~~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 84:11: “For the Lord God is a sun and shield; He bestows favor and honor.”

Let us pray. Almighty and merciful God, lend Your blessings upon these Representatives and staff as they strive to fulfill the pledge they gave to serve the people of this State. Continue to give them wisdom, courage, and integrity in making decisions. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to the success of this body. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

**MOTION ADOPTED**

Rep. ROBINSON-SIMPSON moved that when the House adjourns, it adjourn in memory of Jason Matthew Jenkins of Greenville, which was agreed to.

**REGULATIONS RECEIVED**

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

Document No. 4540

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-61-30 and 44-78-65

Emergency Medical Services

Received by Speaker of the House of Representatives

March 24, 2015

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 28, 2016

Document No. 4543

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Section 44-7-260

Standards for Licensing Nursing Homes

Received by Speaker of the House of Representatives

March 24, 2015

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 28, 2016

**HOUSE RESOLUTION**

The following was introduced:

H. 3901 -- Reps. Huggins, Ballentine, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THAD BRUNSON, CHIEF ENGINEER FOR FIELD OPERATIONS WITH THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, UPON THE OCCASION OF HIS RETIREMENT AFTER MORE THAN THIRTY-ONE YEARS OF OUTSTANDING SERVICE AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3902 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF OLIN DANIEL PRICE, SR., OF BISHOPVILLE AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3903 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF MARY ELLEN BRAMLETT OF BISHOPVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3904 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF LOUIS DESCHAMPS ECKLEY OF CHARLOTTE, NORTH CAROLINA, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3905 -- Rep. Hayes: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE LITTLE PEE DEE RIVER ALONG SOUTH CAROLINA HIGHWAY 57 IN DILLON COUNTY "MCINNIS BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THIS DESIGNATION.

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

**INTRODUCTION OF BILLS**

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

H. 3906 -- Reps. Toole, Anthony and Newton: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FOUR PERCENT SPECIAL ASSESSMENT RATIO, SO AS TO PROVIDE THAT, IN CERTAIN SITUATIONS, IF A PERSON RECEIVES THE FOUR PERCENT ASSESSMENT RATIO WHEN THE PERSON WAS NOT ELIGIBLE, ANY PAYMENT IN ERROR IS CONSIDERED PARTIAL PAYMENT AND THE PERSON OWES THE BALANCE AT THE CORRECT ASSESSMENT RATIO PLUS A PENALTY ON THE BALANCE, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE; AND TO AMEND SECTION 12-54-85, RELATING TO THE TIME LIMITATION ON THE ASSESSMENT OF TAXES AND FEES, SO AS TO DISALLOW ASSESSMENTS AFTER THIRTY-SIX MONTHS, AND TO PROVIDE THAT A TAXPAYER MAY MAKE A CLAIM FOR A REFUND ON REAL PROPERTY WITHIN THIRTY-SIX MONTHS OF PAYMENT INSTEAD OF TWENTY-FOUR MONTHS.

Referred to Committee on Ways and Means

H. 3907 -- Reps. McKnight, Jefferson, M. S. McLeod, Bamberg, King, Knight, Govan, Hosey, Clyburn, Henegan, Dillard and Ridgeway: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-1-115 SO AS TO DEFINE NECESSARY TERMS, TO PROVIDE THAT THE PROBATE COURT SHALL ORDER A PROVIDER OF ELECTRONIC COMMUNICATION SERVICES TO DISCLOSE TO A PERSONAL REPRESENTATIVE OF AN ESTATE CERTAIN INFORMATION REGARDING ELECTRONIC COMMUNICATIONS, TO PROVIDE A PROCEDURE FOR THE PROVISION OF THIS INFORMATION, AND TO PROVIDE EXCEPTIONS TO DISCLOSURE AND NOTICE TO CURRENT ACCOUNT USERS.

Referred to Committee on Judiciary

H. 3908 -- Reps. Lowe, Kirby, Williams and Alexander: A BILL TO AMEND SECTION 12-6-3535, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX CREDITS FOR MAKING QUALIFIED REHABILITATION EXPENDITURES FOR CERTIFIED HISTORIC STRUCTURES, SO AS TO CLARIFY THE TAXES AND LICENSE FEES AGAINST WHICH THE TAX CREDIT MAY BE TAKEN, TO PROVIDE FOR A NEW TWENTY-FIVE PERCENT TAX CREDIT, TO PROVIDE FOR THE CIRCUMSTANCES AND LIMITATIONS OF THE NEW TAX CREDIT, TO DEFINE "STATE-OWNED ABANDONED BUILDING" FOR THE PURPOSES OF THE SECTION, TO PROVIDE FOR THE TIME PERIOD DURING WHICH A TAX CREDIT MAY BE CLAIMED FOR WORK PERFORMED IN CONNECTION WITH A STATE-OWNED ABANDONED BUILDING, AND TO PROVIDE THAT THE TAX CREDIT MAY BE ASSIGNED; TO AMEND SECTION 12-67-120, RELATING TO DEFINITIONS, SO AS TO PROVIDE A DEFINITION FOR "STATE-OWNED ABANDONED BUILDING" FOR THE PURPOSES OF CHAPTER 67, TITLE 12; TO AMEND SECTION 12-67-140, RELATING TO ELIGIBILITY FOR CREDIT, SO AS TO INCLUDE INSURANCE PREMIUM TAXES AS ONE OF THE TAXES AGAINST WHICH A CREDIT CAN BE CLAIMED, TO PROVIDE FOR THE TIME PERIOD IN WHICH A TAX CREDIT MAY BE TAKEN, TO PROVIDE FOR AN EXEMPTION TO THE VALUE LIMITATIONS OF THE TAX CREDIT FOR WORK DONE IN CONNECTION WITH A STATE-OWNED ABANDONED BUILDING, AND TO REMOVE A LIMITATION RELATED TO THE AMOUNT A TAXPAYER'S TAX LIABILITY MAY BE REDUCED; BY ADDING SECTION 12-67-160 SO AS TO PROVIDE FOR HOW A TAXPAYER MAY APPLY TO OBTAIN CERTIFICATION OF SITE AND WHAT THE CERTIFICATION MUST INCLUDE; AND TO PROVIDE FOR THE PROVISIONS OF THIS ACT TO TERMINATE AFTER DECEMBER 31, 2019, AND PROVIDE THAT CREDIT EARNED BEFORE TERMINATION MAY CONTINUE TO BE CLAIMED.

Referred to Committee on Ways and Means

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Bales |
| Bedingfield | Bingham | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Hayes | Henderson |
| Henegan | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | King |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| W. J. McLeod | Merrill | V. S. Moss |
| Murphy | Newton | Norman |
| Ott | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Sandifer | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Yow |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, March 25.

|  |  |
| --- | --- |
| Terry Alexander | Carl Anderson |
| Todd Atwater | Nathan Ballentine |
| Justin Bamberg | Beth Bernstein |
| William Bowers | Laurie Funderburk |
| Jerry Govan | Dan Hamilton |
| Chris Hart | William G. Herbkersman |
| Donna Hicks | Ralph Kennedy |
| H. B. "Chip" Limehouse | Cezar McKnight |
| Mia S. McLeod | Harold Mitchell |
| Dennis Moss | Joseph Neal |
| Mandy Powers Norrell | Richard "Rick" Quinn |
| Mike Ryhal | Gary Simrill |
| Tommy Stringer | Mark Willis |
| Bruce W. Bannister |  |

**Total Present--119**

**STATEMENT OF ATTENDANCE**

Rep. MCCOY signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Tuesday, March 24.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. GAMBRELL a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. NANNEY a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. PARKS a leave of absence for the day due to medical reasons.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. ANDERSON a temporary leave of absence due to attending a funeral in Georgetown.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. SIMRILL a temporary leave of absence.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HAYES a temporary leave of absence to attend a hearing.

**DOCTOR OF THE DAY**

Announcement was made that Dr. C. Wendell James, III of Greenville was the Doctor of the Day for the General Assembly.

**ACTING SPEAKER RIDGEWAY IN CHAIR**

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SPEAKER IN CHAIR**

**SPECIAL PRESENTATION**

Reps. HOSEY, COBB-HUNTER, GOVAN and OTT presented to the House the Hunter-Kinard-Tyler High School Football Team, coaches, and other school officials.

**SPECIAL PRESENTATION**

Rep. GEORGE presented to the House the Dillon High School Varsity Football Team, coaches, and other school officials.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3025 |
| Date: | ADD: |
| 03/25/15 | GAGNON and HILL |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3177 |
| Date: | ADD: |
| 03/25/15 | DUCKWORTH |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3143 |
| Date: | ADD: |
| 03/25/15 | HILL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3579 |
| Date: | ADD: |
| 03/25/15 | CLEMMONS, DUCKWORTH, JOHNSON, GEORGE and ALEXANDER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3699 |
| Date: | ADD: |
| 03/25/15 | DUCKWORTH |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3763 |
| Date: | ADD: |
| 03/25/15 | FINLAY |
|  |  |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3878 |
| Date: | ADD: |
| 03/25/15 | CLEMMONS, DUCKWORTH, GOLDFINCH, HARDWICK, JOHNSON, H. A. CRAWFORD, GEORGE, YOW, RYHAL, HARDEE, HAYES and KIRBY |

**SENT TO THE SENATE**

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

H. 3877 -- Reps. Delleney, D. C. Moss and Douglas: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF TWO OR FEWER DAYS THAT SCHOOLS IN CHESTER COUNTY CLOSED IN FEBRUARY 2015 DUE TO INCLEMENT WEATHER FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

**H. 3889--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

H. 3889 -- Reps. Norrell and Long: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF ONE DAY THAT SCHOOLS IN LANCASTER COUNTY CLOSED IN FEBRUARY 2015, DUE TO INCLEMENT WEATHER, FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

The yeas and nays were taken resulting as follows:

Yeas 72; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bannister | Bingham |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cole |
| Corley | H. A. Crawford | Delleney |
| Dillard | Duckworth | Erickson |
| Felder | Forrester | Gagnon |
| George | Gilliard | Hamilton |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hixon |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Long |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | Merrill |
| Mitchell | V. S. Moss | Murphy |
| Norman | Ott | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Ryhal | G. M. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Yow |

**Total--72**

Those who voted in the negative are:

**Total--0**

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

**H. 3845--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 3845 -- Reps. Erickson, Bowers, Bradley and Newton: A JOINT RESOLUTION TO PROVIDE THAT THE SPEED LIMIT ALONG DR. MELLICHAMP DRIVE IN THE TOWN OF BLUFFTON IS FIFTEEN MILES PER HOUR AND THAT ANGLE PARKING IS ALLOWED ALONG THIS STREET, AND TO PROVIDE THAT THIS PROVISION SHALL REMAIN IN EFFECT UNTIL THE STATE TRANSFERS DR. MELLICHAMP DRIVE FROM THE STATE HIGHWAY SYSTEM TO BEAUFORT COUNTY.

Rep. HERBKERSMAN moved to adjourn debate on the Joint Resolution, which was adopted.

**H. 3879--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3879 -- Reps. Herbkersman, Bowers, Bradley, Erickson, Hodges and Newton: A BILL TO PROVIDE THAT THE MAXIMUM SPEED LIMIT ALONG BOUNDARY STREET IN THE TOWN OF BLUFFTON FROM ITS INTERSECTION WITH MAY RIVER ROAD TO ITS INTERSECTION WITH BRIDGE STREET, IS FIFTEEN MILES PER HOUR AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO ERECT APPROPRIATE SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN FIFTEEN MILES PER HOUR AS THE MAXIMUM SPEED LIMIT.

Rep. HERBKERSMAN moved to adjourn debate on the Bill, which was adopted.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**SENT TO THE SENATE**

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

H. 3670 -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

H. 3772 -- Reps. Merrill and Delleney: A BILL TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

H. 3545 -- Reps. Gambrell, Weeks, Bedingfield, V. S. Moss, Clemmons, Forrester, Gagnon, D. C. Moss, Pitts, Riley, G. M. Smith, G. R. Smith, White and Yow: A BILL TO AMEND SECTION 16-11-110, AS AMENDED, RELATING TO ARSON, SO AS TO RESTRUCTURE THE ELEMENTS OF THE DEGREES OF ARSON.

H. 3662 -- Rep. Atwater: A BILL TO AMEND SECTION 6-9-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ENFORCEMENT DATE OF SECTION 501.3 OF THE 2012 INTERNATIONAL RESIDENTIAL CODE, SO AS TO CHANGE THE ENFORCEMENT DATE FROM JULY 1, 2015 TO JULY 1, 2016.

H. 3843 -- Rep. Allison: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE OFFICE OF FIRST STEPS STUDY COMMITTEE TO COMPLETE ITS REVIEW AND PRESENT ITS RECOMMENDATIONS TO THE GENERAL ASSEMBLY FROM MARCH 15, 2015, AS PROVIDED IN ACT 287 OF 2014, TO JANUARY 1, 2016.

H. 3393 -- Rep. Lowe: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-630 SO AS TO PROVIDE THAT A PERSON SHALL OBTAIN A FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP IN ADDITION TO OBTAINING REQUIRED STATE HUNTING LICENSES AND PERMITS, TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY CONTRACT WITH THE UNITED STATES FISH AND WILDLIFE SERVICE TO MAKE THE FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP AVAILABLE THROUGH THE LICENSE SALES SYSTEM OF THE DEPARTMENT, TO PROVIDE FOR THE ENDORSEMENT OF THE STAMP ON STATE HUNTING LICENSES BY THE DEPARTMENT, AND TO PROVIDE FOR RELATED FEES, AMONG OTHER THINGS; AND TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUE GENERATED FROM THE SALE OF HUNTING LICENSES, SO AS TO PROVIDE THAT FEES REMITTED TO THE DEPARTMENT FOR EACH FEDERAL MIGRATORY HUNTING AND CONSERVATION STAMP MUST BE CREDITED TO THE FISH AND WILDLIFE PROTECTION FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THESE FEES.

**H. 3583--SENT TO THE SENATE**

The following Bill was taken up:

H. 3583 -- Reps. Clemmons, Simrill, McCoy, Loftis, Atwater, Kirby, Corley, Bernstein, McEachern, Weeks, Johnson, Goldfinch, Kennedy, H. A. Crawford, Rutherford, Whitmire, Douglas, Burns, Clyburn, Erickson, G. R. Smith, Yow, Spires, Chumley, Allison, Hardee, Anderson, Gagnon, Putnam, Nanney, Williams, Limehouse, Duckworth, Norrell, Anthony, Ballentine, Bannister, Bedingfield, Bingham, Clary, Delleney, Felder, Finlay, Funderburk, Gambrell, Hamilton, Hardwick, Hicks, Hiott, Hixon, Huggins, Long, Lowe, Lucas, V. S. Moss, Murphy, Norman, Pitts, Pope, Quinn, Riley, Rivers, Sandifer, G. M. Smith, Stringer, Tallon, Taylor, Thayer, Toole, Wells, Willis, Newton, Forrester, Hill and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 23 TO CHAPTER 35, TITLE 11 SO AS TO PROHIBIT THE STATE OR A POLITICAL SUBDIVISION OF THE STATE FROM ACCEPTING A PROPOSAL FROM OR PROCURING GOODS OR SERVICES FROM A BUSINESS WHICH ENGAGES IN THE BOYCOTT OF A PERSON OR AN ENTITY BASED ON RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.

Rep. CLEMMONS spoke in favor of the Bill.

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

Yeas 85; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | Bedingfield | Bingham |
| Bradley | Brannon | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | H. A. Crawford | Delleney |
| Duckworth | Erickson | Forrester |
| Funderburk | Gagnon | George |
| Goldfinch | Hamilton | Hardwick |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Newton |
| Norman | Ott | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Weeks | Wells |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--85**

Those who voted in the negative are:

**Total--0**

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

**S. 382--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 382 -- Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson: A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO SEVEN DAYS IN FISCAL YEAR 2014-2015, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

Rep. WHITE proposed the following Amendment No. 1 to S. 382 (COUNCIL\MS\382C001.MS.AHB15), which was adopted:

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

/ SECTION 1. (A) Notwithstanding any other provision of law, in Fiscal Years 2014‑2015 and 2015-2016, the agency head of South Carolina State University may institute a mandatory employee furlough program of not more than twenty working days in each fiscal year. The program must meet the requirements provided in subsection (B).

(B) The furlough must be inclusive of all employees of the university or within a designated department or program regardless of source of funds, place of work, or tenure status, and must include employees in classified positions and unclassified positions in the designated area. A furlough program also may be implemented by pay band for classified employees and by pay rate for unclassified employees. Law enforcement employees, employees who provide direct patient or client care, and front‑line employees who deliver direct customer services may be exempted from a mandatory furlough. If the furlough includes the entire university, the furlough must include the agency head. Scheduling of furlough days, or portions of days, shall be at the discretion of the university, but under no circumstances shall the university close completely. If an employee participates in a voluntary furlough program in Fiscal Year 2014‑2015 or Fiscal Year 2015-2016, the furlough days taken voluntarily must count toward the furlough days required by the mandatory furlough authorized in this section. During this furlough, affected employees shall be entitled to participate in the same state benefits as otherwise available to them except for receiving their salaries. As to those benefits which require employer and employee contributions, including, but not limited to, contributions to the South Carolina Retirement System or the optional retirement program, the university will be responsible for making both employer and employee contributions during the time of the furlough if coverage would otherwise be interrupted; and as to those benefits which require only employee contributions, the employee remains solely responsible for making those contributions. Placement of an employee on furlough under this provision does not constitute a grievance or appeal under the State Employee Grievance Procedure Act. The university may allocate the employee’s reduction in pay over the balance of the fiscal year for payroll purposes regardless of the pay period within which the furlough occurs. The university is encouraged to consult the State Division of Human Resources of the Budget and Control Board in the development of the furlough plan to ensure that the plan meets the requirements of this section. The university shall report information regarding furloughs to the State Division of Human Resources as requested.

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

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

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

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowers | Bradley |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Govan | Hamilton | Hardwick |
| Hart | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | King | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Newton |
| Norman | Ott | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--100**

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.

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on S. 382. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Carl Anderson

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. G. M. SMITH a leave of absence for the remainder of the day.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. BALLENTINE a leave of absence for the remainder of the day due to business reasons.

**H. 3216--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3216 -- Reps. Long, Douglas and Hixon: A BILL TO AMEND SECTION 4-9-145, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LITTER CONTROL OFFICERS, SO AS TO PROVIDE THAT AN ANIMAL CONTROL OFFICER HAS THE SAME POWERS AND DUTIES AS A LITTER CONTROL OFFICER.

Rep. PITTS proposed the following Amendment No. 1 to H. 3216 (COUNCIL\MS\3216C001.MS.AHB15), which was adopted:

Amend the bill, as and if amended, SECTION 1, Page 1, by deleting Section 4‑9‑145(B)(2)(a) AND INSERTING:

/ (2)(a) A litter or animal control officer appointed and commissioned pursuant to subsection (A) may exercise the power of arrest with respect to his primary duties of enforcement of litter or animal control laws and ordinances, and other state and local laws and ordinances ~~as may~~ that arise incidental to the enforcement of his primary duties, only if the officer has been certified as a law enforcement officer pursuant to ~~Article 9,~~ Chapter ~~6~~ 23, Title 23. Such litter or animal control officers are vested with all the powers and duties according to the officers’ corresponding law enforcement officer classification conferred by law and are under the jurisdiction of the appropriate local law enforcement agency. /

Renumber sections to conform.

Amend title to conform.

Rep. PITTS 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 94; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Hamilton |
| Hardwick | Hart | Henderson |
| Henegan | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | King | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Norman | Ott |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Ryhal | Sandifer | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis |  |  |

**Total--94**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Yow |  |  |

**Total--1**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3216. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

**H. 3786--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3786 -- Reps. Limehouse, Sottile, Kirby, Spires, Kennedy, Gilliard, Mack and Whipper: A BILL TO AMEND SECTION 50-5-1705, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CATCH LIMITS FOR CERTAIN SPECIES OF FISH, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO TAKE OR POSSESS A TIGER SHARK (GALEOCERDO CUVIER) AND TO PROVIDE THAT A TIGER SHARK THAT IS CAUGHT MUST BE RELEASED.

Rep. CORLEY proposed the following Amendment No. 1 to H. 3786 (COUNCIL\NBD\3786C001.NBD.CZ15), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Section 50‑5‑1705 of the 1976 Code, as last amended by Act 211 of 2014, is further amended by adding the following appropriately lettered subsection:

“( ) It is unlawful to take or possess a tiger shark (Galeocerdo cuvier). Any tiger shark that is caught must be released immediately and must remain completely in the water at all times while being released. A person who is in the water for a lawful purpose may take all reasonable measures to defend themselves if attacked by a tiger shark.” /

Renumber sections to conform.

Amend title to conform.

Rep. CORLEY 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 81; Nays 17

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Bamberg |
| Bernstein | Bowers | Bradley |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hardwick |
| Hart | Henderson | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Knight | Long |
| Lucas | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Murphy | Newton | Ott |
| Pitts | Pope | Ridgeway |
| Riley | Robinson-Simpson | Ryhal |
| Sandifer | J. E. Smith | Sottile |
| Spires | Stavrinakis | Taylor |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Willis | Yow |

**Total--81**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bedingfield |
| Bingham | Brannon | Hamilton |
| Hill | Huggins | Loftis |
| McCoy | Norman | Putnam |
| Quinn | Rivers | G. R. Smith |
| Stringer | Thayer |  |

**Total--17**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3786. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3786. If I had been present, I would have voted in favor of the Bill.

Rep. H. B. “Chip” Limehouse III

STATEMENT FOR THE JOURNAL

I disagree with banning the killing of a fish that is not considered endangered, is sometimes dangerous to humans, and has commercial value.

The Tiger Shark is not considered endangered by the International Union for the Conservation of Nature. It is classified on the IUCN Red List as "Near Threatened." This fish is sometimes dangerous to humans. In fact, this shark is the target of shark control programs off Queensland, Hawaii, and New South Wales. In some parts of the world, the Tiger Shark has commercial value (fins, skin, and liver oil) and has a lower mercury content than other sharks.

Furthermore, the IUCN also states that localized taking does not endanger the species. “There was a precipitous decline in Tiger Sharks off Virginia, USA, due to both recreational and commercial harvesting between 1980 and 1992 ....[but] there is some evidence from shark control programs that localized catches of Tiger Sharks do not affect abundance. ... The widespread distribution of this species increases the likelihood that it will survive increasing levels of exploitation in certain areas. Its growth and reproductive rates are also relatively high, making the levels of mortality that the Tiger Shark can survive higher than for many other species of shark."

Rep. Jonathon Hill

**H. 3668--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3668 (COUNCIL\SWB\3668C001.SWB.CM15), which was adopted:

Amend the bill, as and if amended, Section 50‑11‑365, as contained in SECTION 1, by inserting / non‑exempt / after / all / on line 24, page 1.

When amended Section 50‑11‑365 shall read:

/ SECTION 1. Article 3, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑11‑365. All non‑exempt persons must wear a hat, coat, or vest of solid international orange while on Wildlife Management Area lands during deer hunting season.” /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON spoke in favor of 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 92; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cole |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Goldfinch |
| Govan | Hamilton | Hardwick |
| Hart | Henderson | Henegan |
| Herbkersman | Hicks | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Kennedy |
| Kirby | Knight | Long |
| Lowe | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Norman | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Hill | Johnson |  |

**Total--2**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3668. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

**H. 3762--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3762 -- Reps. Hayes and Hiott: A BILL TO AMEND SECTION 50-11-2460, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ANIMAL TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO PROVIDE THAT A TRAP MAY BEAR ITS OWNER'S DEPARTMENT OF NATURAL RESOURCES-ISSUED CUSTOMER NUMBER.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3762 (COUNCIL\SWB\3762C001.SWB.CM15), which was adopted:

Amend the bill, as and if amended, by adding the following appropriately numbered SECTION:

/ SECTION \_\_. Section 50‑11‑2550 of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON 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 100; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardwick | Hart | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Kennedy |
| King | Kirby | Knight |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Newton | Norman | Ott |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sandifer |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--100**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3762. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

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

**RECURRENCE TO THE MORNING HOUR**

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

**INTRODUCTION OF BILLS**

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

H. 3909 -- Reps. Herbkersman, Jefferson, Bernstein, G. A. Brown, Funderburk, Hill, W. J. McLeod, J. E. Smith and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "THE BICYCLE AND PEDESTRIAN SAFETY ACT"; BY ADDING SECTION 56-5-3520 SO AS TO PROVIDE THAT BICYCLES WITH HELPER MOTORS SHALL BE SUBJECT TO ALL THE RIGHTS AND DUTIES OF BICYCLES; TO AMEND SECTION 56-1-1710, RELATING TO THE TERM "MOPED" AND ITS DEFINITION, SO AS TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO MOTORCYCLES OR BICYCLES; TO AMEND SECTION 56-5-990, RELATING TO CERTAIN PEDESTRIAN CONTROL SIGNALS, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO PEDESTRIAN CONTROL SIGNALS THAT EXHIBIT THE SYMBOLS FOR "WALK" OR "WAIT", AND TO PROVIDE THAT FOR PEDESTRIAN CROSSWALKS EQUIPPED WITH COUNTDOWN INDICATORS, A PEDESTRIAN MAY CROSS IF HE CAN COMPLETE THE CROSSING DURING THE REMAINING TIME; TO AMEND SECTION 56-5-3130, RELATING TO A PEDESTRIAN'S RIGHT-OF-WAY IN A CROSSWALK, SO AS TO PROVIDE THAT THE DRIVER OF A VEHICLE SHALL STOP TO YIELD TO A PEDESTRIAN CROSSING A ROADWAY UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56-5-3230, RELATING TO A DRIVER'S DUTY TO EXERCISE DUE CARE WHEN OPERATING A VEHICLE, SO AS TO PROVIDE THAT THIS SECTION ALSO APPLIES TO A DRIVER'S DUTY TO AVOID COLLIDING WITH AN ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE, A WHEELCHAIR, A FARM TRACTOR, OR A SIMILAR VEHICLE DESIGNED FOR FARM USE, AND TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 56-5-3425, RELATING TO THE DEFINITION OF THE TERM "BICYCLE LANE" AND OPERATIONS OF MOTOR VEHICLES AND BICYCLES ALONG BICYCLE LANES, SO AS TO REVISE THE DEFINITION OF THE TERM "BICYCLE LANE" AND TO PROVIDE A DEFINITION FOR THE TERM "SUBSTANDARD-WIDTH LANE"; AND TO AMEND SECTION 56-16-10, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING THE REGULATION OF MOTORCYCLE MANUFACTURERS, DISTRIBUTORS, DEALERS, AND WHOLESALERS, SO AS TO PROVIDE A DEFINITION FOR THE TERM "BICYCLES WITH HELPER MOTORS".

Referred to Committee on Education and Public Works

H. 3910 -- Reps. Duckworth, Hardee, Hixon, Hiott, Loftis, Collins, Johnson, H. A. Crawford, Hardwick, Goldfinch, Burns, Clemmons, Gagnon, Lowe and Ryhal: A BILL TO AMEND SECTION 48-39-170, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TIDELANDS AND WETLANDS, SO AS TO PROVIDE A THREE-YEAR STATUTE OF LIMITATIONS ON ENFORCEMENT VIOLATIONS RELATING TO MINOR DEVELOPMENT ACTIVITIES AND TO PROVIDE EXCEPTIONS WHEN THE ALLEGED VIOLATOR KNOWINGLY OR INTENTIONALLY WITHHELD INFORMATION RELATING TO THE ALLEGED VIOLATION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3911 -- Reps. Willis and Allison: A BILL TO AMEND SECTION 56-3-1230, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE, CONTENT, AND PRODUCTION COSTS OF MOTOR VEHICLE LICENSE PLATES, SO AS TO REVISE THE INTERVAL IN WHICH THE DEPARTMENT OF MOTOR VEHICLES MUST REISSUE A LICENSE PLATE FROM SIX YEARS TO TEN YEARS.

Referred to Committee on Education and Public Works

**SPEAKER IN CHAIR**

**H. 3845--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 3845 -- Reps. Erickson, Bowers, Bradley and Newton: A JOINT RESOLUTION TO PROVIDE THAT THE SPEED LIMIT ALONG DR. MELLICHAMP DRIVE IN THE TOWN OF BLUFFTON IS FIFTEEN MILES PER HOUR AND THAT ANGLE PARKING IS ALLOWED ALONG THIS STREET, AND TO PROVIDE THAT THIS PROVISION SHALL REMAIN IN EFFECT UNTIL THE STATE TRANSFERS DR. MELLICHAMP DRIVE FROM THE STATE HIGHWAY SYSTEM TO BEAUFORT COUNTY.

Rep. HERBKERSMAN moved to adjourn debate on the Joint Resolution, which was adopted.

**H. 3879--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3879 -- Reps. Herbkersman, Bowers, Bradley, Erickson, Hodges and Newton: A BILL TO PROVIDE THAT THE MAXIMUM SPEED LIMIT ALONG BOUNDARY STREET IN THE TOWN OF BLUFFTON FROM ITS INTERSECTION WITH MAY RIVER ROAD TO ITS INTERSECTION WITH BRIDGE STREET, IS FIFTEEN MILES PER HOUR AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO ERECT APPROPRIATE SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN FIFTEEN MILES PER HOUR AS THE MAXIMUM SPEED LIMIT.

Rep. HERBKERSMAN moved to adjourn debate on the Bill, which was adopted.

**H. 3890--DEBATE ADJOURNED**

The following Bill was taken up:

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

Rep. BRANNON moved to adjourn debate on the Bill, which was adopted.

**H. 3888--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3888 -- Reps. Cole, Allison, Brannon, Chumley, Forrester, Hicks, Mitchell and Tallon: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO CONSOLIDATE AND RENAME CERTAIN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The yeas and nays were taken resulting as follows:

Yeas 86; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corley | H. A. Crawford | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Forrester |
| Gagnon | Gilliard | Goldfinch |
| Hamilton | Hardwick | Hart |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hixon |
| Hosey | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Knight | Long |
| Lowe | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Newton | Norman |
| Ott | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | J. E. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |

|  |  |  |
| --- | --- | --- |
| Wells | White | Whitmire |
| Willis | Yow |  |

**Total--86**

Those who voted in the negative are:

**Total--0**

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

**H. 3558--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3558 -- Reps. Ott, Toole, George, Hayes and Finlay: A BILL TO AMEND SECTION 56-5-4140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM GROSS WEIGHT OF VEHICLES, COMBINATIONS OF VEHICLES, AND THEIR LOADS THAT ARE PERMITTED TO TRAVEL ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT COTTON MODULAR VEHICLES ARE EXEMPT FROM AXLE SPACING REQUIREMENTS CONTAINED IN THIS SECTION, AND TO ESTABLISH A MAXIMUM WEIGHT FOR THESE VEHICLES; AND TO AMEND SECTION 57-3-160, RELATING TO THE ISSUANCE OF PERMITS BY THE DEPARTMENT OF TRANSPORTATION THAT ALLOW COTTON MODULAR VEHICLES TO OPERATE ALONG THE STATE'S PUBLIC HIGHWAYS, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT THE PERMIT MUST BE CARRIED ON THESE VEHICLES.

Rep. OTT proposed the following Amendment No. 1 to H. 3558 (COUNCIL\DKA\3558C001.DKA.CM15), which was adopted:

Amend the bill, as and if amended, page 1, by striking SECTION 1 and inserting:

/ SECTION 1. Section 56‑5‑4140(B) of the 1976 Code, as last amended by Act 60 of 2009, is further amended by adding the following appropriately numbered subitem at the end:

“( ) A cotton modular vehicle is not required to conform to the axle spacing requirements of this section. However, the vehicle is limited to sixty‑five thousand pounds gross vehicle weight and twenty‑five thousand pounds for each axle plus scale tolerances.” /

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

Rep. OTT explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 103; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Govan | Hamilton |
| Hardee | Hardwick | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Norman | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Ryhal | Sandifer |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--103**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3558. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall H. 3214 from the Committee on Judiciary.

Rep. MURPHY objected.

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall H. 3215 from the Committee on Judiciary.

Rep. BANNISTER objected.

**H. 3323--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

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

Rep. V. S. MOSS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Cole | Collins | Corley |
| H. A. Crawford | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Forrester | Funderburk |
| Gagnon | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | King | Kirby |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Norman | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--101**

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.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3871--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 3871 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF DARGAN STREET IN THE CITY OF FLORENCE FROM ITS INTERSECTION WITH LUCAS STREET TO ITS INTERSECTION WITH BAROODY STREET "REVEREND WILLIAM LEVI THOMPSON WAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 3845--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 3845 -- Reps. Erickson, Bowers, Bradley and Newton: A JOINT RESOLUTION TO PROVIDE THAT THE SPEED LIMIT ALONG DR. MELLICHAMP DRIVE IN THE TOWN OF BLUFFTON IS FIFTEEN MILES PER HOUR AND THAT ANGLE PARKING IS ALLOWED ALONG THIS STREET, AND TO PROVIDE THAT THIS PROVISION SHALL REMAIN IN EFFECT UNTIL THE STATE TRANSFERS DR. MELLICHAMP DRIVE FROM THE STATE HIGHWAY SYSTEM TO BEAUFORT COUNTY.

**POINT OF ORDER**

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

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

**H. 3879--POINT OF ORDER**

The following Bill was taken up:

H. 3879 -- Reps. Herbkersman, Bowers, Bradley, Erickson, Hodges and Newton: A BILL TO PROVIDE THAT THE MAXIMUM SPEED LIMIT ALONG BOUNDARY STREET IN THE TOWN OF BLUFFTON FROM ITS INTERSECTION WITH MAY RIVER ROAD TO ITS INTERSECTION WITH BRIDGE STREET, IS FIFTEEN MILES PER HOUR AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO ERECT APPROPRIATE SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN FIFTEEN MILES PER HOUR AS THE MAXIMUM SPEED LIMIT.

**POINT OF ORDER**

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

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

**H. 3890--COMMITTED**

The following Bill was taken up:

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

Rep. BRANNON explained the Bill.

Rep. BRANNON moved to commit the Bill to the Committee on Education and Public Works, which was agreed to.

**OBJECTION TO RECALL**

Rep. GOVAN asked unanimous consent to recall H. 3214 from the Committee on Judiciary.

Rep. HILL objected.

**MOTION PERIOD**

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

**H. 3041--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

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

Rep. BANNISTER explained the Joint Resolution.

Rep. BANNISTER moved to adjourn debate on the Joint Resolution, which was agreed to.

**SPEAKER ADDRESSES HOUSE**

Pursuant to House Rule 1.6, the SPEAKER addressed the body concerning a matter of importance to the House.

Rep. HOSEY moved that the House recede until 2:00 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 2:00 p.m. the House resumed, ACTING SPEAKER COLLINS in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**H. 3115--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3115 -- Reps. Pitts, Hixon and Thayer: A BILL TO AMEND SECTION 23-31-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGULATION OF THE OWNERSHIP, TRANSFER, OR POSSESSION OF FIREARMS OR AMMUNITION, SO AS TO PROVIDE THAT NO GOVERNING BODY OF ANY COUNTY, MUNICIPALITY, OR OTHER POLITICAL SUBDIVISION IN THE STATE MAY ENACT, ENFORCE, OR PROMULGATE ANY REGULATION OR ORDINANCE THAT REGULATES OR ATTEMPTS TO REGULATE THE TRANSFER, OWNERSHIP, POSSESSION, CARRYING, OR TRANSPORTATION OF KNIVES, FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS, OR ANY COMBINATION OF THESE THINGS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3115 (COUNCIL\SWB\3115C001.SWB.CM15), which was adopted:

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

/ SECTION 1. Section 23‑31‑510 of the 1976 Code, as last amended by Act 220 of 2008, is further amended to read:

“Section 23‑31‑510. No governing body of any county, municipality, or other political subdivision in the State may enact or promulgate any regulation or ordinance that regulates or attempts to regulate:

(1) the transfer, ownership, possession, carrying, or transportation of knives, firearms, ammunition, components of firearms, or any combination of these things; or

(2) a landowner discharging a firearm on the landowner’s property to protect the landowner’s family, employees, the general public, or the landowner’s property from animals that the landowner reasonably believes pose a direct threat or danger to the landowner’s property, people on the landowner’s property, or the general public. For purposes of this item, the landowner’s property must be a parcel of land comprised of at least twenty‑five contiguous acres. Any ordinance regulating the discharge of firearms that does not specifically provide for an exclusion pursuant to this item is unenforceable as it pertains to an incident described in this item; otherwise, the ordinance is enforceable.”

SECTION 2. Section 23‑31‑520 of the 1976 Code, as last amended by Act 347 of 2006, is further amended to read:

“Section 23‑31‑520. This article does not affect the authority of any county, municipality, or political subdivision to regulate the careless or negligent discharge or public brandishment of knives or firearms, nor does it prevent the regulation of public brandishment of firearms during the times of or a demonstrated potential for insurrection, invasions, riots, or natural disasters. This article denies any county, municipality, or political subdivision the power to confiscate a firearm or ammunition unless incident to an arrest.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY 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 88; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bradley | Brannon | G. A. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Collins |
| Corley | H. A. Crawford | Delleney |
| Dillard | Douglas | Duckworth |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | Knight | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Neal | Newton | Norman |
| Norrell | Ott | Pope |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Tallon |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--88**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3115. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3115. If I had been present, I would have voted in favor of the Bill.

Rep. William “Bill” Hixon

RECORD FOR VOTING

I was temporarily out of the Chamber meeting with Dr. Harris Pastides of USC, during the vote on H. 3115. If I had been present, I would have voted in favor of the Bill.

Rep. Bill Taylor

**H. 3116--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3116 -- Reps. Pitts, Hixon, Kennedy, Yow, Clemmons, Huggins, Gagnon, Gambrell and Riley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE THAT CERTAIN PERSONS WHO KNOWINGLY SOLICIT, PERSUADE, ENCOURAGE, OR ENTICE A LICENSED DEALER OR PRIVATE SELLER OF FIREARMS OR AMMUNITION IN VIOLATION OF STATE OR FEDERAL LAW, OR KNOWINGLY PROVIDE THAT PERSON WITH MATERIALLY FALSE INFORMATION TO DECEIVE HIM ABOUT THE LEGALITY OF A TRANSFER OF A FIREARM OR AMMUNITION, OR WILFULLY PROCURE ANOTHER PERSON TO ENGAGE IN CERTAIN ILLEGAL ACTIVITIES ARE GUILTY OF A FELONY, TO PROVIDE PENALTIES, AND TO PROVIDE CERTAIN TERMS AND THEIR DEFINITIONS THAT RELATE TO THESE OFFENSES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3116 (COUNCIL\SWB\3116C001.SWB.CM15), which was adopted:

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

/ SECTION 1. Chapter 31, Title 23 of the 1976 Code is amended by adding:

“Article 9

Fraudulent Firearms and Ammunition Purchase Prevention

Section 23‑31‑700. (A) For purposes of this section:

(1) ‘Licensed dealer’ means a person who is licensed pursuant to federal and state law to engage in the business of dealing in firearms.

(2) ‘Private seller’ means a person who sells or offers for sale any firearm or ammunition in this State.

(3) ‘Ammunition’ means a cartridge, shell, or projectile designed for use in a firearm.

(4) ‘Materially false information’ means information that portrays an illegal transaction as legal or a legal transaction as illegal.

(B) It is unlawful for a person to knowingly solicit, persuade, encourage or entice a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate the laws of this State.

(C) It is unlawful for a person to knowingly provide to a licensed dealer or private seller of firearms or ammunition materially false information with intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition.

(D) It is unlawful for a person to wilfully procure another person to engage in conduct prohibited by this section.

(E) This section does not apply to a law enforcement officer certified by law enforcement of South Carolina acting in his official capacity or to a person acting at the direction of a law enforcement officer certified by law enforcement of South Carolina.

(F) A person who violates a provision of this section is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.”

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

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY 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 100; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Collins | Corley | H. A. Crawford |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | George |
| Gilliard | Goldfinch | Govan |
| Hardee | Hardwick | Henderson |
| Henegan | Herbkersman | Hicks |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Kennedy |
| King | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Neal |
| Newton | Norman | Norrell |
| Ott | Pope | Putnam |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--100**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3116. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., March 25, 2015

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at 3:00 p.m., for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. WHITMIRE the invitation was accepted.

**H. 3119--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3119 -- Reps. Pitts and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-23-540 SO AS TO CREATE THE OFFENSE OF THEFT OF A FIREARM AND PROVIDE A PENALTY.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3119 (COUNCIL\MS\3119C001.MS.AHB15), which was adopted:

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

/ SECTION 1. Article 5, Chapter 23, Title 16 of the 1976 Code is amended by adding:

“Section 16‑23‑540. Notwithstanding another provision of law, a person who steals a firearm, as defined in Section 16‑8‑10, is guilty of the felony offense of theft of a firearm and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than ten years or both.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The amendment was then adopted.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. RUTHERFORD proposed the following Amendment No. 2 to H. 3119 (COUNCIL\MS\3119C002.MS.AHB15), which was ruled out of order:

Amend the bill, as and if amended, by adding an appropriately numbered SECTION to read:

/ SECTION . Section 16-23-20(9)(a) of the 1976 Code, as last amended by Act 123 of 2014, is further amended to read:

“(a) secured under the seat, in a closed glove compartment, closed console, closed trunk, or in a closed container secured by an integral fastener and transported in the luggage compartment of the vehicle; however, this item is not violated if the glove compartment, console, or trunk is opened in the presence of a law enforcement officer for the sole purpose of retrieving a driver’s license, registration, or proof of insurance. If the person has been issued a concealed weapon permit pursuant to Article 4, Chapter 31, Title 23, then the person also may secure his weapon ~~under a seat in a vehicle, or~~ in any open or closed storage compartment within the vehicle’s passenger compartment; or /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. RUTHERFORD spoke in favor of the amendment.

**POINT OF ORDER**

Rep. TALLON raised the Point of Order under Rule 9.3 that Amendment No. 2 to H. 3119 was out of order in that it was non germane to the Bill.

The SPEAKER *PRO TEMPORE* sustained the Point of Order stating that the Bill dealt with creating the crime of theft of a firearm, but the Amendment concerned where a firearm might be stored in a motor vehicle. He sustained the Point of Order and ruled Amendment No. 2 out of order.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

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

**Total--104**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3119. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

**H. 3025--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3025 -- Reps. Clemmons, Yow, Hixon, Kennedy, Loftis, Huggins, Rivers, Hill and Gagnon: A BILL TO AMEND SECTION 23-31-215, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CONCEALED WEAPONS PERMITS, SO AS TO REVISE THE CONDITIONS THAT ALLOW A HOLDER OF AN OUT-OF-STATE CONCEALED WEAPONS PERMIT TO CARRY A WEAPON IN THIS STATE.

Rep. DELLENEY moved to adjourn debate on the Bill until Tuesday, April 14, which was agreed to.

**H. 3525--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3525 -- Reps. Sandifer, Forrester and Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 16 TO CHAPTER 23, TITLE 58 SO AS TO PROVIDE FOR THE REGULATION OF TRANSPORTATION NETWORK COMPANIES; TO AMEND SECTION 58-4-60, RELATING TO THE DUTIES AND RESPONSIBILITIES OF THE OFFICE OF REGULATORY STAFF, SO AS TO PROVIDE FOR THE EXPENSES OF THE TRANSPORTATION DEPARTMENT BORNE BY ASSESSMENTS TO TRANSPORTATION NETWORK COMPANIES IN ADDITION TO EXISTING SOURCES; AND TO AMEND SECTION 58-23-50, RELATING TO EXEMPTIONS FROM REGULATION OF MOTOR VEHICLE CARRIERS BY THE PUBLIC SERVICE COMMISSION, SO AS TO EXEMPT TRANSPORTATION NETWORK COMPANIES.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3525 (COUNCIL\AGM\3525C009. AGM.AB15), which was adopted:

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

/ Chapter 23, Title 58 of the 1976 Code is amended by adding:

“Article 16

Transportation Network Company Act

Section 58‑23‑1610. For purposes of this article:

(1) ‘Transportation Network Company’ or ‘TNC’ means a person, corporation, partnership, sole proprietorship, or other entity operating in this State that uses a digital network, platform, or internet‑enabled application to connect a passenger to a transportation network driver for the purpose of providing transportation for compensation using a vehicle outside the limits of a municipality. A transportation network company does not include transportation services provided pursuant to Articles 1 through 15 of Chapter 23, Title 58. A TNC shall not include an individual, corporation, partnership, sole proprietorship, or other entity arranging non‑emergency medical transportation for individuals qualifying for Medicaid under P.L.1968, c.413 (C.30:4D‑1 et seq.) or Medicare under the federal Social Security Act, Pub.L.89‑97 (42 U.S.C. s.1395 et seq.) pursuant to a contract with the State or a managed care organization.

(2) ‘Transportation Network Company Driver’ or ‘TNC Driver’ means a person who uses a vehicle to provide transportation service for passengers matched through a transportation network company’s digital network.

(3) ‘Transportation Network Company Insurance’ or ‘TNC Insurance’ means an insurance policy that specifically covers a driver’s use of a vehicle in connection with a transportation network company’s digital network, platform, or internet‑enabled application.

(4) ‘Transportation Network Company Passenger’ or ‘TNC Passenger’ means a person for whom transportation is provided through a transportation network company’s digital network. This includes a person for whom arrangements for transportation services using the transportation network company’s digital network was arranged by someone other than the passenger.

(5) ‘Transportation Network Company Service’ or ‘TNC Service’ means a period of time when a transportation network company driver accepts a request arranged through the transportation network company’s digital network and proceeds to the passenger location, continues while the transportation network company driver transports the passenger in the transportation network company vehicle, and ends when the passenger exits the transportation network company vehicle.

(6) ‘Transportation Network Company Vehicle’ or ‘TNC Vehicle’ means a vehicle that is used by a Transportation Company Network Driver that has met the requirements of this act and has been approved by the Transportation Network Company to provide transportation service arranged through a transportation network company digital platform.

Section 58‑23‑1620. Before a person, corporation, partnership, sole proprietorship, or other entity that uses a digital network, platform or internet‑enable application to provide transportation for compensation using a personal vehicle commences to advertise or operate in South Carolina as a TNC, that entity shall comply with the requirements set forth within this article and hold a valid TNC certificate issued by the Office of Regulatory Staff.

(A) That entity shall submit an application to the Office of Regulatory Staff and provide information that the Office of Regulatory Staff requires.

(B) In performing its responsibilities under this article, the Office of Regulatory Staff must balance the interest of the State in promoting innovative, safe, and cost‑effective transportation services with an appropriate level of safety protections for TNC passengers and the general public.

(C) An application must be accompanied by information required by the Office of Regulatory Staff, which may condition its approval on terms that it determines to be just and reasonable to advance the goals of this article.

(D) Upon review of the application and a finding that the applicant is fit, willing, and able to conduct business pursuant to the provisions of this article, the Office of Regulatory Staff shall approve the application and issue the entity a TNC certificate.

(E) An aggrieved person with standing may file a request for a contested case of a decision of the Office of Regulatory Staff with the Public Service Commission within thirty days of the decision.

Section 58‑23‑1630. (A) Before commencing operations under a TNC certificate and within ninety days of the issuance of the certificate, the TNC shall file with the Office of Regulatory Staff evidence of primary automobile liability insurance coverage for bodily injury, death, and property damage that meets or exceeds the minimum limits identified in subsection F.

(B) The insurance coverage must be issued by an insurance company authorized to do business in this State or an eligible surplus lines carrier that can meet the financial obligations of this article and is eligible under Section 38‑45‑90.

(C) The primary automobile liability insurance must cover the TNC driver, TNC passengers, and the general public during the times the TNC driver is engaged in TNC services, and during the times the TNC driver is logged on to the TNC digital network.

(D) Filing evidence of bodily injury, death, and property damage must be made on a certificate of liability insurance which lists the Office of Regulatory Staff as the certificate holder.

(E) The certificate of insurance must specify that upon cancellation or nonrenewal the insurance carrier must send written notice of the cancellation or nonrenewal to the Office of Regulatory Staff. The notice must be mailed at least thirty days before the effective date of the cancellation or nonrenewal.

(F) Minimum limits of liability for bodily injury, death, and property damage includes:

(1) primary automobile liability coverage of one million dollars for each incident at all times when the TNC driver is providing TNC services;

(2) uninsured/underinsured motorist coverage of one million dollars for each incident at all times when the TNC driver is providing TNC services; and

(3) primary automobile liability coverage of one hundred and fifty thousand dollars for each person, three hundred thousand dollars for each incident, and one hundred and fifty thousand dollars for property damage for each incident during the time when the TNC driver is logged into the digital network but is not providing TNC services; and

(4) collision physical damage coverage and comprehensive physical damage coverage if the participating driver carries these coverages on his personal automobile policy unless that insurer is providing TNC company insurance to the driver.

(G) The insurance coverage may be satisfied by any of the following:

(1) TNC insurance maintained by a TNC driver;

(2) TNC insurance maintained by a TNC; or

(3) Any combination of subparagraphs (1) and (2).

(H) The TNC may meet the insurance coverage obligations through insurance obtained by a TNC driver pursuant to subparagraphs (1) and (3) if the TNC verifies the insurance maintained by the TNC driver is specifically written to cover the TNC driver’s use of a vehicle in connection with a TNC service. The TNC is required to submit an affidavit to the Office of Regulatory Staff to demonstrate the verification has been completed. The Office of Regulatory Staff shall accept the affidavit by the TNC as evidence of compliance.

(I) The TNC shall maintain documentation of a TNC driver’s insurance verification for a period of three years.

(J) The TNC driver insurance verification records must be provided to the Office of Regulatory Staff by the TNC upon request.

(K) During the period of time from the moment a TNC driver logs on to the TNC’s digital network until the TNC driver logs off the digital network or until the TNC passenger exits the vehicle, whichever is later, all of the following shall apply:

(1) The TNC driver’s or the vehicle owner’s personal automobile insurance policy shall not provide any coverage to the TNC driver, vehicle owner, or any third party, unless, notwithstanding the provisions of sub‑subitem (5.5)(d)(i) and subitem (10.5)(a) of Section 38‑77‑30, the policy expressly provides for that coverage during the period of time to which this subsection is applicable, with or without a separate charge, or the policy contains an amendment or endorsement to provide that coverage, for which a separately stated premium is charged.

(2) The TNC driver’s or the vehicle owner’s personal automobile insurance policy shall not have the duty to defend or indemnify for the driver’s activities in connection with the TNC, unless, notwithstanding the provisions of sub‑subitem (5.5)(d)(i) and subitem (10.5)(a) of Section 38‑77‑30, the policy expressly provides otherwise for the period of time to which this subsection is applicable, with or without a separate charge, or the policy contains an amendment or endorsement to provide that coverage, for which a separately stated premium is charged.

(L) The TNC driver must maintain personal automobile liability insurance that meets the minimum coverage requirements in Section 38‑77‑140 at all times for periods when the driver is not logged into the digital platform or transporting TNC passengers. Nothing in this section shall be construed to require a private passenger automobile insurance policy to provide primary or excess coverage during the period of time from the moment a TNC driver logs on to the TNC’s digital network until the TNC driver logs off the TNC digital network or the TNC passenger exits the vehicle, whichever is later.

(M) In any instance when the automobile liability insurance maintained by the TNC driver has lapsed, failed to provide the required coverage, denied a claim for the required coverage or otherwise ceased to exist, the automobile liability coverage provided by the TNC shall provide insurance coverage required by this section beginning with the first dollar of the claim.

(N) The insurer providing the TNC insurance coverage pursuant to subsections (A) through (M) has the duty to defend and indemnify the insured.

(O) Coverage under a TNC insurance policy may not be dependent on a personal automobile insurance policy first denying a claim nor may a personal automobile insurance policy be required to first deny a claim.

(P) In a claims coverage investigation, a TNC or its insurer shall cooperate with insurers that are involved in the claims coverage investigation to facilitate the exchange of information, including the provision of dates and times at which an accident occurred, that involved a TNC driver and the precise times that the TNC driver logged on and off the TNC’s digital network.

(Q) In the event of an accident, a TNC driver shall provide insurance coverage information to any other party involved in the accident, and to a police officer, upon request.

Section 58‑23‑1640. (A) The TNC shall conduct or have a certified mechanic licensed in South Carolina conduct a safety inspection of a TNC vehicle within thirty days of the vehicle first providing TNC services.

(B) Before a vehicle approved to operate by the TNC may provide TNC services, it must:

(1) only be used as a personal vehicle or to provide transportation network services for a TNC;

(2) have at least four doors and meets applicable Federal Motor Vehicle Safety Standards for vehicles of its size, type, and proposed use;

(3) be a sedan or light‑duty vehicle, including a minivan, sport utility vehicle, pickup truck, hatchback, or convertible;

(4) have a manufacturer’s rated seating capacity of no more than eight passengers, including the driver;

(5) be not more than ten model years of age from the current model year at the time of the vehicle inspection or subsequent annual inspections;

(6) have a clean and sanitary interior and exterior;

(7) have an interior free of rips and tears; and

(8) have all safety belts be operable.

(C) The TNC shall not permit a TNC driver to provide TNC services if the TNC vehicle does not meet the vehicle standards and pass a certified mechanics inspection as identified in this article.

(D) The TNC shall conduct periodic inspections of the TNC vehicle at intervals of at least one each year.

(E) The TNC shall maintain documentation of a TNC vehicle inspection for a period of three years.

(F) The vehicle inspection shall include an inspection of:

(1) foot brakes;

(2) emergency brakes;

(3) steering mechanism;

(4) windshield;

(5) rear window and other glass;

(6) windshield wipers;

(7) headlights;

(8) tail lights;

(9) turn indicator lights;

(10) stop lights;

(11) front seat adjustment mechanism;

(12) door capability to open, close, lock, and unlock;

(13) horn;

(14) speedometer;

(15) bumpers;

(16) muffler and exhaust system;

(17) tire condition including tread depth;

(18) interior and exterior rearview mirrors; and

(19) safety belts.

(G) A TNC vehicle must display a consistent and distinctive signage or emblem, which must be known as a trade dress, at all times when the TNC driver is active on the TNC digital platform or providing TNC service. The trade dress used by the TNC must be approved by the Office of Regulatory Staff before its use and:

(1) must be readable during daylight hours at a distance of fifty feet;

(2) must be reflective, illuminated, or otherwise patently visible so as to be seen in darkness;

(3) must be displayed on the vehicle windshield; and

(4) may be magnetic or removable in nature.

(H) The Office of Regulatory Staff may conduct inspections of TNC vehicles.

(I) The vehicle inspection records must be provided to the Office of Regulatory Staff by the TNC upon request.

Section 58‑23‑1650. (A) The TNC shall obtain certain background and qualification information from a TNC driver before the TNC driver is approved by the TNC to provide TNC services.

(B) The TNC driver qualification information shall include:

(1) a valid driver’s license issued by the South Carolina Department of Motor Vehicles or the current state of residence for the driver;

(2) verification that the driver is twenty‑one years of age or older;

(3) a certified copy of the driver’s ten year driving record issued by the South Carolina Department of Motor Vehicles and a record from the department of motor vehicles of the state where the driver has been domiciled for that period;

(4) a criminal history background check from the state where the driver currently lives;

(5) proof of vehicle registration in name of the TNC driver; and

(6) proof of automobile liability insurance in the name of the TNC driver which meets the requirements of Section 38‑77‑140.

(C) The TNC shall verify the TNC driver meets all of the driver qualification requirements in this section at intervals of at least one each year.

(D) The TNC shall maintain documentation of initial and annual verification of TNC driver qualifications for a period of three years.

(E) The Office of Regulatory Staff may conduct inspections of TNC driver qualification records.

(F) The TNC shall not permit a TNC driver to provide TNC services who:

(1) does not meet the TNC driver qualifications listed in Section 58‑23‑1650(B) and (C);

(2) is registered or required to be registered as a sex offender with the South Carolina Law Enforcement Division or the National Sex Offender Registry;

(3) has been convicted within the past ten years of driving under the influence of drugs or alcohol, driving with an unlawful alcohol concentration, fraud, use of a motor vehicle to commit a felony, a felony crime involving property damage, theft and crimes as defined as violent pursuant to Section 16‑1‑60; or

(4) is under the influence of drugs or alcohol.

(G) Before a TNC driver is allowed to provide a TNC service, the TNC must disclose to the TNC driver that the:

(1) automobile liability insurance that the TNC provides while the TNC driver is engaged in TNC service or logged into the TNC digital network;

(2) TNC driver’s automobile liability insurance may not provide coverage while the TNC driver is engaged in TNC service or logged into the TNC digital network;

(3) provision of TNC services may violate the terms of a contract or financing agreement with a lienholder; and

(4) provision of TNC services may have possible financial consequences related to personal income tax and personal property tax liabilities.

Section 58‑23‑1660. (A) A TNC operating in this State shall comply in South Carolina in compliance with the following standards:

(1) A TNC driver shall not provide TNC services or otherwise operate as a passenger vehicle for hire unless a TNC has matched the TNC driver to the TNC passenger through the digital network. A TNC driver shall not solicit or accept passenger rides on‑demand or through a ‘street hail.’ All payment for TNC services must be made through the digital network and the TNC driver shall not accept cash payments.

(2) A TNC shall make available to prospective TNC passengers and TNC drivers the method by which the TNC calculates fares or the applicable rates being charged and an option to receive an estimated fare. If the rates vary from those identified in the application to the Office of Regulatory Staff, the TNC must require the TNC passenger to positively acknowledge the change and agree to the rate.

(3) A TNC shall provide the TNC passenger with an electronic receipt upon completion of the TNC service. The receipt must document the:

(a) point of origin;

(b) point of destination;

(c) total duration and distance;

(d) total fare/rate paid, including base fare and additional charges incurred for distance or duration; and

(e) TNC driver’s first name and phone number.

(4) A TNC driver shall display an identification badge including his photograph, first name, personal vehicle make and model, and personal vehicle license plate number. This information may be displayed to the TNC passenger through the TNC digital network.

(5) A TNC driver shall at all times carry in the TNC vehicle proof of the automobile liability insurance required of this article.

(6) A TNC shall maintain a customer support telephone number displayed on its digital network, website, or both, for TNC passenger inquiries or complaints and shall respond promptly to all TNC passenger inquiries or complaints.

(7) A TNC shall not discriminate against TNC passengers on the basis of destination, race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.

(8) A TNC shall provide TNC services in compliance with all applicable laws for providing services to persons with physical and mental disabilities. Service animals and mobility equipment must be permitted to accompany a TNC passenger.

(9) A TNC shall provide a TNC passenger with an opportunity to indicate via the digital network if the TNC passenger requires a wheelchair‑accessible vehicle. If the TNC cannot accommodate the request for a wheelchair‑accessible vehicle, the TNC shall direct the TNC passenger to an alternate transportation provider.

(10) A TNC driver shall take the most direct route to the destination unless the TNC passenger has consented to an alternate route.

(11) A TNC driver may refuse to transport a TNC passenger if the TNC passenger is acting in an unlawful, disorderly or endangering manner.

Section 58‑23‑1670. (A) A TNC shall maintain a record of all TNC services provided in South Carolina for a period of three years from the date of the TNC service. The records shall include:

(1) the time at which a TNC driver logs into the digital network;

(2) the time and place of commencement of TNC service;

(3) the number of TNC passengers transported;

(4) the name and place of delivery of the TNC passengers;

(5) the amount of fare charged to the TNC passengers;

(6) the name and contact information of the TNC passengers; and

(7) any inquiry or complaint of the TNC passenger, the date of the inquiry or complaint, and the resolution of the inquiry or complaint.

(B) A TNC shall maintain documentation of each TNC vehicle inspection for a period of three years.

(C) The TNC shall maintain documentation of initial and annual verification of TNC driver qualifications for a period of three years.

(D) The TNC shall provide, upon the request of the Office of Regulatory Staff, any factual information regarding TNC drivers, TNC passengers, and TNC services so as to investigate complaints arising under this article. This information must be provided to the Office of Regulatory Staff within a reasonable time period.

(E) A TNC shall not disclose a TNC driver or passenger’s personally identifiable information to a third party unless the:

(1) TNC driver or TNC passenger consents;

(2) disclosure is required by legal obligation; or

(3) disclosure is required to investigate violations of the TNC driver or TNC passenger terms of use.

Section 58‑23‑1680. (A) A certified South Carolina law enforcement officer is authorized to enforce the requirements of this article.

(B) A officer, agent, or employee of a TNC or TNC driver that fails to comply with any requirement contained in this article is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars for a first offense, not less than five hundred dollars for a second offense, and for a third and subsequent offenses not less than one thousand dollars or imprisoned for a term not to exceed thirty days. Seventy‑five percent of the fines collected under this section must be remitted to the Office of Regulatory Staff to be used for enforcement operations. Magistrates have jurisdiction over contested violations of this section and are prohibited from suspending or reducing the penalties.

(C) The Office of Regulatory Staff may revoke a TNC certificate if the TNC has made misrepresentation of a material fact in obtaining the TNC certificate or, in the opinion of the Office of Regulatory Staff, has failed to comply with the requirements in this article.

(D) An aggrieved person with standing may file a request for a contested case of a decision of the Office of Regulatory Staff with the Public Service Commission of South Carolina within thirty days of the decision.

(E) As concerns potential violations of this article, TNC’s and their officers, agents, employees, or customers is subject to the investigatory powers provided in Sections 58‑4‑50 and 58‑4‑55 to the Office of Regulatory Staff.

(F) The Office of Regulatory Staff is authorized to require regular updating of information required from a TNC under this article.

Section 58‑23‑1690. (A) The Office of Regulatory Staff may assess each TNC an annual fee in an amount necessary to permit the Office of Regulatory Staff to carry out the requirements of this article.

(B) The annual assessment of fees will be pursuant to Section 58‑4‑60(B).”

SECTION 2. Section 58‑4‑60(B) of the 1976 Code is amended to read:

“(B)(1) The expenses of the Transportation Department of the Office of Regulatory Staff, with the exception of the expenses incurred in its railway jurisdiction, must be borne by the revenues from license fees derived pursuant to Sections 58‑23‑530 through 58‑23‑630, assessments to the Transportation Network Companies pursuant to Section 58‑23‑1690, and assessments to the carriers of household goods and hazardous waste for disposal carriers. The expenses of the railway section of the Office of Regulatory Staff must be borne by the railroad companies subject to the commission’s jurisdiction according to their gross income from operations in this State.

(2) All other expenses of the Office of Regulatory Staff must be borne by the public utilities subject to the jurisdiction of the commission. On or before the first day of July in each year, the Department of Revenue must assess each public utility, railway company, household goods carrier, and hazardous waste for disposal carrier its proportion of the expenses in proportion to its gross income from operation in this State in the year ending on the thirtieth day of June preceding that on which the assessment is made which is due and payable on or before July fifteenth. The assessments must be charged against the companies by the Department of Revenue and collected by the department in the manner provided by law for the collection of taxes from the companies including the enforcement and collection provisions of Article 1, Chapter 54 ~~of~~, Title 12 and paid, less the Department of Revenue actual incremental increase in the cost of administration into the state treasury as other taxes collected by the Department of Revenue for the State.”

SECTION 3. Section 58‑23‑50 of the 1976 Code is amended by adding a subsection at the end to read:

“(C) Articles 1 to 11 of this chapter also do not apply to Transportation Network Companies and Transportation Network Company Drivers.”

SECTION 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

Rep. SANDIFER spoke in favor of the amendment.

**ACTING SPEAKER ALLISON IN CHAIR**

Rep. SANDIFER continued speaking.

Rep. HILL spoke in favor of 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 13

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Bamberg |
| Bannister | Bedingfield | Bernstein |
| Bingham | Brannon | G. A. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Corley | H. A. Crawford |
| Dillard | Douglas | Duckworth |
| Finlay | Forrester | Gagnon |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Hayes | Henderson | Henegan |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Mitchell | V. S. Moss |
| Neal | Norman | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--96**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bradley | Collins | Daning |
| Delleney | Erickson | Felder |
| Funderburk | Herbkersman | Merrill |
| D. C. Moss | Norrell | Southard |
| Thayer |  |  |

**Total--13**

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

RECORD FOR VOTING

I was temporarily out of the Chamber, attending the funeral of a family member and missed the vote on H. 3525. If I had been present, I would have voted in favor of the Bill.

Rep. Carl Anderson

RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on H. 3525. If I had been present, I would have voted in favor of the Bill.

Rep. Nathan Ballentine

RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on H. 3525. If I had been present, I would have voted in favor of the Bill.

Rep. G. Murrell Smith

**SPEAKER IN CHAIR**

**RECURRENCE TO THE MORNING HOUR**

Rep. M. S. MCLEOD moved that the House recur to the morning hour, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

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

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3348 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40‑43‑83, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO IN‑STATE FACILITIES DEALING WITH PRESCRIPTION DRUGS IN A CERTAIN CAPACITY, SO AS TO APPLY NOTICE PROVISIONS TO OUT‑OF‑STATE FACILITIES THAT SIMILARLY DEAL WITH PRESCRIPTION DRUGS, TO PROVIDE ALL SUCH FACILITIES PERMITTED IN THIS STATE MUST PROVIDE NOTICE OF DISCIPLINARY ACTION TO THE PHARMACY BOARD, TO REQUIRE INSPECTIONS OF OUT‑OF‑STATE FACILITIES BY THE BOARD, TO PROVIDE AN OUT‑OF‑STATE FACILITY SHALL PAY CERTAIN FEES RELATED TO INSPECTIONS, TO PROVIDE FOR THE USE OF OUT‑OF‑STATE FACILITY INSPECTION FEES COLLECTED BY THE BOARD, TO PROVIDE THE BOARD MAY ENTER INTO MEMORANDUM OF UNDERSTANDING AGREEMENTS WITH THE REGULATORY AUTHORITY OF THE STATE IN WHICH AN OUT‑OF‑STATE FACILITY IS LOCATED TO CONDUCT INSPECTIONS OF THESE FACILITIES, AND TO PROVIDE THE BOARD MAY CONTRACT WITH A THIRD‑PARTY TO INSPECT FACILITIES OF A LICENSEE; AND TO AMEND SECTION 40‑43‑89, RELATING TO WHOLESALE DISTRIBUTOR PERMITS, SO AS TO REQUIRE A MINIMUM SURETY BOND OR LETTER OF CREDIT, TO REQUIRE A CRIMINAL BACKGROUND CHECK OF THE APPLICANT, TO PROVIDE REQUIREMENTS FOR THE CERTIFICATION AND CONDUCT OF A DESIGNATED REPRESENTATIVE OF A WHOLESALE DISTRIBUTOR.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3349 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40-43-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-43-86, RELATING TO COMPOUNDING PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PREPARATION COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND-USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40-43-88, RELATING TO THE HANDLING OF STERILE PREPARATION BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3547 -- Reps. J. E. Smith and Yow: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25-1-2350, SO AS TO PROVIDE THAT THE REEMPLOYMENT RIGHTS AND PROTECTIONS GRANTED TO MEMBERS OF THE SOUTH CAROLINA NATIONAL GUARD AND SOUTH CAROLINA STATE GUARD WHO SERVE STATE DUTY SHALL APPLY ALSO TO A PERSON WHO IS EMPLOYED IN SOUTH CAROLINA BUT IS A MEMBER OF ANOTHER STATE'S NATIONAL GUARD OR STATE GUARD.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

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

Ordered for consideration tomorrow.

Rep. DELLENEY, from the Committee on Judiciary, submitted a favorable report with amendments on:

H. 3433 -- Reps. Erickson, Weeks, Cobb-Hunter, McCoy, Douglas, Kennedy, Long, Lucas, M. S. McLeod, Ridgeway, Tallon, Thayer, Felder, Pope, J. E. Smith, King, Howard, Parks, Ott, Jefferson, Bernstein, Rivers, Southard, Tinkler, Henegan, Kirby, Bales, Neal, Henderson, Herbkersman, Merrill, G. R. Smith, Bradley, Bannister, H. A. Crawford, Newton, Clemmons, Nanney, Wells, Quinn, Whitmire, Bingham, Stringer, Atwater, Hicks, Mitchell, Funderburk and Norrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "DOMESTIC VIOLENCE REFORM ACT"; TO AMEND SECTION 16-25-10, AS AMENDED, RELATING TO DEFINITIONS FOR PURPOSES OF DOMESTIC VIOLENCE OFFENSES, SO AS TO DEFINE OTHER NECESSARY TERMS; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OFFENSES, SO AS TO RESTRUCTURE THE OFFENSES BY GRADUATING THE PENALTIES INTO DEGREES, DEFINE THE ELEMENTS OF EACH DEGREE, AND PROVIDE A NEW PENALTY STRUCTURE; TO AMEND SECTION 16-25-65, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, SO AS TO RESTRUCTURE THE OFFENSE, REDEFINE THE ELEMENTS OF THE OFFENSE, TO RESTRUCTURE THE PENALTY, AND TO PROVIDE THAT AS A CONDITION OF BOND FOR THIS OFFENSE, THE JUDGE MAY PROVIDE THAT THE OFFENDER MAY NOT SHIP, TRANSPORT, POSSESS, OR RECEIVE A FIREARM OR AMMUNITION WHILE THE OFFENDER IS UNDER BOND; TO AMEND SECTION 16-1-60, AS AMENDED, RELATING TO CRIMES DEFINED AS VIOLENT, SO AS TO INCLUDE DOMESTIC VIOLENCE IN THE FIRST DEGREE AS A VIOLENT CRIME; TO AMEND SECTION 17-25-45, RELATING TO OFFENSES DEFINED AS "MOST SERIOUS" AND "SERIOUS", SO AS TO ADD THE OFFENSES OF DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE AND DOMESTIC VIOLENCE IN THE FIRST DEGREE TO THE LIST OF "SERIOUS" OFFENSES; TO AMEND SECTION 16-3-600, AS AMENDED, RELATING TO ASSAULT AND BATTERY OFFENSES, SO AS TO REVISE THE DEFINITION OF "MODERATE BODILY INJURY"; TO AMEND SECTION 22-3-546, RELATING TO THE AUTHORIZATION OF CIRCUIT SOLICITORS, IN THEIR DISCRETION, TO ESTABLISH A PROGRAM FOR PROSECUTION OF FIRST OFFENSE DOMESTIC VIOLENCE OFFENSES, SO AS TO EXPAND THE PROGRAMS TO INCLUDE ALL MISDEMEANOR DOMESTIC VIOLENCE OFFENSES; TO AMEND SECTION 22-5-530, AS AMENDED, RELATING TO DEPOSITS IN LIEU OF RECOGNIZANCE AND PAYMENT TO A JAIL OR CORRECTIONAL FACILITY TO SECURE IMMEDIATE RELEASE, SO AS TO PROVIDE THAT THE PROVISIONS OF THE SECTION DO NOT APPLY TO A PERSON CHARGED WITH A DOMESTIC VIOLENCE OFFENSE AND SUCH A PERSON IS EXPRESSLY PROHIBITED FROM MAKING A DEPOSIT IN LIEU OF RECOGNIZANCE TO SECURE IMMEDIATE RELEASE; TO AMEND SECTION 17-15-30 AND SECTION 22-5-510, BOTH AS AMENDED, RELATING TO MATTERS TO BE CONSIDERED WHEN DETERMINING CONDITIONS OF RELEASE ON BOND AND BOND HEARINGS AND INFORMATION TO BE PROVIDED TO THE COURT, RESPECTIVELY, BOTH SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL, TO PROVIDE THAT WHEN A PERSON IS CHARGED WITH A VIOLATION OF CERTAIN DOMESTIC VIOLENCE OFFENSES THAT A BOND HEARING MAY NOT PROCEED WITHOUT THE PERSON'S CRIMINAL RECORD AND INCIDENT REPORT, OR THE PRESENCE OF THE ARRESTING OFFICER, TO REQUIRE BOND HEARINGS FOR THESE VIOLATIONS TO BE HELD WITHIN TWENTY-FOUR HOURS AFTER ARREST, AND TO PROVIDE THAT FAILURE OF A PARTY TO ADHERE TO A CONDITION OF BOND MAY RESULT IN THE ISSUANCE OF A BENCH WARRANT FOR CONTEMPT; TO AMEND SECTION 17-15-10, RELATING TO PERSONS WHO MAY BE RELEASED PENDING TRIAL, SO AS TO REQUIRE THE COURT TO CONSIDER IF RELEASE ON BOND WOULD CONSTITUTE AN UNREASONABLE DANGER TO THE COMMUNITY OR AN INDIVIDUAL; TO AMEND SECTION 16-25-120, AS AMENDED, RELATING TO THE RELEASE OF A PERSON ON BOND WHO IS CHARGED WITH A VIOLENT OFFENSE OR WHEN THE VICTIM IS A HOUSEHOLD MEMBER, SO AS TO PROVIDE THAT THE COURT MUST CONSIDER CERTAIN FACTORS BEFORE RELEASING A PERSON ON BOND; TO AMEND SECTION 17-15-50, RELATING TO AMENDMENT OF AN ORDER RELATING TO BOND, SO AS TO CLARIFY THAT THE COURT WITH JURISDICTION OF THE OFFENSE MAY AMEND THE ORDER AT ANY TIME; TO AMEND SECTION 17-15-55, AS AMENDED, RELATING TO BOND AND THE AUTHORITY OF THE CIRCUIT COURT TO REVOKE BOND UNDER CERTAIN CIRCUMSTANCES, SO AS TO PROVIDE FOR THE PURPOSE OF BOND REVOCATION ONLY THAT A SUMMARY COURT HAS CONCURRENT JURISDICTION WITH THE CIRCUIT COURT FOR TEN DAYS FROM THE DATE BOND IS FIRST SET ON A CHARGE BY THE SUMMARY COURT TO DETERMINE IF BOND SHOULD BE REVOKED; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO DOMESTIC VIOLENCE OFFENSES, SO AS TO AUTHORIZE A JUDGE TO PROCEED WITH THE PROSECUTION OF A DOMESTIC VIOLENCE OFFENSE WITHOUT THE VICTIM PRESENT AND TO REQUIRE A JUDGE TO MAKE CERTAIN INQUIRIES AND WRITTEN FINDINGS REGARDING WHETHER THE PROSECUTION IS READY TO PROCEED AND THE TYPE OF EVIDENCE THE PROSECUTION IS PREPARED TO PRESENT; TO AMEND SECTION 16-25-70, AS AMENDED, RELATING TO WARRANTLESS ARREST OR SEARCH FOR A DOMESTIC VIOLENCE OFFENSE, SO AS TO REQUIRE THAT THE MANDATED LAW ENFORCEMENT INVESTIGATION OF A DOMESTIC VIOLENCE OFFENSE MUST BE DOCUMENTED ON AN INCIDENT REPORT FORM WHICH MUST BE MAINTAINED BY THE INVESTIGATING AGENCY; TO DIRECT THE DEPARTMENT OF SOCIAL SERVICES IN CONSULTATION WITH THE SOUTH CAROLINA VOUCHER PROGRAM TO PROVIDE CERTAIN CHILDCARE SERVICES TO VICTIMS OF DOMESTIC VIOLENCE TO ENCOURAGE PARTICIPATION IN COURT HEARINGS RELATING TO DOMESTIC VIOLENCE; TO AMEND SECTION 17-22-90, RELATING TO PRETRIAL INTERVENTION PROGRAMS, SO AS TO REQUIRE THE DOMESTIC VIOLENCE FATALITY ADVISORY COMMITTEE TO DEVELOP AND THE ATTORNEY GENERAL TO APPROVE A BATTERER'S TREATMENT PROGRAM FOR USE AS PART OF PRETRIAL INTERVENTION FOR CERTAIN DOMESTIC VIOLENCE OFFENSES AND TO ALLOW THE COURT TO DESIGNATE A SPECIFIC BATTERER'S TREATMENT PROGRAM; BY ADDING ARTICLE 3 TO CHAPTER 25, TITLE 16 SO AS TO CREATE THE DEPARTMENT OF DOMESTIC VIOLENCE FATALITIES OF THE OFFICE OF THE ATTORNEY GENERAL OF SOUTH CAROLINA WHOSE PURPOSE IS TO INVESTIGATE FATALITIES RESULTING FROM DOMESTIC VIOLENCE, TO REQUIRE THE ATTORNEY GENERAL TO OVERSEE THESE INVESTIGATIONS AND THE OVERALL OPERATION OF THE DEPARTMENT, AND TO PROVIDE FOR THE DEPARTMENT'S DUTIES AND POWERS; TO CREATE THE DOMESTIC VIOLENCE FATALITY ADVISORY COMMITTEE WHOSE PURPOSE IS TO DECREASE FATALITIES RESULTING FROM DOMESTIC VIOLENCE AND TO PROVIDE FOR THE COMMITTEE'S MEMBERSHIP, DUTIES, AND POWERS; AND TO EXEMPT CERTAIN MEETINGS AND INFORMATION FROM THE APPLICABILITY OF THE FREEDOM OF INFORMATION ACT AND PROVIDE FOR CONFIDENTIALITY OF CERTAIN INFORMATION RELATED TO THE INVESTIGATION AND REVIEW OF INCIDENCES OF DOMESTIC VIOLENCE BY THE DEPARTMENT AND COMMITTEE; BY ADDING ARTICLE 5 TO CHAPTER 25, TITLE 16 SO AS TO RECODIFY THE PROVISIONS OF SECTION 43-1-260, RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS, WITHIN ARTICLE 5; TO REPEAL SECTION 43-1-260 RELATING TO COMMUNITY DOMESTIC VIOLENCE COORDINATING COUNCILS; TO AMEND SECTION 59-32-30, AS AMENDED, RELATING TO SUBJECTS TAUGHT IN THE COMPREHENSIVE HEALTH EDUCATION PROGRAM, SO AS TO ADD THE SUBJECT OF DOMESTIC VIOLENCE BEGINNING WITH THE 2016-2017 SCHOOL YEAR; AND TO STRIKE THE WORD "CRIMINAL" FROM REFERENCES TO CRIMINAL DOMESTIC VIOLENCE OFFENSES THROUGHOUT AS APPROPRIATE.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3912 -- Reps. Clemmons and Bernstein: A HOUSE RESOLUTION TO CONGRATULATE HIS EXCELLENCY BENJAMIN NETANYAHU ON HIS ELECTION TO A FOURTH TERM AS PRIME MINISTER OF ISRAEL, AND WISH HIM AND THE PEOPLE OF ISRAEL PEACE AND PROSPERITY IN THE YEARS TO COME.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3913 -- Reps. Henegan and Hayes: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES DEPARTMENT OF COMMERCE TO URGE IT TO STUDY UNFAIR TRADE PRACTICES INVOLVING CERTAIN TYPES OF PAPER BEING SOLD AT LESS THAN FAIR MARKET VALUE IN UNITED STATES MARKETS BY SOME FOREIGN PRODUCERS, TO ESTIMATE THE IMPACT OF THESE UNFAIR TRADE PRACTICES ON DOMESTIC PRODUCERS, AND TO IMPOSE DUTIES ON PAPER PRODUCTS THAT ARE UNFAIRLY PRICED.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 598 -- Senators Young, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Kimpson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Sabb, Scott, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin and Williams: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD FULL WEEK IN APRIL 2015 AS "SHAKEN BABY SYNDROME AWARENESS WEEK" TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

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

**INTRODUCTION OF BILLS**

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

H. 3914 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO PARTICLE ACCELERATORS (TITLE C), DESIGNATED AS REGULATION DOCUMENT NUMBER 4482, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3915 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4554, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3916 -- Reps. Long, Norrell, Yow, Erickson, Anthony, Henderson, Herbkersman, Newton and Toole: A BILL TO AMEND SECTION 56-1-400, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SURRENDER OF A PERSON'S DRIVER'S LICENSE TO THE DEPARTMENT OF MOTOR VEHICLES UPON ITS SUSPENSION OR REVOCATION, THE ISSUANCE OF A NEW DRIVER'S LICENSE, AND THE INSTALLATION OF AN IGNITION INTERLOCK DEVICE ON A VEHICLE FOR A CONVICTION FOR CERTAIN OFFENSES, SO AS TO DELETE THE PROVISION THAT ALLOWS A PERSON WHOSE EMPLOYMENT REQUIRES HIM TO DRIVE A VEHICLE THAT IS NOT REQUIRED TO BE EQUIPPED WITH THE DEVICE TO OBTAIN A WAIVER FROM HAVING THE DEVICE INSTALLED IN THE VEHICLE.

Referred to Committee on Judiciary

H. 3917 -- Reps. Atwater, Long, Horne and Erickson: A BILL TO AMEND SECTION 47-1-10, AS AMENDED, 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 EXCEPT FOR SPECIFIED REASONS AND TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION WHICH IS A MISDEMEANOR.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3918 -- Reps. Ott, Jefferson, Gilliard, King, Knight, Gagnon, Neal, Kirby, Williams, Alexander, Norrell, Clyburn, Spires, Henegan, Hosey, Mack, Anthony, Bales, R. L. Brown, Dillard, Hodges, McKnight and Whipper: A BILL TO AMEND CHAPTER 26, TITLE 50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ALL-TERRAIN VEHICLE SAFETY ACT", SO AS TO RENAME THE ACT THE "ALL-TERRAIN VEHICLE AND RECREATIONAL OFF-HIGHWAY VEHICLE ACT", TO PROVIDE ADDITIONAL TERMS AND THEIR DEFINITIONS, TO PROVIDE THAT THIS CHAPTER ALSO APPLIES TO RECREATIONAL OFF-HIGHWAY VEHICLES, TO PROVIDE THAT IT IS UNLAWFUL TO REMOVE FROM A RECREATIONAL OFF-HIGHWAY VEHICLE CERTAIN MANUFACTURER WARNING LABELS, TO PROVIDE THAT IT IS UNLAWFUL FOR A PARENT OR LEGAL GUARDIAN OF CERTAIN MINORS TO ALLOW A MINOR TO OPERATE A RECREATIONAL OFF-HIGHWAY VEHICLE IN VIOLATION OF THE MANUFACTURER WARNING LABEL, TO PROVIDE THAT CERTAIN MINORS WHO ARE PASSENGERS IN A RECREATIONAL OFF-HIGHWAY VEHICLE MUST WEAR EYE PROTECTION, A SAFETY HELMET, AND A SEAT BELT, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE A RECREATIONAL OFF-HIGHWAY VEHICLE WHILE CARRYING A PASSENGER IN ITS BED OR WHILE CARRYING MORE PASSENGERS THAN RECOMMENDED BY THE VEHICLE'S OWNER'S MANUAL, AND TO EXEMPT RECREATIONAL OFF-ROAD VEHICLES FROM AD VALOREM TAXES; TO AMEND ARTICLE 9, CHAPTER 19, TITLE 56, RELATING TO THE TITLING OF ALL-TERRAIN VEHICLES, SO AS TO PROVIDE THAT THIS ARTICLE ALSO APPLIES TO THE OPERATION OF RECREATIONAL OFF-HIGHWAY VEHICLES; BY ADDING ARTICLE 3 TO CHAPTER 2, TO TITLE 56 SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "RECREATIONAL OFF-HIGHWAY VEHICLE" AND "ALL-TERRAIN VEHICLE"; AND TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS THAT RELATE TO MOTOR VEHICLES, SO AS TO DELETE THE TERM "ALL TERRAIN VEHICLE" OR "ATV" AND ITS DEFINITION.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3919 -- Reps. Rivers, Merrill and Stringer: A BILL TO AMEND SECTION 12-6-2320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ALLOCATION AND APPORTIONMENT OF INCOME, SO AS TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ENTER INTO AN AGREEMENT ESTABLISHING THE ALLOCATION AND APPORTIONMENT OF THE INCOME OF A TAXPAYER THAT BUILDS OR EXPANDS AN INDUSTRIAL FREIGHT RAILROAD INTO AN INDUSTRIAL PARK AND INVESTS AT LEAST TWO MILLION DOLLARS; AND TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT BUILDING MATERIALS NECESSARY TO BUILD OR EXPAND INDUSTRIAL FREIGHT RAILROADS INTO AN INDUSTRIAL PARK IN THIS STATE.

