~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Job 42:3: “Who is this that hides counsel without knowledge.”

Let us pray. Almighty God, give these Representatives wise counsel and knowledge of the affairs of state, so that they make deliberate decisions. Take care of them and their families while they are doing the State’s business. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all serve in these Halls of Government. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

**ACTING SPEAKER HODGES IN CHAIR**

**MOTION ADOPTED**

Rep. BALES moved that when the House adjourns, it adjourn in memory of Colonel Herbert "Gene" Neilson, brother-in-law of former Representative Denny Neilson, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for the family of the four children who died in a home fire in Hartsville.

**REPORT RECEIVED**

The following was received:

**Judicial Merit Selection Commission**

**Report of Candidate Qualifications**

**Spring 2013**

Date Draft Report Issued: Thursday, April 25, 2013

Date and Time: 12:00 Noon

Final Report Issued: Tuesday, April 30, 2013

**Judicial candidates are not free to**

**seek or accept commitments until**

**Tuesday, April 30, 2013, at Noon.**

April 25, 2013

Dear Members of the General Assembly:

Enclosed is the Judicial Merit Selection Commission’s Report of Candidate Qualifications. This Report is designed to assist you in determining how to cast your vote. The Commission is charged by law with ascertaining whether judicial candidates are qualified for service on the bench. In accordance with this mandate, the Commission has thoroughly investigated all judicial candidates for their suitability for judicial service. The Commission found all candidates discussed in this Report to be qualified.

The Commission's finding that a candidate is qualified means that the candidate satisfies both the constitutional criteria for judicial office and the Commission’s evaluative criteria. The attached Report details each candidate's qualifications as they relate to the Commission’s evaluative criteria.

Judicial candidates are **prohibited** from asking for your commitment until **12:00 Noon on April 30, 2013.**  **Members of the General Assembly are not permitted to issue letters of introduction, announcements of candidacy, statements detailing a candidate’s qualifications, or commitments to vote for a candidate until Tuesday, April 30, 2013. In sum, no member of the General Assembly should, orally or by writing, communicate about a candidate’s candidacy until the time designated after release of the Judicial Merit Selection Commission's Report of Candidate Qualifications.** If you find a candidate violating the pledging prohibitions or if you have questions about this report, please contact the Commission office at 212-6623.

Thank you for your attention to this matter.

Sincerely,

Sen. Larry A. Martin Rep. Alan D. Clemmons

Chairman Vice-Chairman

April 25, 2013

Members of the S.C. General Assembly

S.C. State House

Columbia, SC

Dear Fellow Members:

This letter is written to call your attention to issues raised during the December 2003 Judicial Merit Selection hearings concerning a judicial candidate’s contact with members of the General Assembly, as well as third parties contacting members on a candidate’s behalf. It is also to remind you of these issues for the Spring 2013 screening.

Section 2-19-70(C) of the S.C. Code contains strict prohibitions concerning candidates seeking or legislators giving their pledges of support or implied endorsement through an introduction prior to 48 hours after the release of the final report of the Judicial Merit Selection Commission (Commission). The purpose of this section was to ensure that members of the General Assembly had full access to the report prior to being asked by a candidate to pledge his or her support. The final sentence of Section 2-19-70(C) provides that “the prohibitions of this section do not extend to **an announcement of candidacy** **by the candidate** **and statements by the candidate** detailing the candidate’s qualifications” (emphasis added). Candidates may not, however, contact members of the Commission regarding their candidacy; please note that six members of the Commission also are legislators.

In April 2000, the Commission determined that Section 2-19-70(C) means **no** member of the General Assembly should engage in any form of communication, written or verbal, concerning a judicial candidate before the 48-hour period expires following the release of the Commission’s report. The Commission would like to clarify and reiterate that until at least 48 hours have expired after the Commission has released its final report of candidate qualifications to the General Assembly**,** only candidates, and not members of the General Assembly, are permitted to issue letters of introduction, announcements of candidacy, or statements detailing the candidates’ qualifications.

The Commission would again like to remind members of the General Assembly that a violation of the screening law is likely a disqualifying offense and must be considered when determining a candidate’s fitness for judicial office. Further, the law requires the Commission to report any violations of the pledging rules by members of the General Assembly to the House or Senate Ethics Committee, as may be applicable.

Should you have any questions regarding this letter or any other matter pertaining to the judicial screening process, please do not hesitate to call Jane O. Shuler, Chief Counsel to the Commission, at 212-6629 (M-Th).

Sincerely,

Sen. Larry A. Martin Rep. Alan D. Clemmons

Chairman Vice-Chairman

**INTRODUCTION**

The Judicial Merit Selection Commission is charged by law to consider the qualifications of candidates for the judiciary. This report details the reasons for the Commission's findings, as well as each candidate's qualifications as they relate to the Commission's evaluative criteria. The Commission operates under the law that went into effect July 1, 1997, and which dramatically changed the powers and duties of the Commission. One component of this law is that the Commission’s finding of “qualified” or “not qualified” is binding on the General Assembly. The Commission is also cognizant of the need for members of the General Assembly to be able to differentiate between candidates and, therefore, has attempted to provide as detailed a report as possible.

The Judicial Merit Selection Commission is composed of ten members, four of whom are non-legislators. The Commission has continued the more in-depth screening format started in 1997. The Commission has asked candidates their views on issues peculiar to service on the court to which they seek election. These questions were posed in an effort to provide members of the General Assembly with more information about candidates and the candidates’ thought processes on issues relevant to their candidacies. The Commission has also engaged in a more probing inquiry into the depth of a candidate's experience in areas of practice that are germane to the office he or she is seeking. The Commission feels that candidates should have familiarity with the subject matter of the courts for which they offer, and feels that candidates’ responses should indicate their familiarity with most major areas of the law with which they will be confronted.

The Commission also used the Citizens Committees on Judicial Qualifications as an adjunct of the Commission. Since the decisions of our judiciary play such an important role in people’s personal and professional lives, the Commission believes that all South Carolinians should have a voice in the selection of the state’s judges. It was this desire for broad-based grassroots participation that led the Commission to create the Citizens Committees on Judicial Qualifications. These committees, composed of people from a broad range of experiences (lawyers, teachers, businessmen, bankers, and advocates for various organizations; members of these committees are also diverse in their racial and gender backgrounds), were asked to advise the Commission on the judicial candidates in their regions. Each regional committee interviewed the candidates from its assigned area and also interviewed other individuals in that region who were familiar with the candidate either personally or professionally. Based on those interviews and its own investigation, each committee provided the Commission with a report on their assigned candidates based on the Commission’s evaluative criteria. The Commission then used these reports as a tool for further investigation of the candidate if the committee’s report so warranted. Summaries of these reports have also been included in the Commission’s report for your review.

The Commission conducts a thorough investigation of each candidate's professional, personal, and financial affairs, and holds public hearings during which each candidate is questioned on a wide variety of issues. The Commission's investigation focuses on the following evaluative criteria: constitutional qualifications, ethical fitness, professional and academic ability, character, reputation, physical health, mental health, and judicial temperament. The Commission's investigation includes the following:

(1) survey of the bench and bar;

(2) SLED and FBI investigation;

(3) credit investigation;

(4) grievance investigation;

(5) study of application materials;

(6) verification of ethics compliance;

(7) search of newspaper articles;

(8) conflict of interest investigation;

(9) court schedule study;

(10) study of appellate record;

(11) court observation; and

(12) investigation of complaints.

While the law provides that the Commission must make findings as to qualifications, the Commission views its role as also including an obligation to consider candidates in the context of the judiciary on which they would serve and, to some degree, govern. To that end, the Commission inquires as to the quality of justice delivered in the courtrooms of S.C. and seeks to impart, through its questioning, the view of the public as to matters of legal knowledge and ability, judicial temperament, and the absoluteness of the Judicial Canons of Conduct as to recusal for conflict of interest, prohibition of ex parte communication, and the disallowance of the acceptance of gifts. However, the Commission is not a forum for reviewing the individual decisions of the state’s judicial system absent credible allegations of a candidate’s violations of the Judicial Canons of Conduct, the Rules of Professional Conduct, or any of the Commission’s nine evaluative criteria that would impact a candidate’s fitness for judicial service.

The Commission expects each candidate to possess a basic level of legal knowledge and ability, to have experience that would be applicable to the office sought, and to exhibit a strong adherence to codes of ethical behavior. These expectations are all important, and excellence in one category does not make up for deficiencies in another.

Routine questions related to compliance with ethical Canons governing ethics and financial interests are now administered through a written questionnaire mailed to candidates and completed by them in advance of each candidate’s staff interview. These issues were no longer automatically made a part of the public hearing process unless a concern or question was raised during the investigation of the candidate. The necessary public record of a candidate’s pledge to uphold the Canons, etc. is his or her completed and sworn questionnaire.

Written examinations of the candidates’ knowledge of judicial practice and procedure were given at the time of candidate interviews with staff and graded on a “blind” basis by a panel of four persons designated by the Chairman. In assessing each candidate's performance on these practice and procedure questions, the Commission has placed candidates in either the “failed to meet expectations” or “met expectations” category. The Commission feels that these categories should accurately impart the candidate's performance on the practice and procedure questions.

This report is the culmination of weeks of investigatory work and public hearings. The Commission takes its responsibilities seriously, as it believes that the quality of justice delivered in S.C.'s courtrooms is directly affected by the thoroughness of its screening process. Please carefully consider the contents of this report, as we believe it will help you make a more informed decision.

This report conveys the Commission's findings as to the qualifications of the candidate currently offering for election to the Circuit Court.

**CIRCUIT COURT**

**QUALIFIED AND NOMINATED**

**Brian M. Gibbons**

**Circuit Court, Sixth Judicial Circuit, Seat 1**

**Commission’s Findings: QUALIFIED AND NOMINATED**

(1) Constitutional Qualifications:

Based on the Commission’s investigation, Judge Gibbons meets the qualifications prescribed by law for judicial service as a Circuit Court Judge Gibbons.

Judge Gibbons was born in 1966. He is 46 years old and a resident of Chester, South Carolina. Judge Gibbons provided in his application that he has been a resident of South Carolina for at least the immediate past five years and has been a licensed attorney in South Carolina since 1992.

(2) Ethical Fitness:

The Commission’s investigation did not reveal any evidence of unethical conduct by Judge Gibbons.

Judge Gibbons demonstrated an understanding of the Canons of Judicial Conduct and other ethical considerations important to Judge Gibbonss, particularly in the areas of ex parte communications, acceptance of gifts and ordinary hospitality, and recusal.

Judge Gibbons reported that he not made any campaign expenditures.

Judge Gibbons testified he has not:

(a) sought or received the pledge of any legislator prior to screening;

(b) sought or been offered a conditional pledge of support by a legislator;

(c) asked third persons to contact members of the General Assembly prior to screening.

Judge Gibbons testified that he is aware of the Commission’s 48-hour rule regarding the formal and informal release of the Screening Report.

(3) Professional and Academic Ability:

The Commission found Judge Gibbons to be intelligent and knowledgeable. His performance on the Commission’s practice and procedure questions met expectations.

Judge Gibbons described his past continuing legal or judicial education during the past five years as follows:

Conference/CLE Name

1. Annual Judicial Conference for past 6 years, August of each year;
2. S.C. Conference of FC Judges past 6 years, April of each year;
3. S.C. Bar Convention – Seminar, January of each year;
4. Family Court Bench/Bar Seminar, December of each year.

I have always carried over the full slate of CLE hours since I have been a judge.

Judge Gibbons reported that he has taught the following law‑related courses:

Course/ Lecture Name Date

(a) Presented at the 2010 S.C. Bar Program “Bridge the Gap” for new lawyers as part of a panel dealing with Family Court.

2010;

(b) National Business Institute “What Family Court Judges want you to know.” May 2010 Panel and May 2012 Panel;

(c) S.C. Rules of Family Court 2/08, 2/10;

(d) S.C. Bar - Rules, Rules, Rules Seminar I have also presented and moderated at the Family Court Bench/Bar seminars broadcast statewide December 2010 & 2011;

(e) SCAJ Convention – Participated in a panel discussion on Family Court matters 2009.

Judge Gibbons reported that he has not published any books or articles.

(4) Character:

The Commission’s investigation of Judge Gibbons did not reveal evidence of any founded grievances or criminal allegations made against him. The Commission’s investigation of Judge Gibbons did not indicate any evidence of a troubled financial status. Judge Gibbons has handled his financial affairs responsibly.

The Commission also noted that Judge Gibbons was punctual and attentive in his dealings with the Commission, and the Commission’s investigation did not reveal any problems with his diligence and industry.

(5) Reputation:

Judge Gibbons reported that his last available rating by a legal rating organization, Martindale-Hubbell, was BV.

Judge Gibbons reported that he has held the following public offices:

[Held] appointed Town/City attorney positions from 1994 through May 2005. These were appointed positions.

(6) Physical Health:

Judge Gibbons appears to be physically capable of performing the duties of the office he seeks.

(7) Mental Stability:

Judge Gibbons appears to be mentally capable of performing the duties of the office he seeks.

(8) Experience:

Judge Gibbons was admitted to the South Carolina Bar in 1992.

He gave the following account of his legal experience since graduation from law school:

(a)Associate–Hamilton, Hamilton & Delleney, PA - August 1992 - December 1993;

(b) Partner - Hamilton, Delleney & Gibbons, PA -1994-May 25, 2005;

(c) City Attorney – Chester 1994-2000;

(d) Town Attorney – Great Falls 1997-May 2005;

(e) Town Attorney – Fort Lawn 1998-January 2005.

Prior to being elected to the Family Court Bench, I was involved in a general practice law firm. I primarily practiced in the areas of Family Law, Criminal, and Personal Injury for almost thirteen (13) years prior to being elected to the Family Court bench. I have represented clients in civil litigation in Common Pleas and Magistrate Courts–both plaintiff and defense. I have represented many criminal defendants ranging in seriousness from DUI offenses to Armed Robbery. Being from a small, rural county, I was able to practice law in many different areas, which I believe has trained me to be a good judge who would understand all the different areas of practicing law, thus ensuring fairness and justice for litigants, defendants, and lawyers.

I have represented the Municipalities of Chester, Great Falls, and Fort Lawn in various litigations, in addition to drafting ordinances and assisting in running the meetings.

In May of 2005, I was elected to the Family Court bench. I run an efficient and proper courtroom, and I am confident I will continue to do so.

Judge Gibbons further reported regarding his experience with the Circuit Court practice area:

Experience in Criminal Matters:

When I started practicing law back in 1992, the court appointment process was different than it is now. We had a public defender, but many cases were sent out to the local bar. Being the new associate at a law firm and since there were only 7 lawyers in Chester County in private practice (3 in my law firm), I learned to juggle a large criminal defense caseload while I was building my private practice. I have handled an extensive number of appointed cases as well as retained cases. I have defended people charged with misdemeanors and felonies. I have represented people in Municipal Court, Magistrate Court, Family Court and Circuit Court. I have argued all types of evidentiary motions and have tried many jury trials. I have visited the local jail to meet with clients. I have negotiated plea deals with the Solicitor. I have extensive criminal experience.

Experience in Civil matters:

I also enjoyed a healthy caseload of civil matters. As mentioned earlier, I was the City Attorney for Chester, Great Falls, and Fort Lawn. At various times while employed in this capacity, lawsuits were either filed against us, or we pursued litigation against other entities.

I represented people injured in automobile accidents or in premises liability claims. If their cases did not settle, I filed suit and represented them throughout the litigation process, including discovery and defending and arguing motions non-jury. I have represented people in medical and dental malpractice lawsuits and I have represented contractors foreclosing on mechanics liens. I have been appointed and represented many convicted people filing PCR applications. I am intimately familiar with the S.C. Rules of Civil Procedure. Most of my civil practice was on the Plaintiff's side ranging from Magistrate Court to Circuit Court, even to Administrative Law Court. I also filed and represented people in Chapter 7 Bankruptcy Petitions.

Judge Gibbons reported the frequency of his court appearances prior to his service on the bench as follows:

(a) federal: less than 10%;

(b) state: 90% plus, ranging from Municipal Court to Magistrates to Family Court and Circuit Court.

Judge Gibbons reported the percentage of his practice involving civil, criminal, and domestic matters prior to his service on the bench as follows:

(a) civil:10%;

(b) criminal: 20%;

(c) domestic: 70%.

When Judge Goldsmith was elected to the Family Court Bench 2001, my domestic practice dramatically increased. Prior to that, my practice was about 50/50 between civil/criminal and domestic.

Judge Gibbons reported the percentage of his practice in trial court prior to his service on the bench as follows:

(a) jury: 30% most settled;

(b) non-jury: 70%.

Judge Gibbons provided that prior to his service on the bench he most often served as sole counsel.

The following is Judge Gibbons’ account of his five most significant litigated matters:

(a)Wagner v. Wagner.

Family court case which went all the way up to South Carolina supreme court. Won every step of the way. Had numerous contempt hearings. Client was awarded significant amounts of real estate and custody. SCDSS became intertwined as well. Significant because just about all areas of family law were covered in this one case. Everything was contested. Husband had to be ruled in for contempt on numerous occasions. SCDSS got involved with abuse and neglect issues. Per curiam unpublished decisions in both the court of appeals and supreme court in favor of client.

(b) Toth v. Toth.

Significant equitable apportionment case which settled at trial. Dealt with valuation of a construction company where the husband was the sole shareholder. Both parties had competing CPAS. Matter was litigated for three years and involved almost all areas of domestic practice.

(c) Town of Fort Lawn v. IRF, Budget and Control Board. The town was sued by its ex-police chief on both a contract theory and tort theory. Town’s carrier refused to cover alleging contractual in nature. We sued in a declaratory judgment action and won the case mandating coverage. IRF had to provide coverage, hired an employment law expert and the case was dismissed in favor of the town six months later.

(d) State of South Carolina v. Camille Hankins.

I tried this case back in 1995. My client was charged with cruelty to animals. She had in excess of 80 dogs and cats in her house. A representative of PETA charged her and we had a day long trial in magistrate’s court in front of a jury. The 6th circuit solicitor actually prosecuted the case due to the media scrutiny. Significant for the intense media scrutiny, both regional and national with PETA. Client convicted, received a small fine and last I heard is still rescuing animals in North Carolina.

(e) Darla Wynne v. Town of Great Falls.

I represented the town in this litigation brought by a wiccan seeking a court order restraining the types of prayer offered at public meetings. Intense media scrutiny. This case was tried in federal court and was heard on appeal by the U.S. Court of Appeals for the 4th Circuit. We petitioned for certiorari to the U.S. Supreme Court but were unsuccessful.

The following is Judge Gibbons’ account of five civil appeals he has personally handled:

(a) Wagner v. Wagner; S.C. Supreme Court, S.C. Court of Appeals. Per Curiam Unpublished Decisions. Ended May 2000;

(b) Scott v. Scott; S.C. Court Of Appeals. Unpublished;

(c) Ewing v. Ewing; S.C. Court Of Appeals. Unpublished;

(d) Sladek v. Sladek; Pending In Court of Appeals;

(e) Adkins v. Piedmont Medical Center; Settled in US Court of Appeals.

Judge Gibbons reported that he has not personally handled any criminal appeals. He stated, “I have filed the notices and then would send the information to the S.C. Office of Appellate Defense.”

Judge Gibbons reported that he has held the following judicial office:

Elected May 25, 2005, to Seat One of the Family Court, Sixth Judicial Circuit. Serving continuously since. Re-elected in 2/07. Re-elected on 1/30/13 for another six year term to expire in 2019.

Judge Gibbons provided the following list of his most significant orders or opinions:

(a) Pittman v. Pittman (07-DR-46-967) S.C. Court of Appeals Opinion 4858;

(b)Pappas v. Pappas (08-DR-46-2324);

(c) Doe v. Lingerfelt, Creel, and Baby Girl B (11-DR-11-11);

(d)Purser v. Owens (05-DR-29-496) S.C. Ct. App Opinion 4898;

(e)Miles v. Miles (06-DR-24-439) S.C. Sup. Ct. Opinion 26980 (a).

Judge Gibbons reported that he did not have any employment other than his judicial office while he was serving as a judge.

