~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Isaiah 57:14: “It shall be said, ‘Build up, build up, prepare the way, remove every obstruction from my people’s way.’ ”

Let us pray. Heavenly Father, You have been our guiding light in all generations in leading Your people. Grant these Representatives and staff the ability to persevere with wisdom, courage, and integrity, as they continue in their endeavor to provide the best service to all. May Your light shine on our Nation, State, and their leaders. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

**MOTION ADOPTED**

Rep. ALLEN moved that when the House adjourns, it adjourn in memory of former Representative Dr. Willie B. McMahand of Greenville, which was agreed to.

**H. 3730--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., May 16, 2012

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 3730:

H. 3730 -- Reps. Munnerlyn, Sabb, Vick, Hayes, Tribble and McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-9-450 SO AS TO PROVIDE THAT A COMMERCIAL FUR LICENSE, IN ADDITION TO A STATE HUNTING LICENSE IS REQUIRED OF ALL PERSONS WHO SELL OR TAKE FURBEARING ANIMALS BY ANY MEANS, EXCEPT A PROCESSOR, MANUFACTURER, OR RETAILER, AND TO PROVIDE THAT A PERSON UNDER THE AGE OF SIXTEEN MAY PURCHASE A COMMERCIAL FUR LICENSE WITHOUT HAVING TO PURCHASE A STATE HUNTING LICENSE AFTER COMPLETING THE TRAPPERS EDUCATION COURSE; TO AMEND SECTION 50-11-40, RELATING TO THE UNLAWFUL USE OF RECORDED SOUNDS OR AMPLIFIED IMITATIONS OF CALLS OR SOUNDS BY A PERSON TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO HUNT, CATCH, TAKE, OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS, SO AS TO DELETE THE PROVISION THAT MAKES IT UNLAWFUL TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL OR ATTEMPT TO CATCH OR KILL A GAME BIRD OR GAME ANIMAL BY USE OF THESE MEANS AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO THE HUNTING AND TAKING OF COYOTES; TO AMEND SECTION 50-11-1080, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES DECLARING OPEN SEASON ON COYOTES, SO AS TO PROVIDE THAT THERE IS NO CLOSED SEASON FOR HUNTING OR TAKING COYOTES WITH WEAPONS; TO AMEND SECTION 50-11-2400, RELATING TO DEFINITIONS OF CERTAIN TERMS THAT PERTAIN TO THE TRAPPING OF FURBEARING ANIMALS, SO AS TO REVISE THE DEFINITION OF THE TERMS "FURBEARING ANIMAL" AND "COMMERCIAL PURPOSES", AND TO PROVIDE DEFINITIONS FOR THE TERMS "OWNER" AND "AGENT"; TO AMEND SECTION 50-11-2430, RELATING TO REQUIRING A FUR TRAPPER TO CARRY PROOF THAT HE IS THE OWNER OF THE PROPERTY ON WHICH HE SETS HIS TRAPS, OR HAS PERMISSION FROM THE OWNER OF THE PROPERTY UPON WHICH HIS TRAPS ARE SET, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50-11-2440, RELATING TO REQUIRING A TRAPPER TO VISIT HIS TRAPS DAILY, SO AS TO MODIFY THE FREQUENCY THAT A TRAPPER MUST VISIT HIS TRAPS; TO AMEND SECTION 50-11-2445, RELATING TO THE REMOVAL OF TRAPPED WILDLIFE BY THE OWNERS OF TRAPS, SO AS TO ALLOW A TRAP OWNER'S DESIGNEE TO REMOVE WILDLIFE FROM HIS TRAPS, AND TO PROVIDE THAT A DESIGNEE MUST POSSESS WRITTEN PERMISSION FROM THE TRAP'S OWNER TO ACT ON HIS BEHALF AND MUST MEET ALL COMMERCIAL FUR LICENSING REQUIREMENTS OR BE LISTED ON A VALID DEPREDATION PERMIT; TO AMEND SECTION 50-11-2460, RELATING TO CERTAIN TRAPS THAT ARE ALLOWED FOR TRAPPING, SO AS TO MAKE TECHNICAL CHANGES, TO DELETE THE PROVISION THAT RESTRICTS THE TYPES OF TRAPS THAT ARE ALLOWED TO THOSE THAT ARE IN ACCORDANCE WITH APPROVED COMMERCIAL FUR LICENSES, TO ALLOW FOR THE USE OF LIVE TRAPS TO CAPTURE CERTAIN FERAL ANIMALS, TO REVISE THE SIZE OF FOOT-HOLD TRAPS THAT ARE ALLOWABLE, TO PROVIDE THAT SMALL SNAP, BOX, AND OTHER TRAPS ARE ALLOWED FOR TRAPPING; TO AMEND SECTION 50-11-2475, RELATING TO THE ISSUANCE OF A FUR PROCESSOR'S LICENSE, SO AS TO REVISE THE COST OF THE LICENSE, TO REQUIRE A TAXIDERMIST TO KEEP A DAILY REGISTER OF THE NAME AND ADDRESS OF EACH PERSON FROM WHOM A FURBEARING ANIMAL IS RECEIVED ALONG WITH OTHER INFORMATION ABOUT THE ANIMAL, AND TO MAKE TECHNICAL CHANGES; AND TO REPEAL SECTIONS 50-11-1060, 50-11-1070, AND 50-11-2420 RELATING TO THE ISSUANCE OF A COMMERCIAL FUR LICENSE, THE ISSUANCE OF A PERMIT TO POISON PREDATORY ANIMALS, AND THE KILLING OF BOBCATS.

