

NO. 37

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2017

THURSDAY, MARCH 9, 2017
(STATEWIDE SESSION)

Thursday, March 9, 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 2:12B: "Happy are all who take refuge in God."

Let us pray. Gracious Lord, forgive us for all the ways we fall short and give us the strength to live the way You intended. Bless each of these, Your people, as they work to make South Carolina great. Look in favor upon those who lead us and direct them to do Your will in our Nation and State. Bless our President, Governor, Speaker, staff, and those who make the system work. Protect our first responders and those who protect us at home and abroad. 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 prayers. Amen.

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

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

MOTION ADOPTED

Rep. FELDER moved that when the House adjourns, it adjourn in memory of Gwendolynn Dianne Spencer, which was agreed to.

Tragically lost in a single car accident at only 17 years old, Gwendolynn Dianne Spencer of Fort Mill, was a senior at Nation Ford High School and a member of the volleyball team. A positive and happy teenager, she was an outstanding student and friend to all, kind to everyone. We hope this memorial in her honor will in some small way be a comfort to her parents, siblings and friends, who will miss her smile every day.

SILENT PRAYER

The House stood in silent prayer for the family and friends of Jacqueline "Cindy" Clark.

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CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 414 -- Senator Shealy: A CONCURRENT RESOLUTION TO HONOR OUR SENIOR NUTRITION PROGRAMS, THE SENIORS THEY SERVE, AND THE VOLUNTEERS WHO CARE FOR THEM AND TO DECLARE MARCH 2017 AS "MARCH FOR MEALS MONTH" IN SOUTH CAROLINA.

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

INTRODUCTION OF BILLS

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

S. 279 -- Senator Alexander: A BILL TO ENACT THE "APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT" BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR AN ENTITY ACTING AS AN APPRAISAL MANAGEMENT COMPANY, TO SPECIFY REGISTRATION AND RENEWAL REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO PROVIDE FOR THE CONDUCT OF APPRAISAL MANAGEMENT COMPANIES, AND TO PROVIDE REMEDIES FOR VIOLATIONS; TO AMEND SECTION 40-60-10(B), RELATING TO THE SOUTH CAROLINA REAL ESTATE APPRAISERS BOARD, TO PROVIDE FOR EIGHT MEMBERS TO INCLUDE ONE MEMBER REPRESENTING AN APPRAISAL MANAGEMENT COMPANY; AND TO REDESIGNATE CHAPTER 60, TITLE 40 AS "REAL ESTATE APPRAISERS AND APPRAISAL MANAGEMENT COMPANIES."

Referred to Committee on Labor, Commerce and Industry

S. 351 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3790 SO AS TO ALLOW AN INCOME TAX CREDIT FOR EACH CLINICAL ROTATION SERVED BY A PHYSICIAN, ADVANCED

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PRACTICE NURSE, OR PHYSICIAN ASSISTANT AS A PRECEPTOR FOR CERTAIN PROGRAMS.

Referred to Committee on Ways and Means

S. 402 -- Senator Massey: A BILL TO AMEND SECTION 50-9-525(A) OF THE 1976 CODE, RELATING TO DISABILITY LICENSES FOR HUNTING AND FISHING, TO ALLOW RESIDENTS RECEIVING BENEFITS FROM A STATE RETIREMENT SYSTEM TO OBTAIN A THREE YEAR COMBINATION OR FISHING LICENSE AT NO COST.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 443 -- Senators Campsen, Young, McElveen, Williams and Corbin: A BILL TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO NIGHT HUNTING AND HARASSMENT OF WILDLIFE, TO RESTRUCTURE THE EXISTING PROVISIONS THAT REGULATE NIGHT HUNTING, BY ADDING SECTION 50-11-705, TO PROVIDE THAT NIGHT HUNTING ANY ANIMAL EXCEPT DEER, BEAR, TURKEY, OR ANY ANIMAL LISTED IN SECTIONS 50-11-710 OR 50-11-715 IS UNLAWFUL, TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT NIGHT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, TO PROVIDE THAT HUNTING DEER, BEAR, OR TURKEY ON PROPERTY REGISTERED WITH THE DEPARTMENT IS UNLAWFUL AND TO PROVIDE APPROPRIATE PENALTIES, AND TO PROVIDE THAT THE DISPLAY OR USE OF ARTIFICIAL LIGHT AT NIGHT ON PROPERTY NOT REGISTERED WITH THE DEPARTMENT FOR NIGHT HUNTING FERAL HOGS, COYOTES, OR ARMADILLOS, IN A MANNER CAPABLE OF DISCLOSING THE PRESENCE OF DEER, BEAR, OR TURKEY, TOGETHER WITH THE POSSESSION OF OR ACCESS TO A CENTERFIRE RIFLE AND AMMUNITION LARGER THAN CERTAIN WEAPONS, SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF NIGHT HUNTING DEER, BEAR, OR TURKEY; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50, BY ADDING SECTION 50-11-715, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR HOGS, COYOTES, OR

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ARMADILLOS, AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND ARTICLE 4, CHAPTER 11, TITLE 50, BY ADDING SECTION 50-11-717, TO PROVIDE THAT THE USE OF ARTIFICIAL LIGHTS FOR THE PURPOSE OF OBSERVING OR HARASSING WILDLIFE IS UNLAWFUL, EXCEPT THAT A PROPERTY OWNER MAY USE ARTIFICIAL LIGHTS TO OBSERVE WILDLIFE PRIOR TO 11:00 P.M., AND TO PROVIDE OTHER APPROPRIATE USES OF ARTIFICIAL LIGHT; TO AMEND SECTION 50-11-710, TO PROVIDE THAT IT IS UNLAWFUL TO NIGHT HUNT FOR RACCOONS, OPOSSUMS, FOXES, MINKS, OR SKUNKS UNLESS OTHERWISE PROVIDED IN THIS SECTION AND TO PROVIDE APPROPRIATE PENALTIES; TO AMEND SECTIONS 50-11-740, 50-11-745(A), AND 50-9-1120(2)(b), TO ADD TURKEY TO THE LISTS THAT INCLUDE DEER OR BEAR; TO REPEAL SECTIONS 50-11-708 AND 50-11-720, AND TO DEFINE NECESSARY TERMS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 484 -- Finance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO CIGARETTE TAXES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4702, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Regulations and Administrative Procedures

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Bamberg
Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cobb-Hunter
Cole	Cogswell	Crawford
Crosby	Davis	Delleney
Daning	Douglas	Duckworth

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

Total Present--115

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

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LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

STATEMENT OF ATTENDANCE

Reps. WEEKS and G. M. SMITH signed a statement with the Clerk that they came in after the roll call of the House and were present for the Session on Wednesday, March 8.

DOCTOR OF THE DAY

Announcement was made that Dr. Christopher A. Yeakel of Elgin was the Doctor of the Day for the General Assembly.

CO-SPONSORS ADDED

In accordance with House Rule 5.2 below:

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

CO-SPONSOR ADDED

Bill Number:	H. 3126
Date:	ADD:
03/09/17	BEDINGFIELD

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CO-SPONSOR ADDED

Bill Number: H. 3240
Date: ADD:
03/09/17 WILLIS

CO-SPONSOR ADDED

Bill Number: H. 3647
Date: ADD:
03/09/17 BOWERS

CO-SPONSOR ADDED

Bill Number: H. 3700
Date: ADD:
03/09/17 WILLIS

CO-SPONSOR ADDED

Bill Number: H. 3886
Date: ADD:
03/09/17 BOWERS

CO-SPONSOR ADDED

Bill Number: H. 3925
Date: ADD:
03/09/17 YOW

CO-SPONSORS ADDED

Bill Number: H. 3930
Date: ADD:
03/09/17 CRAWFORD, LOWE, JORDAN and
DUCKWORTH

SENT TO THE SENATE

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

H. 3793 -- Reps. Crawford, Clemmons, Jordan, Johnson, Fry, Hardee, Bennett, Anderson, Alexander, Atkinson, Kirby, Crosby, Arrington, Sottile, McCoy, Daning, Duckworth, Hayes, Lowe, S. Rivers, Stavrinakis, Knight, Ryhal, Hewitt, Davis, Yow and Whipper: A BILL TO AMEND SECTION 59-103-15, AS AMENDED, CODE OF LAWS

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OF SOUTH CAROLINA, 1976, RELATING TO THE MISSION AND GOALS OF INSTITUTIONS OF HIGHER LEARNING, SO AS TO AUTHORIZE CERTAIN DOCTORAL DEGREE PROGRAMS SO LONG AS STATE GENERAL FUNDS ARE NOT APPROPRIATED FOR THE OPERATIONS OF THE DEGREE PROGRAM.

H. 3256 -- Reps. Jefferson and Daning: 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 PALMETTO CROSS SPECIAL LICENSE PLATES.

H. 3792 -- Reps. Thayer, Funderburk and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-23-245 SO AS TO PROVIDE MINIMUM STANDARDS FOR THE NUMBERS OF TOILETS AND LAVATORIES AVAILABLE FOR MEN AND WOMEN AT MIDDLE SCHOOL FOOTBALL STADIUMS AND HIGH SCHOOL FOOTBALL STADIUMS, AND TO PROVIDE THESE STANDARDS APPLY NOTWITHSTANDING OTHERWISE APPLICABLE BUILDING CODES AND PLUMBING CODES, AMONG OTHER THINGS.

H. 3234 -- Reps. McEachern and Sandifer: A BILL TO AMEND SECTION 27-40-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS TO THE PROVISIONS OF THE RESIDENTIAL LANDLORD AND TENANT ACT, SO AS TO DELETE OCCUPANCY UNDER A RENTAL AGREEMENT COVERING THE PREMISES USED BY THE OCCUPANT PRIMARILY FOR AGRICULTURAL PURPOSES AS AN EXEMPTION UNDER THE ACT.

H. 3649 -- Reps. Crawford and Sandifer: A BILL TO AMEND SECTION 40-3-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RULES AND OFFICERS OF THE BOARD OF ARCHITECTURAL EXAMINERS, SO AS TO PROVIDE THE BOARD MAY PROVIDE ADVICE AND MAKE RECOMMENDATIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION CONCERNING THE DEVELOPMENT OF STATUTORY REVISIONS AND OTHER MATTERS AS THE DEPARTMENT REQUESTS CONCERNING

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THE ADMINISTRATION OF CHAPTER 3, TITLE 40; TO AMEND SECTION 40-3-115, RELATING TO JURISDICTION OF THE BOARD, SO AS TO REVISE THIS JURISDICTION; AND TO AMEND SECTION 40-3-290, RELATING TO EXCEPTIONS FROM CHAPTER 3, TITLE 40, SO AS TO REVISE CRITERIA FOR CERTAIN EXEMPT BUILDINGS AND DETACHED SINGLE-FAMILY OR TWO-FAMILY DWELLINGS.

H. 3861 -- Reps. Hixon, Hamilton, Crawford, Sandifer and Hewitt: A BILL TO AMEND SECTION 40-57-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY OF THE REAL ESTATE COMMISSION TO RECOGNIZE NONRESIDENT REAL ESTATE LICENSES ON ACTIVE STATUS FROM OTHER JURISDICTIONS WHICH RECIPROCATATE, SO AS TO REMOVE THE REQUIREMENT THAT SUCH NONRESIDENT APPLICANTS SEEKING LICENSURE IN THIS STATE FIRST MUST COMPLETE SUCCESSFULLY THE STATE PORTIONS OF THE APPLICABLE EXAMINATIONS.

H. 3899 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO HOTELS, MOTELS, AND SIMILAR FACILITIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4664, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3900 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO CIGARETTE TAXES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4702, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3901 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF REVENUE, RELATING TO EXEMPTION MEALS SOLD TO SCHOOL CHILDREN, DESIGNATED AS REGULATION DOCUMENT NUMBER 4731, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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H. 3902 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO INVESTIGATION AND PRODUCTION OF EVIDENCE, DESIGNATED AS REGULATION DOCUMENT NUMBER 4677, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3903 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO ISSUANCE OF COMPLAINT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4679, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3904 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PLEADINGS, MOTIONS AND DISCOVERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4680, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3905 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PRESERVATION OF RECORDS IN EVENT OF CHARGE OF DISCRIMINATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4681, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3906 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO PROCEDURE FOR THE INSTITUTION OF CIVIL ACTIONS AS PROVIDED IN SECTION 1-13-90(d) OF THE ACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4682, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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H. 3907 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - OFFICE OF AMUSEMENT RIDES, RELATING TO PURPOSE AND DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4712, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3908 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE OFFICE OF THE GOVERNOR, RELATING TO STATE EMERGENCY MANAGEMENT STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4703, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3909 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO COMPLAINT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4675, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