(9) Judicial Temperament:

The Commission believes that Judge Gibbons’ temperament has been and would continue to be excellent.

(10) Miscellaneous:

The Piedmont Citizen’s Committee on Judicial Qualification found Judge Gibbons to be “Qualified” in the evaluative criteria of constitutional qualifications, physical health, and mental stability. They found him “Well qualified” in the remaining evaluative criteria of ethical fitness, character, professional and academic ability, reputation, experience and judicial temperament. The Committee stated in summary, "We find him well qualified overall."

Judge Gibbons is married to Lorena Crouch Gibbons. He has three children.

Judge Gibbons reported that he was a member of the following bar associations and professional associations:

(a) S.C. Bar- Sixth Circuit Representative – Young Lawyers Division;

(b) S.C. Trial Lawyers Association – Board of Governors, Sixth Circuit Representative;

(c)Chester County Bar – Sec/Treas;

(d) Municipal Attorneys Association;

(e) S.C. Conference of Family Court Judges;

(f)National Conference of Juvenile and Family Court Judges.

Judge Gibbons provided that he was a member of the following civic, charitable, educational, social, or fraternal organizations:

(a) Chester Rotary Club/Past President, Paul Harris Fellow;

(b)Chester YMCA Board/Past President;

(c) Chester/Fairfield Citadel Club – Past President, Sec/Treas;

(d) Blackstock Bluegrass Inc. – Past President;

(e) The Citadel Alumni Association;

(f) Richard Winn Academy – Board member;

(g) Palmetto Boys State Staff;

(h) Board of Deacons, Chester ARP Church – Past Chairman/Current Chairman.

Judge Gibbons further reported:

I have always been very involved in my church and community. I coach all of my children in their various sports. I have been actively involved with American Legion Palmetto Boys State program for the past almost 28 years.

(11) Commission Members’ Comments:

The Commission commented on Judge Gibbons' outstanding performance on the Commission's Practice and Procedure test and noted his broad legal experience would serve him well on the Circuit Court bench.

(12) Conclusion:

The Commission found Judge Gibbons qualified and nominated him for election to the Circuit Court.

CONCLUSION

The Judicial Merit Screening Commission found the following candidate QUALIFIED AND NOMINATED:

**Circuit Court**

Sixth Judicial Circuit, Seat 1.........The Honorable Brian M. Gibbons

Respectfully submitted,

Senator Larry A. Martin Rep. Alan D. Clemmons

Rep. Bruce W. Bannister Ms. Kristian M. Cross

Mr. John Davis Harrell Senator George E. Campsen III

Rep. David J. Mack II Senator Floyd Nicholson

Mr. H. Donald Sellers Mr. Joseph Preston Strom, Jr.

Received as information.

**REGULATION WITHDRAWN**

Document No. 4267

Agency: Contractors' Licensing Board

Statutory Authority: 1976 Code Sections 40-1-70 and 40-11-60

Emergency Licensure

Received by Speaker of the House of Representatives February 12, 2013

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration: Permanently Withdrawn

**REGULATIONS WITHDRAWN AND RESUBMITTED**

Document No. 4341

Agency: Department of Natural Resources

Statutory Authority: 1976 Code Section 50-13-2011

Term and Conditions for the Public's Use of Lakes and Ponds Owned and Leased by the Department of Natural Resources

Received by Speaker of the House of Representatives April 15, 2013

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration March 22, 2014

Revised: March 23, 2014

**HOUSE RESOLUTION**

The following was introduced:

H. 4034 -- Reps. Ballentine, Huggins, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE MEMBERS OF THE CHAPIN EAGLES RUGBY CLUB AND THEIR COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2013 SOUTH CAROLINA HIGH SCHOOL RUGBY CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4035 -- Reps. Ballentine and Huggins: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHAPIN EAGLES RUGBY CLUB OF LEXINGTON COUNTY WITH THE TEAM COACHES, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR GARNERING THE 2013 SOUTH CAROLINA HIGH SCHOOL RUGBY CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Chapin Eagles Rugby Club of Lexington County with the team coaches, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for garnering the 2013 South Carolina High School Rugby Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4036 -- Reps. Owens, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO HONOR MRS. HELEN "LEN" MARINI OF COLUMBIA FOR HER MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE OF SOUTH CAROLINA, TO CONGRATULATE HER ON THE OCCASION OF HER RETIREMENT AS DIRECTOR OF RESEARCH FOR THE HOUSE EDUCATION AND PUBLIC WORKS COMMITTEE, AND TO WISH HER MUCH SUCCESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4037 -- Reps. Harrell, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE THE NATIONAL FEDERATION OF INDEPENDENT BUSINESS AT THE CELEBRATION OF ITS SEVENTIETH ANNIVERSARY, TO COMMEND THE ORGANIZATION FOR ITS OUTSTANDING ACHIEVEMENT OVER THE PAST SEVENTY YEARS, AND TO EXTEND SINCERE BEST WISHES FOR CONTINUED SUCCESS.

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

**INTRODUCTION OF BILLS**

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

H. 4033 -- Rep. Merrill: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-21-2426 SO AS TO PROVIDE THAT ONE-HALF OF THE PAID ADMISSIONS TO A SOCCER SPECIFIC STADIUM IS EXEMPT FROM THE ADMISSION LICENSE TAX IMPOSED PURSUANT TO SECTION 12-21-2420, AND TO DEFINE THE TERM "SOCCER SPECIFIC STADIUM".

On motion of Rep. MERRILL, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 4038 -- Reps. Sandifer and Harrell: A BILL TO AMEND SECTION 40-22-280, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE APPLICATION OF THE CHAPTER CONCERNING ENGINEERS AND SURVEYORS, SO AS TO ADD AN EXEMPTION FOR CERTAIN ENGINEERS.

On motion of Rep. SANDIFER, with unanimous consent, the Bill was ordered placed on the Calendar without reference.

H. 4039 -- Reps. Skelton, Bannister, Lucas, Harrell, Ott, Hiott, Stringer, V. S. Moss, Sandifer, Bedingfield, Hayes, Rutherford, D. C. Moss, J. R. Smith, Brannon, Horne, Anthony, Erickson, Branham, Gambrell, Limehouse, J. E. Smith, Sottile and Wells: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 11 TO CHAPTER 119, TITLE 59, ENACTING "THE CLEMSON UNIVERSITY ENTERPRISE ACT", SO AS TO ALLOW THE BOARD OF TRUSTEES OF CLEMSON UNIVERSITY BY RESOLUTION TO ESTABLISH AN ENTERPRISE DIVISION AS PART OF CLEMSON UNIVERSITY, TO PROVIDE THAT CERTAIN ASSETS, PROGRAMS, AND OPERATIONS OF CLEMSON UNIVERSITY MAY BE TRANSFERRED TO THE ENTERPRISE DIVISION, TO PROVIDE THAT THE ENTERPRISE DIVISION IS EXEMPT FROM VARIOUS STATE LAWS GOVERNING PROCUREMENT, HUMAN RESOURCES, PERSONNEL, AND DISPOSITION OF REAL AND PERSONAL PROPERTY WITH SOME SUCH EXEMPTIONS APPLYING AUTOMATICALLY AND OTHERS REQUIRING ADDITIONAL ACTIONS BY THE BOARD OF TRUSTEES, TO PROVIDE THAT BONDS, NOTES, OR OTHER EVIDENCE OF INDEBTEDNESS MAY BE ISSUED FOR THE ENTERPRISE DIVISION AND PROVIDE AUDIT AND REPORTING REQUIREMENTS; AND TO AMEND SECTIONS 8-11-260, 8-17-370, AND 11-35-710, ALL AS AMENDED, AND RELATING RESPECTIVELY TO EXEMPTIONS FROM STATE PERSONNEL ADMINISTRATIONS, THE STATE EMPLOYEE GRIEVANCE PROCEDURE ACT, AND THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO ADD EXEMPTIONS CONFORMING TO THE CLEMSON UNIVERSITY ENTERPRISE ACT.

Rep. SKELTON asked unanimous consent to have the Bill placed on the Calendar without reference.

Rep. MERRILL objected.

Referred to Committee on Ways and Means

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Branham | Brannon |
| R. L. Brown | Burns | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| King | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| Mack | McEachern | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Tallon | Thayer |
| Toole | Wells | Whipper |
| White | Williams | Willis |
| Wood |  |  |

**STATEMENT OF ATTENDANCE**

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

|  |  |
| --- | --- |
| W. E. "Bill" Sandifer | David Weeks |
| William "Bill" Taylor | William "Bill" Hixon |
| William R. "Bill" Whitmire | Tracy Edge |
| Bill Chumley | Peter McCoy, Jr. |
| Ralph Kennedy | Richard "Rick" Quinn |
| Kirkman Finlay | Grady Brown |
| Beth Bernstein | M.S. McLeod |
| Ted Vick | Bakari Sellers |
| William Bowers  James E. Smith, Jr.  Harold Mitchell  J. Todd Rutherford | Jerry Govan  Chris Hart |

**Total Present--11****9**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. ATWATER a leave of absence for the day due to business reasons.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MUNNERLYN a leave of absence for the day due to a family commitment.

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. John Burrell of Anderson was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. COBB-HUNTER presented to the House the Lake Marion High School "Gators" Boys Varsity Basketball Team, the 2013 Class AA Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Reps. PATRICK, NEWTON and ERICKSON presented to the House the Hilton Head Christian Academy Football Team, the 2012 South Carolina Independent Schools Association Class AA Champions, their coaches and other school officials.

STATEMENT FOR THE JOURNAL

During several hours of today’s session, we were in negotiations to work out issues related to H. 3945, the Ethics Reform Bill. These meetings were critical to ensure we meet the cross-over deadline to have bills to the Senate so we can pass ethics reform this year. Unfortunately, this meeting caused us to miss several votes today. Rep. Rick Quinn

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3102 |
| Date: | ADD: |
| 04/25/13 | BINGHAM |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3147 |
| Date: | ADD: |
| 04/25/13 | HUGGINS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3369 |
| Date: | ADD: |
| 04/25/13 | WOOD |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3631 |
| Date: | ADD: |
| 04/25/13 | ERICKSON, HERBKERSMAN and NEWTON | |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3956 |
| Date: | ADD: |
| 04/25/13 | WHIPPER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4014 |
| Date: | ADD: |
| 04/25/13 | DILLARD, MACK, ANDERSON, R. L. BROWN, SANDIFER, WHITMIRE, BINGHAM, BANNISTER, NEAL, FINLAY, PITTS, HOWARD, WHIPPER, QUINN, HART, BRANNON, EDGE, K. R. CRAWFORD, LUCAS and HARRELL |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3945 |
| Date: | REMOVE: |
| 04/25/13 | R. L. BROWN |

**SPEAKER IN CHAIR**

**SENT TO THE SENATE**

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

H. 3263 -- Rep. J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 79 TO TITLE 2, TO ENACT THE "SOUTH CAROLINA MILITARY PREPAREDNESS AND ENHANCEMENT ACT" SO AS TO ESTABLISH AND PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE SOUTH CAROLINA MILITARY PREPAREDNESS AND ENHANCEMENT COMMISSION, TO PROVIDE THAT THIS COMMISSION SHALL ACT TO ENHANCE THE VALUE OF MILITARY FACILITIES LOCATED IN THIS STATE AND ASSIST DEFENSE COMMUNITIES WITH THIS VALUE ENHANCEMENT, TO ESTABLISH THE SOUTH CAROLINA MILITARY VALUE REVOLVING LOAN ACCOUNT TO PROVIDE LOANS TO ASSIST DEFENSE COMMUNITIES TO ENHANCE THE VALUE OF MILITARY FACILITIES, AND TO PROVIDE FOR OTHER METHODS AND INCENTIVES TO ACCOMPLISH THESE PURPOSES.

H. 3725 -- Reps. Putnam, Ballentine, Patrick, Huggins, H. A. Crawford, Mitchell, Allison, Barfield, Chumley, Felder, Gagnon, Henderson, Hixon, Owens, Rivers, Ryhal, Simrill, Spires, Stringer, Taylor, Willis, Wood, Sellers, Long and Erickson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE "SAFE ACCESS TO VITAL EPINEPHRINE (SAVE) ACT"; BY ADDING SECTION 59-63-95 SO AS TO ALLOW SCHOOL DISTRICT AND PRIVATE SCHOOL GOVERNING AUTHORITIES TO OBTAIN SUPPLIES OF EPINEPHRINE AUTO-INJECTORS FOR SCHOOLS TO USE IN CERTAIN CIRCUMSTANCES; TO AUTHORIZE CERTAIN PEOPLE TO PRESCRIBE AND DISPENSE PRESCRIPTIONS FOR EPINEPHRINE AUTO-INJECTORS; TO AUTHORIZE CERTAIN SCHOOL PERSONNEL TO PROVIDE EPINEPHRINE AUTO-INJECTORS TO STUDENTS FOR SELF-ADMINISTRATION OF THE INJECTOR; TO AUTHORIZE CERTAIN PERSONNEL TO ADMINISTER EPINEPHRINE AUTO-INJECTORS TO STUDENTS AND OTHER PEOPLE; TO PROVIDE FOR THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL AND SCHOOL DISTRICT AND PRIVATE SCHOOL GOVERNING AUTHORITIES TO DEVELOP AND FACILITATE IMPLEMENTATION OF GUIDELINES FOR MANAGEMENT OF STUDENTS WITH LIFE-THREATENING ALLERGIES, INCLUDING FOR ADMINISTRATION AND PROVISION OF EPINEPHRINE AUTO-INJECTORS TO STUDENTS AND OTHER PEOPLE; AND TO PROVIDE FOR IMMUNITY FROM LIABILITY WITH REGARD TO USE OF EPINEPHRINE AUTO-INJECTORS BY SCHOOLS.

H. 3853 -- Reps. Owens, Patrick, Bedingfield, Loftis, Taylor, Allison, Anthony, Brannon, Southard, Bowen, Whitmire, Limehouse, Cole, Erickson, Forrester, Harrell, Herbkersman, Hixon, Lucas, D. C. Moss, Norman, Pitts, Pope, Putnam, Simrill, G. R. Smith, Sottile, Stringer, Wells and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-40-111 SO AS TO AUTHORIZE AN ALTERNATIVE EDUCATION CAMPUS (AEC) TO BE ESTABLISHED BY A CHARTER SCHOOL SPONSOR WHICH SHALL CONSTITUTE A CHARTER SCHOOL SERVING A SPECIFIC STUDENT POPULATION, AND TO PROVIDE THE CRITERIA FOR A CHARTER SCHOOL TO BE DESIGNATED AS AN AEC; TO AMEND SECTION 59-40-55, RELATING TO A CHARTER SCHOOL SPONSOR'S POWERS AND DUTIES, SO AS TO FURTHER PROVIDE FOR THESE POWERS AND DUTIES INCLUDING THE ADOPTION OF NATIONAL INDUSTRY STANDARDS FOR THE SCHOOL, AND THE CLOSURE OF LOW PERFORMING SCHOOLS; TO AMEND SECTION 59-40-60, AS AMENDED, RELATING TO CHARTER SCHOOL APPLICATIONS AND THE FORMATION OF CHARTER SCHOOLS, SO AS TO PROVIDE THAT THE CHARTER SCHOOL APPLICATION MUST BE BASED ON AN APPLICATION TEMPLATE WITH COMPLIANCE GUIDELINES DEVELOPED BY THE DEPARTMENT OF EDUCATION, AND TO FURTHER PROVIDE FOR THE CONTENTS OF THE APPLICATION AND FOR LETTERS OF INTENT TO BE SUBMITTED BY AN APPLICANT AND A CHARTER COMMITTEE; TO AMEND SECTION 59-40-70, AS AMENDED, RELATING TO THE CHARTER SCHOOL ADVISORY COMMITTEE AND ITS DUTY TO REVIEW CHARTER SCHOOL APPLICATIONS, SO AS TO DELETE THE COMMITTEE, TO REVISE THE PROCEDURES REQUIRED OF A CHARTER SCHOOL APPLICANT IN REGARD TO A CHARTER SCHOOL APPLICATION, TO PROVIDE THAT THE DEPARTMENT OF EDUCATION SHALL PROVIDE GUIDANCE ON COMPLIANCE TO BOTH SPONSORS AND APPLICANTS, AND TO FURTHER PROVIDE FOR THE STANDARDS FOR A SCHOOL BOARD OF TRUSTEES OR AREA COMMISSION TO FOLLOW WHEN CONSIDERING THE DENIAL OF AN APPLICATION; TO AMEND SECTION 59-40-90, AS AMENDED, RELATING TO APPEAL OF FINAL DECISIONS OF A SCHOOL DISTRICT TO THE ADMINISTRATION LAW COURT, SO AS TO ALSO INCLUDE FINAL DECISIONS OF A PUBLIC OR INDEPENDENT INSTITUTION OF HIGHER LEARNING SPONSOR; TO AMEND SECTION 59-40-110, AS AMENDED, RELATING TO THE DURATION OF A CHARTER SCHOOL SPONSOR AND THE RENEWAL OR TERMINATION OF A CHARTER BY THE SPONSOR, SO AS TO FURTHER PROVIDE FOR THE CIRCUMSTANCES WHEN A CHARTER SCHOOL SHALL AUTOMATICALLY AND PERMANENTLY CLOSE, TO REVISE THE CRITERIA TO CONSIDER WHEN REVOKING OR NOT RENEWING A CHARTER, TO PROVIDE FOR WHEN A SPONSOR SUMMARILY MAY REVOKE A CHARTER, AND TO PROVIDE FOR THE MANNER IN WHICH STAYS OF THE REVOCATION OR NONRENEWAL OF THE CHARTER TAKE EFFECT OR MAY BE GRANTED; TO AMEND SECTION 59-40-115, AS AMENDED, RELATING TO THE TERMINATION OF A CHARTER SCHOOL'S CONTRACT WITH A SPONSOR, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE; AND TO AMEND SECTION 59-40-180, AS AMENDED, RELATING TO REGULATIONS AND GUIDELINES PERTAINING TO CHARTER SCHOOLS, SO AS TO DELETE A REFERENCE TO THE CHARTER SCHOOL ADVISORY COMMITTEE.

