**Printed Page 1338 . . . . . Wednesday, March 2, 2016**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

 Our thought for today is from Psalm 27:7: “Hear, O Lord, when I cry aloud, be gracious to me and answer me!”

 Let us pray. Gracious God, You have protected us from the evil forces of our time. Be the shepherd to these Representatives as they strive to do what is right and pleasing in Your sight. Give them wisdom, integrity, trust, and compassion as they work together to accomplish the tasks at hand. Keep our Nation, President, State, Governor, Speaker, staff, and all who contribute to this Assembly in Your blessings. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

**MOTION ADOPTED**

Rep. MCCOY moved that when the House adjourns, it adjourn in memory of William "Billy" Ladd, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Representative Mac Toole.

**SILENT PRAYER**

The House stood in silent prayer for Representative Anne Thayer.

**SILENT PRAYER**

The House stood in silent prayer for Representative White's daughter.

**Printed Page 1339 . . . . . Wednesday, March 2, 2016**

**SILENT PRAYER**

The House stood in silent prayer for former Clerk of the House, Sandy McKinney and her family, in the loss of her sister Jane Wilson.

**REPORT RECEIVED**

The following was received:

Joint Transportation Review Committee

March 1, 2016

The Honorable Charles F. Reid

Clerk of the South Carolina House of Representatives

1105 Pendleton Street

Columbia, S.C. 29201

Dear Mr. Reid:

 The Joint Transportation Review Committee met on February 23rd and 24th to consider the qualifications of applicants for the South Carolina Department of Transportation Commission. The Committee made the following findings:

 For the 1st District, Mr. Robert D. Robbins of Summerville: Qualified;

 For the 3rd District, Dr. Ben H. Davis of Greenwood: Qualified;

 For the 5th District, Mr. David Eugene Branham of Kershaw: Qualified.

 This report became final at 5:00 p.m. on Friday, February 26, 2016. The Joint Transportation Review Committee's responsibilities related to screening are concluded.

 Candidates may now solicit pledges of votes. Members of the General Assembly are now free to pledge votes to elect candidates. Nothing prevents a delegation from rejecting all persons nominated.

 Members residing in the 1st, 3rd, and 5th districts may call a meeting to elect commissioners as provided by Section 57-1-325 of the South Carolina Code of Laws, which provides that:

Legislators residing in the congressional district shall meet upon written call of a majority of the members of the delegation of each district at a time and place to be designated in the call for the purpose of electing a commissioner to represent the district. A majority present, either in person or by written proxy, of the delegation from a given congressional district constitutes a quorum for the purpose of electing a district commissioner. No

**Printed Page 1340 . . . . . Wednesday, March 2, 2016**

person may be elected commissioner who fails to receive a majority vote of the members of the delegation.

The delegation must be organized by the election of a chairman and a secretary, and the delegations of each congressional district shall adopt such rules as they consider proper to govern the election. Any absentee may vote by written proxy. When the election is completed, the chairman and the secretary of the delegation shall immediately transmit the name of the person elected to the Secretary of State who shall issue to the person, after he has taken the usual oath of office, a certificate of election as commissioner. The Governor shall then issue a commission to the person, and pending the issuance of the commission, the certificate of election is sufficient warrant to the person to perform all of the duties and functions of his office as commissioner. Each commissioner shall serve until his successor is elected and qualified.

 Further, Section 57-1-330 stipulates that “[f]or the purposes of electing a commission member, a legislator shall vote only in the congressional district in which he resides.”

 Please publish these findings in the next available journal of the House and the Senate. Please contact me if you have any questions.

Sincerely,

Larry Grooms

Chairman, Joint Transportation Review Committee

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5012 -- Reps. Yow, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins,

**Printed Page 1341 . . . . . Wednesday, March 2, 2016**

Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Willis: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SAMMIE MCALILLY III OF CHESTERFIELD COUNTY AS A HOMETOWN HERO WHO HAS SPREAD LOVE AND GOODWILL THROUGHOUT HIS COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5013 -- Reps. G. R. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SIMPSONVILLE UNITED METHODIST CHURCH IN GREENVILLE COUNTY AS ITS MEMBERS ARE HONORED WITH THE PLACEMENT OF AN HISTORICAL MARKER TO RECORD THE SIGNIFICANT

**Printed Page 1342 . . . . . Wednesday, March 2, 2016**

IMPACT OF THE CHURCH'S CENTURY OF MINISTRY IN THE SIMPSONVILLE COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5014 -- Reps. Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HARTSVILLE NORTHERN DIXIE YOUTH BASEBALL LEAGUE COACH-PITCH TEAM FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THE TEAM MEMBERS FOR WINNING THE 2015 DIXIE YOUTH CLASS AA WORLD SERIES CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5015 -- Rep. Lucas: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE HARTSVILLE NORTHERN DIXIE YOUTH BASEBALL LEAGUE COACH-PITCH TEAM OF

**Printed Page 1343 . . . . . Wednesday, March 2, 2016**

DARLINGTON 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 CAPTURING THE 2015 DIXIE YOUTH CLASS AA WORLD SERIES 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 Hartsville Northern Dixie Youth Baseball League coach-pitch team of Darlington 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 capturing the 2015 Dixie Youth Class AA World Series Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5016 -- Reps. Lucas, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR CLAYTON M. RICHARDSON OF HARTSVILLE FOR NEARLY HALF A CENTURY OF DEDICATED SERVICE TO THE HARTSVILLE COMMUNITY AND TO WISH

**Printed Page 1344 . . . . . Wednesday, March 2, 2016**

HIM MUCH SUCCESS AND FULFILLMENT IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5017 -- Reps. Norman, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR LIEUTENANT COLONEL WESLEY FRANKLIN WALKER OF THE SOUTH CAROLINA ARMY NATIONAL GUARD (RETIRED) FOR HIS MANY YEARS OF DISTINGUISHED SERVICE TO OUR STATE AND NATION AND TO EXTEND BEST WISHES FOR CONTINUED SUCCESS AND FULFILLMENT IN THE YEARS TO COME.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5026 -- Rep. Alexander: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE

**Printed Page 1345 . . . . . Wednesday, March 2, 2016**

PASSING OF ELLA JEANETTE WILLIAMS PENDERGRASS WHITE OF FLORENCE AND TO EXTEND DEEPEST SYMPATHY TO HER LARGE AND LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5018 -- Reps. Pope, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO DECLARE SATURDAY, MAY 21, 2016, AS "SOUTH CAROLINA DAY OF SERVICE" AND ENCOURAGE ALL SOUTH CAROLINIANS TO ROLL UP THEIR SLEEVES AND LEND A HAND TO MAKE A POSITIVE DIFFERENCE IN OUR GREAT STATE.

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

**Printed Page 1346 . . . . . Wednesday, March 2, 2016**

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5019 -- Reps. Hart, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO COMMEND RIGHT DIRECTION CHURCH INTERNATIONAL OF COLUMBIA FOR TWO DECADES OF SERVICE TO THE PEOPLE OF SOUTH CAROLINA AND TO EXTEND WARMEST CONGRATULATIONS ON THE OCCASION OF THE CHURCH'S TWENTIETH ANNIVERSARY.

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

**INTRODUCTION OF BILLS**

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

H. 5020 -- Rep. Pope: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-210 SO AS TO DECLARE THE THIRD SATURDAY OF MAY OF EACH YEAR AS "SOUTH CAROLINA DAY OF SERVICE" AND ENCOURAGE ALL SOUTH CAROLINIANS TO ROLL UP THEIR

**Printed Page 1347 . . . . . Wednesday, March 2, 2016**

SLEEVES AND LEND A HAND TO MAKE A POSITIVE DIFFERENCE IN OUR GREAT STATE.

Referred to Committee on Invitations and Memorial Resolutions

H. 5021 -- Reps. Collins and Clary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ADULT STUDENTS WITH DISABILITIES EDUCATIONAL RIGHTS CONSENT ACT" BY ADDING ARTICLE 3 TO CHAPTER 33, TITLE 59 SO AS TO PROVIDE PROCEDURES AND POLICIES THROUGH WHICH STUDENTS WHO ARE ELIGIBLE FOR SPECIAL EDUCATION UNDER THE INDIVIDUALS WITH DISABILITIES ACT AND WHO HAVE NOT BEEN DETERMINED TO BE INCAPACITATED IN PROBATE COURT MAY BE IDENTIFIED AS UNABLE TO PROVIDE INFORMED CONSENT WITH RESPECT TO HIS EDUCATIONAL PROGRAM AND DELEGATE THE AUTHORITY TO MAKE SUCH DECISIONS TO AN AGENT OR REPRESENTATIVE; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 33, TITLE 59 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS".

Referred to Committee on Education and Public Works

H. 5022 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MUNICIPAL LICENSE FEES AND TAXES IN INSURANCE LAW, SO AS TO DISTINGUISH BETWEEN LICENSE FEES AND TAXES MUNICIPALITIES MAY LEVY AND COLLECT FOR RISKS LOCATED WITHIN AND OUTSIDE THE MUNICIPALITY.

Referred to Committee on Labor, Commerce and Industry

H. 5023 -- Reps. Sottile and Sandifer: A BILL TO AMEND SECTION 40-60-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA REAL ESTATE APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO DELETE AND REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 40-60-30, RELATING TO ACTIVITIES REQUIRING LICENSURE AS A REAL ESTATE APPRAISER, SO AS TO REVISE EXCEPTIONS; TO AMEND SECTION 40-60-34, AS AMENDED, RELATING TO MISCELLANEOUS REQUIREMENTS FOR LICENSES, CERTIFICATIONS, AND PERMITS ISSUED BY THE SOUTH

**Printed Page 1348 . . . . . Wednesday, March 2, 2016**

CAROLINA REAL ESTATE APPRAISERS BOARD, SO AS TO REVISE REQUIREMENTS CONCERNING EXPIRED AND REVOKED LICENSES, CERTIFICATIONS, AND PERMITS; TO AMEND SECTION 40-60-50, RELATING TO FEES, SO AS TO DELETE THE REQUIREMENT THAT CERTAIN FEES BE PAID BY CERTIFIED FUNDS; TO AMEND SECTION 40-60-80, AS AMENDED, RELATING TO INVESTIGATIONS OF COMPLAINTS AND VIOLATIONS, SO AS TO DELETE THE SIX-MONTH LIMIT ON STAYS AND SUPERSEDEAS OF CERTAIN BOARD ORDERS PENDING APPEAL, AND TO PROVIDE PARTIES AGGRIEVED BY FINAL DECISIONS OF THE BOARD MAY APPEAL PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTION 40-60-120, RELATING TO THE EFFECTIVE TIME OF CERTAIN ORDERS OF THE BOARD, SO AS TO DELETE A PROVISION STATING PETITIONS FOR REVIEW DO NOT OPERATE AS SUPERSEDEAS OR STAYS.