and asks for a Committee of Conference and has appointed Senators Hutto, Campsen and S. Martin to the Committee of Conference on the part of the Senate.

Very respectfully,

President

Whereupon, the Chair appointed Reps. FRYE, HODGES and HIXON to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

**H. 3066--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., May 9, 2012

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. 3066:

H. 3066 -- Reps. G. R. Smith, Daning, Ballentine, Harrison, Allison, Hamilton, G. M. Smith, Bingham, Long, Henderson, Erickson, Horne, Willis, Weeks, McLeod, Pope, Simrill, Lucas, Norman, D. C. Moss, Clemmons, Harrell, Atwater, Bedingfield, Funderburk and Edge: A BILL TO ENACT THE "SOUTH CAROLINA RESTRUCTURING ACT OF 2011" INCLUDING PROVISIONS TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AGENCIES OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT BY ADDING THE DEPARTMENT OF ADMINISTRATION; BY ADDING SECTION 1-30-125 SO AS TO ESTABLISH THE DEPARTMENT OF ADMINISTRATION AS AN AGENCY OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT TO BE HEADED BY A DIRECTOR APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE GENERAL ASSEMBLY, AND TO TRANSFER TO THIS NEWLY CREATED DEPARTMENT CERTAIN OFFICES AND DIVISIONS OF THE STATE BUDGET AND CONTROL BOARD, OFFICE OF THE GOVERNOR, AND OTHER AGENCIES, AND TO PROVIDE FOR TRANSITIONAL AND OTHER PROVISIONS NECESSARY TO ACCOMPLISH THE ABOVE; BY ADDING CHAPTER 2 TO TITLE 2 SO AS TO PROVIDE FOR LEGISLATIVE OVERSIGHT OF EXECUTIVE DEPARTMENTS AND THE PROCESSES AND PROCEDURES TO BE FOLLOWED IN CONNECTION WITH THIS OVERSIGHT; TO AMEND SECTIONS 1-11-20, AS AMENDED, 1-11-22, 1-11-55, 1-11-56, 1-11-58, 1-11-65, 1-11-67, 1-11-70, 1-11-80, 1-11-90, 1-11-100, 1-11-110, 1-11-180, 1-11-220, 1-11-225, 1-11-250, 1-11-260, 1-11-270, 1-11-280, 1-11-290, 1-11-300, 1-11-310, AS AMENDED, 1-11-315, 1-11-320, 1-11-335, 1-11-340, 1-11-435; 2-13-240, CHAPTER 9, TITLE 3; 10-1-10, 10-1-30, AS AMENDED, 10-1-40, 10-1-130, 10-1-190, CHAPTER 9, TITLE 10, 10-11-50, AS AMENDED, 10-11-90, 10-11-110, 10-11-140, 10-11-330; 11-9-610, 11-9-620, 11-9-630, 11-35-3810, AS AMENDED, 11-35-3820, AS AMENDED, 11-35-3830, AS AMENDED, 11-35-3840, AS AMENDED, 13-7-30, AS AMENDED, 13-7-830, AS AMENDED; 44-53-530, AS AMENDED, AND 44-96-140; 48-46-30, 48-46-40, 48-46-50, 48-46-60, 48-46-90, 48-52-410, 48-52-440, AND 48-52-460; AND BY ADDING SECTION 1-11-185 RELATING TO VARIOUS AGENCY OR DEPARTMENT PROVISIONS SO AS TO CONFORM THEM TO THE ABOVE PROVISIONS PERTAINING TO THE NEW DEPARTMENT OF ADMINISTRATION OR TO SUPPLEMENT SUCH PROVISIONS.

Very respectfully,

President

On motion of Rep. G. R. SMITH, the House insisted upon its amendments.