H. 3847 -- Reps. Hiott and Hardwick: A BILL TO AMEND SECTION 48-60-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR TERMS USED IN THE SOUTH CAROLINA MANUFACTURER RESPONSIBILITY AND CONSUMER CONVENIENCE INFORMATION TECHNOLOGY EQUIPMENT COLLECTION AND RECOVERY ACT OF 2010, SO AS TO ADD, AMONG OTHER DEFINITIONS, TERMS RELATED TO COMPUTER MONITORS; TO AMEND SECTION 48-60-30, RELATING TO REQUIREMENTS OF CERTAIN MANUFACTURERS TO PROVIDE LABELS ON DEVICES INDICATING THE BRAND, SO AS TO REQUIRE COMPUTER MONITOR MANUFACTURERS TO DO SO; TO AMEND SECTION 48-60-50, RELATING TO THE REQUIREMENT FOR TELEVISION MANUFACTURERS TO PROVIDE A RECOVERY PROGRAM FOR RECYCLING TELEVISIONS, SO AS TO REQUIRE COMPUTER MONITOR MANUFACTURERS TO DO SO; BY ADDING SECTION 48-60-55 SO AS TO PROVIDE FOR THE CREATION AND OPERATION OF STATEWIDE CONSUMER ELECTRONIC DEVICE STEWARDSHIP PROGRAMS AND THE DEVELOPMENT AND IMPLEMENTATION OF RELATED RECOVERY PLANS, INCLUDING REQUIREMENTS FOR APPROVAL OF PLANS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO ESTABLISH OTHER RESPONSIBILITIES AND AUTHORITY OF THE DEPARTMENT AND REQUIREMENTS OF REGULATED MANUFACTURERS; TO AMEND SECTION 48-60-60, RELATING TO PROTECTION FROM LIABILITY FOR CERTAIN DAMAGES, SO AS TO APPLY TO COMPUTER MONITOR MANUFACTURERS; TO AMEND SECTION 48-60-70, RELATING TO RETAILER SALE REQUIREMENTS, SO AS TO PROHIBIT RETAILERS FROM SELLING DEVICES MADE BY MANUFACTURERS WHO DO NOT COMPLY WITH THE REQUIREMENTS OF SECTION 48-60-55; TO AMEND SECTION 48-60-90, RELATING TO DISCARDING OR PLACING COVERED DEVICES IN A WASTE STREAM, TO PROHIBIT COMPONENTS OF COVERED DEVICES; TO AMEND SECTION 48-60-100, RELATING TO RECOVERY PROCESS FEES, SO AS TO LIMIT THE ABILITY OF LOCAL GOVERNMENTS TO CHARGE CERTAIN FEES; TO AMEND SECTION 48-60-140, RELATING TO REQUIREMENTS THAT RECOVERY PROCESSES COMPLY WITH STATE AND FEDERAL LAW, SO AS TO REQUIRE RECYCLING OR REUSE FACILITIES TO MAINTAIN CERTIFICATION, TO IDENTIFY APPROVED CERTIFICATION PROGRAMS, AND TO REQUIRE MANUFACTURERS AND GOVERNMENTS ONLY TO USE FACILITIES THAT HAVE APPROPRIATE CERTIFICATION; TO AMEND SECTION 48-60-150, RELATING TO THE DEPARTMENT'S PROMULGATION OF REGULATIONS, SO AS TO ELIMINATE THE RIGHT TO CHARGE CERTAIN FEES TO MANUFACTURERS; BY ADDING SECTION 48-60-160 SO AS TO PROVIDE FOR CERTAIN FEES AND PENALTIES; BY ADDING SECTION 48-60-170 SO AS TO SET FORTH THE PURPOSES OF THE CHAPTER AND CERTAIN LIMITATIONS ON LIABILITY; TO PROVIDE EXPIRATION DATES FOR REGULATIONS PROMULGATED PURSUANT TO THIS CHAPTER, AND TO MAKE TECHNICAL CORRECTIONS; AND TO REPEAL SECTION 48-60-50 JUNE 30, 2014, AND CERTAIN OTHER PROVISIONS JUNE 30, 2020.

H. 3774 -- Reps. Loftis, Hardwick, Clemmons, Hamilton, Huggins, J. R. Smith, Goldfinch, Hixon, Ryhal, Sottile and Spires: A JOINT RESOLUTION TO SUSPEND THE RUNNING OF CERTAIN GOVERNMENT APPROVALS AFFECTING THE DEVELOPMENT OF REAL PROPERTY WITHIN THE STATE FOR THE PERIOD BEGINNING JANUARY 1, 2013 AND ENDING DECEMBER 31, 2017; AND TO PROVIDE GOVERNMENTAL ENTITIES ISSUING SUCH APPROVALS SHALL PUBLISH NOTICE IN THE STATE REGISTER LISTING THE TYPES OF THESE APPROVALS IT ISSUES AND NOTING THE SUSPENSION OF THE RUNNING OF THE PERIOD OF THE APPROVAL AND TO PROVIDE AN EXCEPTION FOR UNITS OF LOCAL GOVERNMENT.

H. 3735 -- Reps. Goldfinch, Hardwick, H. A. Crawford, Huggins, Hardee, Clemmons, Vick, Finlay, Chumley, Hamilton, Herbkersman, Hiott, Hixon, V. S. Moss, Owens, Pitts, Sottile, Wells, Wood, Powers Norrell, Knight and McCoy: A BILL TO AMEND SECTION 50-5-2730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE'S ADOPTION OF CERTAIN FEDERAL LAWS AND REGULATIONS THAT REGULATE THE TAKING OF FISH IN STATE WATERS, SO AS TO PROVIDE THAT LAWS AND REGULATIONS DO NOT APPLY TO BLACK SEA BASS (CENTROPRIATES STRIATA), TO PROVIDE A LAWFUL CATCH LIMIT AND SIZE FOR THIS SPECIES OF FISH, AND TO PROVIDE THAT THERE IS NO CLOSED SEASON ON THE CATCHING OF BLACK SEA BASS (CENTROPRIATES STRIATA).

H. 3762 -- Reps. Ott, Skelton, Hardwick, Hodges, Knight, Bales, Jefferson, Parks, Sellers, Finlay, Funderburk, Gagnon, Gambrell, George, Hayes, Hiott, Hixon, Horne, Lowe, D. C. Moss, Norman, Pitts, Putnam, Riley, White, Williams and Vick: A BILL TO AMEND SECTIONS 50-11-740, AS AMENDED, AND 50-11-745, RELATING TO THE CONFISCATION, FORFEITURE, SALE, AND RELEASE OF PROPERTY USED FOR THE UNLAWFUL HUNTING OF WILDLIFE, SO AS TO PROVIDE ADDITIONAL TYPES OF PROPERTY THAT ARE COVERED BY BOTH PROVISIONS, AND TO REVISE THE PENALTIES THAT MAY BE IMPOSED FOR THE UNLAWFUL HUNTING OF WILDLIFE.

H. 3464 -- Reps. Allison, Brannon, Erickson, Bedingfield, Taylor, Kennedy, Clyburn, Anderson, G. A. Brown, Clemmons, H. A. Crawford, Douglas, Forrester, Goldfinch, Hamilton, Hardwick, Hixon, Horne, Hosey, Nanney, Pope, Powers Norrell, G. R. Smith, J. R. Smith, Stringer, Wood, Felder, Cobb-Hunter and Gilliard: A BILL TO AMEND SECTION 63-7-730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPEDITED RELATIVE PLACEMENTS OF CHILDREN AT THE PROBABLE CAUSE HEARING, SO AS TO ENCOURAGE PLACEMENT OF THE CHILD WITH A GRANDPARENT OR OTHER RELATIVE OF THE FIRST OR SECOND DEGREE UNDER CERTAIN CIRCUMSTANCES; TO SET FORTH CRITERIA FOR THE COURT TO CONSIDER WHEN DECIDING WHETHER TO PLACE A CHILD WITH A GRANDPARENT OR OTHER RELATIVE OF THE FIRST OR SECOND DEGREE AT THE PROBABLE CAUSE HEARING; AND TO PROVIDE THAT IF THE COURT PLACES A CHILD WITH A GRANDPARENT OR OTHER RELATIVE OF THE FIRST OR SECOND DEGREE AT THE PROBABLE CAUSE HEARING, THE INDIVIDUAL MUST BE ADDED AS A PARTY TO THE ACTION FOR THE DURATION OF THE CASE OR UNTIL FURTHER ORDER OF THE COURT.

H. 3618 -- Reps. K. R. Crawford, Sandifer, Whitmire, Cobb-Hunter and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-47-938 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PHYSICIAN MAY ENTER A SUPERVISORY RELATIONSHIP WITH A PHYSICIAN ASSISTANT; TO AMEND SECTION 40-47-910, RELATING TO DEFINITIONS IN THE PHYSICIAN ASSISTANTS PRACTICE ACT, SO AS TO ADD AND REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-47-940, RELATING TO APPLICATION FOR LICENSURE, SO AS TO DELETE CERTAIN APPLICATION REQUIREMENTS; TO AMEND SECTION 40-47-945, RELATING TO CONDITIONS FOR GRANTING PERMANENT LICENSURE, SO AS TO DELETE REQUIREMENTS THAT AN APPLICANT APPEAR BEFORE THE BOARD WITH HIS SUPERVISING PHYSICIAN AND HIS SCOPE OF PRACTICE GUIDELINES, AND TO DELETE THE PROHIBITION AGAINST THE APPROVAL OF A SUPERVISING PHYSICIAN OF ON-THE-JOB TRAINING OR TASKS NOT LISTED ON THE APPLICATION FOR LIMITED LICENSURE AS A PHYSICIAN ASSISTANT; TO AMEND SECTION 40-47-955, RELATING TO PHYSICAL PRESENCE REQUIREMENTS OF THE SUPERVISING PHYSICIAN OF A PHYSICIAN ASSISTANT, SO AS TO DELETE EXISTING REQUIREMENTS CONCERNING ON-SITE SETTINGS AND TO PROVIDE WHERE AND HOW A PHYSICIAN ASSISTANT MAY PRACTICE, TO REVISE PROVISIONS CONCERNING OFF-SITE SETTINGS, AND TO REVISE CERTAIN REQUIREMENTS OF A SUPERVISING PHYSICIAN; TO AMEND SECTION 40-47-960, RELATING TO MINIMUM REQUIREMENTS FOR SCOPE OF PRACTICE GUIDELINES FOR PHYSICIAN ASSISTANTS, SO AS TO INCLUDE THE IMMEDIATE CONSULTATION BETWEEN THE PHYSICIAN ASSISTANT AND HIS PRIMARY OR SUPERVISING PHYSICIAN; TO AMEND SECTION 40-47-965, RELATING TO THE AUTHORITY OF A PHYSICIAN ASSISTANT TO REQUEST OR RECEIVE PROFESSIONAL SAMPLES OF DRUGS AUTHORIZED UNDER HIS SCOPE OF PRACTICE GUIDELINES, SO AS TO DELETE THE PROHIBITION AGAINST REQUESTING OR RECEIVING PROFESSIONAL SAMPLES OF SCHEDULE II CONTROLLED SUBSTANCES; TO AMEND SECTION 40-47-970, RELATING TO THE PRESCRIBING OF DRUGS BY A PHYSICIAN ASSISTANT, SO AS TO AS TO DELETE A PROHIBITION AGAINST PRESCRIBING SCHEDULE II CONTROLLED SUBSTANCES; TO AMEND SECTION 40-47-975, RELATING TO THE AUTHORITY OF A SUPERVISING PHYSICIAN TO REQUEST PERMISSION FROM THE BOARD FOR A PHYSICIAN ASSISTANT UNDER HIS SUPERVISION TO RECEIVE ON-THE-JOB TRAINING, SO AS TO DELETE EXISTING LANGUAGE AND PROVIDE THAT A SUPERVISING PHYSICIAN MAY DETERMINE WHETHER A PHYSICIAN ASSISTANT UNDER HIS SUPERVISION NEEDS ADDITIONAL TRAINING OR EDUCATION, THAT THE PHYSICIAN AND PHYSICIAN ASSISTANT MAY JOINTLY DETERMINE THE MEANS OF PROVIDING THIS TRAINING OR EDUCATION, AND THAT CERTAIN RELATED INFORMATION MUST BE SUBMITTED TO THE BOARD OF MEDICAL EXAMINERS AND THE PHYSICIAN ASSISTANT COMMITTEE FOR THE APPROVAL OF EACH; TO AMEND SECTION 40-47-995, RELATING TO THE TERMINATION OF A SUPERVISORY RELATIONSHIP BETWEEN A PHYSICIAN AND PHYSICIAN ASSISTANT, SO AS TO PROVIDE THAT UPON THIS TERMINATION THE PRACTICE OF THE PHYSICIAN ASSISTANT MUST CEASE UNTIL NEW SCOPE OF PRACTICE GUIDELINES, RATHER THAN A NEW APPLICATION, ARE SUBMITTED BY A NEW SUPERVISING PHYSICIAN TO THE BOARD; AND TO REPEAL SECTION 40-47-980 RELATING TO THE TREATMENT OF PATIENTS IN CHRONIC CARE AND LONG-TERM CARE FACILITIES.

H. 3223 -- Rep. White: A BILL TO AMEND SECTIONS 1-11-55, AS AMENDED, 1-11-425, 1-23-120, AS AMENDED, 2-1-230, 2-3-75, 2-13-60, 2-13-180, 2-13-190, AS AMENDED, 2-13-200, 2-13-210, 11-35-310, 11-53-20, AND 29-6-250, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING, IN WHOLE OR IN PART, TO THE OFFICE OF LEGISLATIVE PRINTING, INFORMATION AND TECHNOLOGY SYSTEMS (LPITS), SO AS TO CHANGE THE NAME OF THIS OFFICE TO THE LEGISLATIVE SERVICES AGENCY (LSA).

H. 3258 -- Reps. J. E. Smith, Cobb-Hunter and Pitts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-11-780 SO AS TO PROVIDE THAT A LEAVE DONOR UNDER THE STATE EMPLOYEES LEAVE TRANSFER PROGRAM ALSO MAY DONATE SICK LEAVE OR ANNUAL LEAVE, OR BOTH, TO A SPECIFIC LEAVE RECIPIENT RATHER THAN TO THE LEAVE POOL ACCOUNT IN THE MANNER THE HUMAN RESOURCE MANAGEMENT DIVISION SHALL DIRECT.

H. 3860 -- Rep. White: A BILL TO AMEND SECTION 11-35-3005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROJECT DELIVERY METHODS AUTHORIZED FOR PROCUREMENT OF INFRASTRUCTURE FACILITIES UNDER THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT AN ENTITY OR INDIVIDUAL OFFERING TO CONTRACT FOR DESIGN-BUILD, DESIGN-BUILD-OPERATE-MAINTAIN, OR DESIGN-BUILD-FINANCE-OPERATE-MAINTAIN PROJECT DELIVERY METHODS IS NOT REQUIRED TO HOLD A LICENSE OTHERWISE REQUIRED BY TITLE 40, SO LONG AS THE PERSON WHO ACTUALLY PERFORMS WORK REGULATED BY TITLE 40 HOLDS THE APPROPRIATE LICENSE; AND TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY UNDER THE CONSOLIDATED PROCUREMENT CODE, SO AS TO REQUIRE PERFORMANCE AND PAYMENT BONDS EQUAL TO ONE HUNDRED PERCENT OF THE VALUE OF DESIGNATED PORTIONS OF CONSTRUCTION, PRIOR TO THE COMMENCEMENT OF WORK ON THOSE PORTIONS OF THE PROJECT.

H. 3784 -- Reps. J. E. Smith, Pitts, Vick and Harrell: A BILL TO AMEND SECTION 59-114-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM, SO AS TO CLARIFY THAT EACH ACADEMIC YEAR'S ANNUAL MAXIMUM GRANT MUST BE BASED ON THE AMOUNT OF AVAILABLE PROGRAM FUNDS; TO AMEND SECTION 59-114-40, AS AMENDED, RELATING TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM QUALIFICATION REQUIREMENTS, SO AS TO PROVIDE THAT NATIONAL GUARD MEMBERS BECOME ELIGIBLE FOR COLLEGE ASSISTANCE PROGRAM GRANTS UPON COMPLETION OF BASIC TRAINING AND ADVANCED INDIVIDUAL TRAINING; AND TO AMEND SECTION 59-114-65, RELATING TO GRANT AVAILABILITY, SO AS TO ALLOW APPROPRIATIONS TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM TO BE CARRIED FORWARD TO A SUBSEQUENT FISCAL YEAR AND EXPENDED FOR THE SAME PURPOSE, AND TO EXEMPT APPROPRIATIONS TO THE NATIONAL GUARD COLLEGE ASSISTANCE PROGRAM FROM MIDYEAR BUDGET REDUCTIONS.

H. 3896 -- Reps. Merrill, White and Limehouse: A BILL TO AMEND SECTION 59-4-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION ON TUITION INCREASES UNDER THE SOUTH CAROLINA TUITION PREPAYMENT PROGRAM, SO AS TO PROVIDE THAT, BEGINNING WITH THE 2013-2014 SCHOOL YEAR, A PUBLIC INSTITUTION OF HIGHER LEARNING IN THIS STATE SHALL ACCEPT AS FULL PAYMENT OF ALL TUITION AND FEES DUE FOR THOSE IN-STATE UNDERGRADUATE STUDENTS WHOSE TUITION AND FEES ARE PAID PURSUANT TO A TUITION PREPAYMENT CONTRACT UNDER THE TUITION PREPAYMENT PROGRAM THE AMOUNT OF TUITION AND FEES CHARGED IN-STATE UNDERGRADUATE STUDENTS FOR SCHOOL YEAR 2008-2009 WHO DID NOT PARTICIPATE IN THE PROGRAM, TO ALSO PROVIDE FOR THE MANNER IN WHICH THE TUITION PREPAYMENT PROGRAM, BEGINNING WITH THE 2013-2014 SCHOOL YEAR, SHALL PAY TUITION AND FEES FOR STUDENTS PARTICIPATING IN THE PROGRAM WHO ATTEND IN-STATE PRIVATE INSTITUTIONS OR OUT-OF-STATE INSTITUTIONS, AND TO PROVIDE FOR OTHER RELATED PROVISIONS TO IMPLEMENT THESE REQUIREMENTS.

H. 3632 -- Reps. G. M. Smith, White, Sandifer, J. R. Smith, Bannister and Lucas: A BILL TO AMEND SECTION 42-5-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAINTENANCE TAX IMPOSED BY THE WORKERS' COMPENSATION COMMISSION ON SELF INSURERS, SO AS TO PROVIDE THAT THE COMMISSION SHALL RETAIN A PORTION OF THE ANNUAL MAINTENANCE TAX REVENUE TO PAY THE SALARIES AND EXPENSES OF THE COMMISSION AND TO PROVIDE THAT THE COMMISSION SHALL RETAIN ONE-HALF OF THE INTEREST CHARGED ON DELINQUENT MAINTENANCE TAX FOR THE SAME PURPOSE.

H. 3093 -- Reps. J. E. Smith, W. J. McLeod and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 12 SO AS TO ENACT THE "SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT", TO PROVIDE THAT A TAXPAYER MAKING INVESTMENTS OF A CERTAIN SIZE IN REHABILITATING AN ABANDONED BUILDING BASED ON THE POPULATION OF THE POLITICAL SUBDIVISION IN WHICH THE BUILDING IS LOCATED MAY AT THE TAXPAYER'S OPTION RECEIVE SPECIFIED INCOME TAX CREDITS OR CREDITS AGAINST THE PROPERTY TAX LIABILITY.

H. 3357 -- Reps. Henderson, Merrill, Herbkersman, Harrell, Gilliard, Stavrinakis, Hodges, Gagnon, Ryhal, Erickson, Whipper and R. L. Brown: A BILL TO AMEND SECTION 12-62-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX REBATE TO A MOTION PICTURE PRODUCTION COMPANY BY THE SOUTH CAROLINA FILM COMMISSION, SO AS TO PROVIDE THAT THE REBATE MAY NOT EXCEED TWENTY PERCENT OF THE TOTAL AGGREGATE PAYROLL FOR QUALIFYING PERSONS SUBJECT TO INCOME TAX WITHHOLDINGS OF SOUTH CAROLINA AND MAY NOT EXCEED TWENTY-FIVE PERCENT FOR QUALIFYING RESIDENTS OF SOUTH CAROLINA; AND TO AMEND SECTION 12-62-60, AS AMENDED, RELATING TO REBATES TO MOTION PICTURE PRODUCTION COMPANIES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY REBATE UP TO THIRTY PERCENT OF CERTAIN EXPENDITURES.

H. 3505 -- Reps. Loftis, Bannister, Harrell, J. R. Smith, Brannon, Huggins, Kennedy, Ballentine, Cole, Hixon, McCoy, G. R. Smith, Hamilton, Tallon, Henderson, Forrester, Whipper and Hodges: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 44 TO TITLE 11 SO AS TO ENACT THE "HIGH GROWTH SMALL BUSINESS ACCESS TO CAPITAL ACT OF 2013" BY PROVIDING FOR STATE NONREFUNDABLE INCOME TAX CREDITS FOR QUALIFIED INVESTMENTS IN BUSINESSES MEETING CERTAIN CRITERIA AND PRIMARILY ENGAGED IN MANUFACTURING, PROCESSING, WAREHOUSING, WHOLESALING, SOFTWARE DEVELOPMENT, INFORMATION TECHNOLOGY SERVICES, RESEARCH AND DEVELOPMENT OR OTHER NONPROHIBITED SERVICES, TO ESTABLISH THE CRITERIA AND PROCEDURES FOR THE CREDIT, TO MAKE THE CREDIT TRANSFERABLE, AND TO PROVIDE FOR CERTAIN ADJUSTED NET CAPITAL GAIN AND LOSS COMPUTATIONS FOR INVESTOR TAXPAYERS WHO RECOGNIZE SUCH A GAIN OR LOSS ON THE SALE OF CREDIT ASSETS AS DEFINED IN THIS CHAPTER.

H. 3767 -- Reps. Hixon, J. R. Smith, Quinn, Southard, Huggins, Bowen, Stavrinakis, Sabb, Allison, Atwater, Ballentine, Barfield, Chumley, Clyburn, Cole, Daning, Dillard, Erickson, Felder, Finlay, George, Goldfinch, Hamilton, Harrell, Hayes, Hiott, Horne, Hosey, Jefferson, Kennedy, Loftis, Long, Lowe, Lucas, Merrill, V. S. Moss, Norman, Ott, Owens, Pope, Putnam, Riley, Rivers, Rutherford, Simrill, Skelton, Sottile, Spires, Tallon, Taylor, Toole, Wells and Wood: A BILL TO AMEND SECTION 12-36-920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TWO PERCENT STATE SALES TAX IMPOSED ON ACCOMMODATIONS, SO AS TO PROVIDE THAT THE TAX DOES NOT APPLY TO GROSS PROCEEDS FROM RENTALS RECEIVED BY PERSONS RENTING THEIR PERSONAL RESIDENCE FOR FEWER THAN FIFTEEN DAYS TOTAL IN A YEAR AND IF THE GROSS PROCEEDS OF THE RENTAL INCOME ARE EXCLUDED FROM FEDERAL TAXABLE INCOME PURSUANT TO THE PROVISIONS OF SECTION 280A(g) OF THE INTERNAL REVENUE CODE OF 1986.

H. 3410 -- Reps. Forrester, Allison, Loftis, V. S. Moss, Cole, Tallon, Mitchell, Cobb-Hunter and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 13 TO CHAPTER 1, TITLE 13 SO AS TO TRANSFER THE REGIONAL EDUCATION CENTERS ESTABLISHED BY THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL TO THE DEPARTMENT OF COMMERCE; TO AMEND SECTION 59-59-170, RELATING TO THE EDUCATION AND ECONOMIC DEVELOPMENT COORDINATING COUNCIL, AND SECTION 59-59-190, RELATING TO ASSISTANCE OF THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE, THE BOARD FOR TECHNICAL AND COMPREHENSIVE EDUCATION, AND THE COMMISSION ON HIGHER EDUCATION SHALL PROVIDE THE DEPARTMENT OF EDUCATION WITH RESPECT TO CERTAIN PROGRAMS UNDER THE SOUTH CAROLINA EDUCATION AND ECONOMIC DEVELOPMENT ACT, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 59-59-180 RELATING TO REGIONAL EDUCATION CENTERS.

H. 3557 -- Reps. Cobb-Hunter, White, Bannister, Rutherford, Harrell, Merrill, Simrill, Stavrinakis, Loftis, Horne, Weeks, Mitchell, Ott, Sellers, Hodges and Whipper: A BILL TO AMEND SECTION 12-6-3375, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAX CREDIT FOR PORT CARGO VOLUME INCREASE, SO AS TO EXPAND THE TYPES OF BUSINESSES THAT QUALIFY FOR THE CREDIT, TO GIVE THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT DISCRETION IN AWARDING CREDITS, TO FURTHER DEFINE TERMS, TO PROVIDE THAT TAXPAYERS ENGAGED IN THE MOVEMENT OF GOODS IMPORTED OR EXPORTED THROUGH SOUTH CAROLINA'S PORT FACILITIES MAY BE ELIGIBLE FOR THE CREDIT IF THE CARGO SUPPORTS A PRESENCE IN THE STATE AND MEETS OTHER JOB AND CAPITAL INVESTMENT REQUIREMENTS, AND TO PROVIDE THAT A TAXPAYER THAT FAILS TO MEET THE REQUIREMENTS OF THE CREDIT MUST REPAY A PRO RATA PORTION OF THE CREDIT.

H. 3027 -- Reps. G. M. Smith, Pitts, Ballentine, J. E. Smith, Bernstein, Harrell, Cobb-Hunter, Whipper and R. L. Brown: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS TO PROVIDE THAT, IN CERTAIN SITUATIONS, AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO REGARDLESS OF THE OWNER'S RELOCATION AND REGARDLESS OF ANY RENTAL INCOME, AND TO PROVIDE THAT AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES, IN CERTAIN SITUATIONS, MAY CLAIM THE FOUR PERCENT ASSESSMENT RATIO ON TWO RESIDENTIAL PROPERTIES SO LONG AS THE OWNER ATTEMPTS TO SELL THE FIRST RESIDENCE WITHIN THIRTY DAYS OF ACQUIRING THE SECOND RESIDENCE.

H. 3502 -- Reps. Murphy, Vick, Goldfinch, K. R. Crawford, Harrell, Horne, M. S. McLeod and Owens: A BILL TO AMEND SECTION 59-121-55, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TRANSFER OF FUNDS OR PROPERTY BY THE CITADEL BOARD OF VISITORS TO A NONPROFIT ELEEMOSYNARY CORPORATION ESTABLISHED BY THE BOARD, SO AS TO REMOVE A LIMIT ON THE AMOUNT OF FUNDS OR PROPERTY THAT THE BOARD MAY TRANSFER TO THE CORPORATION.

H. 3974 -- Reps. Loftis, Brannon, Burns, Erickson, Bannister, Barfield, Hamilton, Harrell, Henderson, Hosey, Murphy, G. M. Smith, G. R. Smith and J. R. Smith: A BILL TO AMEND SECTION 12-54-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISCLOSURE OF RECORDS AND RETURNS FILED WITH THE DEPARTMENT OF REVENUE, SO AS TO ALLOW THE DISCLOSURE OF CERTAIN INFORMATION TO THE SECRETARY OF STATE ABOUT A TAXPAYER WHO FILED AN INITIAL OR FINAL CORPORATE RETURN; AND BY ADDING SECTION 12-58-165 SO AS TO ALLOW THE DEPARTMENT OF REVENUE TO EXPUNGE THE RECORDING OF A LIEN ONCE THE LIEN IS FULLY PAID AND SATISFIED.

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 612 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ACT 961 OF 1974, RELATING TO THE ELECTION AND TERMS OF THE COMMISSIONERS OF PUBLIC WORKS FOR THE TOWN OF SUMMERVILLE IN DORCHESTER COUNTY.

**RETURNED TO THE SENATE WITH AMENDMENTS**

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

S. 163 -- Senators Campbell, McGill, O'Dell, Cleary, Ford and Alexander: A BILL TO AMEND SECTION 12-62-50 OF THE 1976 CODE, RELATING TO THE TAX REBATE TO A MOTION PICTURE PRODUCTION COMPANY BY THE SOUTH CAROLINA FILM COMMISSION, TO PROVIDE THAT THE REBATE MAY NOT EXCEED TWENTY PERCENT OF THE TOTAL AGGREGATE PAYROLL FOR PERSONS SUBJECT TO INCOME TAX WITHHOLDINGS OF SOUTH CAROLINA AND MAY NOT EXCEED TWENTY-FIVE PERCENT FOR RESIDENTS OF SOUTH CAROLINA AND FOR PERSONS EMPLOYED WITH THE PRODUCTION WHEN TOTAL PRODUCTION COSTS IN THIS STATE EQUAL OR EXCEED ONE MILLION DOLLARS DURING THE TAXABLE YEAR; AND TO AMEND SECTION 12-62-60, RELATING TO REBATES TO MOTION PICTURE PRODUCTION COMPANIES, TO PROVIDE THAT THE DEPARTMENT MAY REBATE UP TO THIRTY PERCENT OF THE EXPENDITURES IN SOUTH CAROLINA IF THERE IS A MINIMUM IN-STATE EXPENDITURE OF ONE MILLION DOLLARS.

**H. 3783--REQUEST FOR DEBATE, AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3783 -- Rep. Lucas: A BILL TO AMEND SECTION 12-21-2425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIONS LICENSE TAX EXEMPTION FOR A MOTORSPORTS ENTERTAINMENT COMPLEX, SO AS TO REQUIRE THE COMPLEX TO BE A NASCAR SANCTIONED SPEEDWAY THAT HOSTS AT LEAST ONE RACE EACH YEAR FEATURING THE PREEMINENT NASCAR CUP SERIES, INSTEAD OF REQUIRING THE SPEEDWAY TO HAVE AT LEAST SIXTY THOUSAND SEATS FOR RACE PATRONS.

Rep. MERRILL proposed the following Amendment No. 2 to H. 3783 (COUNCIL\NL\3783C005.NL.DG13), which was tabled:

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

/ SECTION 1. Section 12‑21‑2425 of the 1976 Code, as added by Act 313 of 2008, is amended to read:

“Section 12‑21‑2425. (A) In addition to the exemptions allowed from the admissions license tax imposed pursuant to Section 12‑21‑2420 of the 1976 Code, there is also exempt from that tax for ten years beginning July 1, 2008, one‑half of the paid admissions to a motorsports entertainment complex.

(B) For purposes of the exemption allowed by this section, a motorsports entertainment complex means a motorsports facility, and its ancillary grounds and facilities, that satisfies all of the following:

(1) ~~has at least sixty thousand fixed seats for race patrons~~ is a NASCAR sanctioned motor speedway or racetrack that hosts at least one race each year featuring the preeminent NASCAR cup series;

(2) has at least three scheduled days of motorsports events, and events ancillary and incidental thereto, each calendar year that are sanctioned by a nationally or internationally recognized governing body of motorsports that establishes an annual schedule of motorsports events;

(3) engages in tourism promotion.

(C)(1) In addition to the exemptions allowed from the admissions license tax imposed pursuant to Section 12‑21‑2420 of the 1976 Code, there is also exempt from that tax for ten years beginning July 1, 2013, one‑half of the paid admissions to the Myrtle Beach Pelicans Minor League Baseball complex.

(2) For purposes of the exemption allowed by this subsection, the Myrtle Beach Pelicans Minor League Baseball complex includes its ancillary grounds and facilities.”

SECTION 2. This act takes effect for tax years beginning after 2012. /

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL explained the amendment.

Rep. WELLS requested debate on the Bill.

Rep. MERRILL continued speaking.

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

Rep. LUCAS proposed the following Amendment No. 7 to H. 3783 (COUNCIL\NL\3783C002.NL.DG13), which was adopted:

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

/ SECTION 1. Section 12‑21‑2425(B)(1) of the 1976 Code is amended to read:

“(1) ~~has at least sixty thousand fixed seats for race patrons~~ is a NASCAR sanctioned motor speedway or racetrack that hosted at least one NASCAR Sprint Cup Series race in 2012, and continues to host at least one NASCAR Sprint Cup Series race, or any successor race featuring the same NASCAR Cup series;”

SECTION 2. This act takes effect for tax years beginning after 2012. /

Renumber sections to conform.

Amend title to conform.

Rep. LUCAS explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 10

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Ballentine | Bannister | Barfield |
| Bernstein | Bowen | Bowers |
| Branham | Brannon | G. A. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Felder | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | D. C. Moss | V. S. Moss |
| Neal | Ott | Owens |
| Parks | Patrick | Pitts |
| Powers Norrell | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Southard |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis |  |  |

**Total--94**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bedingfield | Bingham |
| Chumley | Forrester | Nanney |
| Norman | Putnam | G. R. Smith |
| Wood |  |  |

**Total--10**

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

**OBJECTION TO MOTION**

Rep. LUCAS asked unanimous consent that H. 3783 be read a third time tomorrow.

Rep. MERRILL objected.

**H. 4010--DEBATE ADJOURNED**

Rep. MERRILL moved to adjourn debate upon the following Bill until Tuesday, April 30, which was adopted:

H. 4010 -- Rep. Bingham: A BILL TO AMEND ACT 288 OF 2012, RELATING TO THE 2012-2013 GENERAL APPROPRIATIONS ACT, SO AS TO REVISE PARAGRAPH 1A.48, SECTION 1A, PART IB, THAT DIRECTS THE DEPARTMENT OF EDUCATION TO TRANSFER CERTAIN FUNDS TO MEET MAINTENANCE OF EFFORT REQUIREMENTS FOR THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT BY DELETING THE SET MAXIMUM AMOUNT THAT MAY BE TRANSFERRED.

**H. 3941--POINT OF ORDER**

The following Bill was taken up:

H. 3941 -- Reps. Sandifer, Harrell, Bannister, Daning, Erickson, Forrester and Gambrell: A BILL TO AMEND SECTION 6-1-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A POLITICAL SUBDIVISION'S AUTHORITY TO SET A MINIMUM WAGE, SO AS TO ALSO PROHIBIT THE MANDATE OF AN EMPLOYEE BENEFIT.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3960--POINT OF ORDER**

The following Bill was taken up:

H. 3960 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-41-35 SO AS TO REQUIRE EMPLOYERS PARTICIPATING IN A MULTIPLE EMPLOYER SELF-INSURED HEALTH PLAN TO EXECUTE HOLD HARMLESS AGREEMENTS IN WHICH THE EMPLOYER AGREES TO PAY ALL UNPAID PORTIONS OF INSURED CLAIMS, AND TO REQUIRE THE DEPARTMENT OF INSURANCE TO PROVIDE FORMS THAT MUST BE USED FOR THESE AGREEMENTS, AMONG OTHER THINGS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3893--POINT OF ORDER**

The following Bill was taken up:

H. 3893 -- Reps. Bedingfield, G. R. Smith, Loftis, Stringer, Burns, Hamilton, Erickson, Taylor, Clemmons, Delleney, Pitts and Willis: A BILL TO AMEND SECTION 59-18-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADOPTION OF NEW STATEWIDE EDUCATION STANDARDS AND ASSESSMENTS, SO AS TO PROVIDE SUCH AN ADOPTION MUST NOT BE IMPLEMENTED UNTIL APPROVED BY THE GENERAL ASSEMBLY BY JOINT RESOLUTION.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4014--POINT OF ORDER**

The following Bill was taken up:

H. 4014 -- Reps. Mitchell, Cobb-Hunter, King, Dillard, Mack, Anderson, R. L. Brown, Sandifer, Whitmire, Bingham, Bannister, Neal, Finlay, Pitts, Howard, Whipper, Quinn, Hart, Brannon, Edge, K. R. Crawford, Lucas and Harrell: A BILL TO AMEND SECTION 59-127-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY, SO AS TO RECONSTITUTE THE BOARD OF TRUSTEES BY REVISING THE NUMBER OF BOARD MEMBERS AND THE MANNER IN WHICH THEY ARE ELECTED TO ACCOUNT FOR THE NEW SEVENTH CONGRESSIONAL DISTRICT, PROVIDING TWO AT-LARGE SEATS FILLED BY ELECTION OF THE GENERAL ASSEMBLY AND TWO AT-LARGE SEATS FILLED BY APPOINTMENT OF THE GOVERNOR, ONE OF WHOM IS RECOMMENDED BY THE SOUTH CAROLINA STATE NATIONAL ALUMNI ASSOCIATION, TO REVISE OTHER PROVISIONS RELATING TO TERMS OF BOARD MEMBERS, AND TO PROVIDE TRANSITION PROVISIONS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3098--POINT OF ORDER**

The following Bill was taken up:

H. 3098 -- Rep. Spires: A BILL TO AMEND SECTION 44-81-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE RIGHTS OF LONG-TERM CARE FACILITY RESIDENTS, SO AS TO REQUIRE A RESIDENT OR HIS REPRESENTATIVE TO PROVIDE THE ADMINISTRATOR OF THE FACILITY CERTAIN NOTICE OF THE INTENT OF THE RESIDENT TO VOLUNTARILY RELOCATE TO ANOTHER FACILITY, AND TO PROVIDE THE FACILITY MAY CHARGE THE RESIDENT THE EQUIVALENT OF THIRTY DAYS OCCUPANCY FOR FAILURE TO GIVE THIS NOTICE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3856--POINT OF ORDER**

The following Bill was taken up:

H. 3856 -- Reps. Erickson, M. S. McLeod, Spires, Mitchell, Cobb-Hunter, Long, Murphy, Munnerlyn, Sabb, King, K. R. Crawford, Jefferson, H. A. Crawford, McCoy, Robinson-Simpson, Allison, Horne, W. J. McLeod, McEachern, Dillard, Felder, Gagnon, Henderson, Nanney, Powers Norrell, Sandifer, Stavrinakis and Wood: A BILL TO AMEND SECTION 63-13-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS FOR EMPLOYMENT IN CHILDCARE FACILITIES, SO AS TO ALSO PROHIBIT SUCH EMPLOYMENT OF A PERSON WHO HAS BEEN CONVICTED OF UNLAWFUL CONDUCT TOWARD A CHILD, CRUELTY TO CHILDREN, OR CHILD ENDANGERMENT.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3567--POINT OF ORDER**

The following Bill was taken up:

H. 3567 -- Rep. Horne: A BILL TO AMEND SECTION 44-7-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF TERMS USED IN THE STATE CERTIFICATE OF NEED AND HEALTH FACILITY LICENSURE ACT, SO AS TO REVISE THE DEFINITION OF "CHILDREN AND ADOLESCENTS IN NEED OF MENTAL HEALTH TREATMENT" IN A RESIDENTIAL TREATMENT FACILITY BY REVISING THE TERM TO INCLUDE YOUNG ADULTS AND BY INCREASING THE ELIGIBILITY AGE FROM UNDER EIGHTEEN TO UNDER TWENTY-ONE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3907--POINT OF ORDER**

The following Bill was taken up:

H. 3907 -- Reps. Willis, Owens, Stringer, Daning, Brannon, Rivers, Kennedy, King, Mitchell, Putnam, Wells and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 1, TITLE 56 SO AS TO AUTHORIZE THE DEPARTMENT OF MOTOR VEHICLES TO ACCEPT UNCERTIFIED CHECKS FOR PAYMENT FOR PRODUCTS OR SERVICES ISSUED BY THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT MAY REFUSE TO PROVIDE A PERSON ANY PRODUCT OR SERVICE, EXCEPT AN IDENTIFICATION CARD, UNTIL THE PERSON HAS PAID ALL FEES OWED THE DEPARTMENT AS A RESULT OF A RETURNED CHECK, TO PROVIDE THAT THE DEPARTMENT MAY CHARGE A FEE SPECIFIED IN SECTION 34-11-70 TO COVER THE COSTS ASSOCIATED WITH THE COLLECTION OF FEES, TO PROVIDE THAT THE DEPARTMENT MAY CHARGE A PROCESSING FEE FOR THE USE OF CREDIT CARDS, AND TO PROVIDE THAT ALL PROCESSING FEES COLLECTED PURSUANT TO THIS ARTICLE MUST BE PLACED IN A SPECIAL RESTRICTED ACCOUNT TO BE USED BY THE DEPARTMENT TO DEFRAY ITS COSTS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3961--POINT OF ORDER**

The following Bill was taken up:

H. 3961 -- Reps. Wood, Allison, Owens, Horne, Crosby, Daning, Gagnon, Govan, Hardee, Jefferson, Kennedy, Munnerlyn, J. R. Smith, Spires, Taylor, Wells, R. L. Brown and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 132 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE "AUTISM AWARENESS" SPECIAL LICENSE PLATES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3983--POINT OF ORDER**

The following Bill was taken up:

H. 3983 -- Reps. Sellers, G. M. Smith and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 29 TO CHAPTER 7, TITLE 44 SO AS TO PROVIDE RURAL COUNTIES WITH ACCESS TO FREE EMERGENCY HOSPITAL CARE AND ALLOW RELICENSURE OF CLOSED RURAL HOSPITALS AS FREESTANDING EMERGENCY HEALTH CARE FACILITIES UNDER CERTAIN CIRCUMSTANCES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3978--POINT OF ORDER**

The following Bill was taken up:

H. 3978 -- Reps. White and G. M. Smith: A BILL TO AMEND ARTICLE 2, CHAPTER 7, TITLE 44, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEDICAID NURSING HOME PERMITS, TO DEFINE "MEDICAID PERMIT DAY", TO SPECIFY THE MANNER IN WHICH ADDITIONAL MEDICAID PERMIT DAYS ARE ALLOCATED, TO SET FORTH COMPLIANCE STANDARDS AND PENALTIES FOR VIOLATIONS, AND TO PROVIDE CERTAIN REPORTING REQUIREMENTS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3102--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3102 -- Reps. Forrester, V. S. Moss, Allison, Atwater and Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT "JAIDON'S LAW"; TO AMEND SECTION 63-7-1680, AS AMENDED, RELATING TO THE CONTENTS, APPROVAL, AND AMENDMENT OF A PLACEMENT PLAN DEVELOPED BY THE DEPARTMENT OF SOCIAL SERVICES FOR A CHILD REMOVED FROM THE CUSTODY OF HIS OR HER PARENTS, SO AS TO FURTHER PROVIDE FOR THE VISITATION RIGHTS AND OBLIGATIONS OF THE PARENTS UNDER THE PLACEMENT PLAN; TO AMEND SECTION 63-7-1690, RELATING TO CONTENTS OF A PLACEMENT PLAN WHEN THE CONDITIONS FOR REMOVAL OF A CHILD FROM THE CUSTODY OF HIS OR HER PARENTS INCLUDE CONTROLLED SUBSTANCE ABUSE BY THE PARENTS, SO AS TO MAKE THE CONTENTS OF THE PLAN MANDATORY, RATHER THAN IN THE DISCRETION OF THE COURT; TO AMEND SECTION 63-7-1710, RELATING TO CIRCUMSTANCES UNDER WHICH THE DEPARTMENT OF SOCIAL SERVICES SHALL FILE A PETITION TO TERMINATE PARENTAL RIGHTS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF THE PARENT IS CONVICTED OF HOMICIDE BY CHILD ABUSE, OR AIDING OR ABETTING TO COMMIT HOMICIDE BY CHILD ABUSE, OF ANOTHER CHILD OF THE PARENT; TO PROVIDE THAT THE DEPARTMENT SHALL FILE THIS PETITION IF A PARENT FAILED THREE HAIR-STRAND DRUG TESTS OVER A NINE-MONTH PERIOD; AND TO PROVIDE THAT THE DEPARTMENT SHALL FILE SUCH A PETITION IF A PARENT FAILED TWICE IN A TWELVE-MONTH PERIOD TO COMPLY WITH THE TERMS OF A TREATMENT PLAN OR PLACEMENT PLAN; TO AMEND SECTION 63-7-1940, RELATING TO COURT-ORDERED PLACEMENT OF A PERSON IN THE CENTRAL REGISTRY FOR CHILD ABUSE AND NEGLECT, SO AS TO PROVIDE THAT THE COURT SHALL ORDER THAT A PERSON BE PLACED IN THE REGISTRY IF THE PERSON GAVE BIRTH TO THE CHILD AND THE CHILD TESTED POSITIVE FOR DRUGS; AND TO AMEND SECTION 63-7-2570, AS AMENDED, RELATING TO GROUNDS FOR TERMINATING PARENTAL RIGHTS, SO AS TO PROVIDE THAT TERMINATING THESE RIGHTS ON THE GROUNDS OF SEVERE AND REPETITIVE ABUSE OR NEGLECT INCLUDES HOSPITALIZATION OF A CHILD FOR MORE THAN FOURTEEN DAYS DUE TO ABUSE OR NEGLECT; TO INCLUDE IN THE GROUNDS FOR TERMINATING THESE RIGHTS A PARENT'S ADDICTION TO ALCOHOL OR ILLEGAL DRUGS OR PRESCRIPTION MEDICATION ABUSE WHEN THE PARENT'S ADDICTION IS UNLIKELY TO CHANGE WITHIN A REASONABLE TIME; AND TO PROVIDE AS A GROUND FOR TERMINATING THESE RIGHTS A PARENT BEING CONVICTED OF MURDER, VOLUNTARY MANSLAUGHTER, OR HOMICIDE BY CHILD ABUSE OF ANOTHER CHILD OF THE PARENT.

Rep. FORRESTER moved to waive Rule 5.10.

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

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Gilliard | Goldfinch |
| Hamilton | Hardee | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sabb | Sandifer | Sellers |
| Simrill | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Stavrinakis |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | White | Whitmire |
| Willis | Wood |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

So, Rule 5.10 was waived.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3102 (COUNCIL\NBD\3102C001.NBD.VR13), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 3, on page 3 and inserting:

/SECTION 3. Section 63‑7‑1690 of the 1976 Code is amended to read:

“Section 63‑7‑1690. (A) When the conditions justifying removal pursuant to Section 63‑7‑1660 include the addiction of the parent or abuse by the parent of controlled substances, the court may require as part of the placement plan ordered pursuant to Section 63‑7‑1680:

(1) the parent to successfully ~~must~~ complete a treatment program operated by the Department of Alcohol and Other Drug Abuse Services or another treatment program approved by the department before return of the child to the home;

(2) any other adult person living in the home who has been determined by the court to be addicted to or abusing controlled substances or alcohol and whose conduct has contributed to the parent’s addiction or abuse of controlled substances or alcohol to successfully ~~must~~ complete a treatment program approved by the department before return of the child to the home; and

(3) the parent or other adult, or both, identified in item (2) ~~must~~ to submit to random testing for substance abuse and ~~must~~ to be alcohol or drug free for a period of time to be determined by the court before return of the child. The parent or other adult identified in item (2) must continue random testing for substance abuse and must be alcohol or drug free for a period of time to be determined by the court after return of the child before the case will be authorized to be closed.

(B) Results of tests ordered pursuant to this section must be submitted to the department and are admissible only in family court proceedings brought by the department.” /

Amend the bill further, by deleting Section 63‑7‑1940(A)(1)(d), as contained in SECTION 5, beginning on page 4, and inserting:

/(d) gave birth to the infant and the infant tested positive for the presence of any amount of controlled substance, prescription drugs not prescribed to the mother, metabolite of a controlled substance, or the infant has a medical diagnosis of neonatal abstinence syndrome, unless the presence of the substance or metabolite is the result of a medical treatment administered to the mother of the infant during birth or to the infant; /

Amend the bill further, Section 63‑7‑2570, as contained in SECTION 6, beginning on page 5, by deleting item (1) and inserting:

/ (1) The child or another child while residing in the parent’s domicile has been harmed as defined in Section 63‑7‑20, and because of the severity or repetition of the abuse or neglect, it is not reasonably likely that the home can be made safe within twelve months. In determining the likelihood that the home can be made safe, the parent’s previous abuse or neglect of the child or another child may be considered. /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The amendment was then adopted.

Reps. BANNISTER, BRANNON and FORRESTER proposed the following Amendment No. 2 to H. 3102 (COUNCIL\MS\3102C001. MS.AHB13), which was adopted:

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

/ SECTION \_\_. Section 63‑7‑1700(D) of the 1976 Code, as last amended by Act 160 of 2010, is further amended to read:

“(D) If the court determines at the permanency planning hearing that the child may be safely maintained in the home in that the parent has remedied the conditions that caused the removal and the return of the child to the child’s parent would not cause an unreasonable risk of harm to the child’s life, physical health, safety, or mental well‑being, the court shall order the child returned to the child’s parent. The court may order a specified period of supervision and services not to exceed twelve months. When determining whether the child should be returned, the court shall consider all evidence; if the removal of the child from the family was due to drug use by one or both parents, then a drug test must be administered to the parent or both parents, as appropriate, and the results must be considered with all other evidence in determining whether the child should be returned to the parents’ care; and the supplemental report including whether the parent has substantially complied with the terms and conditions of the plan approved pursuant to Section 63‑7‑1680.” /

Renumber sections to conform.

Amend title to conform.

Rep. BANNISTER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hardwick | Hayes |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Stavrinakis | Tallon | Taylor |
| Thayer | Toole | Vick |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Wood |  |

**Total--104**

Those who voted in the negative are:

**Total--0**

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

**H. 3102--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FORRESTER, with unanimous consent, it was ordered that H. 3102 be read the third time tomorrow.

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

**H. 3563--REQUESTS FOR DEBATE WITHDRAWN**

Reps. NORMAN, NEAL and JEFFERSON withdrew their requests for debate on H. 3563; however, other requests for debate remained on the Bill.

**H. 3631--REQUESTS FOR DEBATE WITHDRAWN**

Reps. WHIPPER, R. L. BROWN, HOSEY, GILLIARD, K. R. CRAWFORD, WHITMIRE, SANDIFER, JEFFERSON, ROBINSON-SIMPSON and GOLDFINCH withdrew their requests for debate on the following Bill:

H. 3631 -- Reps. Daning, Crosby, Sottile, Atwater, Sabb, Erickson and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-115 SO AS TO PROVIDE FOR THE ISSUANCE OF GOLF CART PERMITS, TO REGULATE THE OPERATION OF GOLF CARTS, AND TO PROVIDE A PENALTY; AND TO REPEAL SECTION 56-2-105 RELATING TO THE ISSUANCE OF GOLF CART PERMITS AND THE OPERATION OF GOLF CARTS.

**H. 3561--REQUESTS FOR DEBATE WITHDRAWN**

Reps. ALLISON, COLE, TALLON, FORRESTER, GOLDFINCH, GAMBRELL, V. S. MOSS, PUTNAM, THAYER, CLEMMONS, SOTTILE, CROSBY, HIOTT, R. L. BROWN, BRANNON, MACK, NORMAN, BEDINGFIELD, H. A. CRAWFORD, NANNEY and WOOD withdrew their requests for debate on the following Bill:

H. 3561 -- Reps. White, Stavrinakis and Merrill: A BILL TO AMEND SECTION 12-36-920, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON ACCOMMODATIONS, SO AS TO DELETE CERTAIN ITEMS SUBJECT TO THE FIVE PERCENT TAX ON ADDITIONAL SURCHARGES.

**H. 3563--REQUESTS FOR DEBATE WITHDRAWN**

Reps. ROBINSON-SIMPSON, DILLARD, KING and FORRESTER withdrew their requests for debate on H. 3563; however, other requests for debate remained on the Bill.

**H. 3145--REQUESTS FOR DEBATE WITHDRAWN**

Reps. KING and MCEACHERN withdrew their requests for debate on H. 3145; however, other requests for debate remained on the Bill.

**S. 237--RECALLED FROM COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

On motion of Rep. HUGGINS, with unanimous consent, the following Bill was ordered recalled from the Committee on Medical, Military, Public and Municipal Affairs:

S. 237 -- Senators Shealy, Setzler, Courson, Turner, Cromer, Massey, Young and Alexander: A BILL TO AMEND SECTION 10-1-161 OF THE 1976 CODE, RELATING TO STATE CAPITOL BUILDING FLAGS FLOWN AT HALF-STAFF, TO PROVIDE THAT FLAGS ATOP THE STATE CAPITOL BUILDING MUST BE LOWERED TO HALF-STAFF FOR MEMBERS OF THE UNITED STATES MILITARY SERVICES, WHO WERE RESIDENTS OF THIS STATE AND WHO LOST THEIR LIVES IN THE LINE OF DUTY, ON THE DAY WHEN THEIR NAMES ARE RELEASED TO THE GENERAL PUBLIC, AND THE FLAGS SHALL REMAIN AT HALF-STAFF UNTIL AT LEAST DAWN THE SECOND DAY AFTER FUNERAL SERVICES ARE CONDUCTED.

**H. 3638--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 3638 -- Reps. Harrell, Stavrinakis, Limehouse and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55-1-80 SO AS TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO COUNTY AVIATION COMMISSIONS AND TO PROVIDE THAT IN COUNTIES WITH TWO MUNICIPALITIES WITH A POPULATION IN EXCESS OF FIFTY THOUSAND, THE MAYORS OF THESE MUNICIPALITIES SHALL SERVE, EX OFFICIO, AS MEMBERS OF THE COMMISSION.

Rep. STAVRINAKIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 103

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Ballentine | Bannister |
| Barfield | Bernstein | Bingham |
| Bowen | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Erickson |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hamilton | Hardee | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sabb | Sandifer |
| Simrill | Skelton | G. M. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--103**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. POWERS NORRELL.

**H. 3145--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3145 -- Reps. Huggins, Daning, Lowe, Weeks and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 27-37-45 SO AS TO PROVIDE FOR EXPEDITED EJECTMENTS OF CERTAIN TENANTS BY LANDLORDS; AND TO AMEND SECTION 8-21-1010, AS AMENDED, RELATING TO MAGISTRATES FEES, SO AS TO PROVIDE A FEE FOR FILING AN EXPEDITED EJECTMENT.

Rep. RUTHERFORD proposed the following Amendment No. 2 to H. 3145 (COUNCIL\SWB\3145C001.SWB.CM13), which was tabled:

Amend the bill, as and if amended, Section 27‑37‑45(D)(2), as contained in SECTION 1, pages 2 and 3, by deleting Section 27‑3‑45(D)(2) and inserting:

/ (2) Within twenty‑four hours or no later than the next business day after the filing of an application to proceed with an action for ejectment pursuant to this section, the magistrate must review the application and affidavit in an ex parte hearing without giving the defendant notice of the hearing. If the landlord or his agent shows by a preponderance of the evidence sufficient supporting facts in the application and affidavit to meet the requirements of this section, the magistrate shall authorize the action to proceed with service provided in subsection (E). A magistrate that authorizes an action to proceed pursuant to this item may not conduct a subsequent hearing regarding this matter. /

Renumber sections to conform.

Amend title to conform.

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

Rep. HORNE explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 4

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Barfield |
| Bedingfield | Bernstein | Bingham |
| Bowen | Bowers | Branham |
| Brannon | G. A. Brown | Burns |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Kennedy |
| King | Knight | Limehouse |
| Loftis | Lowe | Lucas |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Ridgeway | Riley |
| Rivers | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--99**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Gilliard | Mack | Neal |
| Robinson-Simpson |  |  |

**Total--4**

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

STATEMENT FOR THE JOURNAL

I abstained from voting on H. 3145, due to a potential appearance of a conflict of interest, as I own some residential property in Marion County.

J. Wayne George

**H. 3145--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HORNE, with unanimous consent, it was ordered that H. 3145 be read the third time tomorrow.

Rep. SABB moved that the House recede until 1:30 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 1:30 p.m. the House resumed, ACTING SPEAKER BRANNON in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**S. 612--RECONSIDERED**

Rep. MURPHY moved to reconsider the vote whereby the following Bill was read third time and enrolled for ratification, which was agreed to:

S. 612 -- Senator Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ACT 961 OF 1974, RELATING TO THE ELECTION AND TERMS OF THE COMMISSIONERS OF PUBLIC WORKS FOR THE TOWN OF SUMMERVILLE IN DORCHESTER COUNTY.

**H. 3176--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3176 -- Reps. Clemmons and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; BY ADDING SECTION 7-13-200 SO AS TO PROVIDE UNIFORM DATES FOR ELECTION EVENTS; BY ADDING SECTION 7-13-1115 SO AS TO REQUIRE A BALLOT TO INDICATE A VOTE CAST FOR A SINGLE CANDIDATE IN ORDER TO BE CERTIFIED AS PART OF THE TOTAL NUMBER OF VOTES CAST; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, AS AMENDED, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-13-330, AS AMENDED, RELATING TO THE BALLOT FORM AND INSTRUCTIONS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING ON GENERAL ELECTION BALLOTS; TO AMEND SECTION 7-13-1340, AS AMENDED, RELATING TO REQUIREMENTS FOR VOTE RECORDERS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD; TO AMEND SECTION 7-15-360, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-365, AS AMENDED, RELATING TO BALLOTS AND INSTRUCTIONS FURNISHED BY COUNTY BOARDS OF REGISTRATION, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-370, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES AND THE DUTIES OF THE COUNTY REGISTRATION BOARD, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; AND TO REPEAL SECTION 7-15-470 RELATING TO ABSENTEE BALLOTS OTHER THAN PAPER BALLOTS.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3176 (COUNCIL\GGS\3176C001.GGS.ZW13), which was adopted:

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

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) An early voting center must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish one early voting center. The county board of registration and elections will determine the location of the early voting center that must be located in a public building within the county seat or another location that is as centrally located for the entire county as possible. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins nine days before an election and ends the day prior to the election, exclusive of Sundays.

(F) The county board of registration and elections shall determine the hours of operation for the early voting center; however, the early voting center must be open for two Saturdays within the early voting period for statewide primaries and general elections, and the center must be open a minimum of five hours between the hours of 9:00 a.m. and 5:00 p.m. each day it is open for voting. The early voting center must close at 5:00 p.m. on the final day of early voting, the Monday immediately preceding election day.

(G) A sign must be posted prominently in the early voting center and shall have printed on it:

‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.”

SECTION 2. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑200. (A) An entity authorized by law to conduct an election shall conduct this event, at which qualified electors are allowed to cast a ballot, on one of four dates as provided in subsection (B).

(B) The dates on which an election event may be held are:

(1) the third Tuesday in March;

(2) the third Tuesday in June;

(3) the third Tuesday in September; or

(4) the Tuesday after the first Monday in November.

(C) Notwithstanding another provision of law, if an entity is required to conduct an election event, it must be conducted on one of the four dates established in subsection (B) after and nearest to the date established by another provision of law.

(D) A person having been elected and currently serving a term in office that has an election date other than one of those dates listed in subsection (B) must have his term of office extended to allow for an election to occur nearest the date provided by subsection (B).

(E) The provisions of this section do not apply to amendments proposed to the Constitution of this State or the United States Constitution.”

SECTION 3. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 265 of 2012, is further amended by adding:

“(14) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 4. Section 7‑11‑10 of the 1976 Code is amended to read:

“Section 7‑11‑10. (A) Nominations for candidates for the offices to be voted on in a general or special election may be by political party primary, by political party convention, or by petition~~;~~. ~~provided, no~~ A person who was defeated as a candidate for nomination to an office in a party primary or party convention ~~shall~~ may not have his name placed on the ballot for the ensuing general or special election, except that this proviso ~~shall~~ does not prevent a defeated candidate from later becoming his party’s nominee for that office in that election if the candidate first selected as the party’s nominee dies, resigns, is disqualified, or otherwise ceases to become the party’s nominee for ~~such~~ the office before the election is held.

(B) A candidate may not file more than one statement of intention of candidacy for a single election.”

SECTION 5. Section 7‑13‑320(D) of the 1976 Code is amended to read:

“(D) The names of candidates offering for ~~any other~~ another office ~~shall~~ must be placed in the proper place on the appropriate ballot, stating whether it is a state, congressional, legislative, county, or other office. A candidate’s name may not appear on the ballot more than once for any single office for the same election.”

SECTION 6. Section 7‑13‑330 of the 1976 Code, as last amended by Act 236 of 2000, is further amended to read:

“Section 7‑13‑330. (A) The State Election Committee shall determine the arrangement of general election ballots containing the names of candidates for office. The ballot must ~~conform as nearly as possible to~~ include the following ~~plan,~~ with a column or columns added in case of nomination by petition and a blank column added for write‑in votes, and must contain the specified instructions ~~there~~ that are set forth there and no other:

GENERAL ELECTION OFFICIAL BALLOT

No. \_\_\_\_\_\_ \_\_\_\_\_\_\_\_ COUNTY, SOUTH CAROLINA

November \_\_\_, \_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Initials of Issuing Officer

OFFICIAL BALLOT

GENERAL ELECTION

\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_ County, South Carolina

November \_\_\_, \_\_\_\_\_

Precinct \_\_\_\_\_\_\_\_\_\_

INSTRUCTIONS‑‑To vote a straight party ticket, make a cross (X) in the circle (O) under the name of your party. Nothing further need or should be done. To vote a mixed ticket, or in other words for candidates of different parties or petition candidates, omit making a cross (X) mark in the party circle at the top and make a cross (X) in the voting square [ ] opposite the name of each candidate on the ballot for whom you wish to vote. If you wish to vote for a candidate not on ~~any~~a ticket, write or place the name of ~~such~~that candidate on your ticket opposite the name of the office. Before leaving the booth, fold the ballot so ~~that~~ the initials of the manager may be seen on the outside of the ballot.

(B) The ballot must include:

(1) the name of each candidate, listed only once;

(2) the office for which the candidate is nominated; and

(3) a listing of the party or parties which have nominated the candidate.

(C) Each ballot must offer a voter the opportunity to select individual candidates for whom to cast their vote or the opportunity to select a political party thereby casting a vote for each candidate nominated by the political party.

