~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

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

Let us pray: Bless these Representatives and staff with the sense of doing what is necessary to accomplish great things for the people whom they serve. Give them strength, courage, wisdom, and integrity in all they do and say. May the words of our mouths and the meditations of our hearts be pleasing to You, O Lord. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom 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 prayer. Amen.

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

After corrections to the Journal of the proceedings of Thursday, June 4, the SPEAKER *PRO TEMPORE* ordered it confirmed.

**MOTION ADOPTED**

Rep. FUNDERBURK moved that when the House adjourns, it adjourn in memory of Michael R. Hornsby of Lugoff, husband of Linda Hornsby, and brother-in-law of Assistant Sergeant-at-Arms, Benny DeBruhl, which was agreed to.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bedingfield | Bernstein |
| Bingham | Brannon | G. A. Brown |
| Burns | Chumley | Clary |
| Cole | Collins | Corley |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Forrester | Funderburk | Gagnon |
| George | Gilliard | Goldfinch |
| Hardee | Hayes | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Jefferson |
| Johnson | Jordan | Kirby |
| Knight | Limehouse | Lowe |
| Lucas | McCoy | McEachern |
| W. J. McLeod | Merrill | D. C. Moss |
| Murphy | Newton | Norman |
| Norrell | Ott | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stringer | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | White |
| Williams | Willis | Yow |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, June 16.

|  |  |
| --- | --- |
| Carl Anderson | J. Bamberg |
| William Bowers | Jeff A. Bradley |
| Alan D. Clemmons | William Clyburn |
| Raye Felder | Kirkman Finlay |
| Mike Gambrell | Jerry Govan |
| Chris Hart | Phyllis Henderson |
| Chip Huggins | Ralph Kennedy |
| Dwight Loftis | David Mack |
| Cezar McKnight | Mia S. McLeod |
| Joseph Neal | Anne Parks |
| Richard "Rick" Quinn | Mike Ryhal |
| Edward L. Southard | Leon Stavrinakis |
| Edward "Eddie" Tallon | Jackson "Seth" Whipper |
| William R. "Bill" Whitmire | Robert L. Brown |
| Harold Mitchell |  |

**Total Present--113**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. J. E. SMITH a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. H. A. CRAWFORD a leave of absence for the day due to a prior family commitment.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**CO-SPONSOR ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4145 |
| Date: | ADD: |
| 06/16/15 | JOHNSON |

**H. 4230--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4230 -- Rep. White: A BILL TO AMEND H. 3701 OF 2015, THE ANNUAL GENERAL APPROPRIATIONS BILL FOR FISCAL YEAR 2015-2016, SO AS TO MAKE SUPPLEMENTAL APPROPRIATIONS BY PROVIDING TARGETED INCREASES IN GENERAL FUND APPROPRIATIONS AND TO MAKE NECESSARY CONFORMING PROVISO AMENDMENTS AND PROVIDE FOR OTHER RELATED MATTERS.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4230 (COUNCIL\BBM\4230C003. BBM.DG15), which was adopted:

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

/ SECTION 1. Part IA of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, is amended by increasing specific general fund appropriations contained therein by amounts provided herein. References in these sections are to sections and subdivisions of those sections in Part IA of H. 3701 of 2015.

SECTION 33

J02‑DEPARTMENT OF HEALTH AND HUMAN SERVICES

II. PROGRAM AND SERVICES

3. MEDICAL ASSISTANCE PAYMENT

CASE SERVICES

G. CLTC‑COMMUNITY LONG‑TERM CARE 5,000,000

II. PROGRAM AND SERVICES

3. MEDICAL ASSISTANCE PAYMENT

CASE SERVICES

V. COORDINATED CARE 39,820,000

II. PROGRAM AND SERVICES

3. MEDICAL ASSISTANCE PAYMENT

CASE SERVICES

Z. BEHAVIORAL HEALTH SERVICES 5,000,000

SECTION 38

L04‑DEPARTMENT OF SOCIAL SERVICES

II. PROGRAMS AND SERVICES

F. CHILD SUPPORT ENFORCEMENT

OTHER OPERATING EXPENSES 2,600,000

SECTION 50

P32‑DEPARTMENT OF COMMERCE

IV. NON‑RECURRING APPROPRIATIONS

ECONOMIC DEVELOPMENT

INFRASTRUCTURE 70,000,000

SECTION 61

E23‑COMMISSION ON INDIGENT DEFENSE

III. OFFICE OF CIRCUIT PUBLIC DEFENDERS

SPECIAL ITEM:

DEFENSE OF INDIGENTS

PER CAPITA 6,080,000

SECTION 106

F30‑STATEWIDE EMPLOYEE BENEFITS

III. NON‑RECURRING

BONUS PAY 23,500,000

SECTION 112

DEBT SERVICE

I. GENERAL OBLIGATION BOND (G.O.)

BONDS SUBJECT TO DEBT

SERVICE LIMITATION:

ECONOMIC DEVELOPMENT BONDS 16,425,000

SECTION 2. Part IA of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, is amended by increasing specific EIA other fund appropriations contained therein by amounts provided herein. References in these sections are to sections and subdivisions of those sections in Part IA of H. 3701 of 2015.

SECTION 1

H63‑DEPARTMENT OF EDUCATION

XII. EDUCATION IMPROVEMENT ACT

A. STANDARDS, TEACHING, LEARNING, ACCOUNT.

1. STUDENT LEARNING

MODERNIZE VOCATIONAL

EQUIPMENT 6,538,722

READING COACHES 4,961,278

EEDA 10,000,000

SECTION 3. Part IA of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, is amended by decreasing specific general fund appropriations contained therein by amounts provided herein. References in these sections are to sections and subdivisions of those sections in Part IA of H. 3701 of 2015.

SECTION 114

X44‑AID TO SUBDIVISIONS ‑ DEPARTMENT OF REVENUE

I. AID TO SUBDIVISIONS‑

DEPT. OF REVENUE

DISTRIBUTION TO SUBDIVISIONS:

AID TO COUNTIES ‑ HOMESTEAD

EXEMPTION FUND 20,425,000

SECTION 4. Part IB of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, is amended as provided in this section. References in this section are to Part IB of H. 3701 of 2015 and the provisions contained herein shall supersede like provisions in H. 3701 of 2015.

SECTION 1 ‑ H63‑DEPARTMENT OF EDUCATION

1.68. (SDE: Educational Credit for Exceptional Needs Children) ~~(A) As used in this proviso:~~

~~(1) ‘Independent school’ means a school, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.~~

~~(2) ‘Parent’ means the natural or adoptive parent or legal guardian of a child.~~

~~(3) ‘Qualifying student’ means a student who is a South Carolina resident and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the current school year.~~

~~(4) ‘Resident public school district’ means the public school district in which a student resides.~~

~~(5) ‘Tuition’ means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school and school-related transportation.~~

~~(6) ‘Eligible school’ means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59-65-10 may be met, that:~~

~~(a) offers a general education to primary or secondary school students;~~

~~(b) does not discriminate on the basis of race, color, or national origin;~~

~~(c) is located in this State;~~

~~(d) has an educational curriculum that includes courses set forth in the state’s diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;~~

~~(e) has school facilities that are subject to applicable federal, state, and local laws; and~~

~~(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools or the South Carolina Independent Schools Association.~~

~~(7) ‘Nonprofit scholarship funding organization’ means a charitable organization that:~~

~~(a) is exempt from federal tax under Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the Code;~~

~~(b) allocates, after its first year of operation, at least ninety-five percent of its annual contributions and gross revenue received during a particular year to provide grants for tuition, transportation, or textbook expenses (collectively hereinafter referred to as tuition) or any combination thereof to children enrolled in an eligible school meeting the criteria of this section, and incurs administrative expenses annually, after its first year of operation, of not more than five percent of its annual contributions and revenue for a particular year;~~

~~(c) allocates all of its funds used for grants on an annual basis to children who are ‘exceptional needs’ students as defined herein;~~

~~(d) does not provide grants solely for the benefit of one school, and if the Department of Revenue determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this section may be disallowed;~~

~~(e) does not have as a volunteer, contractor, consultant, fundraiser or member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this section from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member; and~~

~~(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony, or who has declared bankruptcy within the last seven years;~~

~~(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students or schools for financial gain; and~~

~~(h) must not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.~~

~~(8) ‘Person’ means an individual, partnership, corporation, or other similar entity.~~

~~(9) ‘Transportation’ means transportation to and from school only.~~

~~(B) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12 or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of money the person contributes to a nonprofit scholarship funding organization up to the limits of this proviso if:~~

~~(1) the contribution is used to provide grants for tuition, transportation, or textbook expenses or any combination thereof to exceptional needs children enrolled in eligible schools who qualify for these grants under the provisions of this section; and~~

~~(2) the person does not designate a specific child or school as the beneficiary of the contribution.~~

~~(C) Grants may be awarded by a scholarship funding organization in an amount not exceeding ten thousand dollars or the total cost of tuition, whichever is less, for qualifying students with ‘exceptional needs’ to attend an independent school. Prior to awarding any grant, a scholarship funding organization must receive written documentation from the parent documenting that the qualifying student is an exceptional needs child. Upon approving the application, the scholarship funding organization must issue a check to the eligible school in the name of the qualifying student. In the event that the qualifying student leaves or withdraws from the school for any reason prior to the end of the semester or school year and does not re-enroll within thirty days, then the eligible school must return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student’s departure. An ‘exceptional needs’ child is defined as a child:~~

~~(1) (a) who has been evaluated in accordance with South Carolina’s evaluation criteria, as set forth in S.C. Code Ann. Regs. 43‑243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or~~

~~(b) who has been diagnosed within the last three years by a licensed speech-language pathologist, psychiatrist, or medical, mental health, psycho-educational, or other comparable licensed healthcare provider as having a neurodevelopmental disorder; a substantial sensory or physical impairment (such as deaf, blind, or orthopedic disability); or some other disability or acute or chronic condition that significantly impedes the student’s ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child’s unique needs; and~~

~~(2) the child’s parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.~~

~~(D) (1) (a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of eight million dollars for contributions made on behalf of ‘exceptional needs’ students. If the Department of Revenue determines that the total of such credits claimed by all taxpayers exceeds this amount, it shall allow credits only up to those amounts on a first come, first serve basis.~~

~~(b) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department will determine priority for the credit. Subject to the provisions of item (5), contributions must be made on or before June 30, 2015, in order to claim the credit. The credit must be claimed on the return for tax year that the contribution is made.~~

~~(2) A taxpayer may not claim more than sixty percent of their total tax liability for the year in contribution towards the tax credit authorized by subsection (B). This credit is not refundable.~~

~~(3) The Department of Revenue shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if either of the credit limits are met at any time during the current fiscal year.~~

~~(4) A person may claim a credit under subsection (B) for contributions made between July 1, 2014 and June 30, 2015.~~

~~(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the deduction or credit authorized by this section to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.~~

~~(F) Except as otherwise provided, neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this proviso.~~

~~(G) (1) The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (A)(6), and shall publish an approved list of such schools meeting this criteria below. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee.~~

~~(2) (a) By the first day of August for the current fiscal year, the Education Oversight Committee, on its website available to the general public, shall provide a list with addresses and telephone numbers of nonprofit scholarship funding organizations in good standing which provide grants under this proviso, and a list of approved independent schools which accept grants for eligible students and which in its determination are in compliance with the requirements of subsection (A)(6).~~

~~(b) Student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by an eligible school receiving or entitled to receive scholarship grants under this proviso must be transmitted to the Education Oversight Committee which in turn shall publish this information on its website with the most recent scores by category included.~~

~~(3) Any independent school not determined to be an eligible school under the provisions of this proviso may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court’s rules of procedure.~~

~~(4) The Education Oversight Committee, after consultation with its nine-member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to this proviso from the curriculum requirements of subsection (A)(6)(d).~~

~~(H) (1) Every nonprofit scholarship funding organization providing grants under subsection (C), shall cause an outside auditing firm to conduct a comprehensive financial audit of its operations in conformity with generally accepted accounting principles and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review. The audit must also document, at a minimum, the total number of grants awarded, the total amount of each grant, and the names of the eligible schools receiving grants on behalf of the eligible students.~~

~~(2) Every independent school accepting grants for eligible students shall cause to be conducted a compliance audit by an outside entity or auditing firm examining its compliance with the provisions of this proviso, and shall furnish the same within thirty days of its completion and acceptance to the Secretary of State and Department of Revenue which must be made available by them on their website for public review.~~

~~(3) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially in the event that the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. None of the funds that are transferred by one nonprofit scholarship funding organization to another may be considered by the former organization when calculating its administrative expenses.~~

*(A) As used in this paragraph:*

*(1)* ‘*Eligible school*’ *means an independent school including those religious in nature, other than a public school, at which the compulsory attendance requirements of Section 59‑65‑10 may be met, that:*

*(a) offers a general education to primary or secondary school students;*

*(b) does not discriminate on the basis of race, color, or national origin;*

*(c) is located in this State;*

*(d) has an educational curriculum that includes courses set forth in the state*’*s diploma requirements and where the students attending are administered national achievement or state standardized tests, or both, at progressive grade levels to determine student progress;*

*(e) has school facilities that are subject to applicable federal, state, and local laws; and*

*(f) is a member in good standing of the Southern Association of Colleges and Schools, the South Carolina Association of Christian Schools, or the South Carolina Independent Schools Association.*

*(2)* ‘*Exceptional needs child*’ *means a child:*

*(a)(i) who has been evaluated in accordance with this State*’*s evaluation criteria, as set forth in S.C. Code Ann. Regs. 43‑243.1, and determined eligible as a child with a disability who needs special education and related services, in accordance with the requirements of Section 300.8 of the Individuals with Disabilities Education Act; or*

*(ii) who has been diagnosed within the last three years by a licensed speech‑language pathologist, psychiatrist, or medical, mental health, psychoeducational, or other comparable licensed health care provider as having a neurodevelopmental disorder, a substantial sensory or physical impairment such as deaf, blind, or orthopedic disability, or some other disability or acute or chronic condition that significantly impedes the student*’*s ability to learn and succeed in school without specialized instructional and associated supports and services tailored to the child*’*s unique needs; or*

*(b) the parents or legal guardian believes that the services provided by the school district of legal residence do not sufficiently meet the needs of the child.*

*(3)* ‘*Foster child*’ *means a child who is currently or was during the preceding school year, a resident at a Child Caring Facility, Foster Home, or Residential Group Care Home as defined by Section 63‑1‑40; and*

*(4)* ‘*Independent school*’ *means a school, other than a public school, at which the compulsory attendance requirements of Section 59‑65‑10 may be met and that does not discriminate based on the grounds of race, color, religion, or national origin.*

*(5)* ‘*Nonprofit scholarship funding organization*’ *means a charitable organization that:*

*(a) is exempt from federal tax pursuant to Section 501(a) of the Internal Revenue Code by being listed as an exempt organization in Section 501(c)(3) of the Code;*

*(b) allocates at least ninety‑seven percent of its annual contributions and gross revenue received during a particular year to provide grants for tuition to children enrolled in an eligible school meeting the criteria of this paragraph, and incurs administrative expenses annually of not more than three percent nor more than $200,000 in the aggregate, whichever is less, of its annual contributions and revenue for a particular year to cover its operational costs;*

*(c) allocates all of its funds used for grants on an annual basis to children who are exceptional needs students or foster children;*

*(d) does not provide grants solely for the benefit of one school, and if the Department determines that the nonprofit scholarship funding organization is providing grants to one particular school, the tax credit allowed by this paragraph may be disallowed;*

*(e) does not have as a volunteer, contractor, consultant, fundraiser or member of its governing board any parent, legal guardian, or member of their immediate family who has a child or ward who is currently receiving or has received a scholarship grant authorized by this paragraph from the organization within one year of the date the parent, legal guardian, or member of their immediate family became a board member;*

*(f) does not have as a member of its governing board or an employee, volunteer, contractor, consultant, or fundraiser who has been convicted of a felony;*

*(g) does not release personally identifiable information pertaining to students or donors or use information collected about donors, students or schools for financial gain; and*

*(h) must not place conditions on schools enrolling students receiving scholarships to limit the ability of the schools to enroll students accepting grants from other nonprofit scholarship funding organizations.*

*(6)* ‘*Parent*’ *means the natural or adoptive parent or legal guardian of a child.*

*(7)* ‘*Person*’ *means an individual, partnership, corporation, or other similar entity.*

*(8)* ‘*Qualifying student*’ *means a student who is an exceptional needs child or foster child, a South Carolina resident, and who is eligible to be enrolled in a South Carolina secondary or elementary public school at the kindergarten or later year level for the applicable school year.*

*(9)* ‘*Resident public school district*’ *means the public school district in which a student resides.*

*(10)* ‘*Transportation*’ *means transportation to and from school only.*

*(11)* ‘*Tuition*’ *means the total amount of money charged for the cost of a qualifying student to attend an independent school including, but not limited to, fees for attending the school, textbook fees, and school‑related transportation.*

*(12)* ‘*Department*’ *means the Department of Revenue.*

*(B)(1) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this paragraph if:*

*(a) the contribution is used to provide grants for tuition to exceptional needs children or foster children enrolled in eligible schools who qualify for these grants under the provisions of this paragraph; and*

*(b) the person does not designate a specific child or school as the beneficiary of the contribution.*

*(2) An individual is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding ten thousand dollars per child, the individual contributes as tuition for exceptional needs children or foster children within their custody or care and enrolled in eligible schools who qualify for these grants under the provisions of this paragraph. However, if a child within the care and custody of an individual receives a tuition scholarship from a nonprofit scholarship funding organization, then the individual may only claim a credit equal to the difference of ten thousand dollars and the amount of the scholarship.*

*(C) Grants may be awarded by a scholarship funding organization in an amount not exceeding ten thousand dollars or the total cost of tuition, whichever is less, for qualifying students with exceptional needs or qualifying foster children to attend an independent school. Before awarding any grant, a scholarship funding organization must receive written documentation documenting that the qualifying student is an exceptional needs child or foster child. Upon approving the application, the scholarship funding organization must issue a check to the eligible school in the name of the qualifying student. In the event that the qualifying student leaves or withdraws from the school for any reason before the end of the semester or school year and does not reenroll within thirty days, then the eligible school must return a prorated amount of the grant to the scholarship funding organization based on the number of days the qualifying student was enrolled in the school during the semester or school year within sixty days of the qualifying student*’*s departure.*

*(D)(1)(a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of twelve million dollars for contributions made on behalf of exceptional needs students and foster children. The cumulative maximum total for credits authorized by subsection (B)(1) may not exceed eight million dollars and the cumulative maximum total for credits authorized by subsection (B)(2) may not exceed four million dollars. If the department determines that the total of such credits claimed by all taxpayers exceeds either limit amount, it shall allow credits only up to those amounts on a first come, first served basis.*

*(b) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. Subject to the provisions of item (5), contributions must be made on or before June 30, 2016, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.*

*(2) A taxpayer may not claim more than sixty percent of their total tax liability for the year in contribution towards the tax credit authorized by subsection (B)(1). This credit is not refundable.*

*(3) If a taxpayer deducts the amount of the contribution on the taxpayer*’*s federal return and claims the credit allowed by this paragraph, then the taxpayer must add back the amount of the deduction for purposes of South Carolina income taxes.*

*(4) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if the credit limit is met at any time during Fiscal Year 2015‑16.*

*(5) A person only may claim a credit pursuant to subsection (B) for contributions made between July 1, 2015 and June 30, 2016.*

*(E) A corporation or entity entitled to a credit under subsection (B) may not convey, assign, or transfer the credit authorized by this paragraph to another entity unless all of the assets of the entity are conveyed, assigned, or transferred in the same transaction.*

*(F) Except as otherwise provided, neither the Department of Education, the Department of Revenue, nor any other state agency may regulate the educational program of an independent school that accepts students receiving scholarship grants pursuant to this paragraph.*

*(G)(1) By August 1, 2015, each independent school must apply to the Education Oversight Committee to be considered an eligible institution for which it may receive contributions from a nonprofit scholarship funding organization for which the tax credit allowed by this paragraph is allowed. The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (A)(1), and shall publish an approved list of such schools meeting the criteria. If an independent school does not apply to be an eligible school, the independent school may not be published as an approved school, and contributions to that school shall not be allowed for purposes of the credit allowed by this paragraph. The Education Oversight Committee must publish the approved list of schools on its website by September first of each year, and the list must include their names, addresses, telephone numbers, and if available, website addresses. Also, the score reports and audits received by the Education Oversight Committee pursuant to items (2)(b) and (c) must be published with the list. The Education Oversight Committee shall summarize or redact the score reports if necessary to prevent the disclosure of personally identifiable information. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee.*

*(2) An independent school*’*s application for consideration as an eligible institution must contain:*

*(a) the number and total amount of grants received from each nonprofit scholarship funding organization in the preceding fiscal year;*

*(b) Student test scores, by category, on national achievement or state standardized tests, or both, for all grades tested and administered by the school receiving or entitled to receive scholarship grants pursuant to this paragraph in the previous fiscal year;*

*(c) a copy of a compilation, review, or compliance audit of the organization*’*s financial statements, conducted by a certified public accounting firm; and*

*(d) a certification by the independent school that it meets the definition of an eligible school as that term is defined in subsection (A)(1) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16‑9‑10.*

*(3) Any independent school not determined to be an eligible school pursuant to the provisions of this paragraph may seek review by filing a request for a contested case hearing with the Administrative Law Court in accordance with the court*’*s rules of procedure.*

*(4) The Education Oversight Committee, after consultation with its nine‑member advisory committee, may exempt an independent school having students with exceptional needs who receive scholarship grants pursuant to this paragraph from the curriculum requirements of subsection (A)(1)(d).*

*(H)(1) By August first of each year, each nonprofit scholarship funding organization must apply to the Department to be considered an eligible organization for which its contributors are allowed the tax credit allowed by this paragraph. If a nonprofit scholarship funding organization does not apply, the organization may not be published as an approved organization, and contributions to that organization shall not be allowed for purposes of the credit allowed by this paragraph. A nonprofit scholarship funding organization*’*s application must contain:*

*(a) the number and total amount of grants issued to eligible schools in the preceding fiscal year;*

*(b) for each grant issued to an eligible school in the preceding fiscal year, the identity of the school and the amount of the grant;*

*(c) an itemization and detailed explanation of any fees or other revenues obtained from or on behalf of any eligible schools;*

*(d) a copy of the organization*’*s Form 990 or other comparable federal submission that indicates the provisions of the Internal Revenue Code under which the organization has been granted exempt status for purposes of federal taxation;*

*(e) a copy of a compilation, review, or audit of the organization*’*s financial statements, conducted by a certified public accounting firm;*

*(f) the criteria and eligibility requirements for scholarship awards; and*

*(g) a certification by the organization that it meets the definition of a nonprofit scholarship funding organization as that term is defined in subsection (A)(4) and that the report is true, accurate, and complete under penalty of perjury in accordance with Section 16‑9‑10.*

*(2) By receiving the application materials and approving the organization as an eligible organization pursuant to item (1), the department is not determining that the organization meets all of the requirements of a qualified nonprofit scholarship funding organization and the organization remains subject to examination as provided for pursuant to subsection (I).*

*(3) The department has authority to disclose the names of qualifying nonprofit scholarship funding organizations to the Education Oversight Committee. The department also may disclose to the Education Oversight Committee the names of organizations that applied but were not qualified by the department and those organizations whose eligibility has been revoked in accordance with subsection (I)(2), as well as the reason the application of the organization was not accepted or the reason its qualification was revoked.*

*(4) By September first of each year, the Education Oversight Committee must publish on its website a list of all qualifying nonprofit scholarship funding organizations, provided by the department, to include their names, addresses, telephone numbers, and if available, website addresses. Also, the results of the audit required by item (1)(e) must be published with the list.*

*(I)(1) The department has authority to oversee, audit, and examine the nonprofit scholarship funding organizations, including determining whether the nonprofit scholarship funding organization is being operated in a manner consistent with the requirements for an IRC Section 501(c)(3) organization or is in compliance with any other provision of this paragraph.*

*(2)(a) If at any time during the year, the department has evidence, through audit or otherwise, that a nonprofit scholarship funding organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this paragraph, the department may immediately revoke the organization*’*s participation in the program and must notify the organization and the Education Oversight Committee in writing of the revocation.*

*(b) Notice of Revocation may be provided to the organization by personal delivery to the organization, by first class mail to the last known address of the organization, or by other means reasonably designed to provide notice to the organization.*

*(c) Any donations made following the date the notice of revocation is received by the organization or in the case of delivery by mail ten days after the notice of revocation was mailed, will not qualify for the credit and the donated funds must be returned to the donor by the organization. This paragraph shall not limit the department*’*s authority to deny any tax credit or other benefit provided by this paragraph if the circumstances warrant.*

*(d)(i) Within thirty days after the day on which the organization is notified of the revocation, the organization may request a contested hearing before the Administrative Law Court. Within thirty days after a request for a contested case hearing is received by the Administrative Law Court, an administrative law judge shall hold the contested case hearing and determine whether the revocation was reasonable under the circumstances. The department has the burden of proof of showing that the revocation was reasonable under the circumstances. The revocation is* ‘*reasonable*’ *if the department has some credible evidence to believe that the organization is not being operated in a manner consistent with the requirements for operating an IRC Section 501(c)(3) organization or is not in compliance with any other provision of this paragraph. The decision made by the administrative law judge is final and conclusive and may not be reviewed by any court. If the organization does not request a contested case hearing within thirty days of the immediate revocation, the revocation shall become permanent.*

*(ii) If the administrative law judge determines that the revocation was reasonable, the administrative law judge shall remand the case to the department to issue a department determination for permanent revocation within the time period determined by the judge. The organization may appeal this department determination in accordance with Section 12‑60‑460. At the contested case hearing on the department determination, the parties can raise new issues and arguments in addition to those issues and arguments previously presented at the revocation hearing.*

*(iii) If the administrative law judge determines that immediate revocation is not reasonable, the revocation shall be lifted and the organization may resume accepting donations and award scholarships hereunder. The department may still issue a department determination in accordance with Section 12‑60‑450(E)(2).*

*(iv) If at any time during the process, the department believes the organization is in compliance, the department, in its sole discretion, may reinstate the organization and notify the Education Oversight Committee.*

*(v) Following the permanent revocation of a nonprofit scholarship funding organization, the Education Oversight Committee has the authority to oversee the transfer of donated funds of the revoked organization to other nonprofit scholarship funding organizations.*

*(J) A nonprofit scholarship funding organization may transfer funds to another nonprofit scholarship funding organization, especially in the event that the organization cannot distribute the funds in a timely manner or if the organization ceases to exist. None of the funds that are transferred by one nonprofit scholarship funding organization to another may be considered by the former organization when calculating its administrative expenses.*

SECTION 112 ‑ V04‑DEBT SERVICE

112.1. (DS: Excess Debt Service Funds Carry Forward) Excess Debt Service funds from Fiscal Year ~~2013‑14~~ *2014‑15* ~~may~~ *must* be carried forward and expended for ~~debt service purposes~~ in Fiscal Year ~~2014‑15~~ *2015‑16 to pay down general obligation bond debt for which the state (1) is paying the highest rate of interest or (2) will achieve relief in constrained debt capacity*.

SECTION 117 ‑ X90‑GENERAL PROVISIONS

*117.138. (GP: $800 Employee Bonus Pay) From the funds appropriated in Part IA, Section 106, Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies $23,500,000 to provide for a one‑time lump sum bonus. Each permanent state employee, in a full‑time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than $100,000 shall receive a $800 one‑time lump sum payment. This payment is not a part of the state employee*’*s base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee*’*s base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full‑time equivalent position employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee*’*s salary. The earnings limitation in Proviso 117.55 does not apply to this bonus.*

SECTION 118 ‑ X91‑STATEWIDE REVENUE

*118.17. (SR: Supplemental Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following source:*

*(1) $150,000,000 from Fiscal Year 2014‑15 unobligated general fund revenue as certified by the Board of Economic Advisors.*

*This revenue is deemed to have occurred and is available for use in Fiscal Year 2015‑16 after September 1, 2015, following the Comptroller General*’*s close of the state*’*s books on Fiscal Year 2014‑15.*

*(B) The State Treasurer shall disburse the following appropriation by September 30, 2015, for the purpose stated:*

*U12-Department of Transportation*

*State‑Owned Secondary Road*

*Program $150,000,000*

*The Department of Transportation shall distribute the $150,000,000 appropriated above for the State‑Owned Secondary Road Program pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state‑owned secondary road system for paving, rehabilitation, resurfacing and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge or highway that is not part of the state owned system.*

*Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.*

SECTION 5. The supplemental appropriations, reductions, and provisions contained in this act shall be combined with the provisions of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, and be incorporated into Part IA and Part IB of the detail base budget for the succeeding fiscal year.

SECTION 6. All acts or parts of acts inconsistent with any of the provisions of Sections 1, 2, 3, or 4 of this act are suspended for Fiscal Year 2015‑16.

SECTION 7. If any part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other parts, sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 8. Except as otherwise specifically provided, this act takes effect July 1, 2015. /

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

Rep. WHITE spoke in favor of the amendment.