H. 3910 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE SOUTH CAROLINA HUMAN AFFAIRS COMMISSION, RELATING TO EMPLOYMENT RECORDS TO BE RETAINED FOR SIX MONTHS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4676, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

RETURNED TO THE SENATE WITH AMENDMENTS

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

S. 198 -- Senators Shealy, Alexander, McElveen and Bryant: A BILL TO AMEND SECTION 56-1-100 OF THE 1976 CODE, RELATING TO DRIVERS' LICENSES, TO PROVIDE THAT A MINOR MAY APPLY FOR A BEGINNER'S PERMIT, INSTRUCTION PERMIT, OR DRIVER'S LICENSE UNDER THE AUTHORIZATION OF A

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RESPONSIBLE ADULT WILLING TO ASSUME THE OBLIGATION IMPOSED.

RECURRENCE TO THE MORNING HOUR

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

S. 218--REQUESTS FOR DEBATE

The following Bill was taken up:

S. 218 -- Senators Massey, Bennett, Alexander, Bryant, Rice, Gregory, Corbin, Martin, Campsen, Turner and Young: A BILL TO AMEND CHAPTER 1, TITLE 41 OF THE 1976 CODE, RELATING TO LABOR AND EMPLOYMENT GENERALLY, BY ADDING SECTION 41-1-25, TO PROVIDE THAT A POLITICAL SUBDIVISION OF THIS STATE MAY NOT ESTABLISH, MANDATE, OR OTHERWISE REQUIRE AN EMPLOYEE BENEFIT; AND TO DEFINE NECESSARY TERMS.

Reps. SANDIFER, TOOLE, FORREST, WEST, WHITMIRE, ALLISON, BEDINGFIELD, ANDERSON, LOFTIS, WEEKS, HART, FELDER and HIXON requested debate on the Bill.

MOTION ADOPTED

Rep. WHITE moved that H. 3720, the General Appropriation Bill for Fiscal Year 2017-2018, be set for Special Order on Monday, March 13, 2017, immediately after roll call and after roll call every day thereafter, and continue each day until given second reading, which was agreed to.

MOTION ADOPTED

Rep. WHITE moved that while debating H. 3720 on second reading that the Bills on the Calendar be printed by number only, which was agreed to.

MOTION ADOPTED

Rep. WHITE moved that when the House adjourns today that it adjourn to meet in Local Session tomorrow, Friday, March 10, 2017, and then convene in Statewide Session at 1:00 p.m., Monday, March 13, 2017, which was agreed to.

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MOTION ADOPTED

Rep. WHITE moved that H. 3721, the Joint Resolution appropriating the Capital Reserve Fund for Fiscal Year 2016-2017, be set for Special Order immediately following second reading of H. 3720, and immediately after roll call every day thereafter, and continue each day until given second reading, which was agreed to.

MOTION ADOPTED

Rep. WHITE moved that H. 3720 be set for Special Order for third reading immediately after second reading of H. 3721, and immediately after roll call every day thereafter, and continue each day thereafter until given third reading, which was agreed to.

MOTION ADOPTED

Rep. WHITE moved that H. 3721 be set for Special Order for third reading immediately after third reading of H. 3720, and immediately after roll call every day thereafter, and continue each day thereafter until given third reading, which was agreed to.

SPEAKER PRO TEMPORE IN CHAIR

H. 3643--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3643 -- Reps. Clemmons, Bernstein, Rutherford, Loftis, Quinn, Clyburn, Henegan, Sottile, Yow, Neal, Felder, Gilliard, Parks, Anderson, Govan, Thigpen, Wheeler, G. R. Smith, Burns, Chumley, Martin, B. Newton, Mack, Fry, Hardee, Lucas, Bedingfield, McCoy, W. Newton, Gagnon, Finlay, Putnam, Alexander, Allison, Ballentine, Bannister, Clary, Cogswell, Crawford, Delleney, Douglas, Duckworth, Erickson, Forrester, Funderburk, Hamilton, Henderson, Herbkersman, Hiott, Jordan, King, Lowe, Mitchell, Murphy, Norrell, Pitts, Pope, Ridgeway, S. Rivers, Sandifer, Simrill, G. M. Smith, Stavrinakis, Stringer, Tallon, Whipper, Whitmire, Willis, Atwater, Huggins, Long, Toole, D. C. Moss, Arrington, Bennett, Davis, West, Hewitt, Bradley, V. S. Moss, Atkinson, Anthony, Weeks, Collins, J. E. Smith, Hayes, Blackwell, Kirby, Johnson, Hixon, Williams, Jefferson, Knight, White, Bamberg, McEachern, McCravy, Thayer, Elliott, Cole, Magnuson, Forrest, Cobb-Hunter, Brown, Bowers, Hosey, Crosby, Spires, McKnight, Ott, Bales, M. Rivers, Howard, Daning and Ryhal: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976,

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BY ADDING SECTION 59-101-220 SO AS TO DEFINE CERTAIN TERMS CONCERNING ANTI-SEMITISM, TO PROVIDE INSTITUTIONS OF HIGHER LEARNING IN THIS STATE SHALL CONSIDER THIS DEFINITION WHEN REVIEWING, INVESTIGATING, OR DECIDING WHETHER THERE HAS BEEN A VIOLATION OF AN INSTITUTIONAL POLICY PROHIBITING DISCRIMINATORY PRACTICES ON THE BASIS OF RELIGION, AND TO PROVIDE NOTHING IN THIS ACT MAY BE CONSTRUED TO DIMINISH OR INFRINGE UPON ANY RIGHTS AFFORDED BY THE FIRST AMENDMENT TO THE UNITED STATES CONSTITUTION OR SECTION 2, ARTICLE I OF THE CONSTITUTION OF THIS STATE.

Rep. CLEMMONS explained the Bill.

Rep. HILL spoke against the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 3

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Arrington	Atkinson
Atwater	Bales	Bamberg
Bannister	Bedingfield	Bennett
Bernstein	Blackwell	Bowers
Bradley	Brown	Burns
Caskey	Chumley	Clary
Clemmons	Clyburn	Cogswell
Cole	Crawford	Crosby
Daning	Davis	Delleney
Douglas	Duckworth	Elliott
Erickson	Felder	Finlay
Forrest	Forrester	Fry
Funderburk	Gagnon	Gilliard
Govan	Hamilton	Hayes
Henderson	Henegan	Herbkersman
Hewitt	Hixon	Howard
Huggins	Jefferson	Johnson
Jordan	King	Kirby

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Knight	Loftis	Long
Lowe	Lucas	Martin
McCoy	McCravy	McEachern
McKnight	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
M. Rivers	S. Rivers	Rutherford
Ryhal	Sandifer	Simrill
G. M. Smith	G. R. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Thigpen
Toole	Weeks	West
Wheeler	Whipper	White
Whitmire	Williams	Willis
Yow		

Total--103

Those who voted in the negative are:

Hill	Magnuson	Robinson-Simpson
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Total--3

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

**H. 3643--ORDERED TO BE READ THIRD TIME
TOMORROW**

On motion of Rep. CLEMMONS, with unanimous consent, it was ordered that H. 3643 be read the third time tomorrow.

**H. 3932--RECALLED AND REFERRED TO COMMITTEE
ON JUDICIARY**

On motion of Rep. HERBKERSMAN, with unanimous consent, the following Bill was ordered recalled from the Committee on Labor, Commerce and Industry and was referred to the Committee on Judiciary:

H. 3932 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-2-145 SO AS TO REQUIRE THAT A PERSON PERMITTED OR LICENSED TO SELL ALCOHOLIC BEVERAGES FOR ON-

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PREMISES CONSUMPTION SHALL MAINTAIN A LIQUOR LIABILITY INSURANCE POLICY OR A GENERAL LIABILITY INSURANCE POLICY WITH A LIQUOR LIABILITY ENDORSEMENT FOR A TOTAL COVERAGE OF AT LEAST ONE MILLION DOLLARS DURING THE PERIOD OF THE BIENNIAL PERMIT OR LICENSE.

H. 3401--DEBATE ADJOURNED

The following Concurrent Resolution was taken up:

H. 3401 -- Rep. Clemmons: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS AND URGE THEM TO PROPOSE THE REGULATION FREEDOM AMENDMENT TO THE UNITED STATES CONSTITUTION.

Rep. CLEMMONS moved to adjourn debate on the Concurrent Resolution until Monday, March 13, which was agreed to.

MOTION PERIOD

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

H. 3204--DEBATE ADJOURNED

The following Bill was taken up:

H. 3204 -- Reps. Pope, Elliott, Long, Magnuson, Daning, Pitts, Hixon, Crosby, Taylor, W. Newton, Loftis, Erickson, Bedingfield, Thayer and Putnam: 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.

Rep. CLARY moved to adjourn debate on the Bill until Monday, March 13, which was agreed to.

SPEAKER IN CHAIR

[HJ]

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LEAVE OF ABSENCE

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

H. 3652--AMENDED AND ORDERED TO THIRD READING

The following Bill was taken up:

H. 3652 -- Reps. Forrester, V. S. Moss, Clemmons, Allison, Loftis, Burns, Chumley, Jefferson, Mack, Willis, Anderson, Ballentine, Duckworth, Henderson, D. C. Moss, Norman, Pitts, S. Rivers, Rutherford, Tallon, Elliott and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-35-3265 SO AS TO REQUIRE GOVERNMENTAL AGENCIES TO CONSIDER ALL PIPING MATERIALS FOR DETERMINING REQUIREMENTS FOR CERTAIN PROJECTS, TO PROVIDE PIPING MATERIALS THAT MEET SUCH REQUIREMENTS AND COMPLY WITH SOUND ENGINEERING PRACTICES MUST BE ALLOWED TO BE CONSIDERED IN RELATED PROCUREMENT BIDDING PROCESSES, AND TO PROVIDE THE PROVISIONS OF THIS SECTION DO NOT LIMIT THE DISCRETION OF GOVERNMENTAL AGENCIES FROM SELECTING PIPING MATERIALS FOR PROJECTS SUBJECT TO THE PROVISIONS OF THIS SECTION.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3652 (COUNCIL\WAB\3652C001.AGM.WAB17):

Amend the bill, as and if amended, Section 11-35-3265(A), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (A) A governmental body or any political subdivision, through the use of an engineer employed or retained by that agency, shall consider all piping material in determining project requirements when state funds are used for a water supply, wastewater, stormwater, or storm drainage project. /

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER moved to adjourn debate on the amendment, which was agreed to.

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Rep. FORRESTER proposed the following Amendment No. 6 to H. 3652 (COUNCIL\SD\3652C002.NL.SD17), which was adopted:

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

/ SECTION 1. Subarticle 5, Article 9, Chapter 35, Title 11 of the 1976 Code is amended by adding:

“Section 11-35-3265. (A) All piping materials that comply with sound engineering practices and meet project requirements as determined by an engineer, employed or retained by a governmental body or any political subdivision, must be allowed to participate in the bidding process when a governmental agency is procuring piping materials for a water supply, wastewater, stormwater, or storm drainage project for which state funds are used.

(B) Nothing in this section prohibits an official or an engineer of the governmental agency from choosing a material at its discretion for a project referred to in subsection (A).”

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

Amend title to conform.

Rep. FORRESTER explained the amendment.

The amendment was then adopted.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3652 (COUNCIL\WAB\3652C001.AGM.WAB17), which was tabled:

Amend the bill, as and if amended, Section 11-35-3265(A), as contained in SECTION 1, by deleting the subsection in its entirety and inserting:

/ (A) A governmental body or any political subdivision, through the use of an engineer employed or retained by that agency, shall consider all piping material in determining project requirements when state funds are used for a water supply, wastewater, stormwater, or storm drainage project. /

Renummer sections to conform.

Amend title to conform.

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

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Rep. HERBKERSMAN proposed the following Amendment No. 4 to H. 3652 (COUNCIL\SD\3652C001.NL.SD17), which was adopted:

Amend the bill, as and if amended, Section 11-35-3265, as contained in SECTION 1, by inserting a new subsection (D) at the end to read:

/ (C) the provisions of this section do not apply if a supplier has pipe or piping materials suitable for a project purpose in stock or in inventory./

Renumber sections to conform.

Amend title to conform.

Rep. HERBKERSMAN explained the amendment.

The amendment was then adopted.

Rep. OTT spoke against the Bill.

Rep. ALEXANDER moved to recommit the Bill to the Committee on Labor, Commerce and Industry.

Rep. FORRESTER moved to table the motion.