~~Nomination by~~

~~Name of Party~~ ~~Name of Party~~ ~~Petition~~

~~Names of Office 0 0~~

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

~~STATE Governor Governor Governor~~

~~Governor [ ] Name of [ ] Name of [ ] Name of~~

~~Candidate Candidate Candidate~~

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

~~Lieutenant Lieut. Governor Lieut. Governor Lieut. Governor~~

~~Governor [ ] Name of [ ] Name of [ ] Name of~~

~~Candidate Candidate Candidate~~

‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑

~~Secretary of Sec. of State Sec. of State Sec. of State~~

~~State [ ] Name of [ ] Name of [ ] Name of~~

~~Candidate Candidate Candidate~~

~~‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑~~

~~CONGRES‑ U.S. Senator U.S. Senator U.S. Senator~~

~~SIONAL [ ] Name of [ ] Name of [ ] Name of~~

~~Senator Candidate Candidate Candidate~~

~~‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑‑~~

~~RepresentativeU.S. Repre‑ U.S. Repre‑ U.S. Repre‑~~

~~in Congress sentative sentative sentative~~

~~[ ] Name of [ ] Name of [ ] Name of~~

~~District Candidate Candidate Candidate~~”

SECTION 7. Section 7‑15‑320 of the 1976 Code, as last amended by Act 43 of 2011, is further amended to read:

“Section 7‑15‑320. ~~(A)~~ ~~A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person:~~

~~(1)~~ ~~students, their spouses, and dependents residing with them;~~

~~(2)~~ ~~members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;~~

~~(3)~~ ~~persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;~~

~~(4)~~ ~~governmental employees, their spouses, and dependents residing with them;~~

~~(5)~~ ~~persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(6)~~ ~~overseas citizens.~~

~~(B)~~ ~~A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not he is absent from his county of residence on election day:~~

~~(1)~~ ~~physically disabled persons;~~

~~(2)~~ ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;~~

~~(3)~~ ~~certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;~~

~~(4)~~ ~~persons attending sick or physically disabled persons;~~

~~(5)~~ ~~persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;~~

~~(6)~~ ~~persons with a death or funeral in the family within a three‑day period before the election;~~

~~(7)~~ ~~persons who will be serving as jurors in a state or federal court on election day;~~

~~(8)~~ ~~persons sixty‑five years of age or older; or~~

~~(9)~~ ~~persons confined to a jail or pretrial facility pending disposition of arrest or trial.~~

(A) A qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.

(B) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organization (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(4) physically disabled persons who are, pursuant to certification by a physician, unable to vote in person because of their physical disability at either a polling place or early voting center;

(5) overseas citizens;

(6) persons sixty-five years of age or older;

(7) persons confined to a jail or pretrial facility pending disposition of arrest or trial;

(8) certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;

(9) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election; or

(10) persons who will be serving as jurors in a state or federal court on election day.”

SECTION 8. Section 7‑15‑470 of the 1976 Code is repealed.

SECTION 9. This act takes effect upon approval by the Governor, subject to obtaining preclearance from either the United States Department of Justice or the United States Court of Appeals of the District of Columbia, pursuant to the Voting Rights Act of 1965. However, if any portion of the act fails to gain preclearance, the other portions of the act shall not take effect. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. W. J. MCLEOD moved to adjourn debate on the Bill until Tuesday, April 30.

Rep. CLEMMONS moved to table the motion.

Rep. W. J. MCLEOD demanded the yeas and nays which were taken, resulting as follows:

Yeas 67; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brannon | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Edge |
| Erickson | Felder | Finlay |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hardee | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Huggins |
| Kennedy | Loftis | Lucas |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Owens | Patrick | Pope |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Tallon |
| Taylor | Thayer | Toole |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Branham | R. L. Brown |
| Clyburn | Dillard | Douglas |
| Funderburk | George | Gilliard |
| Govan | Hayes | Hodges |
| Horne | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Parks | Powers Norrell |
| Ridgeway | Robinson-Simpson | Sabb |
| Sellers | Stavrinakis | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the motion to adjourn debate was tabled.

Rep. WEEKS moved to continue the Bill.

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

Yeas 34; Nays 73

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bernstein |
| Branham | Clyburn | Dillard |
| Douglas | Funderburk | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | M. S. McLeod | W. J. McLeod |
| Mitchell | Neal | Ott |
| Parks | Powers Norrell | Ridgeway |
| Robinson-Simpson | Sabb | Sellers |
| Stavrinakis | Weeks | Whipper |
| Williams |  |  |

**Total--34**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Brannon |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Hardwick | Harrell | Henderson |
| Hiott | Hixon | Horne |
| Huggins | Kennedy | Limehouse |
| Loftis | Lucas | McCoy |
| McEachern | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Toole | Vick |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--73**

So, the House refused to continue the Bill.

Rep. WEEKS moved to recommit the Bill to the Committee on Judiciary.

Rep. CLEMMONS moved to table the motion.

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

Yeas 70; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brannon | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Daning |
| Delleney | Edge | Erickson |
| Felder | Finlay | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Owens | Patrick | Pope |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Tallon |
| Taylor | Thayer | Toole |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--70**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| R. L. Brown | Clyburn | Dillard |
| Douglas | Funderburk | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Parks | Powers Norrell |
| Ridgeway | Robinson-Simpson | Sabb |
| Sellers | Vick | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the House tabled the motion to recommit the Bill.

Rep. WEEKS moved to table the Bill.

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

Yeas 37; Nays 69

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bernstein |
| Bowers | Branham | Brannon |
| R. L. Brown | Clyburn | Dillard |
| Douglas | Funderburk | Gilliard |
| Govan | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| King | Knight | Mack |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | Neal | Ott |
| Parks | Powers Norrell | Ridgeway |
| Robinson-Simpson | Sabb | Sellers |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--37**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Daning | Delleney |
| Edge | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Horne | Huggins | Kennedy |
| Limehouse | Loftis | Lucas |
| McCoy | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Toole | White |
| Whitmire | Willis | Wood |

**Total--69**

So, the House refused to table the Bill.

Rep. SELLERS moved to divide the question.

Rep. CLEMMONS moved to table the motion.

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

Yeas 65; Nays 41

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Bingham | Bowen |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Daning | Delleney | Edge |
| Erickson | Finlay | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | McCoy | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Taylor | Thayer |
| Toole | White | Whitmire |
| Willis | Wood |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| Brannon | R. L. Brown | Clyburn |
| Crosby | Dillard | Douglas |
| Funderburk | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | King |
| Knight | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | Neal | Ott |
| Parks | Pope | Powers Norrell |
| Ridgeway | Robinson-Simpson | Sellers |
| Stavrinakis | Vick | Weeks |
| Whipper | Williams |  |

**Total--41**

So, the motion to divide the question was tabled.

Rep. SELLERS spoke against the amendment.

Rep. W. J. MCLEOD spoke against the amendment.

The question then recurred to the passage of the amendment.

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

Yeas 68; Nays 38

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brannon | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Edge |
| Erickson | Finlay | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Newton | Norman |
| Patrick | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Taylor | Thayer |
| Toole | White | Whitmire |
| Willis | Wood |  |

**Total--68**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bernstein |
| Bowers | Branham | R. L. Brown |
| Clyburn | Dillard | Douglas |
| Funderburk | George | Gilliard |
| Govan | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| King | Knight | Mack |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | Neal | Ott |
| Parks | Powers Norrell | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Sellers | Vick | Weeks |
| Whipper | Williams |  |

**Total--38**

So, the amendment was adopted.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on Amendment No. 1 to H. 3176. If I had been present, I would have voted in favor of the Amendment.

Rep. Eddie Tallon

Rep. POWERS NORRELL proposed the following Amendment No. 3 to H. 3176 (COUNCIL\AGM\3176C003.AGM.AB13), which was tabled:

Amend the bill, as and if amended, Section 7‑15‑320, as contained in SECTION 7, by deleting the SECTION in its entirety and inserting:

/ SECTION 7. Section 7‑15‑320 of the 1976 Code, as last amended by Act 43 of 2011, is further amended to read:

“Section 7‑15‑320. (A) ~~A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person:~~

~~(1)~~ ~~students, their spouses, and dependents residing with them;~~

~~(2)~~ ~~members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;~~

~~(3)~~ ~~persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;~~

~~(4)~~ ~~governmental employees, their spouses, and dependents residing with them;~~

~~(5)~~ ~~persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(6)~~ ~~overseas citizens.~~

~~(B)~~ ~~A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not he is absent from his county of residence on election day:~~

~~(1)~~ ~~physically disabled persons;~~

~~(2)~~ ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;~~

~~(3)~~ ~~certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;~~

~~(4)~~ ~~persons attending sick or physically disabled persons;~~

~~(5)~~ ~~persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;~~

~~(6)~~ ~~persons with a death or funeral in the family within a three‑day period before the election;~~

~~(7)~~ ~~persons who will be serving as jurors in a state or federal court on election day;~~

~~(8)~~ ~~persons sixty‑five years of age or older; or~~

~~(9)~~ ~~persons confined to a jail or pretrial facility pending disposition of arrest or trial.~~ A qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.

(B) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organization (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(4) physically disabled persons who are, pursuant to certification by a physician, unable to vote in person because of their physical disability at either a polling place or early voting center;

(5) overseas citizens;

(6) persons sixty‑five years of age or older;

(7) persons confined to a jail or pretrial facility pending disposition of arrest or trial;

(8) certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;

(9) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;

(10) persons who will be serving as jurors in a state or federal court on election day;

(11) governmental employees, their spouses, and dependents residing with them;

(12) persons on vacation who by virtue of vacation plans will be absent from their county of residence on election day;

(13) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;

(14) persons attending sick or physically disabled persons; or

(15) persons with a death or funeral in the family within a three‑day period before the election.” /

Renumber sections to conform.

Amend title to conform.

Rep. POWERS NORRELL explained the amendment.

Rep. POWERS NORRELL spoke in favor of the amendment.

Rep. POWERS NORRELL moved to table the amendment, which was agreed to.

Rep. CLEMMONS proposed the following Amendment No. 4 to H. 3176 (COUNCIL\MS\3176C001.MS.AHB13), which was adopted:

Amend the bill, as and if amended, by deleting SECTION 8 in its entirety and inserting:

/ SECTION 8. Sections 7-13-1620 and 7‑15‑470 of the 1976 Code are repealed. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

The amendment was then adopted.

Rep. SKELTON proposed the following Amendment No. 5 to H. 3176 (COUNCIL\MS\3176C002.MS.AHB13), which was adopted:

Amend the bill, as and if amended, Section 7-15-320(B), as contained in SECTION 7, page 3176-6, by deleting lines 32 - 36, and inserting:

/ (9) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;

(10) persons who will be serving as jurors in a state or federal court on election day; or

(11) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day).” /

Renumber sections to conform.

Amend title to conform.

Rep. SKELTON explained the amendment.

The amendment was then adopted.

Rep. W. J. MCLEOD proposed the following Amendment No. 6 to H. 3176 (COUNCIL\NL\3176C001.NL.DG13), which was adopted:

Amend the bill, as and if amended, SECTION 2, by striking Section 7‑13‑200(B) and inserting:

/ (B) The dates on which an election event may be held are:

(1) the second Tuesday in March;

(2) the second Tuesday in June;

(3) the second Tuesday in September; or

(4) the Tuesday after the first Monday in November. /

Renumber sections to conform.

Amend title to conform.

Rep. W. J. MCLEOD explained the amendment.

The amendment was then adopted.

Rep. POWERS NORRELL proposed the following Amendment No. 8 to H. 3176 (COUNCIL\NL\3176C004.NL.DG13), which was tabled:

Amend the bill, and if amended, Section 7‑15‑320, as contained in SECTION 7, by deleting the SECTION in its entirety and inserting:

/ SECTION 7. Section 7‑15‑320 of the 1976 Code, as last amended by Act 43 of 2011, is further amended to read:

“Section 7‑15‑320. (A) ~~A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person:~~

~~(1)~~ ~~students, their spouses, and dependents residing with them;~~

~~(2)~~ ~~members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;~~

~~(3)~~ ~~persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;~~

~~(4)~~ ~~governmental employees, their spouses, and dependents residing with them;~~

~~(5)~~ ~~persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or~~

~~(6)~~ ~~overseas citizens.~~

~~(B)~~ ~~A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not he is absent from his county of residence on election day:~~

~~(1)~~ ~~physically disabled persons;~~

~~(2)~~ ~~persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;~~

~~(3)~~ ~~certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;~~

~~(4)~~ ~~persons attending sick or physically disabled persons;~~

~~(5)~~ ~~persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;~~

~~(6)~~ ~~persons with a death or funeral in the family within a three‑day period before the election;~~

~~(7)~~ ~~persons who will be serving as jurors in a state or federal court on election day;~~

~~(8)~~ ~~persons sixty‑five years of age or older; or~~

~~(9)~~ ~~persons confined to a jail or pretrial facility pending disposition of arrest or trial.~~ A qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.

(B) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organization (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

(4) physically disabled persons who are, pursuant to certification by a physician, unable to vote in person because of their physical disability at either a polling place or early voting center;

(5) overseas citizens;

(6) persons sixty‑five years of age or older;

(7) persons confined to a jail or pretrial facility pending disposition of arrest or trial;

(8) certified poll watchers, poll managers, county voter registration board members and staff, county and state election commission members and staff working on election day;

(9) persons admitted to hospitals as emergency patients on the day of an election or within a four‑day period before the election;

(10) persons who will be serving as jurors in a state or federal court on election day;

(11) governmental employees, their spouses, and dependents residing with them;

(12) persons on vacation who by virtue of vacation plans will be absent from their county of residence on election day;

(13) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;

(14) persons attending sick or physically disabled persons; or

(15) persons with a death or funeral in the family within a three‑day period before the election.” /

Amend the bill further by deleting SECTION 8 in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. POWERS NORRELL explained the amendment.

Rep. CLEMMONS moved to table the amendment.

Rep. COBB-HUNTER demanded the yeas and nays which were taken, resulting as follows:

Yeas 58; Nays 54

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Daning | Delleney |
| Erickson | Finlay | Forrester |
| Goldfinch | Hardee | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Horne |
| Huggins | Kennedy | Limehouse |
| Loftis | Lucas | McCoy |
| Merrill | Murphy | Nanney |
| Newton | Owens | Patrick |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Tallon |
| Taylor | Thayer | Toole |
| Wells | White | Willis |
| Wood |  |  |

**Total--58**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| Brannon | R. L. Brown | Clyburn |
| Cobb-Hunter | Crosby | Dillard |
| Douglas | Edge | Felder |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Neal | Norman |
| Ott | Parks | Pope |
| Powers Norrell | Ridgeway | Robinson-Simpson |
| Rutherford | Sabb | Sandifer |
| Sellers | Southard | Spires |
| Stavrinakis | Vick | Weeks |
| Whipper | Whitmire | Williams |

**Total--54**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. POWERS NORRELL a leave of absence for the remainder of the day due to a speaking engagement.

Reps. RUTHERFORD and STAVRINAKIS proposed the following Amendment No. 2 to H. 3176 (COUNCIL\AGM\3176C001.AGM. AB13), which was tabled:

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

/ SECTION 1. Article 1, Chapter 13, Title 7 of the 1976 Code is amended by adding:

“Section 7‑13‑25. (A) Notwithstanding the provisions of this chapter or Chapter 5 of this title, the authority charged by law with conducting an election shall establish a procedure by which a qualified elector may cast his ballot, without excuse, during an early voting period for all elections. The qualified elector may cast a ballot during an early voting period pursuant to this section.

(B) Early voting centers must be established and maintained to ensure that voters may cast only one ballot.

(C) A qualified elector may cast his ballot at an early voting center in the county in which he resides.

(D) Each county board of registration and elections must establish at least one early voting center and may establish up to three early voting centers. The county board of registration and elections shall determine the location of the early voting center or centers. Each early voting center must be supervised by election commission employees.

(E) The early voting period begins ten days before an election and ends three days prior to the election.

(F) The county board of registration and elections shall determine the hours of operation for the early voting center or centers; however:

(1) for any election, the early voting centers shall not open on Sundays;

(2) for statewide primaries and general elections, the early voting centers must be open for two Saturdays within the early voting period; and

(3) for any election that is not a statewide primary or general election, the county board of registration and elections shall determine whether to open or not to open the early voting centers on Saturdays during the early voting period.

(G) In addition to the early voting centers established pursuant to this section, a county board of registration and elections may authorize up to two additional early voting centers if the county board of registration and elections finds there is a need for additional early voting centers after holding a public hearing on the matter. The county board of registration and elections will determine the location of the early voting center or centers.

(H) A sign must be posted prominently in the early voting center and shall have printed on it: ‘VOTING MORE THAN ONCE IS A MISDEMEANOR AND, UPON CONVICTION, A PERSON MUST BE FINED IN THE DISCRETION OF THE COURT OR IMPRISONED NOT MORE THAN THREE YEARS’.”

(I) The provision of this section do not apply to presidential preference primaries held pursuant to Section 7‑11‑20.”

SECTION 2. Section 7‑3‑20(C) of the 1976 Code, as last amended by Act 265 of 2012, is further amended by adding:

“(14) enter into the master file a separate designation each for voters casting absentee ballots and early ballots in a general election.”

SECTION 3. Section 7‑15‑320 of the 1976 Code, as last amended by Act 43 of 2011, is further amended by adding:

“(C) A qualified elector may vote during the early voting period pursuant to Section 7‑13‑25.”

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

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

Rep. CLEMMONS spoke against the amendment.

Rep. W. J. MCLEOD spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 70; Nays 43

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Edge | Erickson |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Horne | Huggins | Kennedy |
| Limehouse | Loftis | Lucas |
| McCoy | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Tallon | Taylor |
| Thayer | Toole | Wells |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--70**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| Brannon | R. L. Brown | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Felder | Funderburk | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Parks | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Sellers | Spires | Stavrinakis |
| Vick | Weeks | Whipper |
| Williams |  |  |

**Total--43**

So, the amendment was tabled.

Rep. WHIPPER proposed the following Amendment No. 9 to H. 3176 (COUNCIL\NL\3176C005.NL.DG13), which was adopted:

Amend the bill, as and if amended, by striking Section 7‑11‑10(B) and inserting:

/ (B) A candidate may not file more than one statement of intention of candidacy for a single election. Nothing in this subsection prohibits a person from being nominated to the same office by more than one party and being reflected as the nominee of more than one party on the ballot.” /

Renumber sections to conform.

Amend title to conform.

Rep. WHIPPER explained the amendment.

The amendment was then adopted.

Rep. SELLERS proposed the following Amendment No. 10 to H. 3176 (COUNCIL\MS\3176C003.MS.AHB13), which was tabled:

Amend the bill, as and if amended, Section 7-15-320(B), as contained in SECTION 7, by adding appropriately numbered items at the end to read:

/ ( ) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;

( ) persons attending sick or physically disabled persons;

( ) persons with a death or funeral in the family within a three‑day period before the election. /

Renumber sections to conform.

Amend title to conform.

Rep. SELLERS explained the amendment.

Rep. CLEMMONS spoke against the amendment.

Rep. SELLERS spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 66; Nays 45

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brannon | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Delleney |
| Edge | Erickson | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Owens |
| Patrick | Pitts | Pope |
| Putnam | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Crosby | Daning | Dillard |
| Douglas | Finlay | Funderburk |
| George | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | King |
| Knight | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Neal | Ott | Parks |
| Quinn | Ridgeway | Robinson-Simpson |
| Rutherford | Sabb | Sellers |
| Spires | Stavrinakis | Vick |
| Weeks | Whipper | Williams |

**Total--45**

So, the amendment was tabled.

**SPEAKER *PRO TEMPORE* IN CHAIR**

Rep. NEAL spoke against the Bill.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. WEEKS a leave of absence for the remainder of the day due to a constituent meeting.

STATEMENTS FOR THE JOURNAL

We had to leave the Session today at 3:45 p.m., in order to appear at three constituent presentations in Sumter, which begin at 5:00 p.m.

Rep. Murrell Smith

Rep. J. David Weeks

Rep. FUNDERBURK proposed the following Amendment No. 11 to H. 3176 (COUNCIL\NL\3176C006.NL.AHB13), which was tabled:

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

/ SECTION \_\_. A. Article 7, Chapter 15, Title 7 of the 1976 Code is amended by adding:

“Section 7‑15‑465. (A) A South Carolina voter who is an emergency responder and who has been dispatched to assist with disaster relief or recovery efforts outside his county of residence shall have the opportunity to receive and cast any ballot he would have been eligible to cast if he had remained within his county of residence. The State Election Commission shall take all steps and actions that may be necessary including, but not limited to, electronically transmitting applications for voter registration and applications for absentee ballots and electronically transmitting absentee ballots for all elections for federal, state, and local offices to a voter in accordance with the voter’s preferred method of transmission.

(B) For purposes of this section, the term ‘emergency responder’ means:

(1) firefighters;

(2) public utility workers;

(3) law enforcement personnel;

(4) emergency medical personnel;

(5) insurance company catastrophe response personnel; or

(6) skilled volunteers.

(C) The State Election Commission shall promulgate regulations necessary for the implementation of this section.

(D) The provisions of this section must be construed liberally to encourage and allow South Carolina emergency responders full participation in the electoral process.”

B. This SECTION takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. /

Renumber sections to conform.

Amend title to conform.

Rep. FUNDERBURK explained the amendment.

Rep. CLEMMONS spoke against the amendment.

Rep. FUNDERBURK spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 60; Nays 48

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bowen | Brannon |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Delleney | Erickson | Finlay |
| Forrester | Gagnon | Goldfinch |
| Hardee | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Horne | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | Merrill | V. S. Moss |
| Murphy | Nanney | Newton |
| Norman | Owens | Patrick |
| Pitts | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sandifer | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--60**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Ballentine | Bernstein | Bowers |
| Branham | R. L. Brown | Clyburn |
| Cobb-Hunter | Crosby | Daning |
| Dillard | Douglas | Edge |
| Felder | Funderburk | Gambrell |
| George | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Jefferson | King | Knight |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| D. C. Moss | Neal | Ott |
| Parks | Pope | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Sellers | Simrill | Spires |
| Vick | Whipper | Williams |

**Total--48**

So, the amendment was tabled.

Rep. MACK spoke against the Bill.

Rep. Brannon proposed the following Amendment No. 12 to H. 3176 (COUNCIL\NL\3176C007.NL.DG13), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 7‑13‑25(E) and inserting:

/ (E) The early voting period begins thirty days before an election and ends the day prior to the election, exclusive of Sundays. /

Renumber sections to conform.

Amend title to conform.

Rep. BRANNON explained the amendment.

Rep. CLEMMONS spoke against the amendment.

Rep. WHIPPER spoke in favor of the amendment.

Rep. WHIPPER spoke in favor of the amendment.

Rep. BRANNON spoke in favor of the amendment.

Rep. SABB spoke in favor of the amendment.

Rep. SABB spoke in favor of the amendment.

**LEAVE OF ABSENCE**

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

STATEMENT FOR THE JOURNAL

Due to a previously scheduled family commitment, I had to leave the House Chamber at 5:00 p.m., in order to return to Charleston.

Rep. Jim Merrill

Rep. GILLIARD spoke in favor of the amendment.

Rep. GILLIARD spoke in favor of the amendment.

**LEAVE OF ABSENCE**

The SPEAKER *PRO TEMPORE* granted Rep. MURPHY a leave of absence for the remainder of the day due to a previously scheduled constituent meeting.

STATEMENT FOR THE JOURNAL

I had to leave the House Chamber at 5:00 p.m. today, in order to attend a previously scheduled constituent meeting in Summerville.

Rep. Chris Murphy

Rep. WILLIAMS spoke in favor of the amendment.

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

Rep. JEFFERSON spoke in favor of the amendment.

Rep. CLEMMONS moved to table the amendment.

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

Yeas 63; Nays 42

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Huggins |
| Limehouse | Loftis | Lucas |
| McCoy | D. C. Moss | V. S. Moss |
| Nanney | Newton | Norman |
| Owens | Patrick | Pitts |
| Pope | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | Skelton |
| G. R. Smith | J. R. Smith | Sottile |
| Spires | Tallon | Taylor |
| Thayer | Toole | Wells |
| White | Whitmire | Willis |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Bowers | Branham |
| Brannon | R. L. Brown | Clyburn |
| Cobb-Hunter | Douglas | Funderburk |
| George | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | King |
| Knight | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Neal | Ott | Parks |
| Ridgeway | Robinson-Simpson | Rutherford |
| Sabb | Sellers | J. E. Smith |
| Southard | Stavrinakis | Vick |
| Whipper | Williams | Wood |

**Total--42**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

Rep. NEAL proposed the following Amendment No. 13 to H. 3176 (COUNCIL\NL\3176C008.NL.DG13), which was tabled:

Amend the bill, as and if amended, SECTION 1, by striking Section 7‑13‑25(E) and inserting:

/ (E) The early voting period begins fifteen days before an election and ends the day prior to the election, exclusive of Sundays. /

Renumber sections to conform.

Amend title to conform.

Rep. J. E. SMITH explained the amendment.

Rep. J. E. SMITH spoke in favor of the amendment.

Rep. CLEMMONS spoke against the amendment.

Rep. CLEMMONS moved cloture on the entire matter.

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

Yeas 67; Nays 36

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Brannon | Burns |
| Chumley | Clemmons | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Edge |
| Erickson | Felder | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Hardwick | Harrell | Henderson |
| Herbkersman | Hiott | Hixon |
| Huggins | Kennedy | Limehouse |
| Loftis | Lucas | McCoy |
| D. C. Moss | V. S. Moss | Nanney |
| Newton | Norman | Owens |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Thayer | Toole | Wells |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Branham | R. L. Brown |
| Clyburn | Cobb-Hunter | Funderburk |
| George | Gilliard | Govan |
| Hayes | Hodges | Hosey |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Parks | Ridgeway |
| Robinson-Simpson | Rutherford | Sabb |
| Sellers | J. E. Smith | Stavrinakis |
| Vick | Whipper | Williams |

**Total--36**

So, cloture was ordered.

Rep. NEAL spoke in favor of the amendment.

Rep. JEFFERSON spoke in favor of the amendment.

Rep. WHITE moved to table the amendment.

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

Yeas 63; Nays 40

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bannister | Barfield |
| Bedingfield | Bingham | Bowen |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Felder |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hardwick | Harrell |
| Henderson | Herbkersman | Hiott |
| Hixon | Huggins | Kennedy |
| Loftis | Lucas | McCoy |
| D. C. Moss | V. S. Moss | Nanney |
| Newton | Norman | Owens |
| Parks | Patrick | Pitts |
| Pope | Putnam | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | Skelton | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--63**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Ballentine | Bernstein | Branham |
| Brannon | R. L. Brown | Clyburn |
| Cobb-Hunter | Funderburk | George |
| Gilliard | Govan | Hart |
| Hayes | Hodges | Hosey |
| Howard | Jefferson | King |
| Knight | Mack | McEachern |
| M. S. McLeod | W. J. McLeod | Mitchell |
| Neal | Ott | Quinn |
| Robinson-Simpson | Rutherford | Sabb |
| Sellers | J. E. Smith | Southard |
| Stavrinakis | Vick | Whipper |
| Williams |  |  |

**Total--40**

So, the amendment was tabled.

Rep. JEFFERSON spoke against the Bill.

Rep. RUTHERFORD moved to recommit the Bill to the Committee on Judiciary.

Rep. LOFTIS moved to table the motion.

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

Yeas 66; Nays 35

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Edge | Erickson |
| Felder | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | McCoy | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Owens | Parks |
| Patrick | Pitts | Pope |
| Putnam | Quinn | Riley |
| Rivers | Sandifer | Simrill |
| Skelton | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bernstein | Branham | R. L. Brown |
| Clyburn | Cobb-Hunter | Funderburk |
| George | Gilliard | Govan |
| Hart | Hayes | Hodges |
| Hosey | Howard | Jefferson |
| King | Knight | Mack |
| McEachern | M. S. McLeod | W. J. McLeod |
| Mitchell | Neal | Ott |
| Robinson-Simpson | Rutherford | Sabb |
| Sellers | Stavrinakis | Vick |
| Whipper | Williams |  |

**Total--35**

So, the motion to recommit the Bill was tabled.

Rep. RUTHERFORD spoke against the Bill.

Rep. R. L. BROWN spoke against the Bill.

Rep. HART spoke against the Bill.

Rep. GOVAN spoke against the Bill.

Rep. CLYBURN spoke against the Bill.

Rep. HOSEY spoke against the Bill.

Rep. SABB spoke against the Bill.

Rep. WILLIAMS spoke against the Bill.

Rep. HODGES spoke against the Bill.

The question then recurred to the passage of the Bill.

**SPEAKER IN CHAIR**

The yeas and nays were taken resulting as follows:

Yeas 66; Nays 37

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Daning | Delleney |
| Edge | Erickson | Felder |
| Finlay | Forrester | Gagnon |
| Gambrell | Goldfinch | Hardwick |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | McCoy | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Owens | Patrick |
| Pitts | Pope | Putnam |
| Quinn | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Tallon | Taylor | Thayer |
| Toole | Wells | White |
| Whitmire | Willis | Wood |

**Total--66**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bales | Bernstein |
| Bowers | Branham | Brannon |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Crosby | Funderburk | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Parks | Robinson-Simpson |
| Rutherford | Sabb | Sellers |
| Stavrinakis | Vick | Whipper |
| Williams |  |  |

**Total--37**

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

STATEMENT FOR THE JOURNAL

I fully support early voting and expanding citizen’s access to exercise their constitutional right to vote. I support any amendment or bill to give citizens the right to vote early.

Rep. Chris Hart

**H. 3176--MOTION TO RECONSIDER TABLED**

Rep. CLEMMONS moved to reconsider the vote whereby the following Bill was given second reading:

H. 3176 -- Reps. Clemmons and G. R. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; BY ADDING SECTION 7-13-200 SO AS TO PROVIDE UNIFORM DATES FOR ELECTION EVENTS; BY ADDING SECTION 7-13-1115 SO AS TO REQUIRE A BALLOT TO INDICATE A VOTE CAST FOR A SINGLE CANDIDATE IN ORDER TO BE CERTIFIED AS PART OF THE TOTAL NUMBER OF VOTES CAST; TO AMEND SECTION 7-3-20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO PROHIBIT A CANDIDATE FROM FILING MORE THAN ONE STATEMENT OF INTENTION OF CANDIDACY FOR A SINGLE ELECTION, AND TO PROHIBIT A CANDIDATE FROM BEING NOMINATED BY MORE THAN ONE POLITICAL PARTY FOR A SINGLE OFFICE IN AN ELECTION; TO AMEND SECTION 7-13-320, AS AMENDED, RELATING TO BALLOTS AND SPECIFICATIONS, SO AS TO PROHIBIT A CANDIDATE'S NAME FROM APPEARING ON THE BALLOT MORE THAN ONCE; TO AMEND SECTION 7-13-330, AS AMENDED, RELATING TO THE BALLOT FORM AND INSTRUCTIONS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING ON GENERAL ELECTION BALLOTS; TO AMEND SECTION 7-13-1340, AS AMENDED, RELATING TO REQUIREMENTS FOR VOTE RECORDERS, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-320, AS AMENDED, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD; TO AMEND SECTION 7-15-360, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-365, AS AMENDED, RELATING TO BALLOTS AND INSTRUCTIONS FURNISHED BY COUNTY BOARDS OF REGISTRATION, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; TO AMEND SECTION 7-15-370, AS AMENDED, RELATING TO THE FURNISHING OF BALLOTS AND ENVELOPES AND THE DUTIES OF THE COUNTY REGISTRATION BOARD, SO AS TO DELETE THE PROVISION THAT PROVIDES FOR STRAIGHT-PARTY-TICKET VOTING; AND TO REPEAL SECTION 7-15-470 RELATING TO ABSENTEE BALLOTS OTHER THAN PAPER BALLOTS.

Rep. CLEMMONS moved to table the motion to reconsider, which was agreed to.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**H. 3165--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, April 30, which was adopted:

H. 3165 -- Reps. Tallon, Henderson, G. R. Smith, Long, V. S. Moss, Atwater, Taylor, Toole, Erickson and Thayer: A BILL TO AMEND SECTION 41-35-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISQUALIFICATIONS FROM UNEMPLOYMENT BENEFITS, SO AS TO REVISE THE METHOD OF DETERMINING THE BENEFITS OF A PERSON DISCHARGED FROM EMPLOYMENT FOR ILLEGAL DRUG USE, GROSS MISCONDUCT, AND FAILURE TO ACCEPT WORK, TO DEFINE CERTAIN TERMS, TO SPECIFY CRITERIA FOR A LABORATORY QUALIFIED TO PERFORM A TEST FOR ILLEGAL DRUG USE BY A PERSON SEEKING OR RECEIVING UNEMPLOYMENT BENEFITS, TO LIMIT THE LIABILITY OF AN EMPLOYER FOR ACTS OR OMISSIONS IN THE DISCLOSURE OF A DRUG TEST PERFORMED UNDER THIS SECTION, AND TO PROVIDE THE MISUSE OF BIOLOGICAL MATERIAL OBTAINED IN THE COURSE OF THIS DRUG TESTING IS A MISDEMEANOR SUBJECT TO CERTAIN MONETARY PENALTIES.

**H. 3236--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, April 30, which was adopted:

H. 3236 -- Reps. Sellers, J. E. Smith, W. J. McLeod, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-29-185 SO AS TO ENACT THE "CERVICAL CANCER PREVENTION ACT", TO PROVIDE THAT BEGINNING WITH THE 2013-2014 SCHOOL YEAR, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY OFFER THE CERVICAL CANCER VACCINATION SERIES TO ADOLESCENT STUDENTS ENROLLING IN THE SEVENTH GRADE OF ANY PUBLIC OR PRIVATE SCHOOL IN THIS STATE, TO PROVIDE THAT NO STUDENT IS REQUIRED TO HAVE THE VACCINE BEFORE ENROLLING IN OR ATTENDING SCHOOL, TO PROVIDE THAT THE DEPARTMENT MAY DEVELOP AN INFORMATIONAL BROCHURE RELATED TO OFFERING THIS VACCINATION WITH SPECIFIC CONTENT REQUIREMENTS, TO DEFINE "CERVICAL CANCER VACCINATION SERIES", AND TO PROVIDE THAT IMPLEMENTATION OF THIS ACT IS CONTINGENT UPON RECEIPT OF FULL FUNDING BY STATE AND FEDERAL FUNDS.

**H. 3639--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, April 30, which was adopted:

H. 3639 -- Rep. Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 8-15-70 SO AS TO PROVIDE FOR THE FAIR AND OPEN COMPETITION IN GOVERNMENTAL CONTRACTS BY STIPULATING THAT STATE OR LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES, IN REGARD TO A PUBLIC BUILDING, MAY NOT REQUIRE OR PROHIBIT A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FROM ENTERING INTO OR ADHERING TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT AND MAY NOT OTHERWISE DISCRIMINATE AGAINST A BIDDER, OFFEROR, CONTRACTOR, OR SUBCONTRACTOR FOR BECOMING OR REFUSING TO BECOME A SIGNATORY TO AN AGREEMENT WITH ONE OR MORE LABOR ORGANIZATIONS IN REGARD TO THE PROJECT, TO PROVIDE THAT STATE AND LOCAL ENTITIES, OFFICIALS, AND EMPLOYEES SHALL NOT AWARD A GRANT, TAX ABATEMENT, OR TAX CREDIT CONDITIONED UPON THE INCLUSION OF SUCH AGREEMENTS IN THE AWARD, AND TO PROVIDE EXCEPTIONS TO AND EXEMPTIONS FROM THESE PROVISIONS.

**H. 3369--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, April 30, which was adopted:

H. 3369 -- Reps. Sandifer, Limehouse, Sottile, Clemmons, Crosby, Daning, Spires, Toole, Simrill, Putnam, Loftis, Bedingfield, Quinn, Huggins, Finlay, Kennedy, Owens, Gagnon, Gambrell, Whitmire, Herbkersman, G. R. Smith, Barfield, Hardwick, Edge, K. R. Crawford, D. C. Moss, Hiott, Forrester, Long, W. J. McLeod, Funderburk, Southard, Hixon, V. S. Moss, Anthony, Ryhal, Wells, Skelton, Taylor, Norman, Henderson, Atwater, Pitts, Lowe, Horne, Murphy and Wood: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 42-1-378 SO AS TO PROVIDE THAT AN EMPLOYEE COVERED BY THE FEDERAL EMPLOYERS' LIABILITY ACT, THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT OR ANY OF ITS EXTENSIONS, OR THE JONES ACT IS EXEMPT FROM WORKERS' COMPENSATION LAWS.

**H. 3101--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3101 -- Reps. Chumley, Taylor, G. R. Smith, Huggins, Wells, Henderson, Crosby, Atwater, Long, Wood, Toole, Willis, Clemmons, Hardwick, Hardee, Goldfinch, Bedingfield, D. C. Moss, Loftis, Nanney, Pitts, Putnam, V. S. Moss, Owens, Barfield, H. A. Crawford, Stringer, Hamilton, Burns, Tallon, Kennedy, Allison, Murphy, Delleney, Horne, Daning and Brannon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FREEDOM OF HEALTH CARE PROTECTION ACT" BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO RENDER NULL AND VOID CERTAIN UNCONSTITUTIONAL LAWS ENACTED BY THE CONGRESS OF THE UNITED STATES TAKING CONTROL OVER THE HEALTH INSURANCE INDUSTRY AND MANDATING THAT INDIVIDUALS PURCHASE HEALTH INSURANCE UNDER THREAT OF PENALTY; TO PROHIBIT CERTAIN INDIVIDUALS FROM ENFORCING OR ATTEMPTING TO ENFORCE SUCH UNCONSTITUTIONAL LAWS; AND TO ESTABLISH CRIMINAL PENALTIES AND CIVIL LIABILITY FOR VIOLATING THIS ARTICLE.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3101 (COUNCIL\NBD\3101C001.NBD.AC13):

Amend the bill, as and if amended, by striking all after the title and before the enacting words.

Amend the bill further, by striking all after the enacting words and inserting:

/SECTION 1. The General Assembly declares that authority for this act is the following:

(1) The Tenth Amendment to the United States Constitution provides that the United States federal government is authorized to exercise only those powers delegated to it in the Constitution.

(2) Article VI, Clause 2 of the Constitution of the United States provides that laws of the United States are the supreme law of the land provided that they are made in pursuance of the powers delegated to the federal government in the Constitution.

(3) It is the stated policy of the South Carolina General Assembly that provisions of the Patient Protection and Affordable Care Act of 2010 grossly exceed the powers delegated to the federal government in the Constitution.

(4) The provisions of the Patient Protection and Affordable Care Act of 2010 which exceed the limited powers granted to the Congress pursuant to the Constitution, cannot and should not be considered the supreme law of the land.

(5) The General Assembly of South Carolina has the absolute and sovereign authority to interpose and refuse to enforce the provisions of the Patient Protection and Affordable Care Act of 2010 that exceed the authority of the Congress.

(6) The Fourteenth Amendment provides that the people are to be free from deprivation of life, liberty, or property, without due process of law.”

SECTION 2. Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Article 28

Prohibited Enforcement of the Patient Protection and Affordable Care Act

Section 1-1-1910.(A) No agency of the State, officer or employee of this State, acting on behalf of the state, may engage in an activity that aids any agency in the enforcement of those provisions of the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends the Patient Protection and Affordable Care Act of 2010 that exceed the authority of the United States Constitution

(B) The General Assembly of the State of South Carolina is empowered to take all necessary actions to ensure that the provisions of subsection (A) are adhered to by all agencies, departments, and political subdivisions of the State.”

SECTION 3. Article 1, Chapter 7, Title 1 of the 1976 Code is amended by adding:

“Section 1‑7‑180. Whenever the Attorney General has reasonable cause to believe that a person or business is being harmed by implementation of the Patient Protection and Affordable Care Act and that proceedings would be in the public interest, the Attorney General may bring an action in the name of the State against such person or entity causing the harm to restrain by temporary restraining order, temporary injunction, or permanent injunction the use of such method, act, or practice. Unless the Attorney General determines in writing that the purposes of this section will be substantially impaired by delay in instituting legal proceedings, the Attorney General shall, at least three days before instituting a legal proceeding as provided in this section, give notice to the person or entity against whom the proceeding is contemplated and give such person or entity an opportunity to present reasons to the Attorney General why a proceeding should not be instituted. The action may be brought in a court of competent jurisdiction. Whenever the court issues a permanent injunction in connection with an action, which has become final, the court shall award reasonable costs to the State.”

SECTION 4. Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3579. A South Carolina resident taxpayer who is subjected to a tax by the Internal Revenue Code under 26 U.S.C. Section 5000A of the Patient Protection and Affordable Care Act shall receive a tax deduction in the exact amount of the taxes or penalty paid the federal government pursuant to 26 U.S.C. Section 5000A. The tax deduction allowed by this section must be used in the year the federal tax or penalty is paid.”

SECTION 5. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑42. (A) As used in this section:

(1) ‘Health Insurance Issuer’ or ‘issuer’ has the same meaning as ‘insurer’ in Section 38‑1‑20;

(2) ‘Penalty’ means a civil or criminal fine, tax, salary or wage withholding, surcharge, fee, or any other imposed consequence established by law or regulation of an agency of the State or of a subdivision of the State that is used to punish or discourage the exercise of rights protected under this chapter.

(B) A health insurance issuer operating in this State must not accept any remuneration, credit, or subsidy, as described in 42 U.S.C. 18082, that may result in the imposition of penalties against an employer or individual in this State.

(C) If a health insurance issuer violates subsection (B), the issuer’s license to issue new business in the State must be suspended immediately and until such time as the issuer represents it has returned that remuneration, credit, or subsidy to its source and will decline any such future remuneration, credit, or subsidy. This suspension must not be construed to impair the right of contract or the right to continue or renew existing business in the State.

(D) The Attorney General shall take such action as necessary in the defense or prosecution of rights protected under this chapter.

(E) The Attorney General shall seek injunctive and any other appropriate relief as expeditiously as possible to preserve the rights and property of the residents of this State and to defend, as necessary, the State and its officials, employees, and agents if any law or regulation violating the public policy set forth in this chapter is enacted by any agency of state government or of a subdivision of the State.

Section 38‑71‑44. (A) ‘Health Care Exchange’ means the same as ‘American Health Benefit Exchange’, as provided for in the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends that definition, and may refer to an entity or a process established pursuant to the Patient Protection and Affordable Care Act of 2010.

(B) Neither South Carolina nor a political subdivision including, but not limited to, counties, municipalities, or special purpose districts of the State may establish a Health Care Exchange for the purchase of health insurance.

(C) Neither South Carolina nor a political subdivision including, but not limited to, counties, municipalities, or special purpose districts, may participate in or purchase insurance from a health care exchange established by a nonprofit organization.

(D) A health insurance contract purchased or established in violation of this section is void and must not be enforced by the courts of this State.”

SECTION 6. Chapter 1, Title 43 of the 1976 Code is amended to read:

“Section 43-1-300. No agency, department, or other state entity, including but not limited to the Department of Social Services and the Department of Health and Human Services, may authorize an employee, contractor, vendor, or any other person acting on behalf of the department to conduct or participate in an involuntary maternal, infant, and early childhood in-home visitation pursuant to Section 2951 of the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends that section or that may refer to an entity or a process established pursuant to the Patient Protection and Affordable Care Act of 2010.”

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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

Rep. DELLENEY proposed the following Amendment No. 2 to H. 3101 (COUNCIL\DKA\3101C002.DKA.SD13), which was adopted:

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

/ SECTION 1. The General Assembly declares that authority for this act is the following:

(1) The Tenth Amendment to the United States Constitution provides that the United States federal government is authorized to exercise only those powers delegated to it in the Constitution.

(2) Article VI, Clause 2 of the Constitution of the United States provides that laws of the United States are the supreme law of the land provided that they are made in pursuance of the powers delegated to the federal government in the Constitution.

(3) It is the stated policy of the South Carolina General Assembly that provisions of the Patient Protection and Affordable Care Act of 2010 grossly exceed the powers delegated to the federal government in the Constitution.

(4) The provisions of the Patient Protection and Affordable Care Act of 2010 which exceed the limited powers granted to the Congress pursuant to the Constitution, cannot and should not be considered the supreme law of the land.

(5) The General Assembly of South Carolina has the absolute and sovereign authority to interpose and refuse to enforce the provisions of the Patient Protection and Affordable Care Act of 2010 that exceed the authority of the Congress.

(6) The Fourteenth Amendment provides that the people are to be free from deprivation of life, liberty, or property, without due process of law.”

SECTION 2. Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Article 28

Prohibited Enforcement of the Patient Protection and Affordable Care Act

Section 1‑1‑1910.(A) No agency of the State, officer or employee of this State, acting on behalf of the state, may engage in an activity that aids any agency in the enforcement of those provisions of the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends the Patient Protection and Affordable Care Act of 2010 that exceed the authority of the United States Constitution

(B) The General Assembly of the State of South Carolina is empowered to take all necessary actions to ensure that the provisions of subsection (A) are adhered to by all agencies, departments, and political subdivisions of the State.”

SECTION 3. Article 1, Chapter 7, Title 1 of the 1976 Code is amended by adding:

“Section 1‑7‑180. Whenever the Attorney General has reasonable cause to believe that a person or business is being harmed by implementation of the Patient Protection and Affordable Care Act and that proceedings would be in the public interest, the Attorney General may bring an action in the name of the State against such person or entity causing the harm to restrain by temporary restraining order, temporary injunction, or permanent injunction the use of such method, act, or practice. Unless the Attorney General determines in writing that the purposes of this section will be substantially impaired by delay in instituting legal proceedings, the Attorney General shall, at least three days before instituting a legal proceeding as provided in this section, give notice to the person or entity against whom the proceeding is contemplated and give such person or entity an opportunity to present reasons to the Attorney General why a proceeding should not be instituted. The action may be brought in a court of competent jurisdiction. Whenever the court issues a permanent injunction in connection with an action, which has become final, the court shall award reasonable costs to the State.”

SECTION 4. Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3579. A South Carolina resident taxpayer who is subjected to a tax by the Internal Revenue Code under 26 U.S.C. Section 5000A of the Patient Protection and Affordable Care Act shall receive a tax deduction in the exact amount of the taxes or penalty paid the federal government pursuant to 26 U.S.C. Section 5000A. The tax deduction allowed by this section must be used in the year the federal tax or penalty is paid.”

SECTION 5. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑44. (A) ‘Health Care Exchange’ means an American Health Benefit Exchange established by any state or political subdivision of a state, as provided for in the Patient Protection and Affordable Care Act of 2010.

(B) Neither South Carolina nor a political subdivision including, but not limited to, counties, municipalities, or special purpose districts of the State may establish a Health Care Exchange for the purchase of health insurance.

(C) Neither South Carolina nor a political subdivision including, but not limited to, counties, municipalities, or special purpose districts, may participate in or purchase insurance from a health care exchange established by a nonprofit organization.

(D) A health insurance contract purchased or established in violation of this section is void and must not be enforced by the courts of this State.”

SECTION 6. Chapter 1, Title 43 of the 1976 Code is amended to read:

“Section 43‑1‑300. No agency, department, or other state entity, including but not limited to the Department of Social Services and the Department of Health and Human Services, may authorize an employee, contractor, vendor, or any other person acting on behalf of the department to conduct or participate in an involuntary maternal, infant, and early childhood in‑home visitation pursuant to Section 2951 of the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends that section or that may refer to an entity or a process established pursuant to the Patient Protection and Affordable Care Act of 2010.”

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. DELLENEY explained the amendment.

The amendment was then adopted.

Rep. RUTHERFORD proposed the following Amendment No. 3 to H. 3101 (COUNCIL\NBD\3101C005.NBD.VR13), which was tabled:

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

/ SECTION \_\_. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 73

Personal Use and Regulation of Marijuana

Section 44‑73‑10. Notwithstanding another provision of state or federal law, the following acts are not unlawful and are not an offense under the law of this State and do not provide grounds for seizure or forfeiture of assets under this State’s law for persons twenty-one years of age or older:

(1) possessing, displaying, or transporting marijuana;

(2) purchase of marijuana or marijuana products from a marijuana product manufacturing facility, or sale of marijuana or marijuana products to consumers;

(3) cultivating, harvesting, processing, packaging, transporting, displaying, or possessing marijuana;

(4) selling marijuana to a marijuana cultivation facility, a marijuana product manufacturing facility, or a retail marijuana store;

(5) the purchase of marijuana from a marijuana cultivation facility;

(6) selling marijuana or marijuana products to a retail marijuana store or a marijuana product manufacturing facility;

(7) the purchase of marijuana from a marijuana cultivation facility, or the purchase of marijuana or marijuana products from a marijuana product manufacturing facility; and (8) possessing, cultivating, processing, repackaging, storing, transporting, displaying, transferring or delivering marijuana or marijuana products.

Section 44-73-20. Not later than July 1, 2014, the department shall promulgate regulations necessary for implementation of this chapter.

Section 44‑73‑30. The General Assembly declares that the federal ‘Controlled Substances Act’ is not authorized by the Constitution of the United States and violates its true meaning and intent as given by the Founders and Ratifiers, and is invalid in this State, is not recognized by this State, is specifically rejected by this State, and is null and void and of no effect in this State.

Section 44‑73‑40. A public officer or employee of the State who enforces or attempts to enforce an act, order, law, statute, rule, or regulation of the government of the United States in violation of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than two years, or both.

Section 44‑73‑50. An aggrieved party has a private right of action against a person violating a provision of this chapter and is entitled to the recovery of reasonable attorney fees incurred in prosecution of said action.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

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

Rep. RUTHERFORD proposed the following Amendment No. 4 to H. 3101 (COUNCIL\NBD\3101C004.NBD.VR13), which was tabled:

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

/ SECTION \_\_. Title 44 of the 1976 Code is amended by adding:

“CHAPTER 72

Medical Marijuana

Section 44-72-10. This chapter may be cited as the South Carolina Medical Marijuana Act.

Section 44-72-20. (A) Notwithstanding another provision of state or federal law, it is lawful in this State to cultivate, purchase, sell, possess, prescribe, and use cannibas for purposes of the treatment of patients with terminal or debilitating medical conditions who, in a physician’s opinion, would benefit from the use.

(B) The department shall draft regulations to implement the provisions of this section.

Section 44-72-30. The General Assembly declares that the federal ‘Controlled Substances Act’, is not authorized by the Constitution of the United States and violates its true meaning and intent as given by the Founders and Ratifiers, and is invalid in this State, is not recognized by this State, is specifically rejected by this State, and is null and void and of no effect in this State.

Section 44-72-40. A public officer or employee of the State who enforces or attempts to enforce an act, order, law, statute, rule, or regulation of the government of the United States in violation of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than two years, or both.

Section 44-72-50. An aggrieved party has a private right of action against a person violating a provision of this chapter and is entitled to the recovery of reasonable attorney fees incurred in prosecution of said action.” /

Renumber sections to conform.

Amend title to conform.

Rep. RUTHERFORD explained the amendment.

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

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3101 (COUNCIL\NBD\3101C001.NBD.AC13), which was tabled:

Amend the bill, as and if amended, by striking all after the title and before the enacting words.

Amend the bill further, by striking all after the enacting words and inserting:

/SECTION 1. The General Assembly declares that authority for this act is the following:

(1) The Tenth Amendment to the United States Constitution provides that the United States federal government is authorized to exercise only those powers delegated to it in the Constitution.

(2) Article VI, Clause 2 of the Constitution of the United States provides that laws of the United States are the supreme law of the land provided that they are made in pursuance of the powers delegated to the federal government in the Constitution.

(3) It is the stated policy of the South Carolina General Assembly that provisions of the Patient Protection and Affordable Care Act of 2010 grossly exceed the powers delegated to the federal government in the Constitution.

(4) The provisions of the Patient Protection and Affordable Care Act of 2010 which exceed the limited powers granted to the Congress pursuant to the Constitution, cannot and should not be considered the supreme law of the land.

(5) The General Assembly of South Carolina has the absolute and sovereign authority to interpose and refuse to enforce the provisions of the Patient Protection and Affordable Care Act of 2010 that exceed the authority of the Congress.

(6) The Fourteenth Amendment provides that the people are to be free from deprivation of life, liberty, or property, without due process of law.”

SECTION 2. Chapter 1, Title 1 of the 1976 Code is amended by adding:

“Article 28

Prohibited Enforcement of the Patient Protection and Affordable Care Act

Section 1-1-1910.(A) No agency of the State, officer or employee of this State, acting on behalf of the state, may engage in an activity that aids any agency in the enforcement of those provisions of the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends the Patient Protection and Affordable Care Act of 2010 that exceed the authority of the United States Constitution

(B) The General Assembly of the State of South Carolina is empowered to take all necessary actions to ensure that the provisions of subsection (A) are adhered to by all agencies, departments, and political subdivisions of the State.”

SECTION 3. Article 1, Chapter 7, Title 1 of the 1976 Code is amended by adding:

“Section 1‑7‑180. Whenever the Attorney General has reasonable cause to believe that a person or business is being harmed by implementation of the Patient Protection and Affordable Care Act and that proceedings would be in the public interest, the Attorney General may bring an action in the name of the State against such person or entity causing the harm to restrain by temporary restraining order, temporary injunction, or permanent injunction the use of such method, act, or practice. Unless the Attorney General determines in writing that the purposes of this section will be substantially impaired by delay in instituting legal proceedings, the Attorney General shall, at least three days before instituting a legal proceeding as provided in this section, give notice to the person or entity against whom the proceeding is contemplated and give such person or entity an opportunity to present reasons to the Attorney General why a proceeding should not be instituted. The action may be brought in a court of competent jurisdiction. Whenever the court issues a permanent injunction in connection with an action, which has become final, the court shall award reasonable costs to the State.”

SECTION 4. Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3579. A South Carolina resident taxpayer who is subjected to a tax by the Internal Revenue Code under 26 U.S.C. Section 5000A of the Patient Protection and Affordable Care Act shall receive a tax deduction in the exact amount of the taxes or penalty paid the federal government pursuant to 26 U.S.C. Section 5000A. The tax deduction allowed by this section must be used in the year the federal tax or penalty is paid.”

SECTION 5. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑42. (A) As used in this section:

(1) ‘Health Insurance Issuer’ or ‘issuer’ has the same meaning as ‘insurer’ in Section 38‑1‑20;

(2) ‘Penalty’ means a civil or criminal fine, tax, salary or wage withholding, surcharge, fee, or any other imposed consequence established by law or regulation of an agency of the State or of a subdivision of the State that is used to punish or discourage the exercise of rights protected under this chapter.

(B) A health insurance issuer operating in this State must not accept any remuneration, credit, or subsidy, as described in 42 U.S.C. 18082, that may result in the imposition of penalties against an employer or individual in this State.

(C) If a health insurance issuer violates subsection (B), the issuer’s license to issue new business in the State must be suspended immediately and until such time as the issuer represents it has returned that remuneration, credit, or subsidy to its source and will decline any such future remuneration, credit, or subsidy. This suspension must not be construed to impair the right of contract or the right to continue or renew existing business in the State.

(D) The Attorney General shall take such action as necessary in the defense or prosecution of rights protected under this chapter.

(E) The Attorney General shall seek injunctive and any other appropriate relief as expeditiously as possible to preserve the rights and property of the residents of this State and to defend, as necessary, the State and its officials, employees, and agents if any law or regulation violating the public policy set forth in this chapter is enacted by any agency of state government or of a subdivision of the State.

Section 38‑71‑44. (A) ‘Health Care Exchange’ means the same as ‘American Health Benefit Exchange’, as provided for in the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends that definition, and may refer to an entity or a process established pursuant to the Patient Protection and Affordable Care Act of 2010.

(B) Neither South Carolina nor a political subdivision including, but not limited to, counties, municipalities, or special purpose districts of the State may establish a Health Care Exchange for the purchase of health insurance.

(C) Neither South Carolina nor a political subdivision including, but not limited to, counties, municipalities, or special purpose districts, may participate in or purchase insurance from a health care exchange established by a nonprofit organization.

(D) A health insurance contract purchased or established in violation of this section is void and must not be enforced by the courts of this State.”

SECTION 6. Chapter 1, Title 43 of the 1976 Code is amended to read:

“Section 43-1-300. No agency, department, or other state entity, including but not limited to the Department of Social Services and the Department of Health and Human Services, may authorize an employee, contractor, vendor, or any other person acting on behalf of the department to conduct or participate in an involuntary maternal, infant, and early childhood in-home visitation pursuant to Section 2951 of the Patient Protection and Affordable Care Act of 2010 and any subsequent federal act that amends that section or that may refer to an entity or a process established pursuant to the Patient Protection and Affordable Care Act of 2010.”

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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

Rep. SELLERS spoke against the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 65; Nays 34

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Bannister |
| Barfield | Bedingfield | Bingham |
| Bowen | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Delleney | Edge | Erickson |
| Felder | Finlay | Forrester |
| Gagnon | Gambrell | Goldfinch |
| Harrell | Henderson | Herbkersman |
| Hiott | Hixon | Huggins |
| Kennedy | Limehouse | Loftis |
| Lucas | McCoy | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Owens | Patrick |
| Pope | Putnam | Quinn |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | Skelton |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Tallon |
| Taylor | Thayer | Toole |
| Wells | White | Whitmire |
| Willis | Wood |  |

**Total--65**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Bales | Bernstein |
| Bowers | Branham | R. L. Brown |
| Clyburn | Cobb-Hunter | George |
| Gilliard | Govan | Hayes |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Neal |
| Ott | Parks | Robinson-Simpson |
| Rutherford | Sabb | Sellers |
| Stavrinakis | Vick | Whipper |
| Williams |  |  |

**Total--34**

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

RECORD FOR VOTING

I was out of the Chamber on constituent business during the vote on H. 3101. If I had been present, I would have voted in favor of the Bill.

Rep. Douglas Brannon

I was temporarily out of the Chamber during the vote on H. 3101. If I had been present, I would have voted in favor of the Bill.

Rep. Nelson Hardwick

**H. 3101--MOTION TO RECONSIDER TABLED**

Rep. BEDINGFIELD moved to reconsider the vote whereby the following Bill was given second reading:

H. 3101 -- Reps. Chumley, Taylor, G. R. Smith, Huggins, Wells, Henderson, Crosby, Atwater, Long, Wood, Toole, Willis, Clemmons, Hardwick, Hardee, Goldfinch, Bedingfield, D. C. Moss, Loftis, Nanney, Pitts, Putnam, V. S. Moss, Owens, Barfield, H. A. Crawford, Stringer, Hamilton, Burns, Tallon, Kennedy, Allison, Murphy, Delleney, Horne, Daning and Brannon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA FREEDOM OF HEALTH CARE PROTECTION ACT" BY ADDING ARTICLE 21 TO CHAPTER 71, TITLE 38 SO AS TO RENDER NULL AND VOID CERTAIN UNCONSTITUTIONAL LAWS ENACTED BY THE CONGRESS OF THE UNITED STATES TAKING CONTROL OVER THE HEALTH INSURANCE INDUSTRY AND MANDATING THAT INDIVIDUALS PURCHASE HEALTH INSURANCE UNDER THREAT OF PENALTY; TO PROHIBIT CERTAIN INDIVIDUALS FROM ENFORCING OR ATTEMPTING TO ENFORCE SUCH UNCONSTITUTIONAL LAWS; AND TO ESTABLISH CRIMINAL PENALTIES AND CIVIL LIABILITY FOR VIOLATING THIS ARTICLE.

Rep. BEDINGFIELD moved to table the motion to reconsider, which was agreed to.

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

**ADJOURNMENT**

At 7:08 p.m. the House, in accordance with the motion of Rep. BALES, adjourned in memory of Colonel Herbert "Gene" Neilson, brother-in-law of former Representative Denny Neilson, to meet at 10:00 a.m. tomorrow.

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