Referred to Committee on Labor, Commerce and Industry

H. 5024 -- Reps. Clary, Thayer and Collins: A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016-2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL READING/LITERACY COACHES AND LITERACY TEACHERS WITH TRAINING ON DYSLEXIA, INCLUDING EVIDENCE-BASED DYSLEXIA SCREENING, INSTRUCTIONAL METHODS, AND INTERVENTIONS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

Referred to Committee on Education and Public Works

H. 5025 -- Rep. Hamilton: A BILL TO AMEND SECTION 23-23-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE OF THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, SO AS TO PROVIDE DEFINITIONS FOR THE TERMS "CRISIS INTERVENTION TEAM" AND "TECHNICAL ASSISTANCE CENTER COUNCIL"; BY ADDING SECTION 23-23-55 SO AS TO PROVIDE THAT A CLASS 1-LE LAW ENFORCEMENT OFFICER MUST COMPLETE CONTINUING LAW ENFORCEMENT EDUCATION CREDITS IN MENTAL HEALTH OR ADDICTIVE DISORDERS, AND TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL SHALL PROVIDE GUIDELINES FOR AN EXEMPTION FROM THIS REQUIREMENT;

**Printed Page 1349 . . . . . Wednesday, March 2, 2016**

TO AMEND SECTION 23-23-80, AS AMENDED, RELATING TO THE LAW ENFORCEMENT TRAINING COUNCIL AND CRIMINAL JUSTICE ACADEMY, SO AS TO PROVIDE THAT THE LAW ENFORCEMENT TRAINING COUNCIL IS AUTHORIZED TO ESTABLISH AND MAINTAIN A CRISIS INTERVENTION TRAINING CENTER AND TO GOVERN AND SUPERVISE CRISIS INTERVENTION TEAM TRAINING; AND BY ADDING CHAPTER 52 TO TITLE 23 SO AS TO CREATE A CRISIS INTERVENTION TRAINING COUNCIL, TO PROVIDE FOR THE COUNCIL'S DUTIES, AND TO PROVIDE THAT EVERY COUNTY SHALL ESTABLISH AT LEAST ONE CRISIS INTERVENTION TEAM.

Referred to Committee on Judiciary

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hayes | Henderson |
| Henegan | Herbkersman | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | King |
| Kirby | Knight | Long |
| Lowe | Lucas | McCoy |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Norrell | Ott |
| Parks | Pitts | Pope |
| Putnam | Ridgeway | Riley |

**Printed Page 1350 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Tinkler | Weeks |
| Wells | White | Williams |
| Willis | Yow |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, March 2.

|  |  |
| --- | --- |
| Carl Anderson | Bruce W. Bannister |
| Grady Brown | William Clyburn |
| Gilda Cobb-Hunter | Jerry Govan |
| Chris Hart | Donna Hicks |
| Jenny A. Horne | Leon Howard |
| Ralph Kennedy | H. B. "Chip" Limehouse |
| Dwight Loftis | David Mack |
| Mia S. McLeod | Chris Murphy |
| Joseph Neal | Richard "Rick" Quinn |
| Todd Rutherford | Gary Simrill |
| Leon Stavrinakis | Jackson "Seth" Whipper |
| William R. "Bill" Whitmire | Harold Mitchell |

**Total Present--119**

**STATEMENT OF ATTENDANCE**

Rep. ERICKSON signed a statement with the Clerk that she came in after the roll call of the House and was present for the Session on Tuesday, March 1.

**STATEMENT OF ATTENDANCE**

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

**LEAVE OF ABSENCE**

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

**Printed Page 1351 . . . . . Wednesday, March 2, 2016**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Covia L. Stanley of Conway was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. FORRESTER presented to the House the South Carolina School of the Deaf and Blind.

**SPECIAL PRESENTATION**

Rep. ANTHONY presented to the House the Union County High School Ladies Softball Team, coaches, and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

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.”

**Printed Page 1352 . . . . . Wednesday, March 2, 2016**

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4093 |
| Date: | ADD: |
| 03/02/16 | HIOTT and SIMRILL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4492 |
| Date: | ADD: |
| 03/02/16 | CLARY, COLLINS, ERICKSON, LONG, RYHAL, HERBKERSMAN, NEWTON, TINKLER, JORDAN, HICKS, MCCOY, M. S. MCLEOD, DOUGLAS, HENEGAN, ALLISON, G. M. SMITH and FUNDERBURK |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4493 |
| Date: | ADD: |
| 03/02/16 | COLLINS, CLARY, ERICKSON, LONG, RYHAL, HERBKERSMAN, TINKLER, HICKS, MCCOY, M. S. MCLEOD, DOUGLAS, HENEGAN, ALLISON, QUINN and FUNDERBURK |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4513 |
| Date: | ADD: |
| 03/02/16 | D. C. MOSS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4537 |
| Date: | ADD: |
| 03/02/16 | MITCHELL |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4546 |
| Date: | ADD: |
| 03/02/16 | COLLINS, CLARY, ERICKSON, LONG, RYHAL, HERBKERSMAN, NEWTON, JORDAN, HICKS, MCCOY, M. S. MCLEOD, DOUGLAS, HENEGAN, ALLISON, QUINN and FUNDERBURK |

**Printed Page 1353 . . . . . Wednesday, March 2, 2016**

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4701 |
| Date: | ADD: |
| 03/02/16 | LIMEHOUSE, CLEMMONS, G. R. SMITH, YOW, LOFTIS and BURNS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4876 |
| Date: | ADD: |
| 03/02/16 | J. E. SMITH |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 4943 |
| Date: | ADD: |
| 03/02/16 | KIRBY and OTT |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5006 |
| Date: | ADD: |
| 03/02/16 | BALLENTINE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5007 |
| Date: | ADD: |
| 03/02/16 | BALLENTINE |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5024 |
| Date: | ADD: |
| 03/02/16 | COLLINS |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4701 |
| Date: | REMOVE: |
| 03/02/16 | RIVERS |

**LEAVE OF ABSENCE**

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

**Printed Page 1354 . . . . . Wednesday, March 2, 2016**

**SENT TO THE SENATE**

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

H. 4413 -- Reps. H. A. Crawford, Norrell, M. S. McLeod, Henegan, V. S. Moss, Hicks and King: A BILL TO AMEND SECTION 63-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LOCATIONS AT WHICH A PERSON MAY LEAVE AN INFANT UNDER CERTAIN CIRCUMSTANCES WITHOUT CRIMINAL PENALTY, SO AS TO REQUIRE SAFE HAVENS TO POST A NOTICE STATING THAT THE LOCATION IS A SAFE HAVEN, TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PREPARE THE NOTICE FOR USE BY SAFE HAVENS, TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN, AND TO CHANGE THE DEFINITION OF "INFANT".

**S. 1002--ORDERED ENROLLED FOR RATIFICATION**

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

S. 1002 -- Senator Cleary: A BILL TO AMEND SECTION 4-23-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE BOUNDARIES OF THE MURRELL'S INLET-GARDEN CITY FIRE DISTRICT, SO AS TO REVISE THE BOUNDARIES; AND TO REPEAL SECTION 4-23-15 RELATING TO THE BOUNDARIES OF THE SAME DISTRICT.

**H. 4941--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4941 -- Education and Public Works Committee: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-20-90 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP AND ADOPT A STATEWIDE PROGRAM FOR IDENTIFYING FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A SCHOOL DISTRICT AND FOR ADVISING THE DISTRICT ON HOW TO TAKE APPROPRIATE CORRECTIVE

**Printed Page 1355 . . . . . Wednesday, March 2, 2016**

ACTIONS, AND TO DIRECT THE DEPARTMENT TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND BY ADDING SECTION 59-20-95 SO AS TO REQUIRE THE STATE AUDITOR TO ADOPT THE STATEWIDE PROGRAM CREATED BY THE DEPARTMENT OF EDUCATION IN SECTION 59-20-90 AND USE IT TO IDENTIFY FISCAL PRACTICES AND BUDGETARY CONDITIONS THAT, IF UNCORRECTED, COULD COMPROMISE THE FISCAL INTEGRITY OF A STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY AND TO ADVISE THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY ON HOW TO TAKE APPROPRIATE CORRECTIVE ACTIONS, AND TO PROVIDE EXCEPTIONS TO ENABLE THE STATE AUDITOR TO DIRECT THE DEPARTMENT TO IMMEDIATELY ASSUME EMERGENCY MANAGEMENT OF THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FOR WHICH IT HAS MADE A DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, TO CONTINUE THIS EMERGENCY MANAGEMENT OF THE LOCAL EDUCATION AGENCY UNTIL THE STATE AUDITOR RELEASES THE STATE AGENCY THAT IS ALSO A LOCAL EDUCATION AGENCY FROM THE DECLARATION OF FISCAL CAUTION OR FISCAL EMERGENCY, AS APPLICABLE, AND TO DIRECT THE STATE AUDITOR TO PROMULGATE EMERGENCY REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.

Rep. STRINGER spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 92; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |

**Printed Page 1356 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Duckworth | Erickson | Forrester |
| Fry | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hamilton | Hardee |
| Hayes | Henderson | Henegan |
| Herbkersman | Hill | Hiott |
| Hixon | Hodges | Huggins |
| Johnson | Jordan | King |
| Knight | Loftis | Long |
| Lowe | Lucas | McCoy |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norman |
| Norrell | Parks | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Tinkler | Weeks |
| Wells | Whipper | Whitmire |
| Willis | Yow |  |

**Total--92**

 Those who voted in the negative are:

**Total--0**

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

**H. 4701--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4701 -- Reps. Pitts, White, G. M. Smith, Simrill, Willis, Hardee, Corley, Duckworth, Fry, Goldfinch, Jordan, Erickson, Delleney, Long, Lowe, Sandifer, McCoy, Newton, Herbkersman, Bradley, Bowers, Finlay, Huggins, Hicks, Johnson, Hixon, Taylor, Loftis, Burns, G. R. Smith, Yow, Limehouse and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO ENACT THE

**Printed Page 1357 . . . . . Wednesday, March 2, 2016**

"SECOND AMENDMENT PRESERVATION ACT" AND TO PROVIDE THAT THE STATE SHALL NOT ENFORCE CERTAIN LAWS, RULES, OR REGULATIONS THAT LIMIT THE RIGHT OF A PERSON TO OWN, POSSESS, OR USE A FIREARM, AMMUNITIONS, OR FIREARM ACCESSORIES, ACCEPT CERTAIN FEDERAL FUNDS THAT REQUIRE FIREARMS TO BE REGISTERED OR CONFISCATED, OR EXPEND ANY STATE FUNDS TOWARD THE ENFORCEMENT OF CERTAIN FEDERAL LAWS, RULES, OR REGULATIONS THAT REQUIRE FIREARMS TO BE REGISTERED OR CONFISCATED.

Rep. PITTS explained the Bill.

Reps. WHIPPER, PITTS, DELLENEY, JEFFERSON, W. J. MCLEOD, WHITMIRE, TINKLER, DOUGLAS, KING, COBB-HUNTER, M. S. MCLEOD, H. A. CRAWFORD, BAMBERG, ALEXANDER, R. L. BROWN, HENDERSON, HENEGAN, LOFTIS, ROBINSON-SIMPSON, DILLARD, NANNEY, G. R. SMITH, V. S. MOSS, CLARY, HIXON, TAYLOR, CORLEY, WEEKS and KNIGHT requested debate on the Bill.