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

**REPORTS OF STANDING COMMITTEES**

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

S. 836 -- Senators Grooms, Verdin, Knotts, Bright, Bryant, Courson, Campsen, McConnell, Cleary, Rose, Hayes, Shoopman, Massey, Campbell, Fair, Gregory, Cromer, L. Martin and Alexander: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 10 TO ENACT THE INTERSTATE HEALTHCARE COMPACT, TO PROVIDE THAT COMPACT MEMBERS MUST TAKE ACTION TO OBTAIN CONGRESSIONAL CONSENT TO THE COMPACT, TO PROVIDE THAT THE LEGISLATURE IS VESTED WITH THE RESPONSIBILITY TO REGULATE HEALTHCARE DELIVERED IN THEIR STATE, TO PROVIDE FOR HEALTHCARE FUNDING, TO ESTABLISH THE INTERSTATE ADVISORY HEALTH CARE COMMISSION AND TO PROVIDE ITS COMPOSITION, POWERS, DUTIES, AND AUTHORITY, TO PROVIDE THE EFFECTIVE DATE OF THE COMPACT, TO PROVIDE FOR AMENDING THE COMPACT, TO PROVIDE FOR THE MANNER OF WITHDRAWAL FROM THE COMPACT, AND TO PROVIDE NECESSARY DEFINITIONS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

S. 1419 -- Senators Thomas, Ford and Hayes: A BILL TO AMEND CHAPTER 45, TITLE 38, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE BROKERS AND SURPLUS LINES INSURANCE, SO AS TO DEFINE TERMS, TO PROVIDE THAT THE REVENUE COLLECTED FROM THE BROKER'S PREMIUM TAX RATE MUST BE CREDITED TO A SPECIAL EARMARKED FUND, TO PROVIDE THE MANNER IN WHICH THE FUND MAY BE USED AND DISBURSED, TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE TO CONDUCT EXAMINATIONS OF BROKER RECORDS, TO ALLOW THE DEPARTMENT OF INSURANCE TO PROMULGATE REGULATIONS NECESSARY TO IMPLEMENT THE CHAPTER, TO PROVIDE THE MANNER IN WHICH THE NONADMITTED AND REINSURANCE REFORM ACT OF 2010 MAY BE IMPLEMENTED; AND TO AMEND SECTION 38-7-160, RELATING TO MUNICIPAL LICENSE FEES AND TAXES, SO AS TO DISALLOW A MUNICIPALITY FROM CHARGING AN ADDITIONAL LICENSE FEE OR TAX BASED UPON A PERCENTAGE OF PREMIUMS FOR PURPOSES OF SURPLUS LINES INSURANCE.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

S. 1229 -- Senators O'Dell and Ford: A BILL TO AMEND SECTION 38-47-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSES REQUIRED FOR ADJUSTERS, SO AS TO ADD EXEMPTIONS FROM LICENSURE; AND TO AMEND SECTION 38-47-20, RELATING TO RECIPROCAL AGREEMENTS FOR LICENSING NONRESIDENT ADJUSTERS, SO AS TO PROVIDE WHERE A NONRECIPROCAL AGREEMENT EXISTS BETWEEN THIS STATE AND ANOTHER STATE, AN APPLICANT FOR A NONRESIDENT ADJUSTER'S LICENSE WHO HOLDS A LICENSE IN ANOTHER STATE MAY RESIDE IN THE UNITED STATES OR CANADA WITHOUT LOSING THE BENEFITS OF THE RECIPROCAL AGREEMENT IF HE COMPLIES WITH OTHER APPLICABLE LICENSURE REQUIREMENTS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report on:

S. 102 -- Senators Grooms, Fair, Verdin and Campsen: A BILL TO AMEND ARTICLE 1, CHAPTER 71, TITLE 38 OF THE 1976 CODE, RELATING TO ACCIDENT AND HEALTH INSURANCE, BY ADDING SECTION 38-71-238 TO PROHIBIT QUALIFIED HEALTH PLANS OFFERED THROUGH A HEALTH CARE EXCHANGE REQUIRED BY THE FEDERAL "PATIENT PROTECTION AND AFFORDABLE CARE ACT" FROM OFFERING ABORTION COVERAGE, AND TO PROVIDE FOR CERTAIN EXCEPTIONS.

Ordered for consideration tomorrow.

Rep. SANDIFER, from the Committee on Labor, Commerce and Industry, submitted a favorable report with amendments on:

S. 1269 -- Senators Peeler and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 18 TO CHAPTER 71, TITLE 38 SO AS TO PROVIDE THE RIGHTS OF A PHARMACY WHEN UNDERGOING AN AUDIT CONDUCTED BY A MANAGED CARE COMPANY, INSURANCE COMPANY, THIRD-PARTY PAYER, OR AN ENTITY RESPONSIBLE FOR PAYMENT OF CLAIMS FOR HEALTH CARE SERVICES; TO REQUIRE THE AUDITING ENTITY TO ESTABLISH AN APPEALS PROCESS; AND TO PROVIDE FOR THE RECOUPMENT OF FUNDS UNDER CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5286 -- Reps. Hardwick, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR STEWART D. "DANNY" LUSSIER, ASSISTANT FIRE CHIEF OF THE MURRELLS INLET-GARDEN CITY FIRE DEPARTMENT, UPON THE OCCASION OF HIS RETIREMENT AFTER THIRTY YEARS OF OUTSTANDING SERVICE AS A FIREFIGHTER IN THE PALMETTO STATE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 1502 -- