~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 2:00 p.m.

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

Our thought for today is from Psalm 28:9: “O save your people, and bless your heritage; be their shepherd and carry them forever.”

Let us pray. We thank You, Lord God, for the blessings You have so graciously bestowed upon Your people. Guide them in all truth. Provide for them as they make decisions for the common good. Guard and guide them during this day and always. Bless our Nation, State, and all who serve in these Halls of Government. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. 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.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Govan | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Johnson | Knight | Loftis |
| Long | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parks | Pinson | Pitts |
| Pope | Putnam | Quinn |
| Rutherford | Ryan | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Tribble |
| Vick | Weeks | Whipper |
| White | Whitmire | Williams |
| Young |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, June 27.

|  |  |
| --- | --- |
| Mike Anthony | H. B. "Chip" Limehouse |
| John R. King | Andy Patrick |
| Joe Jefferson | Chris Hart |
| Terry Alexander | James E. Smith, Jr. |

**Total Present--105**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BRANTLEY a leave of absence for the day due to a death in the family.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ANDERSON a leave of absence for the day due to attending a conference.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 5410--SENATE AMENDMENTS CONCURRED IN**

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

H. 5410 -- Rep. Harrell: A CONCURRENT RESOLUTION TO PROVIDE THAT PURSUANT TO SECTION 9, ARTICLE III, OF THE CONSTITUTION OF THIS STATE, 1895, WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN ON THURSDAY, JUNE 7, 2012, NOT LATER THAN 5:00 P.M., OR ANYTIME EARLIER, EACH HOUSE SHALL STAND ADJOURNED TO MEET IN STATEWIDE SESSION AT 12:00 NOON ON TUESDAY, JUNE 19, 2012, AND CONTINUE IN STATEWIDE SESSION, IF NECESSARY, UNTIL NOT LATER THAN 5:00 P.M. ON THURSDAY, JUNE 21, 2012, FOR THE CONSIDERATION OF CERTAIN SPECIFIED MATTERS, AND TO PROVIDE THAT WHEN THE RESPECTIVE HOUSES OF THE GENERAL ASSEMBLY ADJOURN NOT LATER THAN MONDAY, NOVEMBER 12, 2012, THE GENERAL ASSEMBLY SHALL STAND ADJOURNED SINE DIE.

Rep. HARRELL explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | McCoy | McEachern |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| J. H. Neal | J. M. Neal | Norman |
| Ott | Owens | Parks |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Young |

**Total--96**

Those who voted in the negative are:

**Total--0**

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

**SPEAKER IN CHAIR**

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 1340 -- Senators Malloy and Knotts: A BILL TO AMEND SECTION 41-15-520, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REMEDIES OF EMPLOYEES ALLEGING DISCRIMINATION, SO AS TO PROVIDE PROCEDURES THE DIRECTOR OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL FOLLOW UPON RECEIPT OF A COMPLAINT ALLEGING SUCH DISCRIMINATION.

**H. 3508--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3508 -- Reps. Gambrell, Sandifer, Harrell, Erickson, Limehouse, Weeks, H. B. Brown, Agnew, Allison, Anthony, Bales, Bannister, Bedingfield, Bingham, Brady, Brannon, G. A. Brown, Cole, Crosby, Forrester, Hardwick, Harrison, Hayes, Hiott, Hixon, Horne, Lowe, Lucas, McCoy, D. C. Moss, Owens, Parker, Pinson, Pitts, Skelton, J. E. Smith, J. R. Smith, Sottile, Tallon, Vick, White, Taylor, Hamilton, Battle, Allen, Dillard, Alexander, Cooper, Mack and Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS AS "GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDERS"; BY ADDING SECTION 58-9-2660 SO AS TO PROVIDE A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN "UNSERVED AREA", TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58-9-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF "BROADBAND SERVICE"; TO AMEND SECTION 58-9-2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58-9-2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58-9-2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58-9-2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 58-9-2650, AS AMENDED, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Daning | Delleney |
| Dillard | Erickson | Forrester |
| Frye | Funderburk | Gambrell |
| Govan | Hardwick | Harrell |
| Harrison | Hayes | Hearn |
| Henderson | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Johnson | King | Knight |
| Limehouse | Loftis | Long |
| Lucas | McCoy | McEachern |
| McLeod | Merrill | D. C. Moss |
| V. S. Moss | Munnerlyn | Nanney |
| J. M. Neal | Norman | Ott |
| Owens | Parks | Pinson |
| Pitts | Pope | Putnam |
| Quinn | Rutherford | Ryan |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Tribble | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Young |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**H. 4494--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4494 -- Reps. Huggins, Long, Pitts, G. R. Smith and Bedingfield: A BILL TO AMEND SECTION 23-31-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURCHASE OF RIFLES OR SHOTGUNS IN CONTIGUOUS STATES, SO AS TO REMOVE THE REQUIREMENT THAT THE PURCHASE BE MADE FROM A CONTIGUOUS STATE.