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4262--AMENDED AND DEBATE ADJOURNED**

The following Bill was taken up:

H. 4262 -- Reps. Erickson, M. S. McLeod, Collins and Long: A BILL TO AMEND SECTION 63-13-825, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAINING FOR FAMILY CHILDCARE HOME OPERATORS AND EMPLOYEES, SO AS TO REQUIRE ADDITIONAL TRAINING; TO AMEND SECTION 63-13-830, RELATING TO STATEMENTS OF REGISTRATION FOR FAMILY CHILDCARE HOMES, SO AS TO PROVIDE ADDITIONAL AUTHORITY OF THE DEPARTMENT OF SOCIAL SERVICES AND RIGHTS OF FAMILY CHILDCARE HOMES; AND TO AMEND SECTION 63-13-850, RELATING TO APPEALS OF DECISIONS TO WITHDRAW A STATEMENT OF REGISTRATION OF A FAMILY CHILDCARE HOME, SO AS TO ALSO ADDRESS

**Printed Page 1358 . . . . . Wednesday, March 2, 2016**

APPEALS OF DECISIONS TO DENY AN APPLICATION FOR A STATEMENT OR RENEWAL OF REGISTRATION.

The Committee on Medical, Military, Public and Municipal Affairs proposed the following Amendment No. 1 to H. 4262 (COUNCIL\BH\4262C001.BH.VR16), which was adopted:

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

/ SECTION 1. Section 63‑13‑825(A) of the 1976 Code, as added by Act 292 of 2010, is amended to read:

 “(A) Beginning July 1, 2017, an operator of a family childcare home and any person employed by or who contracts with an operator of a family childcare home to provide direct childcare annually shall complete and provide documentation to the Department of Social Services of a minimum of ten hours of training approved by the department. ~~An~~ Before July 1, 2017, an operator of a family childcare home and any person employed by or who contracts with an operator of a family childcare home~~,~~ to provide direct childcare annually shall complete and provide documentation to the Department of Social Services of a minimum of two hours of training approved by the department.”

SECTION 2. Section 63‑13‑830(E) of the 1976 Code is amended to read:

 “(E)(1) The department may deny an application for a statement of registration, deny an application for a renewal of registration, work with a family childcare home operator to resolve a concern, or withdraw ~~the~~ a statement of registration if ~~one or more of the following apply~~:

 ~~(1)~~(a) the health ~~and~~ or safety of ~~the children require withdrawal~~ any child in the facility is at risk;

 ~~(2)~~(b) the facility intends to enroll, has previously enrolled, or currently has enrolled children beyond the limits defined in this chapter;

 ~~(3)~~(c) the operator fails to comply with the registration procedures provided in this chapter; or

 (d) the operator fails to comply with the training requirements provided in Section 63‑13‑825(A).

 (2) If a family childcare home has had its application for a statement or renewal of registration denied by the department or its statement of registration withdrawn by the department or applicant pursuant to this subsection, the family childcare home may elect to meet the requirements for licensure by demonstrating compliance with Article

**Printed Page 1359 . . . . . Wednesday, March 2, 2016**

3 of this chapter and the suggested standards developed by the department pursuant to Section 63‑13‑180.

 (3) The department shall consider previous applications and the circumstances of prior inspections or withdrawals of registration as factors to be considered in the application process; however, a prior concern does not prohibit the department from granting the family childcare home a statement or renewal of registration if the department is satisfied the concern has been resolved.”

SECTION 3. Section 63‑13‑850(A) of the 1976 Code is amended to read:

 “(A) A registrant whose statement of registration has been withdrawn by the department or whose application for a statement or renewal of registration has been denied by the department must be given written notice of the withdrawal or denial by certified or registered mail. The notice must contain the reasons for the proposed action and must inform the registrant of the right to appeal the decision to the director or his designee in writing within thirty calendar days after the receipt of the notice. Upon receiving a written appeal the director or his designee shall give the registrant reasonable notice and an opportunity for a prompt hearing before the director or his designee. On the basis of the evidence adduced at the hearing, the director or his designee shall make the final decision of the department as to whether the department shall withdraw the statement of registration ~~must be withdrawn~~ or deny the application for a statement or renewal of registration, as applicable. If no written appeal is made, the department shall withdraw a statement of registration ~~must be withdrawn~~ or deny the application for a statement or renewal of registration as of the termination of the thirty‑day period.”

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

Renumber sections to conform.

Amend title to conform.

Rep. SPIRES explained the amendment.

The amendment was then adopted.

Rep. ATWATER moved to adjourn debate on the Bill, which was agreed to.

**Printed Page 1360 . . . . . Wednesday, March 2, 2016**

**H. 4542--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4542 -- Reps. McKnight, Clyburn, Cobb-Hunter, Hill, King and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 65 TO TITLE 44 TO ENACT THE "EXPERIMENTAL HEALTH CARE TREATMENT LAW" SO AS TO AUTHORIZE ACCESS TO EXPERIMENTAL TREATMENTS FOR PATIENTS WITH AN ADVANCED ILLNESS, TO ESTABLISH CONDITIONS FOR USE OF EXPERIMENTAL TREATMENTS, TO PROHIBIT PROFESSIONAL DISCIPLINE AND OTHER SANCTIONS OF HEALTH CARE PROVIDERS SOLELY FOR RECOMMENDING OR PROVIDING AN EXPERIMENTAL TREATMENT, TO CLARIFY DUTIES OF A HEALTH INSURER WITH REGARD TO EXPERIMENTAL TREATMENTS AUTHORIZED BY THIS CHAPTER, TO PROHIBIT CERTAIN ACTIONS BY STATE OFFICIALS, EMPLOYEES, AND AGENTS, TO RESTRICT CERTAIN CAUSES OF ACTION ARISING FROM THE USE OF EXPERIMENTAL TREATMENTS, AND FOR OTHER PURPOSES.

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

**H. 4982--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 4982 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO UNDERGROUND STORAGE TANK CONTROL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4565, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. CHUMLEY explained the Joint Resolution.

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

**Printed Page 1361 . . . . . Wednesday, March 2, 2016**

**H. 4983--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 4983 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WELL STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4571, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. CHUMLEY explained the Joint Resolution.

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

**S. 975--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 975 -- Senators L. Martin and Hutto: A BILL TO AMEND SUBSECTION (B) OF SECTION 42-3-20 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE THAT THE GOVERNOR MAY REAPPOINT A PERSON AS CHAIRMAN OF THE WORKERS' COMPENSATION COMMISSION, AND TO FURTHER PROVIDE THAT THE COMMISSION IS NOT REQUIRED TO ELECT A CHAIRMAN FROM AMONG ITS MEMBERS IN THE EVENT THE GOVERNOR DOES NOT APPOINT OR REAPPOINT A CHAIRMAN.

Rep. DELLENEY explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 95; Nays 1

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |

**Printed Page 1362 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Fry |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Goldfinch |
| Hardee | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Jordan | Kennedy |
| Kirby | Knight | Loftis |
| Long | Lucas | McCoy |
| M. S. McLeod | W. J. McLeod | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Newton | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Robinson-Simpson | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Tinkler | Weeks |
| Wells | Whipper | Whitmire |
| Willis | Yow |  |

**Total--95**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Taylor |  |  |

**Total--1**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on S. 975. If I had been present, I would have voted in favor of the Bill.

 Rep. Donna Hicks

**Printed Page 1363 . . . . . Wednesday, March 2, 2016**

**S. 1076--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1076 -- Senator Hembree: A BILL TO AMEND SECTION 48-39-130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO ESTABLISH THAT AN INDIVIDUAL DOES NOT NEED TO APPLY FOR A PERMIT TO DREDGE A MANMADE, PREDOMINATELY ARMORED, RECREATIONAL USE OR ESSENTIAL ACCESS CANAL.

Rep. DUCKWORTH proposed the following Amendment No. 1 to S. 1076 (COUNCIL\MS\1076C002.MS.AHB16), which was adopted:

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

/ TO AMEND SECTION 48‑39‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO UTILIZE CRITICAL AREAS, SO AS TO ESTABLISH THAT AN INDIVIDUAL DOES NOT NEED TO APPLY FOR A PERMIT TO DREDGE A MANMADE, PREDOMINATELY ARMORED, RECREATIONAL USE OR ESSENTIAL ACCESS CANAL. /

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

/ SECTION 1. Section 48‑39‑130(D)(10) of the 1976 Code, as added by Act 41 of 2011, is amended to read:

 “(10) Dredging in existing navigational canal community developments by individuals, counties, or municipalities of manmade, predominately armored, recreational use canals and essential access canals conveyed to the State or dedicated to the public for that purpose between 1965 and the effective date of this act if the maintenance dredging is authorized by a permit from the United States Army Corps of Engineers pursuant to the Federal Clean Water Act, as amended, or the Rivers and Harbors Act of 1899. All other department administered certifications for such dredging are deemed waived.”

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

Renumber sections to conform.

Amend title to conform.

Rep. DUCKWORTH explained the amendment.

The amendment was then adopted.

**Printed Page 1364 . . . . . Wednesday, March 2, 2016**

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 90; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Finlay |
| Fry | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Hamilton | Hardee | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hodges | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Knight | Loftis |
| Long | Lucas | McCoy |
| M. S. McLeod | Merrill | D. C. Moss |
| Murphy | Nanney | Newton |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Ridgeway | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Tinkler |
| Weeks | Wells | Whipper |
| Whitmire | Willis | Yow |

**Total--90**

**Printed Page 1365 . . . . . Wednesday, March 2, 2016**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on S. 1076. If I had been present, I would have voted in favor of the Bill.

 Rep. Chip Huggins

**LEAVE OF ABSENCE**

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

**H. 4743--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4743 -- Reps. Bedingfield, Dillard, Robinson-Simpson and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-935 SO AS TO PROVIDE THAT THE LAND OWNED AND MANAGED BY THE CONESTEE FOUNDATION AND KNOWN AS LAKE CONESTEE NATURE PARK IS DECLARED TO BE A WILDLIFE SANCTUARY.

Rep. DILLARD explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 84; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Atwater |
| Bales | Bannister | Bernstein |
| Bingham | Bradley | Brannon |
| G. A. Brown | Burns | Clary |
| Clyburn | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Delleney | Dillard | Douglas |

**Printed Page 1366 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Duckworth | Erickson | Felder |
| Forrester | Fry | Funderburk |
| Gagnon | Gambrell | Gilliard |
| Hamilton | Hardee | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Jordan | Kennedy |
| King | Long | Lucas |
| McCoy | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Norman | Ott |
| Parks | Pitts | Pope |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Southard |
| Spires | Tallon | Taylor |
| Tinkler | Weeks | Wells |
| Whipper | Whitmire | Willis |

**Total--84**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was out of the Chambers on Legislative Oversight Committee business and missed the roll call vote on H. 4743. I had intended to vote in favor of the Bill.

