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~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Daniel 12:21: “Daniel said, ‘He gives wisdom to those who have understanding’.”

Let us pray. Loving God, lead these Representatives and staff by Your wisdom. Encourage them to do what is in their hearts, as they represent the people of their districts. Give them integrity to speak the truth in all they do and say. Look in favor upon our Nation, President, State, Governor, Speaker, staff, and all those who support this Assembly. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our warriors who suffer and sacrifice for our freedom. Lord of Grace, 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 Friday, the SPEAKER ordered it confirmed.

**MOTION ADOPTED**

Rep. BAMBERG moved that when the House adjourns, it adjourn in memory of Alzena Robinson, which was agreed to.

**RESIGNATION**

The following was received:

May 24, 2016

The Honorable James H. Lucas

Speaker of the House of Representatives

506 Blatt Building

Columbia, South Carolina 29201

Dear Speaker Lucas,

Please accept this letter as my formal notice of resignation

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from the South Carolina House of Representatives, effective May 24, 2016. I have enjoyed serving in the South Carolina House of Representatives and especially my constituents in House District No. 7. I want to thank you for your friendship and support over the years.

Sincerely,

Mike Gambrell

Received as information.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | Crosby | Delleney |
| Douglas | Duckworth | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | Gambrell |
| George | Gilliard | Govan |
| Hamilton | Hardee | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Jefferson | Johnson | Jordan |
| Kennedy | King | Kirby |
| Loftis | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | Nanney | Norman |
| Norrell | Ott | Pitts |
| Pope | Putnam | Ridgeway |
| Rivers | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |

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|  |  |  |
| --- | --- | --- |
| Spires | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Whipper | White | Williams |
| Yow |  |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, May 24.

|  |  |
| --- | --- |
| Douglas "Doug" Brannon | Joe Daning |
| Chandra Dillard | Shannon Erickson |
| Donna Hicks | Jonathon Hill |
| Chip Huggins | Patsy Knight |
| H. B. "Chip" Limehouse | Phillip Lowe |
| Cezar McKnight | Harold Mitchell |
| V. Stephen Moss | Chris Murphy |
| Joseph Neal | Anne Parks |
| Richard "Rick" Quinn | Robert Riley |
| Leola Robinson-Simpson | Mike Ryhal |
| G. Murrell Smith | Leon Stavrinakis |
| Tommy Stringer | David Weeks |
| William R. "Bill" Whitmire | Mark Willis |

**Total Present--117**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NEWTON a leave of absence for the day to attend a Fourth Circuit Judicial Conference.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. H. A. CRAWFORD a leave of absence for the day.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

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**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Joseph W. Pawlik of Charleston was the Doctor of the Day for the General Assembly.

**CO-SPONSORS ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5093 |
| Date: | ADD: |
| 05/24/16 | RIVERS |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5317 |
| Date: | ADD: |
| 05/24/16 | YOW |

**S. 1297--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1297 -- Senator Sheheen: A BILL TO AMEND ACT 185 OF 1999, RELATING TO PER DIEM PAYMENTS FOR MEMBERS OF THE BOARD OF THE CHESTERFIELD COUNTY SCHOOL DISTRICT, TO PROVIDE THAT THE BOARD MAY ADJUST THE AMOUNT

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OF THE PER DIEM PAYMENTS AND TO PROVIDE FOR THE EFFECTIVE DATE OF THE ADJUSTED RATES.

The yeas and nays were taken resulting as follows:

Yeas 52; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Bamberg | Bannister |
| Bernstein | Bowers | Bradley |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cole |
| Collins | Crosby | Delleney |
| Douglas | Duckworth | Felder |
| Finlay | Fry | Gagnon |
| George | Gilliard | Hardee |
| Hayes | Hodges | Hosey |
| Jefferson | Johnson | Jordan |
| Kirby | Loftis | Lucas |
| McEachern | M. S. McLeod | D. C. Moss |
| V. S. Moss | Nanney | Norman |
| Pope | Putnam | Ridgeway |
| Simrill | G. R. Smith | Sottile |
| Tallon | Toole | Weeks |
| Yow |  |  |

**Total--52**

Those who voted in the negative are:

**Total--0**

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

**S. 1206--ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 1206 -- Senator S. Martin: A JOINT RESOLUTION TO DIRECT THE STATE DEPARTMENT OF EDUCATION TO RENAME THE

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DONALDSON BUS CENTER IN GREENVILLE COUNTY TO BE THE "JOE MADDEN BUS CENTER".

The yeas and nays were taken resulting as follows:

Yeas 69; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Bannister |
| Bedingfield | Bernstein | Bowers |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Collins | Corley |
| Crosby | Douglas | Duckworth |
| Felder | Forrester | Fry |
| Funderburk | Gagnon | George |
| Hamilton | Hardee | Hart |
| Hayes | Henderson | Henegan |
| Hicks | Hixon | Hosey |
| Jefferson | Johnson | Jordan |
| Kennedy | King | Kirby |
| Loftis | Long | Lucas |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Norman | Norrell | Pope |
| Ridgeway | Robinson-Simpson | Sandifer |
| Simrill | G. R. Smith | Sottile |
| Tallon | Taylor | Weeks |
| Whitmire | Williams | Yow |

**Total--69**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bradley |  |  |

**Total--1**

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

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**STATEMENT BY REP. WHITE**

Rep. WHITE made a statement relative to Rep. GAMBRELL'S service in the House.

**STATEMENT BY REP. GAMBRELL**

Rep. GAMBRELL made a statement relative to his service in the House.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEE**

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

S. 267 -- Senators Young, Campsen, Hembree, Bennett, Turner, Thurmond, Davis, Bright, Bryant, L. Martin, S. Martin, Hayes, Campbell and Grooms: A BILL TO AMEND SECTION 2-1-180 OF THE 1976 CODE, RELATING TO ADJOURNMENT OF THE GENERAL ASSEMBLY, TO CHANGE THE DATE FOR THE MANDATORY ADJOURNMENT OF THE GENERAL ASSEMBLY FROM THE FIRST THURSDAY IN JUNE TO THE FIRST THURSDAY IN MAY, AND PROVIDE THAT IN ANY YEAR THAT THE HOUSE OF REPRESENTATIVES FAILS TO GIVE THIRD READING TO THE APPROPRIATIONS BILL BY MARCH FIRST, RATHER THAN MARCH THIRTY-FIRST, THE DATE OF ADJOURNMENT IS EXTENDED BY ONE STATEWIDE DAY FOR EACH STATEWIDE DAY AFTER MARCH FIRST, THAT THE HOUSE FAILS TO GIVE THE BILL THIRD READING.

Ordered for consideration tomorrow.

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

S. 913 -- Senators L. Martin, Davis, Hembree, Fair and Malloy: A BILL TO AMEND SECTION 30-4-50 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE FREEDOM OF INFORMATION ACT, TO INCLUDE LAW ENFORCEMENT VEHICLE MOUNTED VIDEO AND AUDIO RECORDINGS IN THE LIST OF SPECIFIC CATEGORIES OF INFORMATION THAT IS TO

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BE MADE AVAILABLE TO THE PUBLIC, AND TO PROVIDE THAT LAW ENFORCEMENT MAY APPLY FOR INJUNCTIVE RELIEF FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDING.

Ordered for consideration tomorrow.

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

S. 233 -- Senators Campsen, Hembree and Grooms: A BILL TO AMEND SECTION 6-1-160 OF THE 1976 CODE, RELATING TO INVOCATIONS TO OPEN MEETINGS OF DELIBERATIVE BODIES, TO PROVIDE THAT PUBLIC PRAYER MEANS A PRAYER OR INVOCATION; TO PROVIDE THAT DELIBERATIVE PUBLIC BODY INCLUDES A SCHOOL DISTRICT BOARD; TO PROVIDE THAT PUBLIC INVOCATIONS SHALL NOT PROSELYTIZE OR ADVANCE ANY ONE FAITH OR BELIEF, OR COERCE PARTICIPATION BY OBSERVERS; AND TO BROADEN THE ITEMS THAT MAY BE INCLUDED IN A POLICY TO PERMIT PUBLIC INVOCATIONS ADOPTED BY THE PUBLIC BODY.

Ordered for consideration tomorrow.

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

S. 221 -- Senators Malloy and Campsen: A JOINT RESOLUTION TO CONTINUE THE "SENTENCING REFORM OVERSIGHT COMMITTEE" UNTIL DECEMBER 31, 2020.

Ordered for consideration tomorrow.

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

S. 1015 -- Senators Leatherman and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-165 SO AS TO MAKE UNLAWFUL CERTAIN ACTIONS INVOLVING COUNTERFEIT OR NONFUNCTIONAL AIRBAGS.

Ordered for consideration tomorrow.

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

S. 1182 -- Senators Shealy, Lourie, Fair and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

Ordered for consideration tomorrow.

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

S. 778 -- Senator Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 8 TO TITLE 62 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM POWER OF ATTORNEY ACT"; TO DEFINE APPLICABLE TERMS; TO OUTLINE THE ARTICLE'S REQUIREMENTS AND APPLICABILITY, AND TO PROVIDE EXCEPTIONS; TO AMEND PART 5, ARTICLE 5, TITLE 62, RELATING TO POWERS OF ATTORNEY, SO AS TO ENACT THE "SOUTH CAROLINA STATUTORY HEALTH CARE POWER OF ATTORNEY ACT"; TO DEFINE APPLICABLE TERMS; TO OUTLINE THE PART'S REQUIREMENTS AND APPLICABILITY; TO PROVIDE EXECUTION AND WITNESS REQUIREMENTS; AND TO

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SPECIFY THE PROPER FORM OF A HEALTH CARE POWER OF ATTORNEY.

Ordered for consideration tomorrow.

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

S. 777 -- Senators Malloy and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-5-436 SO AS TO PROVIDE ADDITIONAL AND ALTERNATIVE REQUIREMENTS FOR MATTERS INVOLVING PAYMENT OF BENEFITS FROM THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND TO DEFINE RELEVANT TERMS; TO AMEND SECTION 62-1-201, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO THE SOUTH CAROLINA PROBATE CODE, SO AS TO DEFINE THE TERM "VA" AND TO MAKE OTHER TECHNICAL CORRECTIONS; TO AMEND SECTION 62-5-404, RELATING TO THE ORIGINAL PETITION FOR APPOINTMENT OR PROTECTIVE ORDER, SO AS TO REQUIRE THE PETITION TO SHOW THAT THE PERSON TO BE PROTECTED HAS BEEN RATED INCOMPETENT BY THE VA AND TO PROVIDE THAT THE PETITION SHALL STATE THE NAME AND ADDRESS OF THE PERSON TO BE NOTIFIED ON BEHALF OF THE VA; TO AMEND SECTION 62-5-405, AS AMENDED, RELATING TO SERVICE OF SUMMONS AND PETITIONS, NOTICE OF HEARING, AND WAIVER OF NOTICE BY THE PERSON TO BE PROTECTED, SO AS TO REQUIRE SERVICE UPON THE VA AND NOTICE OF THE HEARING IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 62-5-407, AS AMENDED, RELATING TO PROCEDURES CONCERNING THE HEARING AND ORDER ON ORIGINAL PETITION, SO AS TO CLARIFY CERTAIN PROVISIONS IN CASES INVOLVING PAYMENT OF BENEFITS FROM THE VA; AND TO REPEAL PART 6, ARTICLE 5, CHAPTER 5, TITLE 62 RELATING TO THE UNIFORM VETERANS' GUARDIANSHIP ACT.

Ordered for consideration tomorrow.

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

S. 908 -- Senator Hayes: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA UNIFORM FIDUCIARY ACCESS TO DIGITAL ASSETS ACT" BY ADDING PART 10 TO ARTICLE 2, TITLE 62 SO AS TO ESTABLISH A FRAMEWORK BY WHICH INTERNET USERS HAVE THE POWER TO PLAN FOR THE MANAGEMENT AND DISPOSITION OF DIGITAL ASSETS UPON DEATH OR INCAPACITATION; TO DEFINE NECESSARY TERMS; TO SET FORTH THE APPLICABILITY OF THE ACT TO FIDUCIARIES, PERSONAL REPRESENTATIVES, CONSERVATORS, TRUSTEES, AND OTHER PARTIES; TO PROVIDE THAT THE ACT DOES NOT APPLY TO A DIGITAL ASSET OF AN EMPLOYER THAT IS USED BY AN EMPLOYEE IN THE ORDINARY COURSE OF BUSINESS; AND TO REQUIRE THAT THE PROVISIONS OF THIS ACT BE APPLIED AND CONSTRUED SO AS TO PROMOTE UNIFORMITY OF LAW AMONG THE STATES.

Ordered for consideration tomorrow.

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

S. 1064 -- Senators Young and Rankin: A BILL TO AMEND SECTION 38-73-525 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT AN INSURER WRITING A WORKERS' COMPENSATION POLICY SHALL FILE CERTAIN INFORMATION ON WHICH IT RELIES TO SUPPORT ITS RATE REQUEST, TO PROVIDE THAT THE INSURER MUST ADOPT THE MOST RECENT LOSS COST WITHIN ONE HUNDRED TWENTY DAYS OF APPROVAL OF THE LOSS COSTS; AND TO AMEND SECTION 38-73-1210, RELATING TO THE REQUIREMENT THAT ITS OBLIGATION TO MAKE CERTAIN FILINGS MAY BE SATISFIED BY MAKING FILINGS AS A MEMBER OF, OR SUBSCRIBER TO, A LICENSED RATING ORGANIZATION THAT MAKES FILINGS, TO REQUIRE THE FILINGS BE RULE AND FORM FILINGS AND NOT LOSS COST ADOPTION FILINGS, AND REQUIRE THE INSURER TO FILE FOR CERTAIN APPROVAL IF THE RATING ORGANIZATION TO WHICH IT SUBSCRIBES HAS A RATE INCREASE WITHIN

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TWELVE MONTHS AFTER THE INSURER BECOMES A MEMBER.

Ordered for consideration tomorrow.

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

S. 868 -- Senators Young, Massey, Setzler and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 58 SO AS TO PROVIDE PROCEDURES FOR THE EXERCISE OF EMINENT DOMAIN BY PIPELINE COMPANIES, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CERTAIN RELATED CERTIFICATION OR PERMITTING FUNCTIONS AT THE PUBLIC SERVICE COMMISSION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND TO PROVIDE PROPERTY OWNER RIGHTS AND A CAUSE OF ACTION FOR DAMAGES SUSTAINED BY CERTAIN ADJACENT PROPERTY OF THE OWNER OF PROPERTY CONDEMNED UNDER THE PROVISIONS OF THIS ACT; AND TO DESIGNATE THE EXISTING PROVISIONS IN THE CHAPTER AS ARTICLE 1 ENTITLED "GAS AND WATER COMPANIES".

Ordered for consideration tomorrow.

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

S. 1065 -- Senators Young, Massey, Setzler and Nicholson: A JOINT RESOLUTION TO CLARIFY THAT SECTION 58-7-10 OF THE 1976 CODE OF LAWS DOES NOT APPLY TO A PRIVATE, FOR-PROFIT PIPELINE COMPANY, INCLUDING A PUBLICLY-TRADED FOR-PROFIT COMPANY, THAT IS NOT A PUBLIC UTILITY AS DEFINED BY TITLE 58 OF THE 1976 SOUTH CAROLINA CODE OF LAWS; AND TO CREATE THE PETROLEUM PIPELINE STUDY COMMITTEE TO STUDY MATTERS RELATED TO THE PRESENCE OF PETROLEUM PIPELINES IN SOUTH CAROLINA, AND FOR THE STUDY COMMITTEE TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY BY JANUARY 31, 2017, AND TO CONTINUE ITS WORK UNTIL JUNE 30, 2017, IF THE JANUARY REPORT DETERMINES FURTHER WORK IS NEEDED.

Ordered for consideration tomorrow.

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

S. 139 -- Senator Cleary: A BILL TO AMEND SECTION 48-39-130 OF THE 1976 CODE, RELATING TO PERMITS REQUIRED FOR COASTAL ZONE CRITICAL AREAS, TO ALLOW FOR CERTAIN ADDITIONAL TECHNOLOGIES, METHODOLOGIES, OR STRUCTURES WITH REGARD TO PROTECTING BEACH AND DUNE CRITICAL AREAS WHEN AN EMERGENCY ORDER IS ISSUED BY APPOINTED OFFICIALS OF COUNTIES AND MUNICIPALITIES; TO AMEND SECTION 48-39-280, TO PROHIBIT THE SEAWARD MOVEMENT OF THE BASELINE AFTER JULY 1, 2015, AND TO ELIMINATE THE RIGHT OF LOCAL GOVERNMENTS AND LANDOWNERS TO PETITION THE ADMINISTRATIVE LAW COURT TO MOVE THE BASELINE SEAWARD UPON COMPLETION OF A BEACH RENOURISHMENT PROJECT; TO AMEND SECTION 48-39-290, TO NARROW THE EXCEPTION OF GOLF COURSES FROM A PERMIT REQUIREMENT TO REPAIR AND MAINTENANCE OF EXISTING GOLF COURSES, TO PROVIDE FOR AN EXEMPTION FOR SANDFENCING, REVEGITATION OF DUNES, MINOR BEACH RENOURISHMENT, AND DUNE CONSTRUCTION; AND TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO APPROVE REPAIRS TO CERTAIN EROSION CONTROL DEVICES WHICH WOULD OTHERWISE BE PROHIBITED, TO PROVIDE FOR THE CIRCUMSTANCES UNDER WHICH REPAIRS MAY BE MADE; TO AMEND SECTION 48-39-320 BY ADDING A SUBSECTION TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL MAY APPROVE EROSION CONTROL DEVICES NOT PROVIDED FOR IN THIS CHAPTER IF THE BOARD DETERMINES THAT A DEVICE WILL BE SUCCESSFUL WITH REGARD TO EROSION CONTROL; AND TO REPEAL SECTION 48-39-290(D)(2).