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

Yeas 57; Nays 49

Those who voted in the affirmative are:

Anderson	Atkinson	Atwater
Bales	Bannister	Bedingfield
Bennett	Bowers	Burns
Caskey	Chumley	Clemmons
Cole	Crawford	Crosby
Davis	Duckworth	Forrester
Fry	Gilliard	Hart
Henderson	Hewitt	Hiott
Hixon	Jefferson	Jordan
Loftis	Long	Lowe
Lucas	Mack	Magnuson
Martin	McCoy	McKnight
D. C. Moss	V. S. Moss	Murphy
B. Newton	Pitts	Quinn
S. Rivers	Rutherford	Ryhal
Sandifer	G. M. Smith	G. R. Smith
Stavrinakis	Tallon	Taylor

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Toole	West	Whipper
White	Whitmire	Willis

Total--57

Those who voted in the negative are:

Alexander	Allison	Anthony
Arrington	Bamberg	Bernstein
Blackwell	Bradley	Brown
Clary	Cogswell	Daning
Delleney	Dillard	Douglas
Elliott	Erickson	Forrest
Funderburk	Gagnon	Govan
Hamilton	Hayes	Henegan
Herbkersman	Hill	Hosey
Howard	Huggins	King
Kirby	Knight	McCravy
Mitchell	W. Newton	Ott
Parks	Putnam	Ridgeway
M. Rivers	Robinson-Simpson	Simrill
Sottile	Thayer	Thigpen
Weeks	Wheeler	Williams
Yow		

Total--49

So, the motion to recommit the Bill was tabled.

Rep. FUNDERBURK spoke against the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 55; Nays 47

Those who voted in the affirmative are:

Anderson	Atkinson	Atwater
Bannister	Bedingfield	Bernstein
Burns	Caskey	Clemmons
Cole	Crawford	Crosby
Duckworth	Elliott	Felder

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Forrester	Fry	Gilliard
Hart	Henderson	Hewitt
Hiott	Hixon	Hosey
Jefferson	Jordan	Loftis
Long	Lowe	Lucas
Mack	Magnuson	McEachern
McKnight	Mitchell	D. C. Moss
V. S. Moss	Pitts	Quinn
S. Rivers	Robinson-Simpson	Rutherford
Ryhal	Sandifer	G. M. Smith
G. R. Smith	Stavrinakis	Tallon
Taylor	Toole	Whipper
White	Whitmire	Williams
Willis		

Total--55

Those who voted in the negative are:

Alexander	Anthony	Arrington
Bales	Bennett	Blackwell
Bowers	Bradley	Brown
Chumley	Clary	Cogswell
Daning	Davis	Delleney
Dillard	Douglas	Erickson
Forrest	Funderburk	Gagnon
Hamilton	Hayes	Henegan
Hill	Howard	Huggins
Johnson	King	Kirby
Knight	Martin	McCravy
Murphy	W. Newton	Ott
Parks	Putnam	Ridgeway
M. Rivers	Sottile	Thayer
Thigpen	Weeks	West
Wheeler	Yow	

Total--47

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

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RECORD FOR VOTING

I intended to vote "No" to H.3652, but my voting card malfunctioned and my vote was not recorded.

Rep. Herbkersman

Rep. FORREST 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. 3359 -- Reps. Simrill, Pope, Norman, Felder, King, Delleney, D. C. Moss, B. Newton and Norrell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF DAVE LYLE BOULEVARD FROM ITS INTERSECTION WITH INTERSTATE HIGHWAY 77 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 21 IN ROCK HILL "DEPUTY JAMES BRENT MCCANTS MEMORIAL BOULEVARD" AND ERECT APPROPRIATE MARKERS OR SIGNS CONTAINING THIS DESIGNATION.

ADJOURNMENT

At 12:13 p.m. the House, in accordance with the motion of Rep. FELDER, adjourned in memory of Gwendolynn Dianne Spencer, to meet at 10:00 a.m. tomorrow.

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H. 3126	6	H. 3902	10
H. 3204	16	H. 3903	10
H. 3234	8	H. 3904	10
H. 3240	7	H. 3905	10
H. 3256	8	H. 3906	10
H. 3359	22	H. 3907	11
H. 3401	16	H. 3908	11
H. 3643	13, 15	H. 3909	11
H. 3647	7	H. 3910	11
H. 3649	8	H. 3925	7
H. 3652	17, 18, 19	H. 3930	7
H. 3700	7	H. 3932	15
H. 3720	12, 13		
H. 3721	13	S. 198	11
H. 3792	8	S. 218	12
H. 3793	7	S. 279	2
H. 3861	9	S. 351	2
H. 3886	7	S. 402	3
H. 3899	9	S. 414	2
H. 3900	9	S. 443	3
H. 3901	9	S. 484	4