 Rep. Wm. Weston J. Newton

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 4743. If I had been present, I would have voted in favor of the Bill.

 Rep. Richie Yow

**Printed Page 1367 . . . . . Wednesday, March 2, 2016**

RECORD FOR VOTING

 I was excused temporarily for a family medical issue and missed the vote on second reading of H. 4743. If I had been present, I would have voted in favor of the Bill.

 Rep. Brian White

**RECURRENCE TO THE MORNING HOUR**

Rep. G. A. BROWN moved that the House recur to the morning hour, which was agreed to.

**H. 4262--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4262 -- Reps. Erickson, M. S. McLeod, Collins and Long: A BILL TO AMEND SECTION 63-13-825, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRAINING FOR FAMILY CHILDCARE HOME OPERATORS AND EMPLOYEES, SO AS TO REQUIRE ADDITIONAL TRAINING; TO AMEND SECTION 63-13-830, RELATING TO STATEMENTS OF REGISTRATION FOR FAMILY CHILDCARE HOMES, SO AS TO PROVIDE ADDITIONAL AUTHORITY OF THE DEPARTMENT OF SOCIAL SERVICES AND RIGHTS OF FAMILY CHILDCARE HOMES; AND TO AMEND SECTION 63-13-850, RELATING TO APPEALS OF DECISIONS TO WITHDRAW A STATEMENT OF REGISTRATION OF A FAMILY CHILDCARE HOME, SO AS TO ALSO ADDRESS APPEALS OF DECISIONS TO DENY AN APPLICATION FOR A STATEMENT OR RENEWAL OF REGISTRATION.

Rep. HAYES moved to adjourn debate on the Bill until Thursday, March 3, which was agreed to.

**H. 4542--DEBATE ADJOURNED**

The following Bill was taken up:

H. 4542 -- Reps. McKnight, Clyburn, Cobb-Hunter, Hill, King and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 65 TO TITLE 44 TO ENACT THE "EXPERIMENTAL HEALTH CARE TREATMENT LAW" SO AS TO AUTHORIZE ACCESS TO EXPERIMENTAL TREATMENTS FOR PATIENTS WITH AN ADVANCED ILLNESS, TO ESTABLISH CONDITIONS FOR USE OF EXPERIMENTAL

**Printed Page 1368 . . . . . Wednesday, March 2, 2016**

TREATMENTS, TO PROHIBIT PROFESSIONAL DISCIPLINE AND OTHER SANCTIONS OF HEALTH CARE PROVIDERS SOLELY FOR RECOMMENDING OR PROVIDING AN EXPERIMENTAL TREATMENT, TO CLARIFY DUTIES OF A HEALTH INSURER WITH REGARD TO EXPERIMENTAL TREATMENTS AUTHORIZED BY THIS CHAPTER, TO PROHIBIT CERTAIN ACTIONS BY STATE OFFICIALS, EMPLOYEES, AND AGENTS, TO RESTRICT CERTAIN CAUSES OF ACTION ARISING FROM THE USE OF EXPERIMENTAL TREATMENTS, AND FOR OTHER PURPOSES.

Rep. HAYES moved to adjourn debate on the Bill until Thursday, March 3, which was agreed to.

**H. 4982--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 4982 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO UNDERGROUND STORAGE TANK CONTROL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4565, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. HAYES moved to adjourn debate on the Joint Resolution until Thursday, March 3, which was agreed to.

**H. 4983--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

H. 4983 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WELL STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4571, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. HAYES moved to adjourn debate on the Joint Resolution until Thursday, March 3, which was agreed to.

**Printed Page 1369 . . . . . Wednesday, March 2, 2016**

**H. 4943--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4943 -- Reps. Hixon, Hiott, Knight, Kirby and Ott: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF ANNUAL INDIVIDUAL ANTERLESS DEER TAGS, SO AS TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT OF NATURAL RESOURCES ISSUES AND CHARGES A PERSON FOR THE PRIVILEGE OF HUNTING AND TAKING DEER IN THIS STATE; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO THE COLLECTION AND DISPOSITION OF REVENUES GENERATED FROM THE SALE OF HUNTING AND FISHING LICENSES, PERMITS, AND TAGS, SO AS TO SUBSTITUTE THE TERM "ANTLERLESS DEER QUOTA PERMIT" FOR THE TERM "DEER QUOTA PROGRAM PERMIT", AND TO PROVIDE FOR THE DISTRIBUTION OF REVENUES COLLECTED FROM THE SALE OF NONRESIDENT ANTLERED DEER TAGS AND RESIDENT ANTLER RESTRICTION INDIVIDUAL ANTLERED DEER TAGS; BY ADDING SECTION 50-11-315 SO AS TO PROVIDE BAG LIMITS FOR ANTLERED DEER AND DEER TAKEN WITH A DEER QUOTA PROGRAM PERMIT; BY ADDING SECTION 50-11-320 SO AS TO PROVIDE THE PROCEDURE WHEREBY THE DEPARTMENT OF NATURAL RESOURCES ISSUES TAGS FOR THE HUNTING OF DEER, TO REGULATE THE HUNTING OF DEER, AND TO PROVIDE PENALTIES; TO AMEND SECTION 50-11-390, AS AMENDED, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF GAME ZONES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE ESTABLISHMENT OF ANTERLESS DAYS, AND TO PROVIDE FOR THE REGULATION OF THE DEER QUOTA PROGRAM; TO REPEAL SECTION 50-11-335 RELATING TO BAG LIMITS ESTABLISHED FOR ANTLERED DEER; AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE THE GENERAL ASSEMBLY A REPORT ON THE STATUS OF THE STATE'S WHITE-TAILED DEER POPULATION.

Reps. HIOTT, LOFTIS, HIXON, FELDER, CORLEY, V. S. MOSS, CLARY, COLLINS, ANDERSON, R. L. BROWN, KIRBY, G. R. SMITH, BALLENTINE, MCCOY, FINLAY, GOLDFINCH,

**Printed Page 1370 . . . . . Wednesday, March 2, 2016**

CLEMMONS, H. A. CRAWFORD, OTT, DOUGLAS, RIDGEWAY, CROSBY, BALES, G. A. BROWN, POPE, SPIRES, RILEY, HARDEE, NORMAN and JOHNSON requested debate on the Bill.

**S. 454--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 454 -- Senators Campsen and Turner: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, TO PROVIDE THAT A PERSON MUST HAVE IMMEDIATE ACCESS AND AUTHORIZATION TO UTILIZE DEER QUOTA TAGS TO HUNT ON PROPERTY WITH A DEER QUOTA PROGRAM PERMIT, TO PROVIDE FOR THE DEER QUOTA PROGRAM AND REQUIREMENTS FOR APPLICATION THERETO, TO PROVIDE THAT A PERSON MUST POSSESS A SET OF INDIVIDUAL DEER TAGS FROM THE DEPARTMENT TO HUNT ON PROPERTY WITHOUT A DEER QUOTA PROGRAM PERMIT, TO SET THE DEER TAG FEES FOR IN AND OUT OF STATE RESIDENTS; TO AMEND SECTION 50-9-920(B)(6) OF THE 1976 CODE, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO SUBSTITUTE DEER QUOTA PROGRAM PERMIT FOR ANTLERLESS DEER QUOTA PERMIT; TO AMEND SECTION 50-9-920(B)(7) OF THE 1976 CODE, TO REMOVE “ANTLERLESS” AND SUBSTITUTE “INDIVIDUAL”; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE FOR THE BAG LIMITS FOR ANTLERED AND ANTLERLESS DEER, AND THE LIMIT FOR DEER ON PROPERTY ENROLLED IN THE DEER QUOTA PROGRAM, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO TAKE MORE THAN THE LEGAL LIMIT OF DEER, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THE SECTION; TO AMEND CHAPTER 11, TITLE 50 OF THE 1976 CODE, RELATING TO THE PROTECTION OF GAME, TO PROVIDE THAT THE DEPARTMENT SHALL ISSUE DEER TAGS AND TO PROVIDE FOR THE CIRCUMSTANCES SURROUNDING THE VALIDITY OF SUCH TAGS, TO PROVIDE THAT ALL DEER TAKEN MUST BE TAGGED, TO PROVIDE THAT IT SHALL BE UNLAWFUL TO POSSESS, MOVE, OR TRANSPORT AN UNTAGGED DEER, TO POSSESS MORE THAN ONE SET OF DEER TAGS OR TAGS

**Printed Page 1371 . . . . . Wednesday, March 2, 2016**

ISSUED IN ANOTHER’S NAME, AND TO ALTER A DEER TAG FOR FRAUDULENT OR UNLAWFUL PURPOSES, AND TO PROVIDE FOR THE PENALTIES FOR VIOLATIONS OF THIS SECTION; TO AMEND SECTION 50-11-390 OF THE 1976 CODE, RELATING TO DEPARTMENTAL AUTHORITY OVER GAME ZONES, TO AUTHORIZE THE DEPARTMENT TO PROMULGATE NECESSARY REGULATIONS RELATED TO THE TAKING OF DEER; AND TO REPEAL SECTION 50-11-335 OF THE 1976 CODE.

Reps. HIOTT, LOFTIS, HIXON, V. S. MOSS, KIRBY, OTT, FINLAY, PITTS, CROSBY, G. R. SMITH, SOTTILE, HOSEY, COLLINS and HART requested debate on the Bill.

**H. 4876--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4876 -- Reps. V. S. Moss, Corley, Knight, Southard, Ott, Chumley, Hiott, Hixon, Hodges and J. E. Smith: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GEOGRAPHICAL BOUNDARIES FOR CERTAIN BODIES OF WATER, SO AS TO PROVIDE GEOGRAPHIC BOUNDARIES FOR THE PORTION OF THE INTRACOASTAL WATERWAY LOCATED IN HORRY COUNTY AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-5-1556, RELATING TO LOCATIONS WHERE STRIPED BASS MAY BE TAKEN, SO AS TO REVISE THE PERIODS OF TIME WHEN STRIPED BASS MAY BE TAKEN IN VARIOUS BODIES OF WATER; AND TO AMEND SECTION 50-13-230, AS AMENDED, RELATING TO THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, SO AS TO REVISE THE PERIOD OF TIME WHEN STRIPED BASS MAY BE TAKEN WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR LIMITS FOR THE TAKING OF STRIPED BASS WITHIN VARIOUS BODIES OF WATER, TO PROVIDE FOR THE TAKING OF STRIPED BASS IN THE SANTEE RIVER, AND TO DELETE THE PROVISION THAT REQUIRES THE DEPARTMENT OF NATURAL RESOURCES TO CONDUCT A STUDY OF THE STRIPED BASS FISHERY ON THE SANTEE AND COOPER RIVER SYSTEMS.

**Printed Page 1372 . . . . . Wednesday, March 2, 2016**

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 4876 (COUNCIL\GT\4876C001.GT.CM16), which was adopted:

Amend the bill, as and if amended, Section 50‑13‑230(E), as contained in Section 3, by deleting /forty‑one/ on line 2, page 19, and inserting /thirty‑six/

Renumber sections to conform.

Amend title to conform.

Rep. V. S. MOSS 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 89; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Bales |
| Ballentine | Bannister | Bingham |
| G. A. Brown | R. L. Brown | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Collins | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Gagnon | George |
| Gilliard | Goldfinch | Hardee |
| Hayes | Henderson | Henegan |
| Herbkersman | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| King | Kirby | Knight |
| Limehouse | Long | Lowe |
| Lucas | McCoy | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Newton | Norrell |
| Ott | Parks | Pope |
| Putnam | Ridgeway | Riley |

**Printed Page 1373 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Taylor | Tinkler | Weeks |
| Wells | Whipper | Whitmire |
| Willis | Yow |  |

**Total--89**

 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. 4940--RECONSIDERED**

The motion of Rep. WHITE to reconsider the vote whereby H. 4940 was rejected, was taken up and agreed to.

**H. 4994--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

On motion of Rep. HERBKERSMAN, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

H. 4994 -- Reps. Bernstein and Herbkersman: A BILL TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CREATE SPECIAL TAX DISTRICTS TO ADDRESS PUBLIC AND PRIVATE INFRASTRUCTURE DAMAGED BY THE FLOODING IN OCTOBER 2015.

**H. 4995--RECALLED FROM COMMITTEE ON**

**WAYS AND MEANS**

On motion of Rep. HERBKERSMAN, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

H. 4995 -- Reps. Bernstein and Herbkersman: A BILL TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO CREATE A

**Printed Page 1374 . . . . . Wednesday, March 2, 2016**

TAX INCREMENT FINANCING SYSTEM TO REDEVELOP PUBLIC AND PRIVATE INFRASTRUCTURE DAMAGED BY THE FLOODING IN OCTOBER 2015.

**H. 3972--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3972 -- Reps. Loftis, Burns, Hamilton, Willis, Collins, Clyburn, Robinson-Simpson, Bannister, Bedingfield, Gagnon, Henderson, Hosey, Nanney, G. R. Smith and Spires: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-29-1210 SO AS TO ESTABLISH THAT UNDEVELOPED PROPERTY MAY BE TRANSFERRED WITHOUT THE SUBMISSION OF A LAND DEVELOPMENT PLAN; AND TO AMEND SECTION 30-5-30, RELATING TO PREREQUISITES TO RECORDING, SO AS TO ESTABLISH THAT A LAND USE PLAN IS NOT REQUIRED TO EXECUTE A DEED OR OTHER INSTRUMENT.

Rep. HORNE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 101; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Collins |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hardee | Hart | Hayes |
| Henderson | Henegan | Herbkersman |

**Printed Page 1375 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Hicks | Hill | Hixon |
| Hodges | Horne | Hosey |
| Huggins | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Tinkler | Weeks |
| Wells | Whitmire | Williams |
| Willis | Yow |  |

**Total--101**

 Those who voted in the negative are:

**Total--0**

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

**JOINT ASSEMBLY**

At 12:00 Noon the Senate appeared in the Hall of the House. The PRESIDENT of the Senate called the Joint Assembly to order and announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses.

S. 927 -- Senator Bryant: A CONCURRENT RESOLUTION TO INVITE THE NATIONAL COMMANDER OF THE AMERICAN LEGION, THE HONORABLE DALE BARNETT, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF

**Printed Page 1376 . . . . . Wednesday, March 2, 2016**

REPRESENTATIVES AT 12:00 P.M. ON WEDNESDAY, MARCH 2, 2016.

The Honorable Dale Barnett and distinguished party were escorted to the rostrum by Senators Courson, Peeler, Hayes, Scott and McElveen and Reps. DANING, WILLIAMS, BURNS, WILLIS and HENEGAN. The Lieutenant Governor recognized our special guests and then the National American Legion Commander addressed the General Assembly as follows:

Lt. Governor McMaster, Mr. Speaker, Senators and Representatives, it's truly an honor to speak to such a distinguished body in this historic State House. Before I begin, please allow me to take a moment to introduce members of the American Legion family who are with me today:

First, it's a real pleasure for me to introduce the Commander of the South Carolina American Legion, Joe Lysaght of Charleston.

The National Executive Committeeman for the Department of South Carolina, Bud Hennis of Murrells Inlet.

The Department Adjutant and a Past National Vice Commander, James Holland of Aiken.

My trusted aide Dewey Moss of Georgia.

The American Legion Auxiliary Department of South Carolina President, Teresa Hayes of Lugoff.

Department Auxiliary Secretary, Louise Winesett of Columbia.

The Commander of the South Carolina Detachment of the Sons of the American Legion, Mark Cannito of Longs.

The Sons of the American Legion Detachment Adjutant, Bob Thompson of Longs.

The Sons of the American Legion NECman, Jim Moore, also from Longs.

I'd also like to thank Howard Metcalf, the VA Director for the Governor, for being here. I would also like to acknowledge the Director of the Department of Mental Health, John McGill; and this Assembly for their great work in applying for three additional veterans homes in South Carolina.

On behalf of the 2.2 million Legionnaires around the world and the nearly 200 Legion posts throughout the State of South Carolina, I want to express my appreciation to each of you for what you do for our men and women who serve in our military and our veterans from past wars.

**Printed Page 1377 . . . . . Wednesday, March 2, 2016**

Earlier this year, a presidential candidate referred to your state's recent elections as a "National Security Primary." It's a label that you should be proud of.

The residents of your State understand that "providing for the common defense" should not be brushed aside as a political goal or campaign promise. It is a constitutional requirement.

South Carolina enjoys a large population of more than 400,000 military veterans. Some were born here, but others call South Carolina home because they feel welcome here.

"Support the troops" is a noble endeavor, but the phrase is thrown around so much - it's easy to question whether some Americans really mean it. The New York Times, for instance, has called military retirement benefits, "Another Big Social Welfare System".

The writers and editors of that newspaper seem to forget that these benefits are available to everyone. All you have to do is visit your local military recruiter, spend a few months being yelled at by some drill sergeants, sweat in some ungodly heat and - oh, by the way - possibly lose a few limbs or suffer traumatic brain injury - just so you can participate in our Social Welfare System!

Since the NY Times article, Tri-Care premiums have increased and Cost of Living Allowances for future military retirees have been curtailed. But the Times isn't alone in its thinking. When someone reminds me of the high cost of military benefits, I like to remind them of the high cost of being a veteran.

Family separations, frequent uprooting of children, extreme stress and possible death all come with the territory. That's why I'm delighted to be in a State that really appreciates veterans.

A couple of years ago, this Legislature passed a law that allows veterans to have their military service designated on their drivers licenses. Last June, Governor Nikki Haley signed a bill that you passed to waive the length of residency requirements so veterans can receive in-state tuition rates.

Now, you are considering exempting military pensions from the state income tax. If passed, this measure would not only make a real difference in the lives of military retirees - but it would send another message that the Palmetto State honors and appreciates military veterans.

This is the state that produces men like Kyle Carpenter, a 25-year-old from Batesburg, who was awarded the Medal of Honor two years ago. Lance Corporal Carpenter was seriously wounded while shielding

**Printed Page 1378 . . . . . Wednesday, March 2, 2016**

a fellow Marine from a grenade attack on a rooftop in Marjah, Afghanistan.

Lance Corporal Jared Riley, who served with Kyle said, “Kyle committed his body to making the ultimate sacrifice. It just wasn't his time. He didn't try to throw the grenade away and lose a hand, he didn't try to cover it with a Kevlar, he covered that grenade just as he approached everything in life, with everything he had.”

Many Marines, like Kyle, are made right here in South Carolina at Marine Corps Recruit Depot Parris Island. South Carolina is also the home of Fort Jackson, where the Army sends some of its best and brightest for training.

The American Legion remains very concerned that the training and quality of life that our service members face will be diminished due to irresponsible budget cuts and sequestration.

In light of the recent attacks in Paris, and the daily atrocities committed by ISIS - can anybody truly believe that the Global War on Terrorism is winding down?

Friends, nobody likes war, but it would be derelict for our Nation to let its guard down once again.

In December, I visited Pearl Harbor during the 74th anniversary of that surprise attack. After it occurred, President Roosevelt and the Congress united in keeping the American people focused on the mission at hand - which was win the war at all cost.

After 9/11, there was a brief period of unity coming from Washington - but few of our national leaders today seem interested in keeping America on the war footing it needs to repel and destroy our enemy.

Budget-cutters in Washington are instead pushing for a pre-World War II level Army. Throughout America's history, every military draw down was later followed by horrific war. We cannot rely on the good intentions of rogue states such as North Korea or Iran.

Moreover, military preparation means making the profession of arms an attractive option for young people. And that means taking care of those who served previously.

I would like to categorically correct any misconception that the American Legion is somehow antagonistic toward or opposed to the Department of Veterans Affairs.

We care deeply about the VA which is why we want it to correct deficiencies. Last week in Washington, I testified before a joint session of the Senate and House Committee on Veterans Affairs. The word that I used the most was accountability.

**Printed Page 1379 . . . . . Wednesday, March 2, 2016**

I can assure you that anybody who has ever served in the U.S. military knows the meaning of accountability. It is not the position of the American Legion that America is irretrievably failing veterans. With more than 305,000 employees, the VA is filled with outstanding and dedicated health care professionals. But when a small minority does fail veterans, those who fall short of their mission need to be corrected, disciplined, and in some rare cases, fired.

Most people in the private sector know that they are expected to perform their jobs to the satisfaction of their employers. All of you are held accountable by the voters in your districts. I can think of no higher calling than the mission of the VA - serving those who have served us so nobly in the Armed Forces of the United States of America.

In addition to influencing policy in Washington, The American Legion is right here in your communities. Sponsoring Boy Scout troops, conducting Programs like American Legion Baseball, Boys State, Girls State by our Auxiliary, volunteering at VA hospitals and many other ways that improve the quality of life for South Carolinians and residents of all 50 states. That’s who we are.

And I know that the same dedication to service and community is why many of you have sought and achieved positions in this legislature. And I thank you for that.

Now, if you would allow me for one moment to call to the dais two members of this distinguished body who have been designated by the American Legion Department of South Carolina as the Outstanding Members of the Legislature for 2016. This is in recognition for their dedicated service to their community, State, and Nation. They are true friends of veterans and the American Legion.

Senator Tom Young and Representative MaryGail Douglas would you please join me? We appreciate all that you do on behalf of veterans.

Thank you so much, South Carolina Legislature.

# God Bless you and God Bless America.

**JOINT ASSEMBLY RECEDES**

The purposes of the Joint Assembly having been accomplished, the PRESIDENT announced that under the terms of the Concurrent Resolution the Joint Assembly would recede from business.

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 12:18 p.m. the House resumed, the SPEAKER in the Chair.