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5384 -- Reps. Corley, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein,

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Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MYRA A. MOSELEY, A TEACHER AT MIDLAND VALLEY HIGH SCHOOL, UPON THE OCCASION OF HER RETIREMENT AFTER THIRTY-FIVE YEARS OF EXEMPLARY SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5385 -- Reps. Corley, 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, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal,

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Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COACH AL LOWN OF SILVER BLUFF HIGH SCHOOL IN AIKEN FOR HIS OUTSTANDING CAREER AS BOTH COACH AND EDUCATOR, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5386 -- Reps. Corley, 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, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COACH RICK KNIGHT OF MIDLAND VALLEY HIGH SCHOOL IN GRANITEVILLE FOR HIS OUTSTANDING CAREER AS BOTH COACH AND EDUCATOR, TO CONGRATULATE HIM ON THE OCCASION OF HIS RETIREMENT, AND TO WISH HIM WELL IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5387 -- Reps. G. M. Smith, Weeks, 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, 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. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR SAM TINDAL AND TOM TINDAL, OWNERS AND OPERATORS OF THE FARMERS' EXCHANGE UPON THE OCCASION OF THEIR RETIREMENT AND TO WISH THEM CONTINUED SUCCESS AND HAPPINESS IN ALL THEIR FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5388 -- Reps. Yow, Henegan, 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, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins,

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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, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Willis: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND CHERAW NATIVE JOSHUAH CAMPBELL FOR HIS ACADEMIC AND ARTISTIC ACHIEVEMENTS AND TO CONGRATULATE HIM UPON HIS GRADUATION FROM HARVARD COLLEGE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5389 -- Reps. Gagnon, 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, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, 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 DIXIE HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING

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SEASON AND TO CONGRATULATE THEM ON WINNING THE 2016 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5390 -- Rep. King: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE RIGHT REVEREND DR. KENNETH MONROE AT THE QUADRENNIAL CELEBRATION OF HIS MINISTRY AS PRESIDING PRELATE OF THE SOUTH ATLANTIC EPISCOPAL DISTRICT OF THE AFRICAN METHODIST EPISCOPAL ZION CHURCH.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5391 -- Reps. Long, Allison, Bernstein, Cobb-Hunter, H. A. Crawford, Douglas, Erickson, Felder, Funderburk, Henderson, Henegan, Hicks, Horne, Knight, M. S. McLeod, Nanney, Norrell, Parks, Robinson-Simpson, Thayer and Tinkler: A HOUSE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE HONORABLE CHANDRA DILLARD FOR HER DEDICATED SERVICE AND EXCEPTIONAL LEADERSHIP AS CHAIR OF THE SOUTH CAROLINA GENERAL ASSEMBLY WOMEN'S CAUCUS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5392 -- Reps. Huggins and Ballentine: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHAPIN HIGH SCHOOL BOYS VARSITY SOCCER TEAM OF LEXINGTON COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED

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AND COMMENDED FOR CAPTURING THE 2016 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Chapin High School boys varsity soccer team of Lexington County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2016 South Carolina Class AAA State Championship title.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5393 -- Reps. Huggins and Ballentine: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE CHAPIN HIGH SCHOOL GIRLS VARSITY SOCCER TEAM OF LEXINGTON COUNTY WITH THE TEAM COACHES AND SCHOOL OFFICIALS, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2016 SOUTH CAROLINA CLASS AAA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Chapin High School girls varsity soccer team of Lexington County with the team coaches and school officials, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2016 South Carolina Class AAA State Championship title.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5394 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, 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, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF MICHAEL "MIKE" COPELAND MORROW OF LEE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5395 -- Reps. R. L. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. 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, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan,

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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, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JENELL FORD, A VETERAN TEACHER FROM CHARLESTON COUNTY, UPON THE OCCASION OF HER RETIREMENT AFTER MORE THAN THIRTY-THREE YEARS OF DEVOTED SERVICE, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5396 -- Reps. R. L. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. 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, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR REVEREND KEITH COCHRAN, PASTOR OF ST. JOHN BAPTIST CHURCH IN RAVENEL, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY-ONE YEARS OF EXEMPLARY

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SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5397 -- Reps. J. E. Smith, Williams, M. S. McLeod, 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, 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, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Willis and Yow: A HOUSE RESOLUTION TO CONGRATULATE COLONEL ZEB C. WILLIAMS III, STATE JUDGE ADVOCATE FOR THE SOUTH CAROLINA ARMY NATIONAL GUARD, UPON THE OCCASION OF HIS RETIREMENT, TO SALUTE HIM FOR THIRTY YEARS OF EXCEPTIONALLY MERITORIOUS SERVICE IN THE UNITED STATES ARMY AND THE GUARD, 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. 5398 -- Reps. G. R. Smith, Willis, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield,

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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, 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, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HILLCREST HIGH SCHOOL 4 X 100 METER RELAY TEAM AND ITS COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2016 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5399 -- Reps. Norrell and Quinn: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LYNCHES RIVER ELECTRIC COOPERATIVE COACH PITCH TEAM AND COACHES FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2016 LANCASTER COUNTY PARKS AND RECREATION COACH PITCH CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5400 -- Reps. Corley, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein,

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Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DEANNA TIMMERMAN, A KINDERGARTEN TEACHER AT BYRD ELEMENTARY SCHOOL IN GRANITEVILLE, UPON THE OCCASION OF HER RETIREMENT AFTER THIRTY-SEVEN YEARS OF OUTSTANDING SERVICE AS AN EDUCATOR, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5401 -- Reps. Taylor, Clyburn, Corley, Hixon and Wells: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. SUSAN WINSOR UPON THE OCCASION OF HER RETIREMENT AS PRESIDENT OF AIKEN TECHNICAL COLLEGE, TO THANK HER FOR HER EFFORTS TO IMPROVE SOUTH CAROLINA, AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5403 -- Reps. G. R. Smith, Willis, 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, 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, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams and Yow: A HOUSE RESOLUTION TO SALUTE QUENTIN MARTIN OF HILLCREST HIGH SCHOOL IN GREENVILLE COUNTY ON CAPTURING THE 2016 CLASS AAAA STATE CHAMPIONSHIP TITLE IN THE BOYS LONG-JUMP COMPETITION.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5402 -- Rep. Alexander: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF THE PAMPLICO HIGHWAY IN FLORENCE COUNTY FROM ITS INTERSECTION WITH FLOWERS ROAD TO ITS INTERSECTION WITH BRANCH ROAD "CHIEF APOSTLE FRED GRAHAM HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

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

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**CONCURRENT RESOLUTION**

The following was introduced:

H. 5404 -- Rep. W. J. McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSTATE HIGHWAY 26/SOUTH CAROLINA HIGHWAY 773 INTERCHANGE IN NEWBERRY COUNTY THE "SENATOR TOM POPE INTERCHANGE" IN HONOR OF FORMER SENATOR TOM POPE AND ERECT APPROPRIATE MARKERS OR SIGNS REFLECTING THIS DESIGNATION.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5405 -- Rep. W. J. McLeod: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSTATE HIGHWAY 26/SOUTH CAROLINA HIGHWAY 202 INTERCHANGE IN NEWBERRY COUNTY THE "SENATOR EUGENE GRIFFITH INTERCHANGE" IN HONOR OF FORMER SENATOR EUGENE GRIFFITH AND ERECT APPROPRIATE MARKERS OR SIGNS REFLECTING THIS DESIGNATION.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1310 -- Senators Malloy and McElveen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF GREEN LANE AND SOUTH CAROLINA HIGHWAY 15 IN LEE COUNTY "ARTHUR BROWN CROSSROADS" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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

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**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1311 -- Senators L. Martin, Campsen and Malloy: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 25, 2016, AS THE TIME TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, CHIEF JUSTICE, UPON HIS RETIREMENT ON OR BEFORE DECEMBER 31, 2016, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JULY 31, 2024; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE SUPREME COURT, SEAT 2, WHOSE TERM EXPIRES JULY 31, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE COURT OF APPEALS, SEAT 5, CHIEF JUDGE, AND THE SUCCESSOR WILL FILL THE UNEXPIRED TERM OF THAT OFFICE WHICH EXPIRES JUNE 30, 2021; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE CIRCUIT COURT, FOURTH JUDICIAL CIRCUIT, SEAT 1, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 3, WHOSE TERM EXPIRES JUNE 30, 2016; TO ELECT A SUCCESSOR TO A CERTAIN JUDGE OF THE FAMILY COURT, THIRTEENTH JUDICIAL CIRCUIT, SEAT 4, WHOSE TERM EXPIRES JUNE 30, 2016; AND AS THE DATE TO MEET IN JOINT SESSION FOR THE PURPOSE OF ELECTING A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 1, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 3, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 5, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020; AND TO ELECT A MEMBER TO THE SC PUBLIC SERVICE COMMISSION, SEAT 7, TO FILL A TERM WHICH EXPIRES JUNE 30, 2020.

Be it resolved by the Senate, the House of Representatives concurring:

That the Senate and the House of Representatives shall meet in joint assembly in the Hall of the House of Representatives Wednesday, May 25, 2016, at noon to elect a successor to the Honorable Costa M. Pleicones, Chief Justice of the Supreme Court, upon his retirement on or before December 31, 2016, and the successor will fill the unexpired term

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of that office which expires July 31, 2024; to elect a successor to the Honorable John C. Few, Justice of the Supreme Court, Seat 2, whose term expires July 31, 2016; to elect a successor to the Honorable John C. Few, former Judge of the Court of Appeals, Seat 5, Chief Judge, and the successor will fill the unexpired term of that office which expires June 30, 2021; to elect a successor to the Honorable Paul Michael Burch, Judge of the Circuit Court, Fourth Judicial Circuit, Seat 1, whose term expires June 30, 2016; to elect a successor to the late Honorable Harry L. Phillips, Jr., Judge of the Family Court, Thirteenth Judicial Circuit, Seat 3, whose term expires June 30, 2016, and the successor will fill a new term of that office which expires June 30, 2022; to elect a successor to the Honorable Alvin D. Johnson, Judge of the Family Court, Thirteenth Judicial Circuit, Seat 4, upon his retirement on or before June 30, 2016, and the successor will fill a new term of that office which expires June 30, 2022; and for the purpose of electing a member to the SC Public Service Commission, Seat 1, to fill a term which expires June 30, 2020; to elect a member to the SC Public Service Commission, Seat 3, to fill a term which expires June 30, 2020; to elect a member to the SC Public Service Commission, Seat 5, to fill a term which expires June 30, 2020; and to elect a member to the SC Public Service Commission, Seat 7, to fill a term which expires June 30, 2020.

Be it further resolved that all nominations must be made by the chairman of the Judicial Merit Selection Commission, or the Joint Legislative Committee to Screen Candidates for College and University Boards of Trustees and that no further nominating or seconding speeches may be made by members of the General Assembly on behalf of any candidate.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1330 -- Senators Courson, Jackson, Sheheen, Scott and McElveen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF INTERSTATE 77 AND DECKER BOULEVARD IN RICHLAND COUNTY THE "SENATOR JOEL LOURIE INTERCHANGE" AND TO ERECT

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APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

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

**INTRODUCTION OF BILLS**

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

H. 5406 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO X-RAYS (TITLE B), DESIGNATED AS REGULATION DOCUMENT NUMBER 4595, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5407 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO ACCREDITATION CRITERIA, DESIGNATED AS REGULATION DOCUMENT NUMBER 4636, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5408 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CERTIFICATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4637, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5409 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION

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DOCUMENT NUMBER 4638, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

Rep. ALLISON moved that the House recede until 3:00 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 3:00 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**

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 24, 2016

Mr. Speaker and Members of the House:

The Senate respectfully invites your Honorable Body to attend in the Senate Chamber at a mutually convenient time today, for the purpose of ratifying Acts.

Very respectfully,

President

On motion of Rep. STRINGER the invitation was accepted.

**H. 5001--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

**MESSAGE FROM THE SENATE**

Columbia, S.C., May 24, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 5001:

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H. 5001 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

President

On motion of Rep. WHITE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. HOSEY, WHITE and HERBKERSMAN to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 24, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Leatherman, Sheheen and Davis of the Committee of Conference on the part of the Senate on H. 5001:

H. 5001 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Very respectfully,

President

Received as information.

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**H. 5002--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., May 24, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 5002:

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015-2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Very respectfully,

President

On motion of Rep. WHITE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. HOSEY, WHITE and HERBKERSMAN to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., May 24, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators Leatherman, Sheheen and Davis of the Committee of Conference on the part of the Senate on H. 5002:

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2015-2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

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Very respectfully,

President

Received as information.

**REPORTS OF STANDING COMMITTEE**

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

S. 1205 -- Senator Hembree: A BILL TO AMEND SECTION 50-3-315(A) OF THE 1976 CODE, RELATING TO DEPUTY ENFORCEMENT OFFICERS NATURAL RESOURCES ENFORCEMENT DIVISION, TO PROVIDE THAT ENFORCEMENT OFFICERS NATURAL RESOURCES ENFORCEMENT DIVISION ARE NOT REQUIRED TO OBTAIN THE BONDS REQUIRED BY SECTION 50-3-330; AND TO AMEND SECTION 50-3-330 OF THE 1976 CODE, RELATING TO ENFORCEMENT OFFICERS NATURAL RESOURCES ENFORCEMENT DIVISION OATH AND BONDS, TO PROVIDE THAT OFFICERS SHALL BE COVERED BY A SURETY BOND OF NOT LESS THAN TWO THOUSAND DOLLARS AND THAT THE DEPARTMENT OF NATURAL RESOURCES MUST PAY THE PREMIUMS ON THE SURETY BONDS.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

S. 1030 -- Senator Cromer: A BILL TO AMEND SECTION 50-13-645 OF THE 1976 CODE, RELATING TO PROTECTION OF NONGAME FISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A RECREATIONAL FISHERMAN TO TAKE MORE THAN TWENTY-FIVE AMERICAN EEL A DAY AND THAT EACH AMERICAN EEL TAKEN MUST BE AT LEAST NINE INCHES LONG.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

S. 680 -- Senators Rankin and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

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SECTION 47-1-145, TO ENACT THE "PROVISIONS FOR COST OF ANIMAL CARE ACT OF 2015", TO PROVIDE THAT THE CUSTODIAN OF AN ANIMAL TAKEN INTO CUSTODY DUE TO CIVIL OR CRIMINAL VIOLATIONS BY ITS OWNER MAY PETITION THE COURT FOR EXPENSES RELATED TO PROVIDING CARE TO THE ANIMAL, TO ESTABLISH PROCEDURES FOR HEARING SUCH PETITIONS AND FOR THE COLLECTION AND USE OF FUNDS ORDERED TO BE PAID, TO PROVIDE THAT A PERSON WHO FAILS TO PAY SUCH FUNDS FORFEITS RIGHTS OF OWNERSHIP TO THE ANIMAL, TO PROVIDE FOR THE DISPOSITION OF SUCH AN ANIMAL, AND TO PROVIDE FOR THE RETURN OF FUNDS WHEN A PERSON IS NOT FOUND TO BE IN VIOLATION; TO AMEND SECTION 47-1-130, AS AMENDED, RELATING TO CRUELTY TO ANIMALS, TO PROVIDE THAT AGENTS OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, OR ANY OTHER SOCIETY DULY INCORPORATED FOR THAT PURPOSE, MAY ASSIST WITH A LAWFUL INVESTIGATION OF THIS CHAPTER, BUT MAY ONLY EFFECTUATE AN ARREST OF A PERSON IF THEY HAVE BEEN VESTED WITH THE POWER TO ARREST BY A SHERIFF OR THE GOVERNING BODY OF A COUNTY OR MUNICIPALITY; AND TO AMEND SECTION 47-1-140, AS AMENDED, RELATING TO NOTICE PROVIDED TO THE OWNER OF ANIMALS WHICH HAVE BEEN SEIZED FROM OTHERS UPON ARREST, TO REMOVE SPECIAL PROVISIONS FOR AGENTS OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, OR ANY OTHER SOCIETY DULY INCORPORATED FOR THAT PURPOSE.

Ordered for consideration tomorrow.

Rep. HIOTT, from the Committee on Agriculture, Natural Resources and Environmental Affairs, submitted a favorable report on:

S. 1028 -- Senator Verdin: A BILL TO AMEND CHAPTER 3, TITLE 46 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD SECTION 46-3-280 TO PROVIDE FOR THE VETERANS AND WARRIORS TO AGRICULTURE PROGRAM AND FUND.

Ordered for consideration tomorrow.