The amendment was then adopted.

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 6 to H. 4230 (COUNCIL\BBM\4230C005. BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $5,000,000 /

Renumber sections to conform.

Amend title to conform.

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

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

Rep. HILL proposed the following Amendment No. 18 to H. 4230 (COUNCIL\BBM\4230C025.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 50.

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12‑DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

STATE‑OWNED SECONDARY ROAD PROGRAM $ 70,000,000 /

Amend the bill further, SECTION 4, by adding a Section to read:

/ SECTION 84 ‑ U12‑DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $70,000,000 appropriated in Part 1A, Section 84, for the State‑Owned Secondary Road Program in the same manner and for the same purpose as provided in Proviso 118.17. /*

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. HILL spoke in favor of the amendment.

Rep. SIMRILL spoke against the amendment.

Rep. SIMRILL spoke against the amendment.

Rep. YOW moved to table the amendment.

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

Yeas 101; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cole | Collins | Corley |
| Crosby | Daning | Dillard |
| Douglas | Duckworth | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Hardee | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Knight |
| Limehouse | Loftis | Lowe |
| Lucas | Mack | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | Murphy |
| Neal | Newton | Norman |
| Ott | Parks | Pitts |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Southard | Spires |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--101**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Hill | Stavrinakis |  |

**Total--2**

So, the amendment was tabled.

Rep. HILL proposed the following Amendment No. 19 to H. 4230 (COUNCIL\BBM\4230C024.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 33.

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12-DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

STATE-OWNED SECONDARY ROAD PROGRAM $ 49,820,000 /

Amend the bill further, SECTION 4, by adding a Section to read:

/ SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $49,820,000 appropriated in Part 1A, Section 84, for the State‑Owned Secondary Road Program in the same manner and for the same purpose as provided in Proviso 118.17. /*

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. G. M. SMITH spoke against the amendment.

Rep. G. M. SMITH spoke against the amendment.

Rep. G. M. SMITH moved to table the amendment.

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

Yeas 79; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Bedingfield | Bernstein | Bingham |
| G. A. Brown | R. L. Brown | Clary |
| Clemmons | Clyburn | Cole |
| Collins | Corley | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Felder |
| Finlay | Forrester | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Hardee | Hayes |
| Henegan | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Limehouse |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | Murphy | Neal |
| Norrell | Ott | Parks |
| Pitts | Ridgeway | Riley |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. R. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Tinkler |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--79**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bradley | Brannon |
| Burns | Chumley | Henderson |
| Hicks | Hill | Johnson |
| Kennedy | Knight | Newton |
| Norman | Putnam | Quinn |
| Robinson-Simpson | Southard | Thayer |
| Toole |  |  |

**Total--19**

So, the amendment was tabled.

Rep. HILL proposed the following Amendment No. 20 to H. 4230 (COUNCIL\BBM\4230C026.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 106.

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12‑DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

STATE‑OWNED SECONDARY ROAD PROGRAM $ 23,500,000 /

Amend the bill further, SECTION 4, by striking Proviso 117.138 and inserting:

/ SECTION 84 ‑ U12‑DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $23,500,000 appropriated in Part 1A, Section 84, for the State‑Owned Secondary Road Program in the same manner and for the same purpose as provided in Proviso 118.17. /*

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. YOW moved to table the amendment.

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

Yeas 87; Nays 11

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bernstein |
| Bingham | Brannon | G. A. Brown |
| R. L. Brown | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | Crosby | Delleney |
| Dillard | Douglas | Duckworth |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Goldfinch |
| Govan | Hardee | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hixon | Hodges |
| HGosey | Huggins | Jefferson |
| Johnson | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| D. C. Moss | Murphy | Neal |
| Newton | Norrell | Ott |
| Parks | Pitts | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Southard |
| Stavrinakis | Tallon | Taylor |
| Tinkler | Toole | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--87**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Bradley | Burns |
| Chumley | Felder | Hill |
| Hiott | Kennedy | Norman |
| Putnam | Thayer |  |

**Total--11**

So, the amendment was tabled.

Rep. HILL proposed the following Amendment No. 21 to H. 4230 (COUNCIL\BBM\4230C027.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 61.

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12‑DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

STATE‑OWNED SECONDARY ROAD PROGRAM $ 6,080,000 /

Amend the bill further, SECTION 4, by adding a Section to read:

/ SECTION 84 ‑ U12‑DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $6,080,000 appropriated in Part 1A, Section 84, for the State‑Owned Secondary Road Program in the same manner and for the same purpose as provided in Proviso 118.17. /*

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

Rep. PITTS spoke against the amendment, and moved to table the amendment.

The House tabled the amendment by a division vote of 69 to 2.

Rep. HILL proposed the following Amendment No. 22 to H. 4230 (COUNCIL\BBM\4230C028.BBM.DG15), which was tabled:.

Amend the bill, as and if amended, SECTION 1, by deleting Section 38.

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12‑DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

STATE‑OWNED SECONDARY ROAD PROGRAM

$ 2,600,000 /

Amend the bill further, SECTION 4, by adding a Section to read:

/ SECTION 84 ‑ U12‑DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $2,600,000 appropriated in Part 1A, Section 84, for the State‑Owned Secondary Road Program in the same manner and for the same purpose as provided in Proviso 118.17. /*

Renumber sections to conform.

Amend title to conform.

Rep. HILL explained the amendment.

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

Reps. TOOLE, ATWATER and QUINN proposed the following Amendment No. 25 to H. 4230 (COUNCIL\BBM\4230C040. BBM.DG15), which was tabled:

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

/ SECTION 1. Part IA of H. 3701 of 2015, the general appropriations bill for Fiscal Year 2015‑16, is amended by increasing specific general fund appropriations contained therein by amounts provided herein. References in these sections are to sections and subdivisions of those sections in Part IA of H. 3701 of 2015.

SECTION 84

U12‑DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

(1) State‑owned Local Roads $75,000,000

(2) Non‑Interstate Connector

Roads $75,000,000

SECTION 106

F30‑STATEWIDE EMPLOYEE BENEFITS

III. NON‑RECURRING

BONUS PAY $18,425,000 /

Amend the bill further, SECTION 4, by striking Proviso 117.138 and 118.17 and inserting:

/ SECTION 84 ‑ U12‑DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $75,000,000 appropriated in Part 1A, Section 84, for State‑Owned local roads to each County Transportation Committee based upon the county*’*s population in comparison to the population of the State. The funds appropriated in this proviso only may be expended for resurfacing and rehabilitation projects on existing state‑owned local roads and bridges thereon.*

*84.20. The Department of Transportation shall distribute the $75,000,000 appropriated in Part 1A, Section 84, for Non‑Interstate Connector Roads to each County Transportation Committee pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize these funds only for resurfacing and rehabilitation projects on existing non‑interstate connector roads and bridges theron.*

SECTION 117 ‑ X90‑GENERAL PROVISIONS

*117.138. (GP: $800 Employee Bonus Pay) From the funds appropriated in Part 1A, Section 106, and Part IB, Section 118, Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies $23,500,000 to provide for a one‑time lump sum bonus. Each permanent state employee, in a full‑time equivalent position, who has been in continuous state service for at least six months prior to July 1, 2015, and who earns less than $100,000 shall receive a $800 one‑time lump sum payment. This payment is not a part of the state employee*’*s base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee*’*s base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full‑time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee*’*s salary. The earnings limitation in Proviso 117.55 does not apply to this bonus.*

SECTION 118 ‑ X91‑STATEWIDE REVENUE

*118.15. (SR: Interstate Improvement Bond) There is appropriated from nontax sources $50,000,000 to the Department of Transportation.* The Department of Transportation shall hold the $50,000,000 in a separate and distinct account until a law has been enacted to authorize the dedication and transfer of a recurring $50,000,000 of nontax revenue to the Department of Transportation for the purposes of bonding. Upon enactment of enabling legislation, the Department of Transportation shall utilize the funds to leverage *approximately $500,000,000 in bonds. From the bond proceeds: (1) $300,000,000 must be used for expansion and improvements to existing mainline interstates and bridges thereon;*

*(2) $100,000,000 must be used for resurfacing and rehabilitation projects on existing state‑owned local roads and bridges thereon; and*

*(3) $100,000,000 must be used for resurfacing and rehabilitation projects on existing non‑interstate connector roads and bridges thereon.*

*The department shall submit all projects proposed to be financed through this provision to the Joint Bond Review Committee for approval before financing any proposed project.*

*118.17. (SR: Supplemental Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following source:*

*(1) $150,000,000 from Fiscal Year 2014‑15 unobligated general fund revenue as certified by the Board of Economic Advisors.*

*This revenue is deemed to have occurred and is available for use in Fiscal Year 2015‑16 after September 1, 2015, following the Comptroller General*’*s close of the state*’*s books on Fiscal Year 2014‑15.*

*(B) The State Treasurer shall disburse the following appropriations by September 30, 2015, for the purposes stated:*

*(1) J02 Department of Health and Human Services*

*(a) CLTC Community Long‑Term Care $5,000,000;*

*(b) Coordinated Care $39,820,000;*

*(c) Behavioral Health Services $5,000,000;*

*(2) L04 Department of Social Services*

*Child Support Enforcement Other*

*Operating Expenses $2,600,000*

*(3) P32 Department of Commerce*

*Economic Development Infrastructure*

*$70,000,000*

*(4) E23 Commission on Indigent Defense*

*Defense of Indigents $6,080,000*

*(5) F30 Statewide Employee Benefits*

*Employee Bonus Pay $5,075,000*

*(6) V04 Debt Service*

*Economic Development Bonds $16,425,000*

*Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.* /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE explained the amendment.

Rep. TOOLE spoke in favor of the amendment.

Rep. WHITE moved to table the amendment.

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

Yeas 55; Nays 26

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | G. A. Brown | R. L. Brown |
| Clary | Clemmons | Cole |
| Corley | Daning | Douglas |
| Duckworth | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Hayes | Henderson | Henegan |
| Herbkersman | Hixon | Hodges |
| Hosey | Jefferson | Limehouse |
| Loftis | Lowe | Mack |
| McEachern | Merrill | D. C. Moss |
| Neal | Pitts | Ridgeway |
| Riley | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | Tallon |
| Tinkler | Wells | Whipper |
| White | Williams | Willis |
| Yow |  |  |

**Total--55**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Ballentine | Bedingfield |
| Bowers | Bradley | Burns |
| Chumley | Crosby | Hicks |
| Hill | Hiott | Huggins |
| Kennedy | W. J. McLeod | Newton |
| Norman | Putnam | Quinn |
| Rivers | Sottile | Southard |
| Spires | Stringer | Taylor |
| Thayer | Toole |  |

**Total--26**

So, the amendment was tabled.

Rep. BANNISTER proposed the following Amendment No. 27 to H. 4230 (COUNCIL\BBM\4230C041.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding the following Sections:

SECTION 57 ‑ Judicial Department

I. The Court:

A. Supreme Court:

Personal Service

Chief Justice ‑ Other Funds only

$ 30,167

Associate Justice -

Other funds only $ 114,924

II. Court of Appeals

Personal Service

Chief Appeals Court

Judge ‑ Other Funds only $ 28,443

Associate Appeals Court

Judge ‑ Other Funds only $ 224,104

III. Circuit Court:

Personal Service

Circuit Court Judge ‑ Other

Funds only $1,536,199

IV. Family Court:

Personal Service

Family Court Judge ‑ Other Funds

only $1,337,455

VIII. Employee Benefits:

C. State Employer Contributions

Employer Contributions ‑ Other

Funds only $2,636,344

SECTION 58 ‑ Administrative Law Court

I. Administration:

Personal Service

Chief Judge $ 26,981

Associate Judge $ 119,914

II. Employee Benefits:

C. State Employer Contributions

Employer Contributions $ 114,870

SECTION 60 ‑ Prosecution Coordination Commission

II. Offices of Circuit Solicitors:

Solicitors

Personal Service

Circuit Solicitor $ 436,720

III. Employee Benefits:

C. State Employer Contributions

Employer Contributions $ 228,056

SECTION 61 ‑ Indigent Defense

III. Office of Circuit Public Defenders:

Personal Service

Circuit Public Defenders $ 479,658

V. Employee Benefits:

C. State Employer Contributions

Employer Contributions $ 352,074

SECTION 74 ‑ Worker’s Compensation Commission

II. Judicial

A. Commissioners

Personal Service

Chairman $ 23,199

Commissioners $ 139,194

V. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 53,590

SECTION 91A - The Senate

I. Administration

Personal Service

Senators @ $10,400 $ 376,786

II. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 28,824

SECTION 91B - The House of Representatives

I. Administration

Personal Service

Representatives @ $10,400 $1,015,684

II. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 77,700

SECTION 92A - Governor

(Governor’s Office‑Executive Control Of State)

I. Administration

Personal Service

Governor $ 68,216

II. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 16,174

SECTION 95 - Lieutenant Governor

I. Administration

Personal Service

Lieutenant Governor $ 11,553

III. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 2,739

SECTION 96 - Secretary Of State

I. Administration

Personal Service

Secretary of State $ 35,809

II. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 8,490

SECTION 97 - Comptroller General

I. Administrative Services

Personal Service

Comptroller General $ 35,809

VI. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 8,490

SECTION 98 - State Treasurer’s Office

I. Administration

Personal Service

State Treasurer $ 53,238

IV. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 12,623

SECTION 100 - Adjutant General

I. Administration

Personal Service

Adjutant General $ 35,809

XIV. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 8,490

SECTION 1 - Department Of Education

I. Superintendent of Education

Personal Service

State Super. Of Education $ 64,858

XVIII. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 15,378

SECTION 44 - Commissioner Of Agriculture

I. Administrative Services

Personal Service

Commsnr. Of Agriculture $ 35,809

V. Employee Benefits

C. State Employer Contributions

Employer Contributions $ 8,490/

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

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

Reps. BINGHAM, WHITE, W. J. MCLEOD, OTT, HAYES, WILLIAMS and R. L. BROWN proposed the following Amendment No. 28 to H. 4230 (COUNCIL\BBM\4230C035.BBM.DG15), which was adopted:

Amend the bill, as and if amended, SECTION 1, Proviso 1.68, by striking 1.68(B)(2) and inserting:

/ *(2) An individual is entitled to a refundable tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities, not exceeding ten thousand dollars per child, the individual contributes as tuition for exceptional needs children or foster children within their custody or care and enrolled in eligible schools who qualify for these grants under the provisions of this paragraph. The cumulative maximum total for credits authorized by this subitem may not exceed four million dollars. However, if a child within the care and custody of an individual receives a tuition scholarship from a nonprofit scholarship funding organization, then the individual may only claim a credit equal to the difference of ten thousand dollars and the amount of the scholarship. /*

Amend the bill further, SECTION 4, Proviso 1.68, by striking 1.68(D)(1)(a) and inserting:

/ *(D)(1)(a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of twelve million dollars. The department shall allow the credit only on a first come, first serve basis.* /

Renumber sections to conform

Amend title to conform

Rep. BINGHAM explained the amendment.

The amendment was then adopted.

Rep. QUINN proposed the following Amendment No. 29 to H. 4230 (COUNCIL\BBM\4230C023.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 106 and inserting:

/ SECTION 106

F30‑STATEWIDE EMPLOYEE BENEFITS

II. State Employee Benefits

B. Base Pay Increase 23,250,000 /

Amend the bill further, SECTION 4, Section 117, by adding the following Subdivision:

/ *117.125. (GP: Employee Compensation) the amounts appropriated in Part IA, Section 106 Statewide Employee Benefits (F30) for Employee Pay Plan must be allocated by the Department of Administration to the various state agencies to provide for employee pay increases in accordance with the following plan:*

*(1) With respect to classified and nonjudge judicial classified employees, effective on the first pay date that occurs on or after July first of the current fiscal year, the compensation of all classified employees shall be increased by one and one‑half percent.*

*(2) With respect to unclassified and nonjudge judicial unclassified employees or unclassified executive compensation system employees not elsewhere covered in this act, effective on the first pay date that occurs on or after July first of the current fiscal year the compensation of all unclassified employees shall be increased by one and one‑half percent. Any employee subject to the provisions of this paragraph shall not be eligible for compensation increases provided in paragraphs 1, 3, 4, 5, or 6.*

*(3) Effective on the first pay date that occurs on or after July first of the current fiscal year, agency heads not covered by the Agency Head Salary Commission, shall receive an annualized base pay increase of one and one‑half percent.*

*(4) With respect to local health care providers compensation increases shall be one and one‑half percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to Area Agencies on Aging funded by the Lieutenant Governor*’*s Office on Aging, compensation shall be increased by one and one‑half percent effective on the first pay date that occurs on or after July first of the current fiscal year. With respect to local councils on aging or local providers of services funded by the Lieutenant Governor*’*s Office on Aging through Area Agencies on Aging, no pay increases will be allowed. School Bus Driver salary and fringe funding to school districts shall be increased by one and one‑half percent.*

*(5) Effective on the first pay date that occurs on or after July first of the current fiscal year, the Chief Justice and other judicial officers shall receive an annualized base pay increase of one and one‑half percent. In the event the Chief Justice and other judicial officers receive a pay increase in the Fiscal Year 2015‑16 Appropriations Act, they shall not be eligible to receive the additional one and one‑half percent authorized in this item.*

*(6) Effective on the first pay date that occurs on or after July first of the current fiscal year, county auditors and county treasurers shall receive an annualized base pay increase of one and one‑half percent.*

*(7) For the current fiscal year, the Department of Administration is directed to review Executive Branch agencies to determine whether their budgets warrant an other fund authorization increase due to the one and one‑half percent compensation increase for all full‑time employees. If so warranted, the Department of Administration shall work with the Office of the Comptroller General to increase such authorization for the affected agencies.*

*(8) The Department of Administration, the Office of Comptroller General, and state agencies whose payroll is not processed by the Office of Comptroller General are authorized to implement employee pay increases described in this provision retroactively to the first pay date that occurs on or after July first of the current fiscal year.*

*The Executive Director of the State Fiscal Accountability Authority is authorized to use excess appropriations for the current fiscal year designated for statewide employer contributions for other statewide purposes. At the discretion of the Executive Director of the State Fiscal Accountability Authority, such action may be considered a permanent transfer into the receiving agency*’*s base budget.*

*Funds appropriated in Part IA, F30, Section 106, Statewide Employee Benefits may be carried forward from the prior fiscal year into the current fiscal year. /*

Amend the bill further, SECTION 4, Section 117, by deleting Proviso 117.38.

Renumber sections to conform.

Amend title to conform.

Rep. QUINN explained the amendment.

Rep. WHITE spoke against the amendment.

Rep. NORMAN moved to table the amendment.

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

Yeas 63; Nays 34

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Ballentine |
| Bannister | Bedingfield | Bowers |
| Bradley | G. A. Brown | Clemmons |
| Cole | Corley | Crosby |
| Delleney | Douglas | Duckworth |
| Felder | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Hardee | Hayes |
| Henderson | Henegan | Herbkersman |
| Hill | Hiott | Hixon |
| Jefferson | Johnson | Limehouse |
| Loftis | Lowe | Lucas |
| Merrill | D. C. Moss | Murphy |
| Neal | Newton | Norman |
| Ott | Pitts | Putnam |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Southard |
| Stavrinakis | Thayer | Tinkler |
| Wells | Whipper | White |
| Whitmire | Willis | Yow |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bamberg |
| Bernstein | Bingham | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Collins | Dillard |
| Hicks | Hosey | Huggins |
| Kennedy | Kirby | Knight |
| Mack | McCoy | McEachern |
| W. J. McLeod | Mitchell | Norrell |
| Quinn | Ridgeway | Robinson-Simpson |
| Rutherford | Spires | Stringer |
| Tallon | Taylor | Toole |
| Williams |  |  |

**Total--34**

So, the amendment was tabled.

Rep. QUINN proposed the following Amendment No. 30 to H. 4230 (COUNCIL\BBM\4230C034.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by deleting Section 50.

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12-DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

(1) State-owned Secondary Road Program $70,000,000 /

Amend the bill further, SECTION 4, by striking Proviso 118.17 and inserting:

/ *118.17. (SR: Supplemental Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following source:*

*(1) $150,000,000 from Fiscal Year 2014‑15 unobligated general fund revenue as certified by the Board of Economic Advisors.*

*This revenue is deemed to have occurred and is available for use in Fiscal Year 2015‑16 after September 1, 2015, following the Comptroller General*’*s close of the state*’*s books on Fiscal Year 2014‑15.*

*(B) The State Treasurer shall disburse the following appropriation by September 30, 2015, for the purpose stated:*

*U12-Department of Transportation*

*State‑Owned Secondary Road Program $80,000,000*

*P32-Department of Commerce*

*Economic Development Infrastructure $70,000,000*

*The Department of Transportation shall distribute the $150,000,000 appropriated for the State-owned Secondary Road Program in Part 1A and in this proviso pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state‑owned secondary road system for paving, rehabilitation, resurfacing and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge or highway that is not part of the state owned system.*

*Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes. /*

Renumber sections to conform.

Amend title to conform.

Rep. QUINN explained the amendment.

Rep. WHITE spoke against the amendment.

Rep. QUINN spoke in favor of the amendment.

Rep. WHITE spoke against the amendment.

Rep. SIMRILL moved to table the amendment.

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

Yeas 55; Nays 32

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bannister |
| Bowers | Clary | Clemmons |
| Cole | Corley | Crosby |
| Daning | Delleney | Dillard |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hayes |
| Henegan | Hiott | Hixon |
| Hodges | Hosey | Jefferson |
| Limehouse | Loftis | Lucas |
| Mack | M. S. McLeod | Merrill |
| D. C. Moss | Murphy | Neal |
| Newton | Norman | Norrell |
| Parks | Pitts | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Sandifer | Simrill | G. M. Smith |
| Sottile | Taylor | Tinkler |
| Wells | Whipper | Whitmire |
| Williams |  |  |

**Total--55**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bedingfield | Bernstein | Bradley |
| Brannon | Burns | Chumley |
| Collins | Douglas | Duckworth |
| Hardee | Henderson | Hicks |
| Hill | Huggins | Johnson |
| Kennedy | McCoy | Putnam |
| Quinn | Ryhal | G. R. Smith |
| Southard | Stavrinakis | Stringer |
| Tallon | Thayer | Toole |
| Willis | Yow |  |

**Total--32**

So, the amendment was tabled.

Reps. W. J. McLEOD, KIRBY and OTT proposed the following Amendment No. 2 to H. 4230 (COUNCIL\BBM\4230C036. BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 4, Proviso 1.68, by striking 1.68(B) and (D) and inserting:

/ *(B) A person is entitled to a tax credit against income taxes imposed pursuant to Chapter 6, Title 12, or bank taxes imposed pursuant to Chapter 11, Title 12 for the amount of cash and the monetary value of any publicly traded securities the person contributes to a nonprofit scholarship funding organization up to the limits of this paragraph if:*

*(1) the contribution is used to provide grants for tuition to exceptional needs children or foster children enrolled in eligible schools who qualify for these grants under the provisions of this paragraph; and*

*(2) the person does not designate a specific child or school as the beneficiary of the contribution.*

*(D)(1)(a) The tax credits authorized by subsection (B) may not exceed cumulatively a total of twelve million dollars for contributions made on behalf of exceptional needs students and foster children. If the department determines that the total of such credits claimed by all taxpayers exceeds either limit amount, it shall allow credits only up to those amounts on a first come, first served basis.*

*(b) The department shall establish an application process to determine the amount of credit available to be claimed. The receipt of the application by the department shall determine priority for the credit. Subject to the provisions of item (5), contributions must be made on or before June 30, 2016, in order to claim the credit. The credit must be claimed on the return for the tax year that the contribution is made.*

*(2) A taxpayer may not claim more than sixty percent of their total tax liability for the year in contributions towards the tax credit authorized by subsection (B). This credit is not refundable.*

*(3) If a taxpayer deducts the amount of the contribution on the taxpayer*’*s federal return and claims the credit allowed by this paragraph, then the taxpayer must add back the amount of the deduction for purposes of South Carolina income taxes.*

*(4) The department shall prescribe the form and manner of proof required to obtain the credit authorized by subsection (B). Also, the department shall develop a method of informing taxpayers if the credit limit is met at any time during Fiscal Year 2015‑16.*

*(5) A person only may claim a credit pursuant to subsection (B) for contributions made between July 1, 2015 and June 30, 2016.* /

Renumber sections to conform

Amend title to conform

Rep. W. J. MCLEOD moved to table the amendment, which was agreed to.

**ACTING SPEAKER G. M. SMITH IN CHAIR**

Reps. LONG and PUTNAM proposed the following Amendment No. 3 to H. 4230 (COUNCIL\BBM\4230C021.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 106 and inserting:

/ SECTION 106

F30‑STATEWIDE EMPLOYEE BENEFITS

III. NON‑RECURRING

BONUS PAY 17,100,000 /

Amend the bill further, SECTION 1, by adding a Section to read:

/ SECTION 84

U12-DEPARTMENT OF TRANSPORTATION

I. ADMINISTRATION

A. GENERAL

SPECIAL ITEM:

STATE-OWNED SECONDARY ROAD PROGRAM $ 6,400,000 /

Amend the bill further, SECTION 4, by striking Proviso 117.138 and inserting:

/ *117.138. (GP: $800 Employee Bonus Pay) From the funds appropriated in Part IA, Section 106, Statewide Employee Benefits for Bonus Pay, effective on the first pay date that occurs on or after October 16, 2015, the Department of Administration shall allocate to state agencies $17,100,000 to provide for a one‑time lump sum bonus. Each permanent full-time state employee, in a full‑time equivalent position, who has been in continuous state service for at least six months before July 1, 2015, who is not retired from any of the retirement systems established in Title 9 of the 1976 Code, and who earns less than $50,000 shall receive a $800 one‑time lump sum payment. This payment is not a part of the state employee*’*s base salary and is not earnable compensation for purposes of employer or employee contributions to respective retirement systems. This appropriation may be used for payments to employees only in the same ratio as the employee*’*s base salary is paid from appropriated sources and the employing agency shall pay the bonus for federal and other funded full‑time equivalent positions employees from federal or other funds available to the agency in the proportion that such funds are the source of the employee*’*s salary. The earnings limitation in Proviso 117.55 does not apply to this bonus. /*

Amend the bill further, SECTION 4, by adding a Section to read:

/ SECTION 84 - U12-DEPARTMENT OF TRANSPORTATION

*84.19. The Department of Transportation shall distribute the $6,400,000 appropriated in Part 1A, Section 84, for the State‑Owned Secondary Road Program in the same manner and for the same purpose as provided in Proviso 118.17. /*

Renumber sections to conform.

Amend title to conform.

Rep. SOUTHARD explained the amendment.

Rep. PUTNAM spoke in favor of the amendment.

Rep. GAGNON moved to table the amendment.

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

Yeas 56; Nays 39

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bernstein | Bingham |
| Bowers | Bradley | G. A. Brown |
| Clemmons | Cole | Corley |
| Delleney | Dillard | Duckworth |
| Finlay | Gagnon | Gambrell |
| Goldfinch | Govan | Hayes |
| Herbkersman | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Kennedy | Kirby | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | Merrill | D. C. Moss |
| Neal | Newton | Pitts |
| Quinn | Riley | Robinson-Simpson |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Tallon |
| Taylor | Tinkler | Wells |
| White | Whitmire |  |

**Total--56**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bamberg | Bedingfield |
| Brannon | R. L. Brown | Burns |
| Chumley | Clary | Collins |
| Crosby | Douglas | Felder |
| Funderburk | Hardee | Henderson |
| Henegan | Hicks | Hill |
| Hiott | Johnson | Knight |
| Loftis | W. J. McLeod | Norman |
| Norrell | Ott | Parks |
| Putnam | Ridgeway | Rivers |
| Ryhal | Southard | Stringer |
| Thayer | Toole | Whipper |
| Williams | Willis | Yow |

**Total--39**

So, the amendment was tabled.

**SPEAKER IN CHAIR**

Reps. HIXON and CLYBURN proposed the following Amendment No. 4 to H. 4230 (COUNCIL\BBM\4230C019.BBM.DG15), which was adopted:

Amend the bill, as and if amended, SECTION 4, by striking Proviso 118.17 and inserting:

/ *118.17. (SR: Supplemental Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following source:*

*(1) $150,000,000 from Fiscal Year 2014‑15 unobligated general fund revenue as certified by the Board of Economic Advisors.*

*This revenue is deemed to have occurred and is available for use in Fiscal Year 2015‑16 after September 1, 2015, following the Comptroller General*’*s close of the state*’*s books on Fiscal Year 2014‑15.*

*(B) The State Treasurer shall disburse the following appropriations by September 30, 2015, for the purposes stated:*

*(1) U12 - Department of Transportation*

*State‑Owned Secondary Road*

*Program $145,882,838*

*(2)E24 ‑ Office of Adjutant General*

*Emergency Management Division ‑*

*2014 Winter Storm Local*

*Matching Funds $4,117,162.*

*(C) The Department of Transportation shall distribute the $145,882,838 appropriated above for the State‑Owned Secondary Road Program pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state‑owned secondary road system for paving, rehabilitation, resurfacing and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.*

*Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes.*

*(D) From the funds appropriated above for 2014 Winter Storm Local Matching Funds, local governments shall receive allocations to offset storm cleanup expenses resulting from the winter storms during states of emergency declared by Executive Orders 2014‑06 and 2014‑11. Expenses eligible for reimbursement are those incurred by county and municipal governments and deemed eligible for reimbursement by the Federal Emergency Management Agency (FEMA), but were not reimbursed due to local match requirements. The amount reimbursed to each eligible local government shall be 25% of their Total Non‑Federal Aid Share. The intent of the General Assembly is for the local government to pay at least 75% of the Total Non‑Federal Aid Share. Any winter storm funds that are not expended must be transferred to the Department of Transportation, State‑Owned Secondary Road Program, to be distributed in the same manner as set forth in subsection (C). /*

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

Rep. PUTNAM moved to table the amendment.

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

Yeas 16; Nays 76

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Brannon | Burns |
| Finlay | Gagnon | Gambrell |
| Hill | Loftis | Murphy |
| Newton | Pitts | Putnam |
| Quinn | Simrill | Thayer |
| Willis |  |  |

**Total--16**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bowers | G. A. Brown | R. L. Brown |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Corley | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Funderburk | George |
| Goldfinch | Govan | Hardee |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | Kirby | Knight |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | Neal | Norman |
| Norrell | Ott | Parks |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | G. M. Smith |
| G. R. Smith | Sottile | Southard |
| Spires | Stringer | Taylor |
| Tinkler | Toole | Weeks |
| Wells | Whipper | Williams |
| Yow |  |  |

**Total--76**

So, the House refused to table the amendment.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

Reps. ANTHONY and OTT proposed the following Amendment No. 5 to H. 4230 (COUNCIL\BBM\4230C018.BBM.DG15), which was tabled:

Amend the bill, as and if amended, SECTION 4, by striking Proviso 118.17 and inserting:

/ *118.17. (SR: Supplemental Nonrecurring Revenue) (A) The source of revenue appropriated in subsection (B) is nonrecurring revenue generated from the following source:*

*(1) $150,000,000 from Fiscal Year 2014‑15 unobligated general fund revenue as certified by the Board of Economic Advisors.*

*This revenue is deemed to have occurred and is available for use in Fiscal Year 2015‑16 after September 1, 2015, following the Comptroller General*’*s close of the state*’*s books on Fiscal Year 2014‑15.*

*(B) The State Treasurer shall disburse the following appropriation by September 30, 2015, for the purpose stated:*

*U12 - Department of Transportation*

*State‑Owned Secondary Road*

*Program $150,000,000*

From the *$150,000,000 appropriated above for the State‑Owned Secondary Road Program, the Department of Transportation first must distribute one million dollars to each County Transportation Committee. Then, the department shall distribute the remainder of the funds pursuant to Section 12‑28‑2740 of the 1976 Code. County Transportation Committees shall utilize the funds distributed pursuant to this proviso solely for use on the state‑owned secondary road system for paving, rehabilitation, resurfacing and/or reconstruction, and bridge repair, replacement, or reconstruction. No funds from this allocation shall be used for any road, bridge, or highway that is not part of the state-owned system.*

*Unexpended funds appropriated pursuant to this subsection may be carried forward to succeeding fiscal years and expended for the same purposes. /*

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 7 to H. 4230 (COUNCIL\DKA\4230C001. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $4,500,000 /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN explained the amendment.

Rep. GOVAN spoke in favor of the amendment.

Rep. ROBINSON-SIMPSON spoke in favor of the amendment.

Rep. WHITE spoke against the amendment.

Rep. WHITE moved to table the amendment.

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

Yeas 63; Nays 33

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Bedingfield | Bingham |
| Bradley | Burns | Chumley |
| Clary | Clemmons | Cole |
| Collins | Crosby | Daning |
| Delleney | Duckworth | Felder |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Huggins | Johnson | Kennedy |
| Limehouse | Loftis | Lowe |
| Lucas | McCoy | Merrill |
| D. C. Moss | Newton | Norman |
| Pitts | Putnam | Quinn |
| Riley | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Yow |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bamberg |
| Bernstein | Bowers | G. A. Brown |
| R. L. Brown | Clyburn | Dillard |
| Douglas | Funderburk | Govan |
| Henegan | Hodges | Hosey |
| Howard | Jefferson | Kirby |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Norrell | Ott | Parks |
| Ridgeway | Robinson-Simpson | Tinkler |
| Weeks | Whipper | Williams |

**Total--33**

So, the amendment was tabled.

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 8 to H. 4230 (COUNCIL\DKA\4230C002. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $4,000,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 9 to H. 4230 (COUNCIL\DKA\4230C003. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $3,500,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 10 to H. 4230 (COUNCIL\DKA\4230C004. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $3,000,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 11 to H. 4230 (COUNCIL\DKA\4230C005. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $2,500,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 12 to H. 4230 (COUNCIL\DKA\4230C006. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $2,000,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 13 to H. 4230 (COUNCIL\DKA\4230C007. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $1,500,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 14 to H. 4230 (COUNCIL\DKA\4230C008. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $1,000,000 /

Renumber sections to conform.

Amend title to conform.

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

Reps. GOVAN and ROBINSON-SIMPSON proposed the following Amendment No. 15 to H. 4230 (COUNCIL\DKA\4230C009. DKA.SA15), which was tabled:

Amend the bill, as and if amended, SECTION 1, by adding a new subdivision at the end to read:

/ SECTION 19

H24‑SOUTH CAROLINA STATE UNIVERSITY

1. Education & General

A. Unrestricted

Special Item:

Deferred Maintenance - NR $500,000 /

Renumber sections to conform.

Amend title to conform.

Rep. GOVAN explained the amendment.

Rep. GOVAN spoke in favor of the amendment.

Rep. WHITE moved to table the amendment.

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

Yeas 64; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Bannister | Bedingfield | Bingham |
| Bradley | Burns | Chumley |
| Clary | Clemmons | Cole |
| Collins | Crosby | Daning |
| Delleney | Duckworth | Finlay |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hardee | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Huggins |
| Johnson | Kennedy | Limehouse |
| Loftis | Lowe | Lucas |
| McCoy | W. J. McLeod | Merrill |
| D. C. Moss | Newton | Norman |
| Pitts | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Toole | Wells |
| White | Whitmire | Willis |
| Yow |  |  |

**Total--64**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bamberg | Bernstein |
| Bowers | G. A. Brown | R. L. Brown |
| Clyburn | Dillard | Douglas |
| Funderburk | George | Govan |
| Henegan | Hodges | Hosey |
| Howard | Jefferson | Kirby |
| Mack | McEachern | McKnight |
| M. S. McLeod | Neal | Norrell |
| Ott | Parks | Ridgeway |
| Robinson-Simpson | Tinkler | Weeks |
| Whipper | Williams |  |

**Total--35**

So, the amendment was tabled.

Rep. W. J. MCLEOD proposed the following Amendment No. 24 to H. 4230 (COUNCIL\NL\4230C001.NL.SD15), which was tabled:

Amend the bill, as and if amended, SECTION 4, Proviso 1.68, by deleting subsection (a)(3).

Amend the bill further, SECTION 4, Proviso 1.68, by striking / or foster children / beginning on line 2, subitem (c), item (5) of subsection (A).

Amend the bill further, SECTION 4, Proviso 1.68, by striking / or foster child / on line 2, item (8) of subsection (A).

Amend the bill further, SECTION 4, Proviso 1.68, by striking / or foster children / line 2, in subsection (B)(1)(a).

Amend the bill further, SECTION 4, proviso 1.68, by striking / or foster children / on line 7, item (2) of subsection (B).

Amend the bill further, SECTION 4, Proviso 1.68, by striking / or qualifying foster children / on line 4 of subsection (c).

Amend the bill further, SECTION 4, Proviso 1.68, by striking / or foster child / on line 8 of subsection (c).

Amend the bill further, SECTION 4, proviso 1.68, by striking / and foster children / beginning on line 3 of subsection (D)(1)(a).

Renumber sections to conform.

Amend title to conform.

Rep. W. J. MCLEOD explained the amendment.

Rep. BINGHAM spoke against the amendment.

Rep. BINGHAM moved to table the amendment.

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

Yeas 65; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bingham | Bradley | Burns |
| Chumley | Clary | Clemmons |
| Cole | Collins | Crosby |
| Daning | Delleney | Duckworth |
| Felder | Finlay | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Huggins | Johnson | Kennedy |
| Limehouse | Loftis | Lowe |
| Lucas | McCoy | Merrill |
| D. C. Moss | Murphy | Newton |
| Norman | Pitts | Putnam |
| Quinn | Riley | Rivers |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Wells | White | Whitmire |
| Willis | Yow |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bamberg | Bernstein | Bowers |
| G. A. Brown | R. L. Brown | Clyburn |
| Dillard | Douglas | George |
| Govan | Henegan | Hodges |
| Hosey | Howard | Jefferson |
| Kirby | Knight | Mack |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Norrell | Ott | Parks |
| Ridgeway | Robinson-Simpson | Tinkler |
| Weeks | Whipper | Williams |

**Total--36**

So, the amendment was tabled.

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:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cole | Collins | Crosby |
| Delleney | Dillard | Douglas |
| Duckworth | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Goldfinch |
| Govan | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Kennedy |
| Kirby | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| Murphy | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pitts | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Southard |
| 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.

**STATEMENTS FOR THE JOURNAL**

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1, 25, and 21, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. Bruce Bannister

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. N. Douglas Brannon

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1 and 25, Section 61, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Neal A. Collins

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

H. 4230 and Amendments No. 3, 19, and 29.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. Joseph S. Daning

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1 and 25, Section 61, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. F. Gregory “Greg” Delleney, Jr.

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendment No. 27, Judicial Department.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. Laurie Slade Funderburk

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1 and 25, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Jeffrey Johnson

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Section 61, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. Wallace H. “Jay” Jordan, Jr.

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 18, 19, 20, 21, 22, 25, and 30.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. Roger K. Kirby

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1 and 25, Section 61, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. James H. “Jay” Lucas

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendment No. 27, Judicial Department.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. Cezar McKnight

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1 and 25, Section 61, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

Rep. Walton J. McLeod

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1, 3, 21, 25, and 27.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

Rep. Christopher J. “Chris” Murphy

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1 and 21.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. Wm. Weston J. Newton

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1, 19, and 25.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. G. Murrell Smith

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Amendments No. 1, 21, and 25, Commission on Indigent Defense.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. Leon Stavrinakis

**ABSTENTION FROM VOTING**

**BASED ON POTENTIAL CONFLICT OF INTEREST**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 4230 to amend H. 3701 of 2015, the annual General Appropriation Bill for Fiscal year 2015-2016, so as to make supplemental appropriations, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal of this date:

Part IA, Part IB, Part II, and Part III, Sections 33, 34, 38, 58, 61, 63, 66, 67, 70, 72, 74, 75, 76, 78, 80, 81, 82, 83, 84, 101, 102, 104, 105, 106, 108, 109, 110, and 111.

The reason for abstaining on the above referenced legislation:

A potential conflict of interest may exist in that an economic interest of myself, an immediate family member, or an individual or business with which I am associated may be affected in violation of S.C. Code §8-13-700(B).

A potential conflict may exist under S.C. Code §8-13-740(C) because of representation of a client before a particular agency or commission by me or an individual or business with whom I am associated within the past year.

A potential conflict may exist under S.C. Code §8-13-745(C) because a contract for goods or services may be entered into within the next year with an agency, commission, board, department, or other entity funded through the general appropriation bill by myself, an individual with whom I am associated in partnership with or a business or partnership in which I have a greater than 5% interest.

Rep. J. David Weeks

**RECURRENCE TO THE MORNING HOUR**

Rep. CLYBURN moved that the House recur to the morning hour.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 16, 2015

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor’s appointment of:

Statewide Appointment

State Ethics Commission

Term Commencing: May 31, 2015

Term Expiring: May 31, 2020

Seat: 4th Congressional District

Mr. James I. Warren III

19 Parkins Glen Court

Greenville, South Carolina 29607

Very respectfully,

President of the Senate

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 4342 -- Reps. Erickson, 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, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, 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 CONGRATULATE DR. JAMES W. "JIM" GOETTLE OF BEAUFORT COUNTY ON THE OCCASION OF HIS NINETIETH BIRTHDAY AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4343 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, 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, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, 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 CONGRATULATE COLE HARPER OF RICHLAND COUNTY UPON HIS RECENT GRADUATION SUMMA CUM LAUDE FROM COLUMBIA INTERNATIONAL UNIVERSITY, TO THANK HIM FOR HIS FINE SERVICE AS A PAGE TO THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES, AND TO WISH HIM GOD'S RICHEST BLESSINGS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4344 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, 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, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, 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 KYLE HARPER AS HE LEAVES HIS SERVICE AS A PAGE IN THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND TO CONGRATULATE HIM ON HIS UPCOMING GRADUATION FROM THE UNIVERSITY OF SOUTH CAROLINA HONORS COLLEGE AND TO WISH HIM GODSPEED IN THE DAYS AHEAD.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4345 -- Rep. Limehouse: A HOUSE RESOLUTION TO CONGRATULATE AND COMMEND THE STUDENTS COMPRISING THE SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION STUDENT GOVERNMENT FOR THEIR DILIGENCE AND DEVOTION IN LEARNING ABOUT THE OPERATIONS AND PROCESSES OF STATE GOVERNMENT, TO AUTHORIZE THE GROUP TO USE THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES ON A DAY SELECTED BY THE SPEAKER WHEN THE HOUSE IS NOT IN SESSION OR THE CHAMBER IS OTHERWISE UNAVAILABLE, AND TO PROVIDE FOR THE USE OF THE HOUSE CHAMBER ON AN ALTERNATE DATE AND TIME AS MAY BE SELECTED BY THE SPEAKER IF THE HOUSE IS IN SESSION ON THE PREVIOUSLY SELECTED DATE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4346 -- Reps. Gambrell, Thayer, 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, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE ANDERSON COUNTY COUNCIL AND THE PEOPLE OF ANDERSON COUNTY AT THE CELEBRATION OF THE SEVENTY-FIFTH ANNIVERSARY OF THE CREATION OF BROADWAY LAKE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4347 -- Reps. J. E. Smith, 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, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE SIR JAMES PAUL MCCARTNEY ON HIS ICONIC AND HISTORIC CAREER AS A ROCK LEGEND AND TO WELCOME HIM TO THE PALMETTO STATE AS HE PERFORMS IN THE CAPITAL CITY DURING HIS OUT THERE TOUR.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4348 -- Reps. Bernstein, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, 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, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, 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 CONGRATULATE DR. PAUL M. "MAC" HORTON, JR., FOR HIS OUTSTANDING FORTY YEARS OF PUBLIC SERVICE, TO RECOGNIZE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM CONTINUED SUCCESS IN HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4349 -- Reps. Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, 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 CONGRATULATE A. DAVID MASTERS OF LEXINGTON COUNTY, CPA, CEO-PARTNER OF DERRICK, STUBBS & STITH, L.L.P., ON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS MANY YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4350 -- Rep. Anderson: A CONCURRENT RESOLUTION TO AUTHORIZE THE ANNUAL YOUTH LEGISLATIVE CONFERENCE TO USE THE SENATE AND HOUSE CHAMBERS, AT A DATE AND TIME TO BE DETERMINED BY THE PRESIDENT *PRO TEMPORE* AND THE SPEAKER, FOR THE PURPOSE OF ITS ANNUAL MOCK SESSION AND TO CONGRATULATE THE CONFERENCE FOR CONTINUING TO PROVIDE THIS MOST WORTHWHILE OPPORTUNITY TO THE YOUNG PEOPLE PARTICIPATING.

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**R. 119, H. 3670--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

June 13, 2015

The Honorable James H. Lucas

Speaker of the House of Representatives

South Carolina Statehouse, Second Floor

Columbia, South Carolina 29201

Dear Mr. Speaker and Members of the House of Representatives:

I am vetoing and returning without my approval H. 3670, R. 119, a bill relating to the West Florence Fire District. This bill is currently the subject of a pending lawsuit that brings into question a previous and related act’s constitutionality, and also includes a bizarre five-year sunset provision.

Last year, H. 5225 (Act 183 of 2014), initially creating the West Florence Fire District, became law. Soon thereafter, the Florence County Council filed a lawsuit in circuit court against the new fire district challenging the Act’s constitutionality. With this lawsuit pending, H. 3670 was introduced this session amending Act 183 by adding more parcels of property in Darlington County to the West Florence Fire District.

I am vetoing H. 3670 for two reasons. First, this bill is the subject of and a response to a pending lawsuit. The bill singles out a neighborhood in Darlington County currently well-served by the Darlington County Fire District and annexes these residents into a different fire district in a neighboring county. Second, this bill includes a five-year sunset provision which would reverse this annexation, resulting in residents paying taxes for five years for a new fire station and equipment and getting nothing in return thereafter. It is illogical, unfair and unprecedented to shuffle residents between service providers in this manner.

Every member of the General Assembly has the responsibility to vote on all legislation, including local bills. Therefore, I respectfully ask that all members exercise their responsibility and vote to sustain this veto of H. 3670.

My very best,

Nikki R. Haley

Governor

**R. 119, H. 3670--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 119) H. 3670 -- Reps. Lowe, Williams and Kirby: AN ACT 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; AND TO PROVIDE FOR THE DURATION OF THE PROVISIONS OF THIS ACT.

Rep. ALEXANDER moved to adjourn debate on the Veto.

Rep. LOWE moved to table the motion to adjourn debate on the Veto, which was agreed to.

Rep. LOWE explained the Veto.

Rep. ALEXANDER spoke in favor of the Veto.

Rep. WILLIAMS spoke against the Veto.

Rep. LOWE spoke against the Veto.

The question was put, shall the Act become a part of the law, the Veto of her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 54; Nays 23

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Bannister |
| Bernstein | Bingham | Bowers |
| Bradley | G. A. Brown | Burns |
| Clary | Clemmons | Cole |
| Delleney | Duckworth | Finlay |
| Funderburk | Gagnon | Gambrell |
| Goldfinch | Herbkersman | Hicks |
| Hixon | Hosey | Howard |
| Jefferson | Johnson | Kirby |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McKnight |
| Merrill | D. C. Moss | Murphy |
| Neal | Pitts | Riley |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | Sottile | Spires |
| Stavrinakis | Taylor | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Yow |

**Total--54**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Atwater | Ballentine | Bamberg |
| Bedingfield | Chumley | Crosby |
| Felder | Forrester | George |
| Hill | Huggins | McEachern |
| M. S. McLeod | Norman | Ott |
| Ridgeway | Rivers | Southard |
| Stringer | Toole |  |

**Total--23**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

RECORD FOR VOTING

I was temporarily out of the Chamber and was unable to vote on the Governor’s veto of H. 3670. If I had been present, I would have voted to override the veto.

Rep. N. Douglas Brannon

STATEMENT FOR THE JOURNAL

I had to leave this evening due to a family emergency in Warner Robbins, GA, and was unable to vote on the Governor’s Veto of H. 3670.

Rep. Patsy Knight

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

**ADJOURNMENT**

At 5:58 p.m. the House, in accordance with the motion of Rep. FUNDERBURK, adjourned in memory of Michael R. Hornsby of Lugoff, husband of Linda Hornsby, and brother-in-law of Assistant Sergeant-at-Arms, Benny DeBruhl, to meet at 10:00 a.m. tomorrow.

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