**Printed Page 1380 . . . . . Wednesday, March 2, 2016**

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

**THE HOUSE RESUMES**

At 2:00 p.m. the House resumed, the SPEAKER *PRO TEMPORE* in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**SPEAKER IN CHAIR**

**H. 3251--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3251 -- Reps. G. M. Smith, G. R. Smith and J. E. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-1-310 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH THE MATERNAL MORBIDITY AND MORTALITY REVIEW COMMITTEE TO REVIEW AND STUDY MATERNAL DEATHS AND TO REPORT THE FINDINGS TO THE GENERAL ASSEMBLY.

Rep. SPIRES explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 73; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Ballentine | Bannister | Bernstein |
| Bingham | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clyburn | Collins |
| Crosby | Daning | Delleney |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |

**Printed Page 1381 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Fry | Gagnon | Goldfinch |
| Hamilton | Hardee | Hayes |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Jefferson | Johnson | Jordan |
| Kirby | Knight | Long |
| Lucas | McCoy | M. S. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Newton | Norrell |
| Ott | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| G. M. Smith | G. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Tinkler | Wells | Willis |
| Yow |  |  |

**Total--73**

 Those who voted in the negative are:

**Total--0**

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

**LEAVE OF ABSENCE**

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

**H. 4717--SENT TO THE SENATE**

The following Bill was taken up:

H. 4717 -- Reps. White, Lucas, Hiott, Simrill, G. M. Smith, Lowe, Whitmire, Taylor, George, V. S. Moss, J. E. Smith, M. S. McLeod, Bowers, Corley, Parks, McKnight, Douglas, Knight, Erickson, Sandifer, Willis, Kirby, Clary, Cobb-Hunter, Hardee, Duckworth, Johnson, Limehouse, Clyburn, Bales, Horne, Stavrinakis, Hayes, Yow, Neal, Kennedy, Newton, Tinkler, Riley, Howard, King, Henegan, Williams, Anthony, Clemmons, Crosby, Cole, Daning, Dillard, Forrester,

**Printed Page 1382 . . . . . Wednesday, March 2, 2016**

Funderburk, Gambrell, Herbkersman, Hixon, Hosey, Loftis, Long, Pitts, Rivers, Rutherford, Ryhal, G. R. Smith, Wells, W. J. McLeod, Ridgeway, G. A. Brown, Bamberg, Hodges, Alexander, Thayer, McEachern, Gagnon, Whipper, R. L. Brown, Jefferson, Anderson, Spires and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-1-160 SO AS TO CREATE THE "SOUTH CAROLINA FARM AID FUND" TO ASSIST FARMERS WHO HAVE SUFFERED AT LEAST A FORTY PERCENT LOSS OF AGRICULTURAL COMMODITIES AS A RESULT OF A NATURAL DISASTER, TO CREATE THE FARM AID BOARD TO ADMINISTER THE FUND, AND TO SPECIFY ELIGIBILITY AND GRANT AMOUNTS.

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

**H. 4846--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4846 -- Reps. Sandifer, Gambrell, Gagnon, Hill, Putnam, Thayer, White and Whitmire: A CONCURRENT RESOLUTION TO URGE THE GOVERNING BODIES OF ANDERSON AND OCONEE COUNTIES TO DISSOLVE THEIR THIRTY-TWO YEAR OLD AGREEMENT TO HAVE ONE MASTER-IN-EQUITY TO SERVE BOTH COUNTIES, AND TO ESTABLISH A MASTER-IN-EQUITY COURT IN EACH COUNTY PURSUANT TO SECTION 14-11-10 OF THE 1976 CODE.

Rep. BANNISTER explained the Concurrent Resolution.

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 3868--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3868 -- Reps. Pitts, White, Goldfinch, Hardee, Bales, Gambrell and Gagnon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WETLANDS CONSERVATION ACT"; TO AMEND SECTION 12-24-95,

**Printed Page 1383 . . . . . Wednesday, March 2, 2016**

RELATING TO DEED RECORDING FEES, SO AS TO INCREASE THE PORTION OF A STATE DEED RECORDING FEE THAT MUST BE CREDITED TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND FROM TWENTY-FIVE CENTS TO THIRTY CENTS; TO AMEND SECTION 48-59-60, RELATING TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND, SO AS TO REQUIRE THAT ANY FUNDS COLLECTED BY THE SOUTH CAROLINA CONSERVATION BANK IN EXCESS OF THE AMOUNT AUTHORIZED IN THE ANNUAL APPROPRIATIONS BILL MUST BE TRANSFERRED TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-59-70, RELATING TO TRUST FUND GRANTS AND CONSERVATION CRITERIA, SO AS TO ADD ISOLATED WETLANDS AND CAROLINA BAYS TO THE CONSERVATION CRITERIA, TO ADD THE VALUE OF A PROPOSAL ON WILDLIFE MANAGEMENT AREAS OWNED AND MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES TO THE CONSERVATION CRITERIA, AND TO ALLOW THE BOARD TO AUTHORIZE UP TO EIGHT AND THIRTY-THREE ONE HUNDREDTHS PERCENT OF THE MONIES CREDITED TO THE TRUST FUND TO APPLICATIONS THAT SOLELY MEET THE NEW CONSERVATION CRITERIA AND LIMIT THE AWARD OF MONEY TO APPLICATIONS FOR ACQUISITION OF INTERESTS IN LAND SOLELY FOR THE SITES OF HISTORICAL OR ARCHAEOLOGICAL SIGNIFICANCE; TO AMEND SECTION 48-59-75, RELATING TO RESTRICTIONS ON THE TRANSFER OF DEED RECORDING FEES TO THE TRUST FUND, SO AS TO PROVIDE THE TRANSFER OF RECORDING FEES AND OTHER APPROPRIATED FUNDS TO THE SOUTH CAROLINA CONSERVATION BANK TRUST FUND MUST BE DECREASED BY TWICE THE AVERAGE PERCENTAGE REDUCTION OF APPROPRIATIONS TO EACH AGENCY AND DEPARTMENT IN A FISCAL YEAR WHEN THE GENERAL ASSEMBLY PROVIDES LESS APPROPRIATIONS THAN WHAT WAS PROVIDED FOR IN THE PREVIOUS YEAR TO AT LEAST ONE-HALF OF ALL STATE AGENCIES OR DEPARTMENTS.

Rep. PITTS moved to adjourn debate on the Bill until Thursday, March 3, which was agreed to.

**Printed Page 1384 . . . . . Wednesday, March 2, 2016**

**H. 3878--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3878 -- Reps. White, Pope, Clemmons, Duckworth, Goldfinch, Hardwick, Johnson, H. A. Crawford, George, Yow, Ryhal, Hardee, Hayes, Kirby, Bradley, Newton, Erickson and Long: A BILL TO AMEND SECTION 12-6-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX RATES FOR INDIVIDUALS, ESTATES, AND TRUSTS, SO AS TO INCREASE THE SIZE OF THE TAX BRACKETS FOR EACH TAX RATE; AND TO AMEND SECTION 12-6-520, RELATING TO THE ANNUAL ADJUSTMENT OF INCOME TAX BRACKETS, SO AS PROVIDE THE BRACKETS SHALL NOT BE ADJUSTED IN TAX YEARS 2016 AND 2017.

Rep. PITTS moved to adjourn debate on the Bill until Thursday, March 3, which was agreed to.

**H. 4537--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4537 -- Reps. Henderson, Atwater, Horne, Allison, Clary, Daning, Forrester, Collins, Hiott, Duckworth, Yow, Clemmons, Fry, Johnson, Rivers, Goldfinch, Hicks, Whitmire, Sandifer, Huggins, Toole, Newton, Hixon, Crosby, Southard, Hamilton, Simrill, Kennedy, Erickson, Long and Mitchell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3685 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT.

The Committee on Ways and Means proposed the following Amendment No. 1 to H. 4537 (COUNCIL\DKA\4537C006.DKA. SA16), which was adopted:

**Printed Page 1385 . . . . . Wednesday, March 2, 2016**

Amend the bill, as and if amended, SECTION 1, page 4, beginning on line 13, by striking Section 12‑6‑3685(B)(2) and inserting:

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

Amend further SECTION 1, page 5, beginning on line 5, by striking Section 12‑6‑3685(D)(1)(a) and inserting:

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

Amend further SECTION 1, beginning on page 5 and line 32, by striking Section 12‑6‑3685(G)(1), and inserting:

/ (G)(1) By May first of each year, each independent school shall apply to the Education Oversight Committee to be considered an eligible institution for which it may receive contributions from a nonprofit scholarship funding organization for which the tax credit allowed by this section is allowed. The Education Oversight Committee, as established in Chapter 6, Title 59, is responsible for determining if an eligible school meets the criteria established by subsection (A)(1), and shall publish an approved list of the schools meeting the criteria. If an independent school does not apply to be an eligible school, the independent school may not be published as an approved school, and contributions to that school must not be allowed for purposes of the credit allowed by this section. The Education Oversight Committee must publish the approved list of schools on its website by September first of each year, and the list must include their names, addresses, telephone numbers, and, if available, website addresses. Also, the score reports and audits received by the Education Oversight Committee pursuant to items (2)(b) and (c) must be

**Printed Page 1386 . . . . . Wednesday, March 2, 2016**

published with the list. The Education Oversight Committee shall summarize or redact the score reports if necessary to prevent the disclosure of personally identifiable information. For this purpose, it also shall promulgate regulations further enumerating the specifics of this criteria. In performing this function, the Education Oversight Committee shall establish an advisory committee made up of not more than nine members, including parents, and representatives of independent schools and independent school associations. The advisory committee shall provide recommendations to the Education Oversight Committee on the content of these regulations and any other matters requested by the Education Oversight Committee. /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. COBB-HUNTER proposed the following Amendment No. 2 to H. 4537 (COUNCIL\DKA\4537C008.DKA.SA16), which was adopted:

Amend the bill, as and if amended, SECTION 1, beginning on page 1, by striking Section 12‑6‑3685(A)(1)(d), and inserting:

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

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

The amendment was then adopted.

Rep. ANTHONY proposed the following Amendment No. 3 to H. 4537 (COUNCIL\AGM\4537C001.AGM.SA16), which was adopted:

Amend the bill, as and if amended, SECTION 1, beginning on page 1, by striking Section 12‑6‑3685(A)(1) in its entirety and inserting:

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

**Printed Page 1387 . . . . . Wednesday, March 2, 2016**

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

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

 (c) is located in this State;

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

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

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

 (g) provides a specially designed program or learning resource center to provide needed accommodations based on the needs of exceptional needs students or provides onsite educational services or supports to meet the needs of exceptional needs students, or is a school specifically existing to meet the needs of only exceptional needs students with documented disabilities. /

Amend the bill further, SECTION 1, page 2, by striking Section 12‑6‑3685(A)(2) and inserting:

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

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

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

Renumber sections to conform.

Amend title to conform.

**Printed Page 1388 . . . . . Wednesday, March 2, 2016**

Rep. G. R. SMITH 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 89; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bernstein | Bingham | Bradley |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cole | Collins | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | Gilliard | Goldfinch |
| Hamilton | Hardee | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Johnson | Jordan |
| King | Kirby | Knight |
| Limehouse | Loftis | Long |
| Lucas | Mack | McCoy |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Nanney |
| Newton | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Whitmire |
| Willis | Yow |  |

**Total--89**

**Printed Page 1389 . . . . . Wednesday, March 2, 2016**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was excused temporarily for a family medical issue and missed the vote on second reading of H. 4537. If I had been present, I would have voted in favor of the Bill.

 Rep. Brian White

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 4537. If I had been present, I would have voted in favor of the Bill.

 Rep. Harold Mitchell, Jr.

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 4537. If I had been present, I would have voted in favor of the Bill.

 Rep. Gilda Cobb-Hunter

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a temporary leave of absence to attend a business meeting.

**H. 4701--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4701 -- Reps. Pitts, White, G. M. Smith, Simrill, Willis, Hardee, Corley, Duckworth, Fry, Goldfinch, Jordan, Erickson, Delleney, Long, Lowe, Sandifer, McCoy, Newton, Herbkersman, Bradley, Bowers, Finlay, Huggins, Hicks, Johnson, Hixon, Taylor, Loftis, Burns, G. R. Smith, Yow, Limehouse and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO ENACT THE "SECOND AMENDMENT PRESERVATION ACT" AND TO PROVIDE THAT THE STATE SHALL NOT ENFORCE CERTAIN

**Printed Page 1390 . . . . . Wednesday, March 2, 2016**

LAWS, RULES, OR REGULATIONS THAT LIMIT THE RIGHT OF A PERSON TO OWN, POSSESS, OR USE A FIREARM, AMMUNITIONS, OR FIREARM ACCESSORIES, ACCEPT CERTAIN FEDERAL FUNDS THAT REQUIRE FIREARMS TO BE REGISTERED OR CONFISCATED, OR EXPEND ANY STATE FUNDS TOWARD THE ENFORCEMENT OF CERTAIN FEDERAL LAWS, RULES, OR REGULATIONS THAT REQUIRE FIREARMS TO BE REGISTERED OR CONFISCATED.

Rep. PITTS spoke in favor of the Bill.

Rep. BAMBERG spoke against the Bill.

Rep. J. E. SMITH spoke against the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 69; Nays 27

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Bannister | Bingham | Bradley |
| Burns | Chumley | Clary |
| Clemmons | Cole | Collins |
| H. A. Crawford | Crosby | Delleney |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardee |
| Hayes | Henderson | Hicks |
| Hill | Hiott | Hixon |
| Horne | Huggins | Johnson |
| Jordan | Kennedy | Limehouse |
| Loftis | Lucas | McCoy |
| D. C. Moss | V. S. Moss | Nanney |
| Newton | Norman | Norrell |
| Ott | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stringer |

**Printed Page 1391 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Tallon | Taylor | Wells |
| Whitmire | Willis | Yow |

**Total--69**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Bamberg |
| R. L. Brown | Clyburn | Cobb-Hunter |
| Dillard | Douglas | Gilliard |
| Henegan | Hodges | Howard |
| Jefferson | King | Knight |
| Mack | M. S. McLeod | W. J. McLeod |
| Mitchell | Neal | Parks |
| Robinson-Simpson | J. E. Smith | Stavrinakis |
| Tinkler | Weeks | Whipper |

**Total--27**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 4943--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4943 -- Reps. Hixon, Hiott, Knight, Kirby and Ott: A BILL TO AMEND SECTION 50-9-650, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF ANNUAL INDIVIDUAL ANTERLESS DEER TAGS, SO AS TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT OF NATURAL RESOURCES ISSUES AND CHARGES A PERSON FOR THE PRIVILEGE OF HUNTING AND TAKING DEER IN THIS STATE; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO THE COLLECTION AND DISPOSITION OF REVENUES GENERATED FROM THE SALE OF HUNTING AND FISHING LICENSES, PERMITS, AND TAGS, SO AS TO SUBSTITUTE THE TERM "ANTLERLESS DEER QUOTA PERMIT" FOR THE TERM "DEER QUOTA PROGRAM PERMIT", AND TO PROVIDE FOR THE DISTRIBUTION OF REVENUES COLLECTED FROM THE SALE OF NONRESIDENT ANTLERED DEER TAGS AND RESIDENT ANTLER RESTRICTION INDIVIDUAL ANTLERED

**Printed Page 1392 . . . . . Wednesday, March 2, 2016**

DEER TAGS; BY ADDING SECTION 50-11-315 SO AS TO PROVIDE BAG LIMITS FOR ANTLERED DEER AND DEER TAKEN WITH A DEER QUOTA PROGRAM PERMIT; BY ADDING SECTION 50-11-320 SO AS TO PROVIDE THE PROCEDURE WHEREBY THE DEPARTMENT OF NATURAL RESOURCES ISSUES TAGS FOR THE HUNTING OF DEER, TO REGULATE THE HUNTING OF DEER, AND TO PROVIDE PENALTIES; TO AMEND SECTION 50-11-390, AS AMENDED, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES' REGULATION OF GAME ZONES, SO AS TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE REGULATIONS, TO PROVIDE FOR THE ESTABLISHMENT OF ANTERLESS DAYS, AND TO PROVIDE FOR THE REGULATION OF THE DEER QUOTA PROGRAM; TO REPEAL SECTION 50-11-335 RELATING TO BAG LIMITS ESTABLISHED FOR ANTLERED DEER; AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE THE GENERAL ASSEMBLY A REPORT ON THE STATUS OF THE STATE'S WHITE-TAILED DEER POPULATION.

Rep. CORLEY proposed the following Amendment No. 1 to H. 4943 (COUNCIL\BBM\4943C001.BBM.CM16), which was adopted:

Amend the bill, as and if amended, Section 50‑11‑320(C)(3) and (4), as contained in SECTION 6, page 5, by deleting Section 50‑11‑320(C)(3) and (4) and inserting:

/ (3) to possess, move, or transport an untagged deer which was harvested by hunting in South Carolina;

 (4) to use or attempt to use more than one set of deer tags or tags issued in another person’s name to harvest a deer; and /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

Rep. CLEMMONS proposed the following Amendment No. 2 to H. 4943 (COUNCIL\GT\4943C001.GT.CM16), which was tabled:

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

/ SECTION ( ). The provisions contained in this act do not apply to Game Zone 4. /

**Printed Page 1393 . . . . . Wednesday, March 2, 2016**

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

**POINT OF ORDER**

Rep. HIOTT raised the Point of Order that under Rule 9.3 Amendment No. 2 to H. 4943 was out of order in that it was not germane to the Bill.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and ruled that Amendment No. 2 was germane to the Bill.

Rep. CLEMMONS continued speaking.

Rep. CLEMMONS spoke in favor of the amendment.

Rep. HIOTT spoke against the amendment.

Rep. HIOTT moved to table the amendment.

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

Yeas 79; Nays 21

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Bales |
| Bannister | Bernstein | Bingham |
| Bradley | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | Gilliard |
| Govan | Hayes | Henderson |
| Henegan | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Kennedy | King |
| Kirby | Knight | Limehouse |
| Lucas | Mack | M. S. McLeod |
| W. J. McLeod | Merrill | V. S. Moss |
| Nanney | Neal | Newton |
| Norrell | Ott | Parks |

**Printed Page 1394 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Robinson-Simpson | Ryhal | Sandifer |
| G. R. Smith | Sottile | Southard |
| Spires | Stringer | Tallon |
| Taylor | Tinkler | Weeks |
| Wells | Whipper | Whitmire |
| Willis |  |  |

**Total--79**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atwater | Bowers |
| Clemmons | H. A. Crawford | Duckworth |
| Erickson | Finlay | Fry |
| Hardee | Hicks | Johnson |
| Jordan | Loftis | McCoy |
| D. C. Moss | Rivers | Simrill |
| G. M. Smith | Stavrinakis | Yow |

**Total--21**

So, the amendment was tabled.

Rep. CLEMMONS proposed the following Amendment No. 3 to H. 4943 (COUNCIL\GT\4943C008.GT.CM16), which was tabled:

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

/ SECTION (1). Section 50‑9‑650 of the 1976 Code, as added by Act 233 of 2010 is amended to read:

“~~(A)~~ For the privilege of taking ~~antlerless~~ deer, in addition to the required hunting license and big game permit, a hunter shall pay the following fees and have deer tags ~~obtain an annual individual antlerless deer tag~~ issued in his name~~, and the fee~~:

 (1) for a resident is ~~five~~ twenty‑five dollars for five antlered deer tags and ten anterless tags ~~per tag~~;

 (2) for a nonresident is ~~five~~ one hundred fifty dollars for five antlered deer tags and ten anterless tags ~~per tag~~.

 ~~(B)~~ ~~A landowner or lessee may apply to the Antlerless Deer Quota Program for an antlerless deer quota permit at a cost of fifty dollars per~~

**Printed Page 1395 . . . . . Wednesday, March 2, 2016**

~~land tract. The department shall determine an appropriate quota of tags to be issued under each permit, and there is no cost for these tags.~~”

SECTION 2. Section 50‑9‑920(B)(7) of the 1976 Code, as last amended by Act 94 of 2013, is further amended to read:

“(7) ~~individual antlerless deer tags shall be used as follows:~~

 ~~(a) eighty percent to administer the tag program, deer management, and research; and~~

 ~~(b) the remaining twenty percent for law enforcement~~; (Reserved)” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

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

Rep. CLEMMONS proposed the following Amendment No. 4 to H. 4943 (COUNCIL\GT\4943C007.GT.CM16), which was adopted:

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

/ SECTION ( ). Chapter 1, Title 50 of the 1976 Code is amended by adding:

“Section 50‑1‑305. The Department of Natural Resources is directed to develop and implement a coyote tagging and bounty program within this state. The department must tag and release no less than three coyotes in each of the four game zones and apply a bounty of not less than one thousand dollars per tagged coyote. However, the department’s board may at its discretion increase the amount of the bounty. The department must neuter any coyote before it is released. This program shall be a part of the department’s Coyote Management Program.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. HIOTT spoke in favor of the amendment.

The amendment was then adopted.

Rep. CLEMMONS proposed the following Amendment No. 5 to H. 4943 (COUNCIL\GT\4943C005.GT.CM16), which was tabled:

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

**Printed Page 1396 . . . . . Wednesday, March 2, 2016**

/ SECTION ( ). Article 10, Chapter 11, Title 50 of the 1976 Code is amended by adding:

“Section 50‑22‑50. For each coyote killed and presented to the Department of Natural Resources through an electronic station, a hunter must be awarded a one‑half preference point to be applied to any lottery draw administered by the department.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

**POINT OF ORDER**

Rep. NORMAN raised the Point of Order that Amendment No. 5 to H. 4943 was out of order under Rule 5.13 in that a fiscal impact statement was needed.

The SPEAKER *PRO TEMPORE* overruled the Point of Order and stated that a fiscal impact statement was not required for Amendment No. 5.

Rep. NORMAN moved to table the amendment.