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**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1308 -- Senator Alexander: A CONCURRENT RESOLUTION TO PROCLAIM THE MONTH OF SEPTEMBER 2016 AS "HUNGER ACTION MONTH" IN THE STATE OF SOUTH CAROLINA AND TO RECOGNIZE THE OUTSTANDING WORK OF THE SOUTH CAROLINA FOOD BANK ASSOCIATION.

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

**INTRODUCTION OF BILLS**

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

H. 5410 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO REQUIREMENTS FOR ADDITIONAL AREAS OF CERTIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4639, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5411 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4634, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 5412 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; AND TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4635, PURSUANT TO THE

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PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

**S. 1166--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 1166 -- Senators Leatherman, Setzler, Allen, J. Matthews, Jackson, M. B. Matthews, Malloy, Lourie, Williams, Sheheen, Nicholson, Johnson, Scott, Sabb, Hutto and Kimpson: A JOINT RESOLUTION TO PROVIDE FOR ANNUAL INSTALLMENT PAYMENTS BY SOUTH CAROLINA STATE UNIVERSITY ON OUTSTANDING LOANS MADE TO THE UNIVERSITY BY THE STATE OF SOUTH CAROLINA AND LIABILITIES INCURRED PURSUANT TO SECTION 2-65-70, TO PROVIDE FOR WHEN THE INSTALLMENT PAYMENTS ARE DUE, TO PROVIDE FOR THE AMOUNT OF THE INSTALLMENT PAYMENTS, TO PROVIDE FOR A PROCESS THROUGH WHICH THE DEBT INCURRED MAY BE RELIEVED, AND TO EXTEND FLEXIBILITY RELATED TO FURLOUGHS AS PROVIDED IN ACT 120 OF 2015.

Reps. WHITE, MERRILL and COBB-HUNTER proposed the following Amendment No. 1 to S. 1166 (COUNCIL\BBM\1166C001. BBM.DG16), which was adopted:

Amend the joint resolution, as and if amended, by striking Part 1 and inserting:

/ PART I

Debt Restructuring

SECTION 1. (A) Pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, South Carolina State University was approved for a loan to be disbursed through a series of scheduled installments. Any funds not disbursed to the university pursuant to the schedule shall be disbursed to the university.

(B)(1) The State Auditor shall review and audit, if necessary, the financial structure and activities of South Carolina State University to ensure sufficient financial and internal controls are in place to protect the financial integrity of the university. A report of findings and recommendations shall be submitted to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office, by December 30, 2016.

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(2) In order to assist the State Auditor, provide for the adequate training of university financial staff, and provide for technical assistance to the university board and State Fiscal Accountability Authority, the Executive Director of the State Fiscal Accountability Authority shall engage a third‑party accounting consultant to assist the university and the authority in evaluating and promoting the financial integrity of the university. The university shall reimburse the authority for the actual expenses of the consultant, not to exceed $150,000 in Fiscal Year 2016-2017.

(C) No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a loan repayment agreement with the university for the $12,000,000 loan referenced in subsection (A). The terms of the agreement shall, at a minimum, include a provision that the loan funds disbursed to South Carolina State University pursuant to Proviso 19.2, Part IB, of Act 286 of 2014, including any associated interest, shall be forgiven at a rate of $4,000,000 per year beginning in Fiscal Year 2016‑17, provided that the university has met the following benchmarks:

(1) For Fiscal Year 2016‑17 the university must have attained accreditation status from the Southern Association of Colleges and Schools (SACS); and

(2) For each subsequent fiscal year the university must:

(a) maintain such accreditation status;

(b) attain an increase in net financial position as demonstrated by the university’s published audited financial statements beginning with Fiscal Year 2016‑17 after such adjustments for pension and other liabilities as recommended by the accounting consultant and SACS, until such time as the university has achieved and can maintain a balanced budget and positive net financial position; and

(c) achieve a one percent growth in full‑time student enrollment above the prior fiscal year enrollment.

(D)(1) South Carolina State University must provide a report on a quarterly basis to the House Ways and Means Higher Education and Technical Schools Subcommittee and the Senate Finance Higher Education Subcommittee that includes, but is not limited to, the status of their fiscal affairs and enrollment growth. The format and contents of this report shall be developed in consultation with and approved by the Commission on Higher Education, which shall cooperatively develop with South Carolina State University reasonable metrics, benchmarks, and the process for measuring such metrics to be included in the quarterly report.

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(2) The Commission on Higher Education, by November first of each year, shall certify to the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Executive Budget Office that the university has met and maintained the required benchmarks each fiscal year.

SECTION 2. No later than July 31, 2016, the Executive Director of the State Fiscal Accountability Authority shall enter into a repayment schedule with South Carolina State University to retire the debt incurred by the university pursuant to the April 30, 2014 loan from the Budget and Control Board, succeeded in interest by the State Fiscal Accountability Authority. The repayment terms shall establish installment payments at the rate of $355,036 annually. The provisions contained in this SECTION shall not be implemented if preempted by a permanent loan repayment schedule adopted by the General Assembly. /

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

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

The yeas and nays were taken resulting as follows:

Yeas 67; Nays 24

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bales | Bamberg | Bannister |
| G. A. Brown | R. L. Brown | Clary |
| Clyburn | Cobb-Hunter | Delleney |
| Dillard | Douglas | Erickson |
| Finlay | Gagnon | George |
| Gilliard | Govan | Hayes |
| Henegan | Herbkersman | Hicks |
| Hill | Hodges | Hosey |
| Jefferson | Jordan | King |
| Kirby | Limehouse | Lowe |
| Lucas | Mack | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Neal | Norrell | Ott |

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|  |  |  |
| --- | --- | --- |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Robinson-Simpson | Ryhal | Sandifer |
| Simrill | G. M. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Tinkler | Whipper |
| White | Whitmire | Williams |
| Yow |  |  |

**Total--67**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Ballentine | Bedingfield |
| Bradley | Brannon | Burns |
| Chumley | Collins | Duckworth |
| Felder | Forrester | Fry |
| Hardee | Henderson | Hiott |
| Hixon | Huggins | Johnson |
| Kennedy | Loftis | Long |
| Nanney | Norman | Willis |

**Total--24**

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

**S. 484--POINT OF ORDER**

The following Bill was taken up:

S. 484 -- Senators Shealy, Jackson, Cleary and Rankin: A BILL TO AMEND SECTION 59-10-310 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOOD REQUIREMENTS, TO PROVIDE THAT ALL SCHOOL SERVICE MEALS AND COMPETITIVE FOODS PROVIDED IN KINDERGARTEN THROUGH TWELFTH GRADE DURING THE ACADEMIC SCHOOL YEAR MUST MEET OR MAY EXCEED THE NUTRITIONAL REQUIREMENTS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, TO PROVIDE THAT A SCHOOL DISTRICT BOARD OF TRUSTEES MAY ADOPT A MORE RESTRICTIVE

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POLICY AND THE POLICY DOES NOT RESTRICT THE FOOD A PARENT OR GUARDIAN MAY PROVIDE FOR STUDENT CONSUMPTION AT SCHOOL, AND TO PROVIDE THAT ALL A LA CARTE ITEMS SOLD FOR STUDENT CONSUMPTION MUST BE INCLUDED ON SCHOOL MENUS IN ADDITION TO THE REGULAR MEAL; TO AMEND SECTION 59-10-330(B), RELATING TO THE COORDINATED SCHOOL HEALTH ADVISORY COUNCIL AND THE DEVELOPMENT OF HEALTH WELLNESS PLANS, TO PROVIDE THAT THE SCHOOL HEALTH IMPROVEMENT PLAN MUST REPORT COMPLIANCE WITH THE REQUIREMENTS CONTAINED IN SECTION 59-10-310.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 933--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 933 -- Senator Johnson: A BILL TO AMEND SECTION 59-18-310(B)(2) OF THE 1976 CODE, RELATING TO ACADEMIC STANDARDS AND ASSESSMENTS, TO PROVIDE A TWO YEAR EXTENSION FOR HIGH SCHOOL DIPLOMA PETITIONS FOR A PERSON WHO IS NO LONGER ENROLLED IN A PUBLIC SCHOOL AND WHO PREVIOUSLY FAILED TO RECEIVE A HIGH SCHOOL DIPLOMA OR WAS DENIED GRADUATION SOLELY FOR FAILING TO MEET THE EXIT EXAM REQUIREMENTS.

Rep. STRINGER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bradley | Brannon | G. A. Brown |

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|  |  |  |
| --- | --- | --- |
| R. L. Brown | Burns | Chumley |
| Clary | Clyburn | Cobb-Hunter |
| Collins | Crosby | Daning |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Gagnon |
| George | Gilliard | Govan |
| Hardee | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | King | Kirby |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Norman | Norrell | Ott |
| Parks | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Thayer | Tinkler | Whipper |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

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

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**S. 21--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 21 -- Senators Grooms and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-222 SO AS TO EXPAND VISION STANDARDS AND TRAINING REQUIREMENTS TO ALLOW CERTAIN PERSONS WHO WEAR BIOPTIC TELESCOPIC LENSES FOR VISION ASSISTANCE TO OBTAIN A DRIVER'S LICENSE.

Reps. DANING, CROSBY, CLARY, HIOTT, ALLISON, FELDER, R. L. BROWN, KIRBY, RIDGEWAY, GEORGE, COBB-HUNTER, WILLIAMS, JEFFERSON, WILLIS, JOHNSON, DUCKWORTH, RIVERS, ANDERSON, NEAL, HOSEY, HICKS, DOUGLAS and HENEGAN requested debate on the Bill.

**S. 689--AMENDED, REQUESTS FOR DEBATE AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 689 -- Senators Hembree and McElveen: A BILL TO AMEND SECTION 56-1-50(B)(2) AND (C) OF THE 1976 CODE, RELATING TO MOTOR VEHICLE BEGINNER'S PERMIT AND VEHICLE OPERATION, TO PROVIDE THAT A PERMITTEE MAY NOT OPERATE A MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE AT ANY UNPERMITTED TIME UNLESS SUPERVISED BY A LICENSED MOTORCYCLE, MOTOR SCOOTER, OR LIGHT MOTOR-DRIVEN CYCLE OPERATOR AND TO PROVIDE THAT THE ACCOMPANYING DRIVER MUST BE WITHIN A SAFE VIEWING DISTANCE OF THE PERMITTEE WHEN THE PERMITTEE IS OPERATING A MOTORCYCLE OR A THREE-WHEEL VEHICLE.

The Committee on Education and Public Works proposed the following Amendment No. 1 to S. 689 (COUNCIL\GT\689C002.GT. CM16), which was adopted:

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

/ SECTION \_\_\_. Section 56-5-3630 of the 1976 Code is amended to read:

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“Section 56-5-3630. ~~(a)~~(A) A person operating a motorcycle shall ride only upon the permanent and regular seat attached thereto and the operator shall not carry any other person nor shall any other person ride on a motorcycle unless the motorcycle is designed to carry more than one person, in which event a passenger may ride upon the permanent and regular seat if designed for two persons, or upon another seat firmly attached to the motorcycle at the rear or side of the operator.

~~(b)~~(B) A person shall ride upon a motorcycle only while sitting astride the seat, facing forward, with one leg on each side of the motorcycle.

~~(c)~~(C) No person shall operate a motorcycle while carrying any package, bundle or other article which prevents him from keeping both hands on the handlebars.

~~(d)~~(D) No operator shall carry any person, nor shall any person ride, in a position that will interfere with the operation or control of the motorcycle or the view of the operator.

(E) No person shall ride upon a motorcycle as a passenger unless, when sitting astride the seat, the person can reach the footrests with both feet. Provided, the provisions of this section shall not apply to persons riding in a motorcycle sidecar.

~~(e)~~(F) No person riding upon a motorcycle shall attach himself or the motorcycle to any other vehicle on the roadway.” /

Renumber sections to conform.

Amend title to conform.

Rep. DANING explained the amendment.

The amendment was then adopted.

Rep. HICKS explained the Bill.

Rep. DANING spoke in favor of the Bill.

Reps. HILL and BEDINGFIELD requested debate on the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 77; Nays 18

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |

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|  |  |  |
| --- | --- | --- |
| Bamberg | Bannister | Bradley |
| G. A. Brown | R. L. Brown | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Collins | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Felder | Finlay |
| Forrester | George | Govan |
| Hamilton | Hardee | Hayes |
| Henderson | Henegan | Hicks |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Kennedy | King |
| Kirby | Long | Lucas |
| Mack | McCoy | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Murphy | Neal |
| Norman | Norrell | Ott |
| Parks | Pope | Quinn |
| Ridgeway | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | G. M. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Tinkler | Whipper | Whitmire |
| Williams | Willis |  |

**Total--77**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bedingfield | Brannon | Burns |
| Chumley | Fry | Gagnon |
| Hill | Loftis | Lowe |
| Nanney | Pitts | Putnam |
| Riley | Simrill | G. R. Smith |
| Thayer | White | Yow |

**Total--18**

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

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**S. 1111--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1111 -- Senators Peeler and Grooms: A BILL TO AMEND SECTION 56-3-2332, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE PLATES FOR CERTAIN MANUFACTURERS, SO AS TO REVISE THE METHOD BY WHICH THE LICENSE PLATE FEE IS CALCULATED AND CREDITED; AND TO SET THE LICENSE PLATE FEE FOR 2017 AND 2018.

Rep. WILLIS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Collins | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Forrester |
| Fry | Gagnon | George |
| Gilliard | Govan | Hamilton |
| Hardee | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| King | Kirby | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| M. S. McLeod | W. J. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Norman | Ott | Parks |

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|  |  |  |
| --- | --- | --- |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--99**

Those who voted in the negative are:

**Total--0**

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

**S. 685--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 685 -- Senators Leatherman, Alexander, Campbell, S. Martin, Nicholson and O'Dell: A BILL TO AMEND SECTION 40-22-2, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE OF CHAPTER 22, TITLE 40 CONCERNING THE REGULATION OF ENGINEERS AND SURVEYORS, SO AS TO PROVIDE THAT THE PRACTICE OF THE PROFESSION OF ENGINEERING AND SURVEYING IS SUBJECT TO REGULATION BY THIS STATE; TO AMEND SECTION 40-22-10, RELATING TO THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, SO AS TO PROVIDE ADDITIONAL QUALIFICATIONS; TO AMEND SECTION 40-22-20, RELATING TO DEFINITIONS, SO AS TO ADD, REDEFINE, AND DELETE DEFINITIONS; TO AMEND SECTION 40-22-30, RELATING TO ACTIVITIES PROHIBITED WITHOUT A LICENSE, SO AS TO PROHIBIT BROKERING OR COORDINATING ENGINEERING OR SURVEYING SERVICES FOR A FEE; BY ADDING SECTION 40-22-35 SO AS TO SPECIFY THE MANNER IN WHICH A REGISTERED ENGINEER OR SURVEYOR MAY NEGOTIATE A CONTRACT FOR HIS PROFESSIONAL SERVICES; TO AMEND SECTION 40-22-50, RELATING TO

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DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD SHALL MAINTAIN AND UPDATE, RATHER THAN ANNUALLY PREPARE, A ROSTER OF INFORMATION CONCERNING PROFESSIONAL ENGINEERS AND SURVEYORS; TO AMEND SECTION 40-22-60, RELATING TO THE DUTY OF THE BOARD TO PROMULGATE CERTAIN REGULATIONS, SO AS TO UPDATE A CROSS REFERENCE AND TO PROVIDE ADDITIONAL DUTIES WITH RESPECT TO PROVIDING ADVICE AND RECOMMENDATIONS CONCERNING STATUTORY REVISIONS TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO AMEND SECTION 40-22-75, RELATING TO EMERGENCY WAIVER OF LICENSE REQUIREMENTS, SO AS TO LIMIT APPLICATION OF THIS WAIVER TO DECLARED NATIONAL OR STATE EMERGENCIES, AND TO PROVIDE A WAIVER MAY NOT EXCEED NINETY DAYS; TO AMEND SECTION 40-22-110, RELATING TO THE AUTOMATIC SUSPENSION OF THE LICENSE OF MENTALLY INCOMPETENT PERSONS, SO AS TO DELETE A REDUNDANCY; TO AMEND SECTION 40-22-220, RELATING TO ELIGIBILITY REQUIREMENTS FOR LICENSURE AS AN ENGINEER, SO AS TO REVISE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-22-222, RELATING TO LICENSING OF EXISTING ENGINEERS, SO AS TO ADD AN OPTIONAL ACCREDITATION SOURCE FOR AN EDUCATION REQUIREMENT; TO AMEND SECTION 40-22-225, RELATING TO ELIGIBILITY REQUIREMENTS FOR LICENSURE AS A SURVEYOR, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-22-230, RELATING TO APPLICATION REQUIREMENTS, SO AS TO REVISE THE REQUIREMENTS; TO AMEND SECTION 40-22-250, RELATING TO A CERTIFICATE OF AUTHORIZATION TO PRACTICE AS A FIRM, SO AS TO REVISE REQUIREMENTS FOR THE CERTIFICATE AND TO PROVIDE REQUIREMENTS THROUGH WHICH A LICENSEE MAY MAINTAIN A BRANCH OFFICE; TO AMEND SECTION 40-22-260, RELATING TO TEMPORARY LICENSES, SO AS TO REVISE CIRCUMSTANCES IN WHICH THE DEPARTMENT MAY GRANT A TEMPORARY LICENSE TO AN OUT-OF-STATE FIRM, AND TO PROVIDE REQUIREMENTS FOR SUBMISSION OF PLANS PRODUCED AND SUBMITTED FOR PERMITTING BY A PERSON HOLDING A TEMPORARY CERTIFICATE OF AUTHORIZATION; TO AMEND SECTION 40-22-270, RELATING TO SEALS OF

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LICENSEES, SO AS TO PROVIDE THE SEAL AND SIGNATURE OF A LICENSEE ON A DOCUMENT CONSTITUTES A CERTIFICATION THAT THE DOCUMENT WAS PREPARED BY THE LICENSEE OR UNDER HIS DIRECT SUPERVISION, AMONG OTHER THINGS; TO AMEND SECTION 40-22-280, AS AMENDED, RELATING TO EXCEPTIONS FROM THE APPLICABILITY OF THE CHAPTER, SO AS TO MODIFY THE EXEMPTIONS; AND TO AMEND SECTION 40-22-290, RELATING TO "TIER A" SURVEYING, SO AS TO EXEMPT THE CREATION OF NONTECHNICAL MAPS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 685 (COUNCIL\AGM\685C002. AGM.AB16), which was tabled:

Amend the bill, as and if amended, Section 40‑22‑20, as contained in SECTION 3, by deleting the SECTION in its entirety and inserting:

/ SECTION 3. Section 40‑22‑20 of the 1976 Code is amended to read:

“Section 40‑22‑20. As used in this chapter:

(1) ‘ABET’ means the Accreditation Board for Engineering and Technology. ‘EAC’ means the Engineering Accreditation Commission of ABET. ‘TAC’ or ‘ETAC’ means the Engineering Technology Accreditation Commission of ABET.

(2) ‘Approved engineering curriculum’ means an engineering program of four or more years determined by the board to be substantially equivalent to that of an EAC/ABET accredited curriculum or the NCEES Engineering Education Standard.

(3) ~~RESERVED.~~

~~(4)~~ ‘Board’ means the South Carolina State Board of Registration for Professional Engineers and Surveyors created pursuant to this chapter.

(~~5~~4) ‘Branch office’ means a place of business separate from the principal place of business where engineering services or surveying services are provided. A specific project or construction site office is not a branch office. Nothing contained in this chapter prevents a professional engineer or professional surveyor from undertaking an engineering project or a surveying project anywhere in the State.

(~~6~~5) ‘Current certificate of registration’ means a license to practice which has not expired or has not been revoked and which has not been suspended or otherwise restricted by the board.

(~~7~~6) ‘Department’ means the Department of Labor, Licensing and Regulation.

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(~~8~~7) ‘Design coordination’ includes the review and coordination of those technical submissions prepared by others, including as appropriate and without limitation, consulting engineers, architects, landscape architects, surveyors, and other professionals working under the direction of the engineer.

(~~9~~8) ‘Direct responsibility’, ‘direct supervisory control’, ‘direct supervision’, and ‘responsible charge’ ~~all mean~~ means that there is a clear‑cut personal connection to the project or employee supervised, marked by firsthand knowledge and direct control and assumption of professional responsibility for the work.

(9) ‘Emeritus engineer’ or ‘emeritus surveyor’ means a professional engineer or surveyor who has been registered for fifteen consecutive years or longer and who is sixty‑five years of age or older and who has retired from active practice.

(10) ‘Engaged in practice’ means holding one’s self out to the public as being qualified and available to perform engineering or surveying services.

(~~10~~11) ‘Engineer’ means a professional engineer as defined in this section.

(~~11~~12) ‘Engineering surveys’ ~~include~~ means all minor survey activities required to support the sound conception, planning, design, construction, maintenance, operation, and investigation of engineered projects but exclude the surveying of real property for the establishment of land boundaries, rights‑of‑way, and easements and the independent surveys or resurveys of general land masses.

(~~12~~13) ‘Engineer‑in‑training’ means a person who has qualified for and passed the NCEES Fundamentals of Engineering examination as provided in this chapter and is entitled to receive a certificate as an engineer‑in‑training.

(14) ‘Ethics’ means conduct that conforms to professional standards of conduct.

(~~13~~15) ‘Firm’ means a business entity functioning as a sole proprietorship, partnership, limited liability partnership, professional association, professional corporation, business corporation, limited liability company, joint venture, or other legally constituted organization which practices or offers to practice engineering or surveying, or both.

(~~14~~16) ‘Fraud or deceit’ means intentional deception to secure gain, through attempts deliberately to conceal, mislead, or misrepresent the truth in a manner that others might take some action in reliance or an act which provides incorrect, false, or misleading information on which others might rely.

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(~~15~~17) ‘GIS’ means geographic information systems.

(~~16~~18) ‘Good character’ refers to a person of good moral character and one who has not been convicted of a violent crime, as defined in Section 16‑1‑60, or a crime of moral turpitude.

(~~17~~19) ‘Gross negligence’ means an act or course of action, or inaction, which denotes a lack of reasonable care and a conscious disregard or indifference to the rights, safety, or welfare of others and which does or could result in financial loss, injury, or damage to life or property.

(~~18~~20) ‘Incompetence’ means the practice of engineering or surveying by a licensee determined to be either incapable of exercising ordinary care and diligence or lacking the ability and skill necessary to properly perform the duties undertaken.

~~(19)~~ ~~‘Surveyor‑in‑training’ means a person who has qualified for and passed the Fundamentals of Surveying examination as provided in this chapter and is entitled to receive a certificate as a surveyor‑in‑training.~~

(~~20~~21) ‘Licensed’ means authorized by this board, pursuant to the statutory powers delegated by the State to this board, to engage in the practice of engineering, or surveying, or engineering and surveying, as evidenced by the board’s certificate issued to the registered license holder.

(~~21~~22) ‘Misconduct’ means the violation of a provision of this chapter or of a regulation promulgated by the board pursuant to this chapter.

(~~22~~23) ‘NCEES examination’ means those written or electronic tests developed and administered by the National Council of Examiners for Engineering and Surveying for the purpose of providing one indication of competency to practice engineering.

(24) ‘Person’ means an individual human being, firm, partnership, or corporation.

(~~23~~25) ‘Practice of engineering’ means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as commissioning, consultation, investigation, expert technical testimony, evaluation, design and design coordination of engineering works and systems, design for development and use of land and water, performing engineering surveys and studies, and the review of construction for the purpose of monitoring compliance with drawings and specifications, any of which embraces such services

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or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems projects, and industrial or consumer products or equipment of control systems, chemical, communications, mechanical, electrical, environmental, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property, and including such other professional services as may be necessary to the planning, progress, and completion of any engineering services. The mere execution, as a contractor, of work designed by a professional engineer or supervision of the construction of such work as a foreman or superintendent is not considered the practice of engineering. A person must be construed to practice or offer to practice engineering, within the meaning and intent of this chapter who:

(a) practices any branch of the profession or discipline of engineering;

(b) by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer or through the use of some other title implies that he is a professional engineer or that he is licensed under this chapter; or

(c) holds himself out as able to perform or does perform any engineering service or work or any other professional service designated by the practitioner or which is recognized as engineering.

(~~24~~26) ‘Practice of TIER A surveying’ means providing professional services including, but not limited to, consultation investigation, testimony evaluation, expert technical testimony, planning, mapping, assembling, and interpreting reliable scientific measurements and information relative to the location, size, shape, or physical features of the earth, the space above the earth, or part of the earth, and utilization and development of these facts and interpretation into an orderly survey map, site plan, report, description, or project. The practice of TIER A surveying consists of three separate disciplines: land surveying, photogrammetry, and geographic information systems. A surveyor may be licensed in one or more of the disciplines and practice is restricted to only the discipline or disciplines for which the land surveyor is licensed. The practice of TIER A surveying does not include the use of geographic information systems to create maps pursuant to Section 40‑22‑290, analyze data, or create reports. The scope of the individual disciplines are identified as follows:

(a) Land surveyor:

(1) locates, relocates, establishes, reestablishes, lays out, or retraces any property line or boundary of any tract of land or any road,

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right‑of‑way, easement, alignment, or elevation of any fixed works embraced within the practice of land surveying, or makes any survey for the subdivision of land;

(2) determines, by the use of principles of land surveying, the position for any survey monument or reference point; or sets, resets, or replaces such monument or reference; determines the topographic configuration or contour of the earth’s surface with terrestrial measurements; conducts hydrographic surveys;

(3) conducts geodetic surveying which includes surveying for determination of geographic position in an international three‑dimensional coordinate system, where the curvature of the earth must be taken into account when determining directions and distances; geodetic surveying includes the use of terrestrial measurements of angles and distances, as well as measured ranges to artificial satellites.

(b) A photogrammetric surveyor determines the configuration or contour of the earth’s surface or the position of fixed objects on the earth’s surface by applying the principles of mathematics on remotely sensed data, such as photogrammetry.

(c) A geographic information systems surveyor creates, prepares, or modifies electronic or computerized data including land information systems and geographic information systems relative to the performance of the activities described in subitems (a) and (b).

(d) An individual licensed only as a geodetic surveyor before July 1, 2004, determines the geographic position in an international three‑dimensional coordinate system, where the curvature of the earth must be taken into account when determining directions and distances; geodetic surveying includes the use of terrestrial measurements of angles and distances, as well as measured ranges to artificial satellites. A geodetic surveyor is not authorized to perform the other services a land boundary surveyor is authorized to perform.

(~~25~~27) ‘Practice of TIER B land surveying’ includes all rights and privileges of ~~the~~ TIER A surveying discipline defined in ~~Section 40‑22‑20(24)~~ item (26)(a); and in addition to these rights and privileges, TIER B land surveying includes, for subdivisions, preparing and furnishing subdivision plans for sedimentation and erosion control and storm drainage systems, if the systems do not require the structural design of system components and are restricted to the use, where relevant, of any standards prescribed by local, state, or federal authorities. Regulations defining the scope of the additional powers granted to TIER B land surveyors must be promulgated by the board.

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(~~26~~28) ‘Private practice firm’ means a firm as defined herein through which the practice of engineering or surveying would require a certificate of authorization as described in this chapter.

(~~27~~29) ‘Private practitioner’ means a person who individually holds himself out to the general public as able to perform, or who individually does perform, the independent practice of engineering or surveying.

(~~28~~30) ‘Professional engineer’ means a license holder who, by reason of his special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering as defined in this section~~, all~~ as attested by his ~~legal~~ license and registration as a professional engineer in this State.

(~~29~~31) ‘Professional surveyor’ means a ~~person~~ licensee who is qualified to practice any discipline of TIER A or TIER B surveying in this State, as defined in this section and as attested by his ~~legal~~ license and registration as a TIER A or TIER B professional surveyor in this State.

(~~30~~32) ‘Professions of architecture, landscape architecture, and geology’ mean those specified professions as defined by the laws of this State and applicable regulations.

(33) ‘Project engineer’ or ‘field engineer’ means an employee of a general contractor, licensed contractor, mechanical contractor, or a subcontractor as defined in Section 40‑11‑20. A ‘project engineer’ or ‘field engineer’ is not subject to the requirements of this chapter.

(~~31~~34) ‘Registered’ means the engineer or surveyor is licensed and registered in the State.

(~~32~~35) ‘Resident professional engineer’ or ‘resident professional surveyor’, with respect to principal office and branch office requirements, means a licensed practitioner who spends a majority of each normal workday in the principal or branch office.

~~(33)~~ ~~‘Emeritus engineer’ or ‘emeritus surveyor’ means a professional engineer or surveyor who has been registered for fifteen consecutive years or longer and who is sixty‑five years of age or older and who has retired from active practice.~~

(~~34~~36) ‘Retired from active practice’ means not engaging or offering to engage in the practice of engineering or surveying asdefined in this section.

(37) ‘Surveyor‑in‑training’ means a person who has qualified for and passed the NCEES Fundamentals of Surveying examination as

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provided in this chapter and is entitled to receive a certificate as a surveyor‑in‑training.” /

Renumber sections to conform.

Amend title to conform.

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

Rep. SANDIFER explained the Bill.

Rep. SANDIFER spoke in favor of the Bill.

Rep. NORMAN spoke in favor of the Bill.

The question then recurred to the passage of the Bill

The yeas and nays were taken resulting as follows:

Yeas 99; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bedingfield | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Fry |
| Gagnon | George | Gilliard |
| Govan | Hardee | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | King | Kirby |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | McEachern | McKnight |
| M. S. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Norman |
| Ott | Parks | Pitts |

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|  |  |  |
| --- | --- | --- |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--99**

Those who voted in the negative are:

**Total--0**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

**S. 280--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 280 -- Senator Peeler: A BILL TO AMEND SECTION 40-11-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL STATEMENTS AND NET WORTH REQUIREMENTS FOR GENERAL CONTRACTORS AND MECHANICAL CONTRACTORS, SO AS TO ADJUST THE NET WORTH REQUIREMENTS FOR LICENSURE AND LICENSE RENEWAL, AND TO DELETE OBSOLETE LANGUAGE.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to S. 280 (COUNCIL\AGM\280C001. AGM.AB16), which was adopted:

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

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/ SECTION \_\_\_. Section 40‑11‑360(A) of the 1976 Code is amended to read:

“(A) This chapter does not apply to:

(1) An entity which installs fire sprinkler systems if the entity is licensed under Chapter 45 of Title 23, or burglar and fire alarm systems if the entity is licensed under Chapter 79 of Title 40~~;~~.

(2) The installation of finished products, materials, or articles of merchandise that are not fabricated into and do not become a permanent fixed part of the structure. Work requiring licensure must be installed by a licensed contractor~~;~~.

(3) Construction, alteration, improvement, or repair carried on within the limits of a site, the title to which is in the name United States of America or with respect to which federal law supersedes this chapter~~;~~.

(4) Contractors performing construction work for the South Carolina Department of Transportation pursuant to that department’s prequalification requirements with the exception of public/private partnerships performing work pursuant to Section 57‑3‑200~~;~~.

(5) An owner of residential property who improves the property or who builds or improves structures or appurtenances on the property if he does the work himself, with his own employees, or with licensed contractors; provided that the structure, group of structures, or appurtenances, including the improvements, are intended for the owner’s sole occupancy or occupancy by the owner’s family and are not intended for sale or rent, and provided further, that the general public does not have access to this structure. In an action brought under this chapter, proof of the sale or rent or the offering for sale or rent of the structure by the owner‑builder within two years after completion or issuance of a certificate of occupancy is prima facie evidence that the project was undertaken for the purpose of sale or rent and is subject to the penalties provided in this chapter. As used in this item, “sale” or “rent” includes an arrangement by which an owner receives compensation in money, provisions, chattel, or labor from the occupancy, or the transfer of the property or the structures on the property~~;~~.

(6) An owner of nonowner‑occupied property who improves the property or who builds or improves structures of less than five thousand square feet or other appurtenances on the property, either by himself or with the owner’s employees, if all structural and mechanical work is performed by licensed contractors regardless of the cost of construction and if the property is not sold for two years after completion of the improvements. For purposes of this item, ‘structural’ means foundation, pier, load‑bearing partition, perimeter wall, internal wall

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exceeding ten feet in height, roof, floor, and any other work deemed by the board to be structural. ‘Mechanical’ means work described in Section 40‑11‑410(5)~~;~~.

(7) An owner constructing a farm building or portable storage building with less than five thousand square feet of floor space and used only for livestock or storage~~;~~.

(8) Public owners performing all or a portion of any work on a project themselves as long as the work performed falls within the limitations of a License Group 3 General Contractor or a License Group 4 Mechanical Contractor, as adjusted by an inflation factor reflecting the Department of Labor’s Consumer Price Index.

(9) Renovations and maintenance projects of the South Carolina Department of Corrections whereby all labor is supplied from that department’s own labor forces.

(10) The South Carolina Public Service Authority when performing maintenance and renovations to existing facilities and when performing work in accordance with Section 40‑11‑410(4)(n).

(11) The installation, repair, or maintenance of signs of billboards; provided, however, an electrical license is required to perform a final connection to a branch circuit conductor. The installation or modification of a branch circuit conductor is not considered a part of the installation, repair, or maintenance of a sign or billboard.” /

Renumber sections to conform.

Amend title to conform.

Rep. SANDIFER explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |

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|  |  |  |
| --- | --- | --- |
| Crosby | Daning | Dillard |
| Douglas | Duckworth | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Gilliard | Govan | Hardee |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | King |
| Kirby | Knight | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | Merrill |
| Mitchell | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Norman | Norrell | Ott |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--100**

Those who voted in the negative are:

**Total--0**

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

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**S. 1177--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1177 -- Senator Alexander: A BILL TO AMEND SECTION 40-3-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE PROFESSIONAL LICENSURE OF ARCHITECTS, AND TO AMEND SECTION 40-3-230, RELATING TO TRAINING REQUIREMENTS FOR THE PROFESSIONAL LICENSURE OF ARCHITECTS, BOTH SO AS TO REPLACE REFERENCES TO THE "INTERN DEVELOPMENT PROGRAM" WITH REFERENCES TO THE "ARCHITECTURAL EXPERIENCE PROGRAM"; AND TO AMEND SECTION 40-3-240, RELATING TO REQUIREMENTS FOR TAKING THE ARCHITECTURAL REGISTRATION EXAMINATION, SO AS TO REPLACE REQUIREMENTS CONCERNING PARTICIPATION IN THE INTERN DEVELOPMENT PROGRAM WITH REQUIREMENTS CONCERNING PARTICIPATION IN THE ARCHITECTURAL EXPERIENCE PROGRAM OR CERTAIN PROGRAMS SANCTIONED BY THE NATIONAL COUNCIL ON ARCHITECTURAL REGISTRATION BOARDS.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Govan |
| Hamilton | Hardee | Hayes |
| Henderson | Henegan | Herbkersman |

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|  |  |  |
| --- | --- | --- |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | King |
| Kirby | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | 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 |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | White | Whitmire |
| Williams | Willis |  |

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**LEAVE OF ABSENCE**

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

**S. 1252--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1252 -- Senators S. Martin, Bryant and Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-9-195 SO AS TO REQUIRE THE STATE FIRE MARSHAL TO ISSUE A LICENSE FOR A COMMUNITY

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FIREWORKS DISPLAY IF CERTAIN SAFETY CONDITIONS AND OTHER REQUIREMENTS ARE MET.

Rep. SANDIFER explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clyburn | Cobb-Hunter |
| Cole | Collins | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Govan |
| Hamilton | Hayes | Henderson |
| Henegan | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| King | Kirby | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |

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|  |  |  |
| --- | --- | --- |
| Whipper | White | Williams |
| Willis | Yow |  |

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**S. 1212--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1212 -- Senator Bright: A BILL TO AMEND SECTION 7-7-490, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN SPARTANBURG COUNTY, SO AS TO ADD THE RIVER RIDGE PRECINCT, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Clyburn | Cole | Collins |
| Crosby | Daning | Delleney |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | Gilliard |
| Govan | Hamilton | Hardee |
| Henderson | Henegan | Hicks |
| Hill | Hixon | Hodges |

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|  |  |  |
| --- | --- | --- |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| King | Kirby | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | Mitchell | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Thayer | Tinkler |
| Whipper | White | Williams |
| Willis | Yow |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**H. 5366--REQUESTS FOR DEBATE**

The following Joint Resolution was taken up:

H. 5366 -- Reps. Goldfinch, Clemmons and Hardee: A JOINT RESOLUTION TO CREATE A COMMITTEE TO STUDY AND DETERMINE WHETHER THE SAMWORTH WILDLIFE MANAGEMENT AREA SHOULD BE REDESIGNATED AS A CATEGORY 2 WATERFOWL AREA, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE AND METHOD OF APPOINTMENT OF ITS MEMBERS, AND TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GENERAL ASSEMBLY.

Rep. HARDEE explained the Joint Resolution.

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Reps. CLEMMONS, HIOTT, PITTS, HARDEE, HILL, JOHNSON, FRY, RYHAL, DOUGLAS, KIRBY, CLARY, COLLINS, G. R. SMITH and YOW requested debate on the Joint Resolution.

**RECURRENCE TO THE MORNING HOUR**

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

**RATIFICATION OF ACTS**

At 4:25 p.m. the House attended in the Senate Chamber, where the following Acts and Joint Resolution were duly ratified:

(R. 192, S. 277) -- Senators Alexander, Rankin and Hutto: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “STATE TELECOM EQUITY IN FUNDING ACT”; BY ADDING SECTION 58‑9‑2515 SO AS TO CLARIFY THE JURISDICTION OF THE PUBLIC SERVICE COMMISSION OVER LOCAL EXCHANGE SERVICE CARRIERS, PREPAID WIRELESS SERVICE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, AND VOICE OVER INTERNET PROTOCOL PROVIDERS; BY ADDING SECTION 58‑9‑2535 SO AS TO PROVIDE LOCAL EXCHANGE PROVIDERS, COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AND PREPAID WIRELESS SERVICE PROVIDERS SHALL COLLECT DUAL PARTY RELAY CHARGES, AND TO PROVIDE FOR RELATED BILLING DETERMINATIONS, FEE RETENTIONS, LIABILITY LIMITS, AND GOVERNMENTAL RESTRICTIONS AND OBLIGATIONS, AMONG OTHER THINGS; TO AMEND SECTION 58‑9‑10, RELATING TO DEFINITIONS CONCERNING THE REGULATION OF TELEPHONE SERVICES, SO AS TO REVISE CERTAIN DEFINITIONS; TO AMEND SECTION 58‑9‑280, RELATING TO THE UNIVERSAL SERVICE FUND, SO AS TO REQUIRE THE COLLECTION AND REMITTANCE OF CONTRIBUTIONS TO THE FUND AND THE PROVISION AND MAINTENANCE OF CERTAIN RELATED INFORMATION, TO PERMIT THE RETENTION OF A PORTION OF THESE COLLECTIONS AS ADMINISTRATIVE FEES, TO LIMIT THE SIZE OF THE FUND, TO PROVIDE VARIOUS LIABILITY LIMITATIONS FOR PREVIOUSLY RENDERED SERVICES, TO PROVIDE FOR CERTAIN RANDOM COMPLIANCE AUDITS AND

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RELATED INVESTIGATIONS OF FUND RECIPIENTS BY THE OFFICE OF REGULATORY STAFF, TO REQUIRE THE OFFICE OF REGULATORY STAFF TO REPORT CERTAIN INFORMATION TO THE PUBLIC UTILITIES REVIEW COMMITTEE, AND TO PROVIDE THAT ALL REVISIONS MADE BY THIS SECTION ARE VOID IF ANY ARE FINALLY ADJUDICATED TO BE INVALID, AMONG OTHER THINGS; TO AMEND SECTION 58‑9‑576, RELATING TO CERTAIN ELECTIONS BY LOCAL EXCHANGE CARRIERS, SO AS TO PROVIDE THE PUBLIC SERVICE COMMISSION MAY NOT REGULATE CERTAIN STAND ALONE BASIC RESIDENTIAL LINES OF CARRIERS IN SERVICE BEFORE AN ELECTION DATE, TO PROVIDE AN EXCEPTION ALLOWING THE COMMISSION TO ORDER SUCH LOCAL EXCHANGE CARRIERS TO PROVIDE VOICE SERVICES TO RESIDENTIAL CUSTOMERS IN CERTAIN CIRCUMSTANCES, TO PROVIDE PROCEDURES FOR THE TERMINATION OF THESE SERVICES, AND TO DEFINE NECESSARY TERMINOLOGY; TO AMEND SECTION 58‑9‑2510, RELATING TO DEFINITIONS CONCERNING TELEPHONE SERVICE FOR HEARING AND SPEECH IMPAIRED PEOPLE, SO AS TO REVISE THESE DEFINITIONS AND PROVIDE ADDITIONAL NECESSARY DEFINITIONS; TO AMEND SECTION 58‑9‑2530, RELATING TO THE OPERATING FUND FOR A SYSTEM OF DUAL PARTY RELAY DEVICES AND RELATED TELECOMMUNICATIONS DEVICES FOR THE DEAF, SO AS TO INCLUDE COMMERCIAL MOBILE RADIO SERVICE PROVIDERS, VOICE OVER INTERNET PROTOCOL SERVICE PROVIDERS, AND PREPAID WIRELESS SELLERS AMONG THE ENTITIES THAT MUST IMPOSE RELATED FEES, TO REDUCE THE MAXIMUM CHARGE FROM TWENTY‑FIVE CENTS TO TEN CENTS, TO REQUIRE UNIFORMITY OF THE FEES AMONG ALL PROVIDERS AND SELLERS REQUIRED TO IMPOSE THE FEES, AND TO PROVIDE FOR THE REMITTAL AND TRANSFERAL OF COLLECTED FEES TO THE FUND; TO AMEND SECTION 58‑9‑576, RELATING TO THE DEFINITION OF A “SINGLE‑LINE BASIC RESIDENTIAL SERVICE”, SO AS TO REVISE THE DEFINITION; AND TO REPEAL SECTION 58‑9‑2540 RELATING TO AN ADVISORY COMMITTEE CONCERNING STATEWIDE TELECOMMUNICATIONS RELAY ACCESS SERVICE.

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(R. 193, S. 693) -- Senator Hayes: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑27‑475 SO AS TO REVISE THE INSURERS’ REHABILITATION AND LIQUIDATION ACT BY ADDING PROVISIONS SPECIFIC TO FEDERAL HOME LOAN BANKS AND INSURER‑MEMBERS OF THOSE BANKS IN DELINQUENCY PROCEEDINGS BROUGHT PURSUANT TO THE ACT; TO AMEND SECTION 38‑27‑50, RELATING TO DEFINITIONS CONCERNING THE ACT, SO AS TO DEFINE ADDITIONAL TERMS; AND TO AMEND SECTION 38‑27‑70, RELATING TO INJUNCTIONS AND OTHER EQUITABLE REMEDIES AVAILABLE TO RECEIVERS APPOINTED IN DELINQUENCY PROCEEDINGS UNDER THE ACT, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH FEDERAL HOME LOAN BANKS MAY EXERCISE THEIR RIGHTS REGARDING COLLATERAL PLEDGED BY ITS INSURER‑MEMBERS INVOLVED IN DELINQUENCY PROCEEDINGS BROUGHT PURSUANT TO THE ACT.

(R. 194, S. 978) -- Senator Hayes: AN ACT TO AMEND SECTION 38‑9‑330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RISK‑BASED CAPITAL PLANS, SO AS TO INCREASE THE MULTIPLIER FOR A COMPANY ACTION LEVEL EVENT FOR A LIFE AND HEALTH INSURER FROM 2.5 TO 3.0; TO AMEND SECTION 38‑87‑30, RELATING TO THE CHARTERING OF A RISK RETENTION GROUP, SO AS TO DEFINE TERMS, TO PROVIDE THAT A MAJORITY OF A RISK RETENTION GROUPS’ DIRECTORS MUST BE INDEPENDENT DIRECTORS, TO ESTABLISH THE MAXIMUM TERM OF ANY MATERIAL SERVICE PROVIDER CONTRACT, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT A WRITTEN POLICY, TO REQUIRE THE BOARD OF DIRECTORS TO ADOPT AND DISCLOSE ITS GOVERNANCE STANDARDS, TO REQUIRE THE BOARD TO ADOPT AND DISCLOSE A CODE OF BUSINESS CONDUCT AND ETHICS, TO REQUIRE A RISK RETENTION GROUP TO COMPLY WITH APPLICABLE REGULATIONS, TO ESTABLISH PROCEDURES FOR NONCOMPLIANCE, AND TO SET ESTABLISHED DATES FOR COMPLIANCE; TO AMEND SECTION 38‑87‑40, RELATING TO OUT‑OF‑STATE RISK RETENTION GROUPS, SO AS TO ALLOW AN OUT‑OF‑STATE RISK RETENTION GROUP TO SUBMIT REVISIONS TO ITS PLAN OF OPERATION WITHIN THIRTY DAYS OF APPROVAL BY THE

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STATE INSURANCE COMMISSION OR WITHIN THIRTY DAYS IF NO APPROVAL IS REQUIRED; AND TO AMEND SECTION 38‑90‑160, AS AMENDED, RELATING TO CAPTIVE INSURANCE COMPANIES, SO AS TO EXTEND THE PROVISIONS OF SECTION 38‑87‑30 TO A RISK RETENTION GROUP LICENSED AS A CAPTIVE INSURANCE COMPANY.

(R. 195, S. 1233) -- Senator Sheheen: AN ACT TO AMEND SECTION 4‑10‑470, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTIES IN WHICH THE EDUCATION CAPITAL IMPROVEMENTS SALES AND USE TAX MAY BE IMPOSED, SO AS TO REVISE THE CRITERIA APPLICABLE TO CERTAIN COUNTIES IN ORDER FOR THEM TO PLACE THE QUESTION OF IMPOSING THIS SALES AND USE TAX ON A REFERENDUM BALLOT.

(R. 196, H. 3114) -- Reps. Nanney, Hicks, Allison, Atwater, Ballentine, Bannister, Bingham, Brannon, Burns, Chumley, Clary, Corley, H.A. Crawford, Crosby, Daning, Delleney, Erickson, Forrester, Gagnon, Goldfinch, Hamilton, Henderson, Herbkersman, Hiott, Huggins, Kennedy, Limehouse, Loftis, Long, McCoy, Merrill, D.C. Moss, Newton, Pitts, Pope, Quinn, Ryhal, Sandifer, G.M. Smith, G.R. Smith, Stringer, Tallon, Taylor, Thayer, Yow, Wells, Willis, Hixon, Putnam, Rivers, V.S. Moss, Whitmire, Bedingfield, Hill, Duckworth and Clemmons: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE “SOUTH CAROLINA PAIN‑CAPABLE UNBORN CHILD PROTECTION ACT”, TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO DEFINE NECESSARY TERMS, TO REQUIRE A PHYSICIAN TO CALCULATE THE PROBABLE POST‑FERTILIZATION AGE OF AN UNBORN CHILD BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST‑FERTILIZATION AGE OF THE UNBORN CHILD IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN REPORTING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BY FACILITIES IN WHICH ABORTIONS ARE PERFORMED, TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PREPARE PUBLIC REPORTS THAT PROVIDE DATA ON

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ABORTIONS PERFORMED IN THE STATE AND TO PROMULGATE REGULATIONS, TO CREATE CRIMINAL PENALTIES, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

(R. 197, H. 3193) -- Reps. Cole, Finlay, Newton, Pope, Anderson, Bales, G.A. Brown, R.L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Norman, Norrell, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G.M. Smith, G.R. Smith, McCoy, Clary, J.E. Smith, Hicks and Weeks: AN ACT TO AMEND SECTION 8‑13‑1320, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ATTRIBUTION OF CAMPAIGN CONTRIBUTIONS TO SPECIFIC TYPES OF ELECTIONS, SO AS TO REVISE THE MANNER IN WHICH CAMPAIGN CONTRIBUTIONS ARE ATTRIBUTED TO A PRIMARY ELECTION AND TO A PRIMARY ELECTION RUNOFF.

(R. 198, H. 3685) -- Reps. D.C. Moss and Pitts: AN ACT TO AMEND SECTION 56‑7‑20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNIFORM TRAFFIC TICKETS AND ELECTRONIC TICKETS, SO AS TO PROVIDE THAT TICKETS MAY BE COLLECTED ELECTRONICALLY, BUT MUST BE TRANSMITTED TO THE DEPARTMENT OF MOTOR VEHICLES ELECTRONICALLY; TO AMEND SECTION 56‑7‑30, AS AMENDED, RELATING TO THE PRINTING AND ORDERING OF TRAFFIC TICKETS, THE FORWARDING OF THE DRIVING RECORD AND AUDIT COPY OF THE TICKET BY A LAW ENFORCEMENT AGENCY TO THE DEPARTMENT OF MOTOR VEHICLES, AND THE PROCESSING OF AN ELECTRONIC TICKET, SO AS TO PROVIDE THAT THE COURT’S COPY OF THE TICKET MUST BE FORWARDED TO THE APPROPRIATE COURT AND ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES WITHIN THREE BUSINESS DAYS OF THE ISSUANCE OF THE TICKET AND THAT INFORMATION REGARDING THE DISPOSITION OF THE OFFENSE MUST BE FORWARDED ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES BY THE APPROPRIATE COURT WITHIN FIVE DAYS OF THE TRIAL DATE, TO DELETE THE PROVISION THAT REQUIRES A LAW ENFORCEMENT AGENCY TO CONDUCT AN ANNUAL INVENTORY OF ALL

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TICKETS RECEIVED BUT NOT DISPOSED OF BY FINAL COURT ACTION OR BY NOLLE PROSEQUI, AND TO DELETE THE PROVISION THAT GIVES A LAW ENFORCEMENT AGENCY THE OPTION OF TRANSMITTING A TICKET ELECTRONICALLY TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑7‑40, RELATING TO THE PENALTY IMPOSED UPON A PERSON WHO VIOLATES A PROVISION RELATING TO THE USE, PRINTING, AND TRANSMITTING OF A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT A TICKET MUST BE ELECTRONICALLY FORWARDED TO THE DEPARTMENT OF MOTOR VEHICLES, TO DELETE REFERENCES TO THE RECORDS COPY AND AUDIT COPY OF THE TICKET, AND TO DELETE THE PROVISION THAT CREATES AN OFFENSE AND IMPOSES A PENALTY UPON A PERSON CHARGED WITH FAILING TO TIMELY FORWARD THE RESULTS OF THE ANNUAL INVENTORY TO THE DEPARTMENT OF MOTOR VEHICLES; TO AMEND SECTION 56‑1‑365, AS AMENDED, RELATING TO A PERSON SURRENDERING HIS DRIVER’S LICENSE WHEN IT HAS BEEN REVOKED OR SUSPENDED, SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES SHALL ELECTRONICALLY RECEIVE DISPOSITION AND LICENSE SURRENDER INFORMATION FROM THE COURT IMMEDIATELY AFTER RECEIPT OR WITHIN FIVE BUSINESS DAYS AFTER RECEIPT, TO DELETE THE TERM “TICKET” AND REPLACE IT WITH THE TERM “DISPOSITION” WHEN THE TERMS REFER TO THE DOCUMENT THAT MUST BE ELECTRONICALLY FORWARDED TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO REVISE THE PROCEDURE TO CALCULATE WHEN A REVOCATION OR SUSPENSION BEGINS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑1‑370, AS AMENDED, RELATING TO A LICENSEE’S REQUEST FOR AN ADMINISTRATIVE HEARING TO REVIEW A NOTICE OF SUSPENSION, CANCELLATION, OR REVOCATION OF A DRIVER’S LICENSE, SO AS TO PROVIDE THE DATE WHEN A SUSPENSION, CANCELLATION, OR REVOCATION OF A DRIVER’S LICENSE COMMENCES WHEN THE HEARING RESULTS IN THE CONTINUED SUSPENSION, CANCELLATION, OR REVOCATION OF THE DRIVER’S LICENSE; AND TO REPEAL SECTION 56‑3‑1972 RELATING TO THE DESIGN OF THE UNIFORM PARKING VIOLATION TICKET.

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(R. 199, H. 3848) -- Reps. Huggins, J.E. Smith, McKnight, Jefferson, Hosey, Atwater, Toole, Burns, Herbkersman, Ridgeway, Simrill, Kennedy, Ballentine and Henegan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA FOUNDING PRINCIPLES ACT” BY ADDING SECTION 59‑29‑155 SO AS TO PROVIDE THE STATE BOARD OF EDUCATION AND EDUCATION OVERSIGHT COMMITTEE SHALL INCORPORATE INSTRUCTION ON CERTAIN FOUNDING PRINCIPLES OF THE UNITED STATES INTO REQUIRED STUDIES OF THE UNITED STATES CONSTITUTION AND THE SOUTH CAROLINA SOCIAL STUDIES STANDARDS, TO SPECIFY CERTAIN MINIMUM CONTENT REQUIREMENTS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION BIENNIALLY SHALL REPORT ON THE IMPLEMENTATION OF THIS ACT TO THE GENERAL ASSEMBLY, AND TO PROVIDE THE DEPARTMENT SHALL OFFER PROFESSIONAL DEVELOPMENT OPPORTUNITIES REGARDING FOUNDING PRINCIPLES INSTRUCTION TO TEACHERS.

(R. 200, H. 3849) -- Rep. Bingham: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑26‑45 SO AS TO EXEMPT PERSONALLY IDENTIFIABLE INFORMATION IN CERTAIN EVALUATIONS OF PUBLIC SCHOOL EDUCATORS AND STUDENT TEACHERS FROM PUBLIC DISCLOSURE.

(R. 201, H. 3927) -- Reps. Willis and Allison: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 139 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL PERSONALIZED MOTOR VEHICLE LICENSE PLATES; TO AMEND SECTION 56‑3‑2250, RELATING TO THE ISSUANCE OF SAMPLE LICENSE PLATES BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT IT IS UNLAWFUL TO DISPLAY A SAMPLE LICENSE PLATE ON A MOTOR VEHICLE AND THE PENALTY ASSOCIATED WITH THIS CRIME, TO PROVIDE THAT THE DEPARTMENT MAY RETAIN THE FEE THAT IS CHARGED FOR THE ISSUANCE OF THIS LICENSE PLATE, TO PROVIDE THAT THE DEPARTMENT MAY ISSUE SOUVENIR LICENSE PLATES FOR ANY SPECIAL ORGANIZATIONAL LICENSE PLATE THAT

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IT PRODUCES AND PERSONALIZED SPECIAL ORGANIZATIONAL SOUVENIR LICENSE PLATES FOR A FEE, TO PROVIDE FOR THE DISBURSEMENT OF THE FEES, TO PROVIDE THAT THESE LICENSE PLATES MAY BE DISPLAYED ONLY ON THE FRONT OF A MOTOR VEHICLE, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO AMEND SECTION 56‑3‑7360, AS AMENDED, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES’ ISSUANCE OF “KOREAN WAR VETERANS” SPECIAL LICENSE PLATES, SO AS TO DELETE THE PROVISIONS THAT RELATE TO THE REQUIREMENTS FOR PRODUCTION AND DISTRIBUTION OF THIS LICENSE PLATE AND THE FEE FOR THIS LICENSE PLATE, AND TO PROVIDE THAT THERE IS NO FEE FOR THIS LICENSE PLATE; TO AMEND SECTIONS 56-3‑10610 AND 56‑3‑10710, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES’ ISSUANCE OF “SILVER STAR” AND “BRONZE STAR” SPECIAL LICENSE PLATES, SO AS TO DEFINE THE TYPE OF MOTOR VEHICLES AND MOTORCYCLES WHOSE OWNERS MAY BE ISSUED THESE LICENSE PLATES; AND BY ADDING ARTICLE 138 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE “CHASE AWAY CHILDHOOD CANCER” SPECIAL LICENSE PLATES.

(R. 202, H. 4138) -- Reps. Bedingfield and Clemmons: AN ACT TO AMEND SECTION 40‑11‑270, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONTRACTOR’S LICENSES AND LICENSE CLASSIFICATIONS AND SUBCLASSIFICATIONS, SO AS TO PROVIDE THAT EACH PERSON HOLDING A LICENSE IN THE MECHANICAL CONTRACTOR SUBCLASSIFICATION OF AIR CONDITIONING, HEATING, OR PACKAGED EQUIPMENT SHALL DISPLAY THE MECHANICAL CONTRACTOR LICENSE IN A CONSPICUOUS MANNER AT HIS PRINCIPAL PLACE OF BUSINESS, TO PROVIDE THAT ALL COMMERCIAL VEHICLES USED BY MECHANICAL CONTRACTORS LICENSED IN THE SUBCLASSIFICATION OF AIR CONDITIONING, HEATING, OR PACKAGED EQUIPMENT EXCLUSIVELY IN THE DAILY OPERATION OF THEIR BUSINESS SHALL HAVE PROMINENTLY DISPLAYED ON THEM THE MECHANICAL CONTRACTOR LICENSE NUMBER, AND TO PROVIDE THAT EACH INVOICE AND PROPOSAL FORM ALSO SHALL CONTAIN THE MECHANICAL CONTRACTOR LICENSE NUMBER.

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(R. 203, H. 4510) -- Reps. Thayer, Hosey, Nanney, Hamilton, Erickson, Long, Hicks, McCoy, McEachern and Bedingfield: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63‑7‑2400 SO AS TO ESTABLISH LIMITATIONS ON THE NUMBER OF FOSTER CHILDREN WHO MAY BE PLACED IN A FOSTER HOME.

(R. 204, H. 4817) -- Rep. Gambrell: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑53‑95 SO AS TO REQUIRE AN INDIVIDUAL WHO APPLIES FOR A BONDSMAN OR RUNNER LICENSE TO PROVIDE HIS BUSINESS, EMAIL, MAILING, AND RESIDENTIAL STREET ADDRESSES TO THE DEPARTMENT; TO AMEND SECTION 38‑43‑107, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE PRODUCER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38‑45‑30, RELATING TO REQUIREMENTS FOR A NONRESIDENT TO BE LICENSED AS AN INSURANCE BROKER, SO AS TO DELETE THE AFFIDAVIT REQUIREMENTS; TO AMEND SECTION 38‑45‑110, RELATING TO WARNING STAMPS ON POLICIES OF ELIGIBLE SURPLUS LINES INSURANCE, SO AS TO NO LONGER REQUIRE A BROKER TO WRITE OR STAMP A WARNING ON THE FACE OF AN APPLICATION FOR ELIGIBLE SURPLUS LINES INSURANCE; TO AMEND SECTION 38‑47‑15, RELATING TO THE ADDRESS REQUIREMENT FOR AN INSURANCE ADJUSTER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38‑48‑30, RELATING TO THE ADDRESS REQUIREMENT FOR A PUBLIC INSURANCE ADJUSTER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; TO AMEND SECTION 38‑49‑25, RELATING TO THE ADDRESS REQUIREMENT FOR A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER’S LICENSE, SO AS TO REQUIRE AN APPLICANT TO PROVIDE AN EMAIL ADDRESS TO THE DEPARTMENT; AND TO AMEND SECTION 38‑43‑100, RELATING TO INSURANCE PRODUCER LICENSING, SO AS TO REQUIRE AN APPLICANT TO COMPLY WITH ALL LICENSING AND RENEWAL REQUIREMENTS AND TO FURNISH A COMPLETE SET OF

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FINGERPRINTS TO THE DIRECTOR AND UNDERGO A STATE CRIMINAL RECORDS CHECK.

(R. 205, H. 4932) -- Rep. Allison: AN ACT TO AMEND SECTION 56‑5‑4070, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MAXIMUM LENGTHS OF VEHICLES THAT MAY BE OPERATED ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE A MAXIMUM LENGTH FOR TRAILERS OR SEMITRAILERS USED TO TRANSPORT VEHICLES USED IN CONNECTION WITH MOTORSPORTS COMPETITION EVENTS; TO AMEND SECTION 56‑5‑4130, RELATING TO THE MAXIMUM GROSS WEIGHT UPON ANY WHEEL OF CERTAIN VEHICLES ALLOWED TO OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO PROVIDE THAT AN OVER‑THE‑ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM CERTAIN AXLE WEIGHT REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM AXLE WEIGHT LIMIT; TO AMEND SECTION 56‑5‑4140, AS AMENDED, RELATING TO THE MAXIMUM GROSS WEIGHT OF VEHICLES ALLOWED TO OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO MAKE TECHNICAL CHANGES, TO REVISE THE MAXIMUM GROSS WEIGHTS OF CERTAIN VEHICLES THAT MAY BE OPERATED ALONG THE STATE’S HIGHWAYS, AND TO PROVIDE THAT AN OVER‑THE‑ROAD BUS, MOTORHOME, OR CERTAIN VEHICLES USED AS INTRASTATE PUBLIC AGENCY TRANSIT PASSENGER BUSES ARE EXCLUDED FROM CERTAIN AXLE SPACING REQUIREMENTS BUT ARE LIMITED TO A MAXIMUM SINGLE AXLE WEIGHT LIMIT; TO AMEND SECTION 56‑5‑4160, AS AMENDED, RELATING TO THE ENFORCEMENT OF PROVISIONS THAT ESTABLISH WEIGHT LIMITS FOR VEHICLES THAT OPERATE ALONG THE STATE’S HIGHWAYS, SO AS TO REVISE THE MAXIMUM WEIGHT LIMIT ALLOWED FOR A VEHICLE OR COMBINATION OF VEHICLES EQUIPPED WITH AN IDLE REDUCTION SYSTEM AND TO ALLOW CERTAIN VEHICLES FUELED PRIMARILY BY NATURAL GAS TO EXCEED THE GROSS, SINGLE AXLE, TANDEM AXLE, OR BRIDGE FORMULA WEIGHT LIMITS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 56‑35‑30, RELATING TO VEHICLES EQUIPPED WITH AUXILIARY POWER UNITS, SO AS TO REVISE THE ALLOWABLE GROSS WEIGHT OF THE

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VEHICLE USED TO DETERMINE WHETHER THE VEHICLE HAS VIOLATED PROVISIONS RELATING TO VEHICLE WEIGHT RESTRICTIONS; AND TO AMEND SECTION 48-20-280, RELATING TO THE APPLICABILITY OF THE SOUTH CAROLINA MINING ACT TO THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THIS ACT DOES NOT APPLY TO CERTAIN ACTIVITIES OF THE SOUTH CAROLINA PORTS AUTHORITY.

(R. 206, H. 4936) -- Education and Public Works Committee: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑1‑50 SO AS TO PROVIDE FOR EDUCATIONAL ACHIEVEMENT GOALS FOR SOUTH CAROLINA HIGH SCHOOL GRADUATES AND STUDENTS, AND THE STANDARDS AND AREAS OF LEARNING BY WHICH THESE GOALS ARE MEASURED.

(R. 207, H. 4999) -- Reps. Goldfinch, Merrill, Clemmons, Ridgeway, G.M. Smith, Yow, Erickson and Long: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 30, TITLE 44 SO AS TO BE ENTITLED “IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES” AND TO PROVIDE IMMUNITY FROM LIABILITY FOR PROVIDING FREE HEALTH CARE SERVICES, WITH EXCEPTIONS; TO REENTITLE CHAPTER 30, TITLE 44 AS “HEALTH CARE PROFESSIONALS”; TO DESIGNATE SECTIONS 44‑30‑10 THROUGH 44‑30‑90 AS ARTICLE 1, CHAPTER 30, TITLE 44, ENTITLED “HEALTH CARE PROFESSIONAL COMPLIANCE ACT”; TO AMEND SECTION 38‑79‑30, RELATING TO LIABILITY OF HEALTH CARE PROVIDERS WHEN PROVIDING FREE MEDICAL CARE, SO AS TO REQUIRE A WRITTEN AGREEMENT OF PROVISION OF THE VOLUNTARY, UNCOMPENSATED CARE AND TO ALLOW THE WRITTEN AGREEMENT TO BE AN ELECTRONIC RECORD; AND TO ENABLE HEALTH CARE PROVIDERS TO FULFILL CERTAIN CONTINUING EDUCATION REQUIREMENTS BY PROVIDING FREE HEALTH CARE SERVICES.

(R. 208, H. 5011) -- Reps. Clemmons, Fry, Johnson, Duckworth, Hardee, Anderson, Goldfinch, George, Hayes, H.A. Crawford and Ryhal: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH

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CAROLINA, 1976, BY ADDING SECTION 4‑10‑980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

(R. 209, H. 5024) -- Reps. Clary, Thayer, Collins, Funderburk, King, Felder, McCoy, Stavrinakis, Bannister, Hamilton, Henderson, Anthony and Govan: A JOINT RESOLUTION TO REQUIRE THAT BEFORE THE 2016‑2017 SCHOOL YEAR, THE STATE DEPARTMENT OF EDUCATION SHALL PROVIDE ALL LITERACY COACHES AND LITERACY TEACHERS IN KINDERGARTEN THROUGH THIRD GRADE WITH TRAINING ON DYSLEXIA AND RELATED DISORDERS, INCLUDING EVIDENCE‑BASED SCREENINGS, INSTRUCTIONAL METHODS, AND INTERVENTIONS, AMONG OTHER THINGS; AND TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DEPARTMENT.

**S. 1122--POINT OF ORDER**

The following Bill was taken up:

S. 1122 -- Senators Rankin, Cleary and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 381--POINT OF ORDER**

The following Bill was taken up:

S. 381 -- Senators Shealy, Bright, Turner, Johnson, Young, Jackson, Grooms, Sabb, Thurmond, Massey, Allen, Sheheen, Davis, Hembree, L. Martin, Bryant, Peeler, Alexander, Lourie, Cromer, Setzler and Scott: A BILL TO AMEND SECTION 8-11-620(A)(1) OF THE 1976 CODE, RELATING TO LEAVE AND LUMP-SUM PAYMENTS UPON TERMINATION OF EMPLOYMENT, TO PROVIDE THAT ANY

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PUBLIC EMPLOYEE WHO IS TERMINATED WITHIN ONE YEAR OF FULL RETIREMENT SHALL HAVE FIVE DAYS AFTER TERMINATION TO PURCHASE THE REMAINING TIME.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 460--POINT OF ORDER**

The following Bill was taken up:

S. 460 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-370 SO AS TO PROVIDE THAT A COUNTY IN THIS STATE MAY ALLOW A TAXPAYER THE OPTION TO RECEIVE CERTAIN PROPERTY TAX BILLS AND RECEIPTS IN ELECTRONIC FORM, TO REQUIRE A PARTICIPATING COUNTY TO MAINTAIN PROOF THAT AN EMAIL WAS SENT TO A TAX PAYER, AND TO REQUIRE A PARTICIPATING COUNTY TO CREATE AN APPLICATION PROCESS AND TO PUBLISH THE APPLICATION PROCESS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 932--POINT OF ORDER**

The following Bill was taken up:

S. 932 -- Senators Bennett, Grooms and Hembree: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX ASSESSMENT RATIOS, SO AS TO REVISE AN APPLICATION DEADLINE FOR CERTAIN PROPERTY OWNED BY CERTAIN MEMBERS OF THE ARMED FORCES.

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**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 427--POINT OF ORDER**

The following Bill was taken up:

S. 427 -- Senators Hutto, Rankin, O'Dell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOBS TAX CREDIT, SO AS TO ALLOW A TAXPAYER OPERATING AN AGRICULTURAL PACKAGING OPERATION TO CLAIM THE CREDIT, TO ALLOW CERTAIN AGRICULTURAL OPERATIONS TO CLAIM SEASONAL WORKERS AS A CERTAIN FRACTION OF A FULL-TIME JOB, AND TO DEFINE AGRICULTURAL PACKAGING; TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT MACHINES USED IN AGRICULTURAL PACKAGING; AND BY ADDING SECTION 13-1-780 SO AS TO REQUIRE THE DEPARTMENT OF COMMERCE AND THE COORDINATING COUNCIL TO CONSIDER AGRICULTURAL BUSINESSES IN AWARDING ECONOMIC DEVELOPMENT BENEFITS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 973--POINT OF ORDER**

The following Bill was taken up:

S. 973 -- Senators Cromer and Alexander: A BILL TO AMEND SECTION 38-7-20 OF THE 1976 CODE, RELATING TO THE IMPOSITION OF THE INSURANCE PREMIUM TAX, SO AS TO EXTEND THE DATE THAT CERTAIN REVENUE MUST BE SENT TO THE SOUTH CAROLINA FORESTRY COMMISSION TO 2027.

