAL CANCER.

WEDNESDAY, FEBRUARY 1, 2017

INTRODUCTION OF BILL

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

S. 250 -- Senators Leatherman, Setzler and Alexander: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2016 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Referred to the Committee on Ways and Means

ADJOURNMENT

At 12:43 p.m. the House, in accordance with the motion of Rep. COBB-HUNTER, adjourned in memory of Sheila Catherine Gallagher, to meet at 10:00 a.m. tomorrow.

WEDNESDAY, FEBRUARY 1, 2017

H. 3036	11, 15	H. 3531	32
H. 3146	11, 15	H. 3546	12
H. 3204	11, 27	H. 3559	1, 12
H. 3218	39, 41	H. 3574	57
H. 3220	13	H. 3591	12
H. 3221	13	H. 3608	58
H. 3289	37	H. 3613	56
H. 3296	35	H. 3615	12
H. 3331	40	H. 3619	39
H. 3340	29	H. 3621	2
H. 3346	13	H. 3622	3
H. 3402	58	H. 3623	2
H. 3427	28		
H. 3442	11, 16	S. 58	4
H. 3465	12, 17, 19	S. 67	5
H. 3500	40	S. 108	45
H. 3516	12	S. 197	5
H. 3517	14	S. 250	59
H. 3529	12	S. 320	3