Rep. QUINN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 93; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| G. A. Brown | Butler Garrick | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corbin | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Forrester | Frye |
| Funderburk | Gambrell | Govan |
| Hardwick | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Johnson |
| King | Knight | Limehouse |
| Loftis | Long | Lucas |
| McCoy | McEachern | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parks | Pinson | Pitts |
| Pope | Putnam | Quinn |
| Rutherford | Ryan | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Weeks | Whipper | White |
| Whitmire | Williams | Young |

**Total--93**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| R. L. Brown | Sabb |  |

**Total--2**

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

**H. 5435--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 5435 -- Reps. Harrell and Bingham: A JOINT RESOLUTION TO PROVIDE FOR THE CONTINUING AUTHORITY TO PAY THE EXPENSES OF STATE GOVERNMENT IF THE 2012-2013 FISCAL YEAR BEGINS WITHOUT A GENERAL APPROPRIATIONS ACT FOR THAT YEAR IN EFFECT.

Rep. WHITE proposed the following Amendment No. 1 to H. 5435 (COUNCIL\NBD\12789DG12), which was adopted:

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

/ SECTION 1. (A) If the 2012‑2013 state fiscal year begins with no annual general appropriations act in effect for that year, the authority to pay the recurring expenses of state government continues at the level of amounts appropriated in Act 73 of 2011 for the recurring expenses of state government for fiscal year 2012‑2013 except as provided in subsection (B).

The effective dates of Parts IA and IB of Act 73 of 2011 are extended until the effective date for appropriations made in a general appropriations act for fiscal year 2012‑2013, after which appropriations made pursuant to this joint resolution are deemed to have been made pursuant to the general appropriations act for fiscal year 2012‑2013.

(B)(1) Notwithstanding debt service appropriations in Act 73 of 2011 and until the effective date of the appropriations made in a general appropriations act for fiscal year 2012‑2013, there is appropriated from the general fund of the State whatever amount is necessary for timely debt service on state obligations and other amounts constitutionally required to be appropriated, including the Capital Reserve Fund. The General Reserve Fund is established in the amount required by law.

(2) Notwithstanding any other provision of Act 73 of 2011, there is appropriated an additional $42,600,000 to the Budget and Control Board for an employee pay increase of three percent. Proviso 80A.29 of Part 1B of Act 73 of 2011 providing a zero percent pay increase, is deemed to provide a three percent pay increase effective for the pay period beginning July 1, 2012. This increase remains in effect until the effective date for appropriations made in a general appropriations act for fiscal year 2012-2013.

(3) Notwithstanding any other provision of Act 73 of 2011, there is appropriated an additional $48,695,610 to the EIA Salary Supplement to increase the state share of teacher compensation by two percent. This provision takes effect for the pay period beginning July 1, 2012. This provision shall remain in effect until the effective date for appropriations made in a general appropriations act for fiscal year 2012-2013.

(4) Notwithstanding any other provision of Act 73 of 2011, there is appropriated an additional $30,000,000 to the Local Government Fund. This provision shall remain in effect until the effective date for appropriations made in a general appropriations act for fiscal year 2012-2013.

(5) Notwithstanding any other provision of Act 73 of 2011, there is appropriated an additional $51,528,219 to the Budget and Control Board for Employee Insurance so as not to increase the premium paid by employees. This provision shall remain in effect until the effective date for appropriations made in a general appropriations act for fiscal year 2012-2013.

(6) Notwithstanding any other provision of Act 73 of 2011, there is appropriated an amount sufficient to increase the compensation of a Class I certified law enforcement officers by two percent. This provision only applies to eligible officers earning less than fifty thousand dollars a year at SLED, the Department of Public Safety, the Department of Probation, Pardon and Parole, the Department of Natural Resources, and the Forestry Commission. This provision takes effect for the pay period beginning July 1, 2012. This provision shall remain in effect until the effective date for appropriations made in a general appropriations act for fiscal year 2012-2013.

SECTION 2. This joint resolution takes effect July 1, 2012. /

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Gambrell | Govan | Hardwick |
| Harrell | Harrison | Hart |
| Hayes | Hearn | Henderson |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Johnson |
| King | Limehouse | Loftis |
| Long | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parks | Pinson | Pope |
| Putnam | Quinn | Rutherford |
| Ryan | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tribble | Vick | Weeks |
| Whipper | White | Whitmire |
| Williams | Young |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Corbin |  |  |

**Total--1**

The amendment was then adopted.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on Amendment No. 1 to H. 5435. If I had been present, I would have voted in favor of the Amendment.

Rep. Patsy Knight

The question then recurred to the passage of the Joint Resolution.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allen | Allison |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Bowers | Brady | Branham |
| Brannon | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Forrester | Frye | Funderburk |
| Govan | Hardwick | Harrell |
| Harrison | Hart | Hayes |
| Hearn | Henderson | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Johnson | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | McCoy |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | J. H. Neal | J. M. Neal |
| Norman | Ott | Owens |
| Parks | Pinson | Pitts |
| Pope | Putnam | Quinn |
| Rutherford | Ryan | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Southard | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Tribble | Vick |
| Weeks | White | Whitmire |
| Williams | Young |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**STATEMENT BY REP. WHITE**

Rep. WHITE gave notice of offering amendments on third reading if necessary, pursuant to Rule 9.2.

**HOUSE TO MEET AT 10:00 A.M. TOMORROW**

Rep. ATWATER moved that when the House adjourns, it adjourn to meet at 10:00 a.m. tomorrow, which was agreed to.

**ADJOURNMENT**

At 4:05 p.m. the House in accordance with the motion of Rep. ERICKSON adjourned to meet at 10:00 a.m. tomorrow.

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