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**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**S. 1258--INTERRUPTED DEBATE**

The following Bill was taken up:

S. 1258 -- Finance Committee: A BILL TO AMEND CHAPTER 43, TITLE 11 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, TO PROVIDE FOR THE DISTRIBUTION BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK OF CERTAIN FEES AND FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES TRANSFERRED TO THE STATE HIGHWAY FUND; TO AMEND SECTIONS 12-37-2740(D), 38-73-470, 56-1-170(B)(3), 56-1-200, 56-1-286(K)(1), 56-1-390(2), 56-1-400(A), 56-1-460(A)(1)(e)(iii), 56-1-550, 56-1-740(B)(3), 56-1-746(D)(3), 56-1-2080, 56-3-355, 56-3-1335, 56-5-750(G)(3), 56-5-2951(B)(1), 56-5-2951(H)(3), 56-9-330, 56-10-240(C), 56-10-245, 56-10-552, 56-19-420(C), AND 56-19-520(A)(4), ALL OF THE 1976 CODE, ALL RELATING TO FEES OR FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT ALL OR A PORTION OF THE FEES SHALL BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; TO AMEND SECTION 12-36-2647 OF THE 1976 CODE, AS ENACTED IN ACT 98 OF 2013 AND RELATED TO SOURCES OF REVENUE USED

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FOR HIGHWAY CONSTRUCTION AND MAINTENANCE, TO PROVIDE THAT THE REVENUES OF SALES, USE, AND CASUAL EXCISE TAXES DERIVED PURSUANT TO SECTIONS 12-36-2620(1) AND 12-36-2640(1) ON THE SALE, USE, OR TITLING OF A MOTOR VEHICLE MUST BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 1258 (COUNCIL\BBM\1258C002.BBM. DG16):

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

/ SECTION \_\_\_. A. Section 57‑1‑310 through Section 57‑1‑340 of the 1976 Code, all as last amended by Act 114 of 2007, are further amended to read:

“Section 57‑1‑310. (A) The congressional districts of this State are constituted and created Department of Transportation Districts of the State, designated by numbers corresponding to the numbers of the respective congressional districts. The Commission of the Department of Transportation shall be composed of one member from each transportation district ~~elected by the delegations of the congressional district~~ and one member ~~appointed by the Governor~~ from the State at large, all appointed by the Governor, upon the advice and consent of the General Assembly. ~~Such elections or appointment, as the case may be,~~ In making appointments to the commission, the Governor shall take into account race, ~~and~~ gender, and other demographic factors, such as residence in rural or urban areas, so as to represent, to the greatest extent possible, all segments of the population of the State; however, consideration of these factors in making an appointment ~~or in an election~~ in no way creates a cause of action or basis for an employee grievance for a person appointed ~~or elected~~ or for a person who fails to be appointed.

(B)~~(1)~~ ~~Candidates for election to the commission must be screened by the Joint Transportation Review Committee, as provided in Article 7 of this chapter, and determined to meet the qualifications contained in subsection (C) in order to be eligible for election~~.

~~(2)~~ ~~The at‑large appointment made by the Governor must be transmitted to the Joint Transportation Review Committee. The Joint~~

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~~Transportation Review Committee must determine whether the at‑large appointee meets the qualifications in subsection (C) and report its findings to the General Assembly and the Governor. Until the Joint Transportation Review Committee finds a gubernatorial appointee qualified, the appointee must not take the oath of office and the full rights and privileges and powers of the office shall not vest.~~

~~(C)~~ The qualifications that each commission member must possess, include, but are not limited to:

(1) a baccalaureate or more advanced degree from:

(a) a recognized institution of higher learning requiring face‑to‑face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; or

(2) a background of at least five years in any combination of the following fields of expertise:

(a) transportation;

(b) construction;

(c) finance;

(d) law;

(e) environmental issues;

(f) management; or

(g) engineering.

~~(D)~~(C) ~~No~~ A member of the General Assembly or member of his immediate family ~~shall~~ may not be ~~elected or~~ appointed to the commission while the member is serving in the General Assembly; nor shall a member of the General Assembly or a member of his immediate family be ~~elected or~~ appointed to the commission for a period of four years after the member either:

(1) ceases to be a member of the General Assembly; or

(2) fails to file for election to the General Assembly in accordance with Section 7‑11‑15.

Section 57‑1‑320. ~~(A)~~ ~~A county that is divided among two or more Department of Transportation districts, for purposes of electing a commission member, is deemed to be considered in the district which contains the largest number of residents from that county.~~

~~(B)~~ ~~No~~ A county within a Department of Transportation district ~~shall~~ may not have a resident commission member for more than ~~one consecutive term~~ twelve consecutive years and in no event shall any two

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persons from the same county serve as a commission member simultaneously except as provided hereinafter.

~~Section 57‑1‑325.~~ ~~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 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.~~

Section 57‑1‑330. (A) ~~For the purposes of electing a commission member, a legislator shall vote only in the congressional district in which he resides.~~ All commission members are elected to a term of office of four years which expires on February fifteenth of the appropriate year. However, a commission member may not serve more than two consecutive terms, and may not serve more than twelve years, regardless of when the term was served. Commissioners shall continue to serve until their successors are ~~elected~~ appointed and ~~qualify~~ confirmed, provided that a commissioner ~~may~~ only may serve in a hold‑over capacity for a period not to exceed six months. Any vacancy occurring in the office of commissioner shall be filled by ~~election or~~ appointment in the manner provided in this article for the unexpired term only. Except for the at‑large member, ~~no~~ a person is not eligible to serve as a commission member who is not a resident of that district at the time of his appointment. Failure by ~~an elected~~ such commission member to maintain residency in the district for which he is ~~elected~~ appointed shall result in the forfeiture of his office.

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(B) ~~The at‑large commission member shall serve at the pleasure of the Governor.~~ The at‑large commission member may be appointed from any county in the State unless another commission member is serving from that county. Failure by the at‑large commission member to maintain residence in the State shall result in a forfeiture of his office.

~~(C)~~ ~~All elected commission members may be removed from office as provided in Section 1‑3‑240(C)(1).~~

Section 57‑1‑340. Each commission member, within thirty days after his ~~election or~~ appointment, and before entering upon the discharge of the duties of his office, shall take, subscribe, and file with the Secretary of State the oath of office prescribed by the Constitution of the State.”

B. Section 57‑1‑410 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 57‑1‑410. The ~~Governor~~ commission shall appoint, with the advice and consent of the ~~Senate~~ General Assembly, a Secretary of Transportation who shall serve at the pleasure of the ~~Governor~~ commission. A person appointed to this position shall possess practical and successful business and executive ability and be knowledgeable in the field of transportation. The Secretary of Transportation shall receive such compensation as may be established under the provisions of Section 8‑11‑160 and for which funds have been authorized in the general appropriations act.”

C. This SECTION takes effect July 1, 2016, except that the members of the Commission of the Department of Transportation serving on June 30, 2016, shall continue to serve until their current term expires, and until their successor is appointed and confirmed. If a vacancy occurs in the seat of a member serving on June 30, 2016, before the member’s term otherwise expires, the vacancy must be filled in the manner specified in Chapter 1, Title 57 of the 1976 Code, as amended by this act, and the member filling the vacancy shall serve until the term expires. The members serving on June 30, 2016, if otherwise eligible, may be reappointed pursuant to Section 57‑1‑310, as amended by this act.

SECTION \_\_\_. A. Section 57‑1‑360 of the 1976 Code, as added by Act 114 of 2007, is amended to read:

“Section 57‑1‑360. (A) The ~~commission must appoint a~~ State Auditor shall employ an individual to serve as the chief internal auditor of the department, and other professional, administrative, technical, and clerical personnel as the ~~commission~~ State Auditor determines to be necessary ~~in the proper discharge of the commission’s duties and responsibilities provided by law~~. The ~~commission~~ State Auditor also

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must provide professional, administrative, technical, and clerical personnel, as the ~~commission~~ State Auditor determines to be necessary, for the chief internal auditor to properly discharge his duties and responsibilities authorized by the ~~commission~~ State Auditor or provided by law. Except as otherwise provided, any employees hired pursuant to this section shall serve at the pleasure of the ~~commission~~ State Auditor.

(B)(1) ~~The chief internal auditor shall serve for a term of four years and may be removed by the commission only for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity.~~ The chief internal auditor must be a Certified Public Accountant and possess any other experience the ~~commission~~ State Auditor may require. The chief internal auditor must establish, implement, and maintain the exclusive internal audit function of all departmental activities. The ~~commission~~ State Auditor shall set the salary for the chief internal auditor as allowed by statute or applicable law.

(2) The audits performed by the chief internal auditor must comply with recognized governmental auditing standards. The department and any entity contracting with the department must fully cooperate with the chief internal auditor in the discharge of his duties and responsibilities and must timely produce all books, papers, correspondence, memoranda, and other records considered necessary in connection with an internal audit. All final audit reports must be submitted to the commission and the chairman of the Senate Transportation Committee, the chairman of the Senate Finance Committee, the chairman of the House of Representatives Education and Public Works Committee, and the chairman of the House of Representatives Ways and Means Committee before being made public.

(3) The ~~commission~~ State Auditor is vested with the exclusive management and control of the chief internal auditor.

(C) The department, at its own expense, must provide appropriate office space within its headquarters, building, and facility service, including janitorial, utility and telephone services, computer and technology services, and related supplies, for the chief internal auditor and his support staff.”

B. (A) The chief internal auditor of the Department of Transportation and all associated support staff, and all authorized appropriations associated with the chief internal auditor and associated support staff are transferred to and become part of the State Auditor’s Office, State Fiscal Accountability Authority. The chief internal auditor of the Department of Transportation and all associated support staff, whether classified or

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unclassified personnel, employed by the Department of Transportation on the effective date of this act, either by contract or by employment at will, shall become employees of the State Auditor’s Office, State Fiscal Accountability Authority, with the same compensation, classification, and grade level, as applicable.

(B) The chief internal auditor of the Department of Transportation on June 30, 2016, shall continue to serve until the State Auditor employs a successor. Nothing in this section shall prevent the State Auditor from retaining the chief internal auditor of the Department of Transportation as of June 30, 2016, pursuant to the provisions of this SECTION.

SECTION \_\_\_. Section 57‑1‑490 of the 1976 Code, as amended by Act 114 of 2007, is further amended to read:

“Section 57‑1‑490. (A) The department shall be audited by a certified public accountant or firm of certified public accountants once each year to be designated by the State Auditor. The designated accountant or firm of accountants shall issue audited financial statements in accordance with generally accepted accounting principles, and such financial statements ~~shall~~ must be made available annually by October fifteenth to the General Assembly. The costs and expenses of the audit must be paid by the department out of its funds.

(B) The Materials Management Office of the ~~Department of Administration~~ State Fiscal Accountability Authority annually must audit the department’s internal procurement operation to ensure that the department has acted properly with regard to the department’s exemptions contained in Section 11‑35‑710. The audit must be performed in accordance with applicable state law, including, but not limited to, administrative penalties for violations found as a result of the audit. The results of the audit must be made available by October fifteenth to the Department of Transportation Commission, the ~~Department of the Transportation’s chief internal auditor~~ State Auditor, the Governor, the chairmen of the Senate Finance and Transportation Committees, and the chairmen of the House of Representatives Ways and Means and Education and Public Works Committees. The costs and expenses of the audit must be paid by the department out of its funds.

(C) The Legislative Audit Council shall contract for an independent performance and compliance audit of the department’s finance and administration division, mass transit division, and construction engineering and planning division. This audit must be completed by January 15, 2010. The Legislative Audit Council may contract for follow‑up audits or conduct follow‑up audits as needed based upon the audit’s initial findings. The costs of these audits,

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including related administrative and management expenses of the Legislative Audit Council, are an operating expense of the department. The department shall pay directly to the Legislative Audit Council the cost of the audits.

(D) Copies of every audit conducted pursuant to this section must be made available to the Department of Transportation Commission, the ~~Department of Transportation chief internal auditor~~ State Auditor, the Governor, the chairmen of the Senate Finance and Transportation Committees, and the chairmen of the House of Representatives Ways and Means and Education and Public Works Committees.”

SECTION \_\_\_. Article 7, Chapter 1, Title 57 of the 1976 Code is repealed.

SECTION \_\_\_. Section 11‑43‑150 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) Before providing a loan or other financial assistance to a qualified borrower on a qualified project, the board of directors must submit the decision to the Department of Transportation Commission for its consideration. The Department of Transportation Commission can approve or reject the board of directors’ decisions or request additional information from the board of directors. This requirement does not apply to decisions by the board that relate to any payment or contractual obligations that the Department of Transportation has to the bank that are pledged to any bonds issued by the bank.”

SECTION \_\_\_. A. Section 11‑43‑180 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“( ) The bank may not provide any loans or other financial assistance, including bond proceeds, to any project unless the eligible costs of the project are at least twenty‑five million dollars.”

B. This SECTION takes effect upon approval by the Governor and only applies to projects selected by the bank thereafter.

SECTION \_\_\_. A. Article 1, Chapter 43, Title 11 of the 1976 Code is amended by adding:

“Section 11‑43‑265. (A) Notwithstanding any other provision of law and subject to the provisions of subsection (B), the bank must prioritize all projects in accordance with the prioritization criteria provided in Section 57‑1‑370(B)(8).

(B) The General Assembly may enact a joint resolution allowing the bank to fund a project without using the prioritization criteria provided in subsection (A). The joint resolution must be specific as to the project and the amount authorized to be funded.”

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B. This SECTION takes effect upon approval by the Governor and only applies to projects selected by the bank thereafter.

SECTION \_\_\_. A. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

“Section 56-1-560. (A) Notwithstanding any other provision of law, any fee or fine collected by the Department of Motor Vehicles to be used by the department for its operations, except funds attributable to plate replacement, instead must be credited to the State Highway Fund as established by Section 57-11-20. The Department of Motor Vehicles may not expend any of the collections.

(B) The provisions of this section supersede any other provision of law to the contrary. Any Code Reference to the collections described in subsection (A) contained within the 1976 Code or other provisions of law are considered to be and must be construed to be credited to the State Highway Fund instead.”

B. On or before January 15, 2017, the Code Commissioner shall prepare and deliver a report to the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives concerning appropriate and conforming changes to the 1976 Code of Laws reflecting the provisions of Section 56-1-560.

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

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

Rep. WHITE spoke in favor of the amendment.

Rep. NORMAN spoke against the amendment.

Further proceedings were interrupted by expiration of time on the uncontested Calendar, the pending question being consideration of Amendment No. 1.

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**RECURRENCE TO THE MORNING HOUR**

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

**S. 1258--AMENDED AND INTERRUPTED DEBATE**

Debate was resumed on the following Bill, the pending question being the consideration of Amendment No. 1:

S. 1258 -- Finance Committee: A BILL TO AMEND CHAPTER 43, TITLE 11 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, TO PROVIDE FOR THE DISTRIBUTION BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK OF CERTAIN FEES AND FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES TRANSFERRED TO THE STATE HIGHWAY FUND; TO AMEND SECTIONS 12-37-2740(D), 38-73-470, 56-1-170(B)(3), 56-1-200, 56-1-286(K)(1), 56-1-390(2), 56-1-400(A), 56-1-460(A)(1)(e)(iii), 56-1-550, 56-1-740(B)(3), 56-1-746(D)(3), 56-1-2080, 56-3-355, 56-3-1335, 56-5-750(G)(3), 56-5-2951(B)(1), 56-5-2951(H)(3), 56-9-330, 56-10-240(C), 56-10-245, 56-10-552, 56-19-420(C), AND 56-19-520(A)(4), ALL OF THE 1976 CODE, ALL RELATING TO FEES OR FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT ALL OR A PORTION OF THE FEES SHALL BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; TO AMEND SECTION 12-36-2647 OF THE 1976 CODE, AS ENACTED IN ACT 98 OF 2013 AND RELATED TO SOURCES OF REVENUE USED FOR HIGHWAY CONSTRUCTION AND MAINTENANCE, TO PROVIDE THAT THE REVENUES OF SALES, USE, AND CASUAL EXCISE TAXES DERIVED PURSUANT TO SECTIONS 12-36-2620(1) AND 12-36-2640(1) ON THE SALE, USE, OR TITLING OF A MOTOR VEHICLE MUST BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

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The Committee on Ways and Means proposed the following Amendment No. 1 to S. 1258 (COUNCIL\BBM\1258C002. BBM.DG16), which was adopted:

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

/ SECTION \_\_\_. A. Section 57‑1‑310 through Section 57‑1‑340 of the 1976 Code, all as last amended by Act 114 of 2007, are further amended to read:

“Section 57‑1‑310. (A) The congressional districts of this State are constituted and created Department of Transportation Districts of the State, designated by numbers corresponding to the numbers of the respective congressional districts. The Commission of the Department of Transportation shall be composed of one member from each transportation district ~~elected by the delegations of the congressional district~~ and one member ~~appointed by the Governor~~ from the State at large, all appointed by the Governor, upon the advice and consent of the General Assembly. ~~Such elections or appointment, as the case may be,~~ In making appointments to the commission, the Governor shall take into account race, ~~and~~ gender, and other demographic factors, such as residence in rural or urban areas, so as to represent, to the greatest extent possible, all segments of the population of the State; however, consideration of these factors in making an appointment ~~or in an election~~ in no way creates a cause of action or basis for an employee grievance for a person appointed ~~or elected~~ or for a person who fails to be appointed.