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

Yeas 63; Nays 36

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Bernstein |
| Bingham | R. L. Brown | Burns |
| Chumley | Clary | Clyburn |
| Cobb-Hunter | Collins | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Felder | Forrester |
| Gagnon | Gambrell | Gilliard |
| Hayes | Henderson | Henegan |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Jefferson |
| Kennedy | King | Kirby |
| Knight | Lucas | Mack |
| M. S. McLeod | Merrill | Mitchell |
| V. S. Moss | Neal | Newton |
| Norman | Norrell | Ott |

**Printed Page 1397 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Sandifer | Simrill |
| Sottile | Southard | Spires |
| Tallon | Taylor | Weeks |
| Whipper | Whitmire | Willis |

**Total--63**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Atwater | Bales |
| Bamberg | Bowers | Bradley |
| G. A. Brown | Clemmons | Cole |
| H. A. Crawford | Duckworth | Erickson |
| Fry | Funderburk | Goldfinch |
| Hardee | Hicks | Hill |
| Horne | Huggins | Johnson |
| Jordan | Loftis | McCoy |
| W. J. McLeod | D. C. Moss | Nanney |
| Putnam | Ryhal | G. M. Smith |
| G. R. Smith | J. E. Smith | Stavrinakis |
| Stringer | Tinkler | Yow |

**Total--36**

So, the amendment was tabled.

**LEAVE OF ABSENCE**

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

Rep. CLEMMONS proposed the following Amendment No. 6 to H. 4943 (COUNCIL\GT\4943C002.GT.CM16), which was tabled:

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

/ SECTION ( ) Chapter 1, Title 50 of the 1976 Code is amended by adding:

“Section 50‑1‑95. (A) The Department of Natural Resources shall establish a Coyote Management Program to study ways to reduce the State’s coyote population and implement mechanisms to be used by the department and the public to accomplish this goal.

**Printed Page 1398 . . . . . Wednesday, March 2, 2016**

 (B) The department may establish statewide electronic check stations to accomplish the goal of reducing the State’s coyote population.

 (c) One hundred twenty‑five dollars of the non‑resident fee charged for the privilege of taking deer must be used to administer the Coyote Management Program.

 (D) Twenty-five dollars of the resident and non-resident fee for the privilege of taking deer must be used as follows:

 (1) eighty percent to administer the tag program, deer management and research, and Coyote Management Program; and

 (2) twenty percent for law enforcement.”

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

Rep. HIOTT spoke against the amendment.

Rep. CLEMMONS spoke in favor of the amendment.

Rep. HIXON moved to table the amendment.

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

Yeas 64; Nays 34

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Bamberg | Bingham |
| R. L. Brown | Burns | Chumley |
| Clary | Clyburn | Cobb-Hunter |
| Cole | Collins | Daning |
| Delleney | Dillard | Douglas |
| Felder | Forrester | Funderburk |
| Gagnon | Gambrell | Gilliard |
| Hayes | Henegan | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Huggins | Jefferson |
| Kennedy | King | Kirby |
| Knight | Lucas | Mack |
| M. S. McLeod | W. J. McLeod | Mitchell |
| D. C. Moss | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |

**Printed Page 1399 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Robinson-Simpson | Sandifer | Simrill |
| Sottile | Southard | Spires |
| Tallon | Taylor | Tinkler |
| Wells | Whipper | Whitmire |
| Willis |  |  |

**Total--64**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Atwater |
| Bales | Bannister | Bowers |
| Bradley | G. A. Brown | Clemmons |
| H. A. Crawford | Duckworth | Erickson |
| Fry | Goldfinch | Hardee |
| Henderson | Hicks | Hill |
| Johnson | Jordan | Limehouse |
| Loftis | Long | McCoy |
| Merrill | Nanney | Putnam |
| Ryhal | G. M. Smith | G. R. Smith |
| Stavrinakis | Stringer | Weeks |
| Yow |  |  |

**Total--34**

So, the amendment was tabled.

Rep. CLEMMONS proposed the following Amendment No. 7 to H. 4943 (COUNCIL\GT\4943C006.GT.CM16), which was ruled out of order:

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

/ SECTION ( ). Section 50-11-710(A) of the 1976 Code, as last amended by Act 218 of 2010, is further amended to read:

(A) Night hunting in this State is unlawful except that:

 (1) Raccoons, opossums, foxes, mink, and skunk may be hunted at night; however, they may not be hunted with artificial lights except when treed or cornered with dogs, and may not be hunted with buckshot or any shot larger than a number four, or any rifle ammunition larger than a twenty‑two rimfire.

 (2) Feral hogs may be hunted at night with or without the aid of bait, electronic calls, artificial light, or night vision devices:

**Printed Page 1400 . . . . . Wednesday, March 2, 2016**

 (a) at any time of the year with a bow and arrow other than a crossbow, or pistol having iron sights, a barrel length not exceeding nine inches, and which is not equipped with a butt‑stock, scope, or laser site;

 (b) at any time of the year under authority of and pursuant to the conditions contained in a depredation permit issued by the department pursuant to Section 50‑11‑2570; and

 (c) from the last day of February to the first day of July of that same year with any legal firearm, bow and arrow, or crossbow when notice is given to the department pursuant to subsection (D). When hunting at night with a center fire rifle pursuant to this item:

 (i) a hunter using supersonic center fire ammunition must hunt from an elevated position at least ten feet from the ground;

 (ii) a hunter using subsonic center fire ammunition is not required to hunt from an elevated position provided that he is not carrying supersonic center fire ammunition for the same rifle.

 (3) Coyotes and armadillos may be hunted at night with or without the aid of bait, electronic calls, artificial light, or night vision devices:

 (a) at any time of the year with bow and arrow other than a crossbow, a rifle, a shotgun with shot size no larger than a BB, or a pistol of any caliber having iron sights, a barrel length not exceeding nine inches, and which is not equipped with a butt‑stock, scope, or laser light;

 (b) at any time of the year under authority of and pursuant to the conditions contained in a depredation permit issued by the department pursuant to Section 50‑11‑2570; and

 (c) ~~from the last day of February to the first day of July~~ year round of that same year with any legal firearm, bow and arrow, or crossbow when notice is given to the department pursuant to subsection (D), including on Wildlife Management Areas pursuant to a Wildlife Management Area permit. When hunting at night with a center fire rifle pursuant to this item:

 (i) a hunter using supersonic center fire ammunition must hunt from an elevated position at least ten feet from the ground;

 (ii) a hunter using subsonic center fire ammunition is not required to hunt from an elevated position provided that he is not carrying supersonic center fire ammunition for the same rifle. /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

**Printed Page 1401 . . . . . Wednesday, March 2, 2016**

**POINT OF ORDER**

Rep. OTT raised the Point of Order that under Rule 9.3 Amendment No. 7 to H. 4943 was out of order in that it was not germane to the Bill. Rep. OTT said the Bill related to a limit on the number of deer a hunter may take during a season, but the Amendment dealt with night hunting of predators on Wildlife Management Areas.

The SPEAKER *PRO TEMPORE* sustained the Point of Order and ruled the amendment to be non-germane to the Bill.

Rep. CLEMMONS proposed the following Amendment No. 8 to H. 4943 (COUNCIL\GT\4943C004.GT.CM16), which was ruled out of order:

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

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

“Section 50‑11‑70. Notwithstanding another provision of law, it is unlawful to hunt coyote with a firearm within three hundred yards of a residence without permission of the owner and occupant. Anyone violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than two hundred dollars or imprisoned not more than thirty days. The provisions of this section do not apply to a landowner hunting on his own land or a person taking coyote pursuant to a department permit.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

**POINT OF ORDER**

Rep. OTT raised the Point of Order that Amendment No. 8 to H. 4943 was not germane. Rep. OTT stated the Amendment concerned hunting coyotes within 300 yards of a residence, but the Bill concerned placing limits upon the number of deer that a hunter may take.

Rep. CLEMMONS spoke against the Point of Order.

The SPEAKER *PRO TEMPORE* sustained the Point of Order and ruled Amendment No. 8 to H. 4943 to be non-germane to the Bill.

Rep. CLEMMONS proposed the following Amendment No. 9 to H. 4943 (COUNCIL\GT\4943C003.GT.CM16), which was ruled out of order:

**Printed Page 1402 . . . . . Wednesday, March 2, 2016**

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

/ SECTION ( ). Section 50‑11‑2540 of the 1976 Code, as last amended by Act 218 of 2010 is further amended to read:

“(A) It is lawful to trap furbearing animals for commercial purposes from December first of each year to March first of the succeeding year. It is unlawful to trap any other times unless authorized by the department. It is lawful to take furbearing animals by other lawful means during the general open hunting seasons established therefor.

 (B) It is lawful to trap coyotes ~~from December first of each year to March first of the succeeding year. It is unlawful to trap coyotes at any other time unless authorized by the department. Notwithstanding the provisions of Section 50‑11‑1080, it is lawful to take coyotes by other lawful means~~ at any time during the year.” /

Renumber sections to conform.

Amend title to conform.

Rep. CLEMMONS explained the amendment.

**POINT OF ORDER**

Rep. HIOTT raised the Point of Order that Amendment No. 9 to H. 4943 was not germane to the Bill. Rep. OTT stated that the Amendment related to the trapping of coyotes, but the Bill related to the number of deer a hunter may take in a season.

The SPEAKER *PRO TEMPORE* stated that based upon his earlier rulings he sustained the Point of Order and ruled Amendment No. 9 to be non-germane to the Bill.

Rep. HIXON explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 94; Nays 8

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bingham |
| Bowers | Bradley | G. A. Brown |
| R. L. Brown | Burns | Chumley |

**Printed Page 1403 . . . . . Wednesday, March 2, 2016**

|  |  |  |
| --- | --- | --- |
| Clary | Clyburn | Cobb-Hunter |
| Cole | Collins | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Erickson | Felder |
| Forrester | Fry | Funderburk |
| Gagnon | Gambrell | George |
| Gilliard | Goldfinch | Hamilton |
| Hayes | Henderson | Henegan |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Jordan | King | Kirby |
| Knight | Limehouse | Long |
| Lucas | Mack | McCoy |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Tinkler | Weeks |
| Wells | Whipper | Whitmire |
| Willis |  |  |

**Total--94**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Clemmons | H. A. Crawford | Duckworth |
| Hardee | Hill | Horne |
| Johnson | Yow |  |

**Total--8**

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

**Printed Page 1404 . . . . . Wednesday, March 2, 2016**

**SPEAKER IN CHAIR**

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4873 -- Reps. Ott and Hiott: A CONCURRENT RESOLUTION TO RECOGNIZE THE IMPORTANCE OF CLEAN AND ABUNDANT DRINKING WATER IN SOUTH CAROLINA AND TO DESIGNATE TUESDAY, MAY 3, 2016, AS "SOUTH CAROLINA CLEAN DRINKING WATER DAY" TO COINCIDE WITH NATIONAL DRINKING WATER WEEK.

**ADJOURNMENT**

At 4:38 p.m. the House, in accordance with the motion of Rep. MCCOY, adjourned in memory of William "Billy" Ladd, to meet at 10:00 a.m. tomorrow.

\*\*\*