Referred to Committee on Ways and Means

H. 3920 -- Reps. Loftis, Burns, Chumley, Brannon, Bales, Gagnon, Hicks, Kennedy, Pitts and Wells: A BILL TO AMEND SECTION 38-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MUNICIPAL LICENSE FEES AND TAXES ON INSURANCE, SO AS TO ALLOW A MUNICIPALITY TO TAX INSURANCE PREMIUMS, TO ESTABLISH REQUIREMENTS CONCERNING THE TAX, TO DEFINE DISCLOSURE REQUIREMENTS, TO ESTABLISH A REFUND PROCEDURE IF A TAXED INSURANCE POLICY IS CANCELED, AND TO GRANT AUTHORITY TO THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS.

Referred to Committee on Labor, Commerce and Industry

**H. 3775--RECALLED FROM COMMITTEE ON**

**EDUCATION AND PUBLIC WORKS**

On motion of Rep. ALLISON, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Education and Public Works:

H. 3775 -- Reps. Nanney, Allison, Bannister, Bedingfield, Burns, Chumley, Dillard, Hamilton, Henderson, Loftis, Putnam, Robinson-Simpson, G. R. Smith, Stringer and Willis: A JOINT RESOLUTION TO PROVIDE FOR THE WAIVER OF FIVE OR FEWER DAYS THAT SCHOOLS IN THE GREENVILLE SCHOOL DISTRICT CLOSED IN FEBRUARY 2015, DUE TO INCLEMENT WEATHER, FROM THE STATUTORY REQUIREMENT THAT SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP, AND TO PROVIDE THAT THIS REQUIREMENT DOES NOT APPLY TO TIME MISSED DUE TO INCLEMENT WEATHER FROM THESE STORMS.

**MOTION PERIOD**

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

**H. 3118--FREE CONFERENCE POWERS GRANTED**

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

H. 3118 -- Reps. Pitts and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-525 SO AS TO AUTHORIZE THE DEPARTMENT OF NATURAL RESOURCES TO PROMULGATE REGULATIONS GOVERNING CERTAIN AREAS TO ESTABLISH SEASONS, DATES, AREAS, BAG LIMITS, AND OTHER RESTRICTIONS FOR HUNTING AND TAKING WILD TURKEY; BY ADDING SECTION 50-11-580 SO AS TO ESTABLISH MALE WILD TURKEY HUNTING SEASON AS MARCH 20 THROUGH MAY 5, DECLARE THE SATURDAY PRECEDING MARCH 20 OF EACH YEAR TO BE "SOUTH CAROLINA YOUTH TURKEY HUNTING DAY" AND PROVIDE A PROCEDURE FOR YOUTH TURKEY HUNTING ON THIS DAY, TO PROVIDE A WILD TURKEY BAG LIMIT, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO REPORT TO THE GENERAL ASSEMBLY CERTAIN WILD TURKEY RESOURCES INFORMATION INCLUDING RECOMMENDATIONS REGARDING THE SEASON AND THE BAG LIMITS; TO AMEND SECTIONS 50-11-530, 50-11-540, AND 50-11-544, ALL RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF THE HUNTING OF WILD TURKEYS, SO AS TO REVISE THE DEPARTMENT'S AUTHORITY TO REGULATE THE HUNTING OF WILD TURKEYS, TO ALLOW IT TO PROMULGATE EMERGENCY REGULATIONS FOR THE PROPER CONTROL OF THE HARVESTING OF WILD TURKEYS, TO REVISE THE PENALTIES FOR VIOLATING THE PROVISIONS THAT REGULATE THE HUNTING OF WILD TURKEYS, AND TO PROVIDE THAT ALL WILD TURKEY TRANSPORTATION TAGS MUST BE VALIDATED AS PRESCRIBED BY THE DEPARTMENT BEFORE A TURKEY IS MOVED FROM THE POINT OF KILL; AND TO SUSPEND THE PROVISIONS OF SECTION 50-11-520 UPON THE EFFECTIVE DATE OF THE ACT UNTIL NOVEMBER 7, 2018, WHEN SECTION 50-11-580 IS REPEALED.

The yeas and nays were taken resulting as follows:

Yeas 107; Nays 0

Those who voted in the affirmative are:

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

**Total--107**

Those who voted in the negative are:

**Total--0**

The Committee of Conference was thereby resolved into a Committee of Free Conference. The SPEAKER appointed Reps. PITTS, OTT and HIXON to the Committee of Free Conference and a message was ordered sent to the Senate accordingly.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 3041--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

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

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

SECTION 1. It is proposed that Section 7, Article VI of the Constitution of this State be amended by adding the following new paragraph at the end:

“Beginning upon the expiration of the term of the Superintendent of Education serving in office on the date of the ratification of the provisions of this paragraph, the Superintendent of Education must be appointed by the Governor, upon the advice and consent of the Senate. The term of office must be for four years, coterminous with that of the Governor. The General Assembly shall provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Superintendent of Education may be removed from office.”

SECTION 2. The proposed amendment in Section 1 must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article VI of the Constitution of this State, relating to state constitutional officers, be amended so as to delete the Superintendent of Education from the list of state officers which the Constitution requires to be elected; to provide that upon the expiration of the term of the Superintendent of Education serving in office on the date of the ratification of this provision, the superintendent must be appointed by the Governor, upon the advice and consent of the Senate; and to require the General Assembly to provide by law for the duties, compensation, and qualifications for office, the procedures by which the appointment is made, and the procedures by which the Superintendent of Education may be removed from office?

Yes 

No 

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

Rep. BANNISTER spoke in favor of the Joint Resolution.

Rep. ANTHONY spoke against the Joint Resolution.

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

The yeas and nays were taken resulting as follows:

Yeas 67; Nays 40

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Bannister | Bedingfield | Bingham |
| Bradley | Brannon | Burns |
| Chumley | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Daning |
| Delleney | Duckworth | Erickson |
| Finlay | Forrester | Funderburk |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Howard | Huggins |
| Limehouse | Long | Lowe |
| Lucas | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Newton |
| Norman | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Wells | Whitmire | Willis |
| Yow |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bamberg |
| G. A. Brown | Dillard | Douglas |
| Felder | Gagnon | George |
| Gilliard | Govan | Hayes |
| Henegan | Hodges | Hosey |
| Jefferson | Johnson | King |
| Kirby | Knight | Mack |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Norrell | Ott | Pitts |
| Ridgeway | Robinson-Simpson | Rutherford |
| J. E. Smith | Tinkler | Toole |
| Weeks | Whipper | White |
| Williams |  |  |

**Total--40**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3041. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Terry Alexander

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on H. 3041. If I had been present, I would have voted against the Joint Resolution.

Rep. Robert Brown

RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on H. 3041. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. Nathan Ballentine

RECORD FOR VOTING

I was temporarily out of the Chamber during the vote on H. 3041. If I had been present, I would have voted in favor of the Joint Resolution.

Rep. G. Murrell Smith

Rep. D. C. MOSS moved that the House do now adjourn, which was agreed to.

**RATIFICATION OF ACTS**

At 3:00 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolutions were duly ratified:

(R. 6, S. 177) -- Senators L. Martin, Hembree and Campsen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 19‑5‑520 SO AS TO ALLOW FOR CERTIFICATION, INSTEAD OF REQUIRING EXTRINSIC EVIDENCE, OF THE AUTHENTICITY OF CERTAIN DOMESTIC AND FOREIGN BUSINESS RECORDS OF REGULARLY CONDUCTED ACTIVITY FOR THE RECORDS TO BE ADMISSIBLE AND TO REQUIRE A CRIMINAL PENALTY FOR FALSE CERTIFICATION.

(R. 7, S. 397) -- Senators Leatherman, Setzler and O’Dell: AN ACT 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 2014 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.

(R. 8, S. 411) -- Senator Cleary: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53‑3‑200 SO AS TO DESIGNATE THE MONTH OF OCTOBER OF EVERY YEAR AS “ITALIAN AMERICAN HERITAGE MONTH” IN SOUTH CAROLINA.

(R. 9, S. 534) -- Senator Johnson: AN ACT TO AMEND ACT 355 OF 2004, AS AMENDED, RELATING TO THE CLARENDON COUNTY SCHOOL DISTRICTS PROPERTY TAX RELIEF ACT, SO AS TO PROVIDE THAT A PERCENTAGE OF THE SPECIAL ONE PERCENT SALES AND USE TAX IN CLARENDON COUNTY IMPOSED PURSUANT TO THE ACT MAY BE APPLIED TO SUPPORT SCHOOL OPERATING EXPENSES, AND TO PROVIDE THAT A TAX IMPOSED PURSUANT TO THE ACT MAY BE IMPOSED FOR NOT MORE THAN THIRTY YEARS.

(R. 10, H. 3752) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION ‑ BOARD OF DENTISTRY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4502, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 11, H. 3753) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION ‑ BOARD OF LONG TERM HEALTH CARE ADMINISTRATORS, RELATING TO FEES [AND FEE SCHEDULE], DESIGNATED AS REGULATION DOCUMENT NUMBER 4507, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 12, H. 3754) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION ‑ BOARD OF MEDICAL EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4509, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 13, H. 3756) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION ‑ BOARD OF EXAMINERS IN OPTICIANRY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4511, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 14, H. 3758) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION ‑ BOARD OF PODIATRY EXAMINERS, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4513, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

(R. 15, H. 3760) -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION ‑ BOARD OF EXAMINERS IN PSYCHOLOGY, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4515, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 3886 -- Reps. Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH CAROLINA BOARD OF ACCOUNTANCY AND THE SOUTH CAROLINA ASSOCIATION OF CERTIFIED PUBLIC ACCOUNTANTS FOR THEIR SIGNIFICANT PROFESSIONAL CONTRIBUTIONS TO THE CITIZENS AND BUSINESSES OF THE PALMETTO STATE, TO COMMEND THEM FOR A CENTURY OF OUTSTANDING COMMUNITY SERVICE AND PUBLIC-PROTECTION ACTIVITIES, AND TO CONGRATULATE THEM UPON THE STATE ORGANIZATION'S ONE HUNDREDTH ANNIVERSARY.

H. 3883 -- Reps. Sottile, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE AND HONOR CHARLESTON COUNTY SCHOOL DISTRICT'S LAING MIDDLE SCHOOL OF SCIENCE AND TECHNOLOGY ON BEING NAMED A FINALIST FOR THE 2015 FLORIDA EDUCATIONAL TECHNOLOGY CONFERENCE (FETC) STEM EXCELLENCE AWARDS.

**ADJOURNMENT**

At 4:21 p.m. the House, in accordance with the motion of Rep. ROBINSON-SIMPSON, adjourned in memory of Jason Matthew Jenkins of Greenville, to meet at 10:00 a.m. tomorrow.

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