(B)~~(1)~~ ~~Candidates for election to the commission must be screened by the Joint Transportation Review Committee, as provided in Article 7 of this chapter, and determined to meet the qualifications contained in subsection (C) in order to be eligible for election~~.

~~(2)~~ ~~The at‑large appointment made by the Governor must be transmitted to the Joint Transportation Review Committee. The Joint Transportation Review Committee must determine whether the at‑large appointee meets the qualifications in subsection (C) and report its findings to the General Assembly and the Governor. Until the Joint Transportation Review Committee finds a gubernatorial appointee qualified, the appointee must not take the oath of office and the full rights and privileges and powers of the office shall not vest.~~

~~(C)~~ The qualifications that each commission member must possess, include, but are not limited to:

(1) a baccalaureate or more advanced degree from:

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(a) a recognized institution of higher learning requiring face‑to‑face contact between its students and instructors prior to completion of the academic program;

(b) an institution of higher learning that has been accredited by a regional or national accrediting body; or

(c) an institution of higher learning chartered before 1962; or

(2) a background of at least five years in any combination of the following fields of expertise:

(a) transportation;

(b) construction;

(c) finance;

(d) law;

(e) environmental issues;

(f) management; or

(g) engineering.

~~(D)~~(C) ~~No~~ A member of the General Assembly or member of his immediate family ~~shall~~ may not be ~~elected or~~ appointed to the commission while the member is serving in the General Assembly; nor shall a member of the General Assembly or a member of his immediate family be ~~elected or~~ appointed to the commission for a period of four years after the member either:

(1) ceases to be a member of the General Assembly; or

(2) fails to file for election to the General Assembly in accordance with Section 7‑11‑15.

Section 57‑1‑320. ~~(A)~~ ~~A county that is divided among two or more Department of Transportation districts, for purposes of electing a commission member, is deemed to be considered in the district which contains the largest number of residents from that county.~~

~~(B)~~ ~~No~~ A county within a Department of Transportation district ~~shall~~ may not have a resident commission member for more than ~~one consecutive term~~ twelve consecutive years and in no event shall any two persons from the same county serve as a commission member simultaneously except as provided hereinafter.

~~Section 57‑1‑325.~~ ~~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 person may be elected~~

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~~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.~~

Section 57‑1‑330. (A) ~~For the purposes of electing a commission member, a legislator shall vote only in the congressional district in which he resides.~~ All commission members are elected to a term of office of four years which expires on February fifteenth of the appropriate year. However, a commission member may not serve more than two consecutive terms, and may not serve more than twelve years, regardless of when the term was served. Commissioners shall continue to serve until their successors are ~~elected~~ appointed and ~~qualify~~ confirmed, provided that a commissioner ~~may~~ only may serve in a hold‑over capacity for a period not to exceed six months. Any vacancy occurring in the office of commissioner shall be filled by ~~election or~~ appointment in the manner provided in this article for the unexpired term only. Except for the at‑large member, ~~no~~ a person is not eligible to serve as a commission member who is not a resident of that district at the time of his appointment. Failure by ~~an elected~~ such commission member to maintain residency in the district for which he is ~~elected~~ appointed shall result in the forfeiture of his office.

(B) ~~The at‑large commission member shall serve at the pleasure of the Governor.~~ The at‑large commission member may be appointed from any county in the State unless another commission member is serving from that county. Failure by the at‑large commission member to maintain residence in the State shall result in a forfeiture of his office.

~~(C)~~ ~~All elected commission members may be removed from office as provided in Section 1‑3‑240(C)(1).~~

Section 57‑1‑340. Each commission member, within thirty days after his ~~election or~~ appointment, and before entering upon the discharge of the duties of his office, shall take, subscribe, and file with the

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Secretary of State the oath of office prescribed by the Constitution of the State.”

B. Section 57‑1‑410 of the 1976 Code, as last amended by Act 114 of 2007, is further amended to read:

“Section 57‑1‑410. The ~~Governor~~ commission shall appoint, with the advice and consent of the ~~Senate~~ General Assembly, a Secretary of Transportation who shall serve at the pleasure of the ~~Governor~~ commission. A person appointed to this position shall possess practical and successful business and executive ability and be knowledgeable in the field of transportation. The Secretary of Transportation shall receive such compensation as may be established under the provisions of Section 8‑11‑160 and for which funds have been authorized in the general appropriations act.”

C. This SECTION takes effect July 1, 2016, except that the members of the Commission of the Department of Transportation serving on June 30, 2016, shall continue to serve until their current term expires, and until their successor is appointed and confirmed. If a vacancy occurs in the seat of a member serving on June 30, 2016, before the member’s term otherwise expires, the vacancy must be filled in the manner specified in Chapter 1, Title 57 of the 1976 Code, as amended by this act, and the member filling the vacancy shall serve until the term expires. The members serving on June 30, 2016, if otherwise eligible, may be reappointed pursuant to Section 57‑1‑310, as amended by this act.

SECTION \_\_\_. A. Section 57‑1‑360 of the 1976 Code, as added by Act 114 of 2007, is amended to read:

“Section 57‑1‑360. (A) The ~~commission must appoint a~~ State Auditor shall employ an individual to serve as the chief internal auditor of the department, and other professional, administrative, technical, and clerical personnel as the ~~commission~~ State Auditor determines to be necessary ~~in the proper discharge of the commission’s duties and responsibilities provided by law~~. The ~~commission~~ State Auditor also must provide professional, administrative, technical, and clerical personnel, as the ~~commission~~ State Auditor determines to be necessary, for the chief internal auditor to properly discharge his duties and responsibilities authorized by the ~~commission~~ State Auditor or provided by law. Except as otherwise provided, any employees hired pursuant to this section shall serve at the pleasure of the ~~commission~~ State Auditor.

(B)(1) ~~The chief internal auditor shall serve for a term of four years and may be removed by the commission only for malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity.~~ The chief

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internal auditor must be a Certified Public Accountant and possess any other experience the ~~commission~~ State Auditor may require. The chief internal auditor must establish, implement, and maintain the exclusive internal audit function of all departmental activities. The ~~commission~~ State Auditor shall set the salary for the chief internal auditor as allowed by statute or applicable law.

(2) The audits performed by the chief internal auditor must comply with recognized governmental auditing standards. The department and any entity contracting with the department must fully cooperate with the chief internal auditor in the discharge of his duties and responsibilities and must timely produce all books, papers, correspondence, memoranda, and other records considered necessary in connection with an internal audit. All final audit reports must be submitted to the commission and the chairman of the Senate Transportation Committee, the chairman of the Senate Finance Committee, the chairman of the House of Representatives Education and Public Works Committee, and the chairman of the House of Representatives Ways and Means Committee before being made public.

(3) The ~~commission~~ State Auditor is vested with the exclusive management and control of the chief internal auditor.

(C) The department, at its own expense, must provide appropriate office space within its headquarters, building, and facility service, including janitorial, utility and telephone services, computer and technology services, and related supplies, for the chief internal auditor and his support staff.”

B. (A) The chief internal auditor of the Department of Transportation and all associated support staff, and all authorized appropriations associated with the chief internal auditor and associated support staff are transferred to and become part of the State Auditor’s Office, State Fiscal Accountability Authority. The chief internal auditor of the Department of Transportation and all associated support staff, whether classified or unclassified personnel, employed by the Department of Transportation on the effective date of this act, either by contract or by employment at will, shall become employees of the State Auditor’s Office, State Fiscal Accountability Authority, with the same compensation, classification, and grade level, as applicable.

(B) The chief internal auditor of the Department of Transportation on June 30, 2016, shall continue to serve until the State Auditor employs a successor. Nothing in this section shall prevent the State Auditor from retaining the chief internal auditor of the Department of Transportation as of June 30, 2016, pursuant to the provisions of this SECTION.

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SECTION \_\_\_. Section 57‑1‑490 of the 1976 Code, as amended by Act 114 of 2007, is further amended to read:

“Section 57‑1‑490. (A) The department shall be audited by a certified public accountant or firm of certified public accountants once each year to be designated by the State Auditor. The designated accountant or firm of accountants shall issue audited financial statements in accordance with generally accepted accounting principles, and such financial statements ~~shall~~ must be made available annually by October fifteenth to the General Assembly. The costs and expenses of the audit must be paid by the department out of its funds.

(B) The Materials Management Office of the ~~Department of Administration~~ State Fiscal Accountability Authority annually must audit the department’s internal procurement operation to ensure that the department has acted properly with regard to the department’s exemptions contained in Section 11‑35‑710. The audit must be performed in accordance with applicable state law, including, but not limited to, administrative penalties for violations found as a result of the audit. The results of the audit must be made available by October fifteenth to the Department of Transportation Commission, the ~~Department of the Transportation’s chief internal auditor~~ State Auditor, the Governor, the chairmen of the Senate Finance and Transportation Committees, and the chairmen of the House of Representatives Ways and Means and Education and Public Works Committees. The costs and expenses of the audit must be paid by the department out of its funds.

(C) The Legislative Audit Council shall contract for an independent performance and compliance audit of the department’s finance and administration division, mass transit division, and construction engineering and planning division. This audit must be completed by January 15, 2010. The Legislative Audit Council may contract for follow‑up audits or conduct follow‑up audits as needed based upon the audit’s initial findings. The costs of these audits, including related administrative and management expenses of the Legislative Audit Council, are an operating expense of the department. The department shall pay directly to the Legislative Audit Council the cost of the audits.

(D) Copies of every audit conducted pursuant to this section must be made available to the Department of Transportation Commission, the ~~Department of Transportation chief internal auditor~~ State Auditor, the Governor, the chairmen of the Senate Finance and Transportation Committees, and the chairmen of the House of Representatives Ways and Means and Education and Public Works Committees.”

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SECTION \_\_\_. Article 7, Chapter 1, Title 57 of the 1976 Code is repealed.

SECTION \_\_\_. Section 11‑43‑150 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( ) Before providing a loan or other financial assistance to a qualified borrower on a qualified project, the board of directors must submit the decision to the Department of Transportation Commission for its consideration. The Department of Transportation Commission can approve or reject the board of directors’ decisions or request additional information from the board of directors. This requirement does not apply to decisions by the board that relate to any payment or contractual obligations that the Department of Transportation has to the bank that are pledged to any bonds issued by the bank.”

SECTION \_\_\_. A. Section 11‑43‑180 of the 1976 Code is amended by adding an appropriately lettered subsection to read:

“( ) The bank may not provide any loans or other financial assistance, including bond proceeds, to any project unless the eligible costs of the project are at least twenty‑five million dollars.”

B. This SECTION takes effect upon approval by the Governor and only applies to projects selected by the bank thereafter.

SECTION \_\_\_. A. Article 1, Chapter 43, Title 11 of the 1976 Code is amended by adding:

“Section 11‑43‑265. (A) Notwithstanding any other provision of law and subject to the provisions of subsection (B), the bank must prioritize all projects in accordance with the prioritization criteria provided in Section 57‑1‑370(B)(8).

(B) The General Assembly may enact a joint resolution allowing the bank to fund a project without using the prioritization criteria provided in subsection (A). The joint resolution must be specific as to the project and the amount authorized to be funded.”

B. This SECTION takes effect upon approval by the Governor and only applies to projects selected by the bank thereafter.

SECTION \_\_\_. A. Article 1, Chapter 1, Title 56 of the 1976 Code is amended by adding:

“Section 56-1-560. (A) Notwithstanding any other provision of law, any fee or fine collected by the Department of Motor Vehicles to be used by the department for its operations, except funds attributable to plate replacement, instead must be credited to the State Highway Fund as established by Section 57-11-20. The Department of Motor Vehicles may not expend any of the collections.

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(B) The provisions of this section supersede any other provision of law to the contrary. Any Code Reference to the collections described in subsection (A) contained within the 1976 Code or other provisions of law are considered to be and must be construed to be credited to the State Highway Fund instead.”

B. On or before January 15, 2017, the Code Commissioner shall prepare and deliver a report to the President *Pro Tempore* of the Senate and the Speaker of the House of Representatives concerning appropriate and conforming changes to the 1976 Code of Laws reflecting the provisions of Section 56-1-560.

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

Renumber sections to conform.

Amend title to conform.

Rep. NORMAN spoke against the amendment.

Rep. HILL spoke against the amendment.

Rep. SIMRILL spoke in favor of the amendment.

The amendment was then adopted by a division vote of 89 to 3.

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

**RECURRENCE TO THE MORNING HOUR**

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

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**S. 1258--AMENDED AND ORDERED TO THIRD READING**

Debate was resumed on the following Bill, the pending question being the consideration of amendments:

S. 1258 -- Finance Committee: A BILL TO AMEND CHAPTER 43, TITLE 11 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, TO PROVIDE FOR THE DISTRIBUTION BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK OF CERTAIN FEES AND FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES TRANSFERRED TO THE STATE HIGHWAY FUND; TO AMEND SECTIONS 12-37-2740(D), 38-73-470, 56-1-170(B)(3), 56-1-200, 56-1-286(K)(1), 56-1-390(2), 56-1-400(A), 56-1-460(A)(1)(e)(iii), 56-1-550, 56-1-740(B)(3), 56-1-746(D)(3), 56-1-2080, 56-3-355, 56-3-1335, 56-5-750(G)(3), 56-5-2951(B)(1), 56-5-2951(H)(3), 56-9-330, 56-10-240(C), 56-10-245, 56-10-552, 56-19-420(C), AND 56-19-520(A)(4), ALL OF THE 1976 CODE, ALL RELATING TO FEES OR FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT ALL OR A PORTION OF THE FEES SHALL BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; TO AMEND SECTION 12-36-2647 OF THE 1976 CODE, AS ENACTED IN ACT 98 OF 2013 AND RELATED TO SOURCES OF REVENUE USED FOR HIGHWAY CONSTRUCTION AND MAINTENANCE, TO PROVIDE THAT THE REVENUES OF SALES, USE, AND CASUAL EXCISE TAXES DERIVED PURSUANT TO SECTIONS 12-36-2620(1) AND 12-36-2640(1) ON THE SALE, USE, OR TITLING OF A MOTOR VEHICLE MUST BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

Reps. MCCOY, STAVRINAKIS and MERRILL proposed the following Amendment No. 3 to S. 1258 (COUNCIL\DKA\1258C001. DKA.SA16), which was adopted:

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Amend the bill, as and if amended, Section 11‑43‑167(C), SECTION 1, page 2, beginning on line 36, by striking item (2), and inserting:

/ (2) The bank shall submit all projects proposed to be financed pursuant to subsection (B) to the Joint Bond Review Committee as provided in Section 11‑43‑180, prior to approving a project for financing. /

Amend further, Section 12‑36‑2647(C), SECTION 25, page 15, beginning on line 33, by striking item (2), and inserting

/ (2) The bank shall submit all projects proposed to be financed pursuant to subsection (B) to the Joint Bond Review Committee as provided in Section 11‑43‑180, prior to approving a project for financing. /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 3

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bernstein | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Govan |
| Hamilton | Hardee | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |

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|  |  |  |
| --- | --- | --- |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | 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 | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--102**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bowers | Hill | Norman |

**Total--3**

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

**STATEMENT FOR HOUSE JOURNAL**

Abstention from Voting

Based on Potential Conflict of Interest

I am notifying you that I will not participate in the debate or votes on S. 1258. In accordance with Section 8-13-700(B) of the S.C. Code, I recuse myself from voting on the Bill because of a potential conflict of interest.

My potential conflict involves my practice of real property appraisal for clients including the South Carolina Dept. of Transportation. I wish to have my recusal noted for the House Journal.

Rep. Roger K. Kirby

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**STATEMENT FOR HOUSE JOURNAL**

Abstention from Voting

Based on Potential Conflict of Interest

I am notifying you that I will not participate in the debate or votes on S. 1258. In accordance with Section 8-13-700(B) of the S.C. Code, I recuse myself from voting on the Bill because of a potential conflict of interest.

Rep. Jeffrey A. Bradley

RECORD FOR VOTING

I was on temporary leave and missed the vote on S. 1258. If I had been present, I would have voted against the passage of this Bill.

Rep. Doug Brannon

Rep. TAYLOR 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. 5377 -- Reps. Bales, Alexander, Allison, Anderson, Anthony, Atwater, 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, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TONY MCDONALD, COUNTY ADMINISTRATOR FOR RICHLAND

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COUNTY, UPON THE OCCASION OF HIS RETIREMENT AFTER YEARS OF EXEMPLARY SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

H. 5378 -- Rep. Lucas: A CONCURRENT RESOLUTION TO EXTEND THE SINCERE CONGRATULATIONS AND BEST WISHES TO COLONEL THOMAS JOSEPH GREEN, COMMANDER, 12TH LEGAL OPERATIONS DETACHMENT, UPON THE OCCASION OF HIS CHANGE OF COMMAND ON JULY 9, 2016, FOR HIS DISTINGUISHED AND DEDICATED MILITARY SERVICE TO OUR NATION AND THE CONTRIBUTIONS THAT HE HAS MADE TO THE CITIZENS OF SOUTH CAROLINA.

**ADJOURNMENT**

At 5:34 p.m. the House, in accordance with the motion of Rep. BAMBERG, adjourned in memory of Alzena Robinson, to meet at 10:00 a.m. tomorrow.

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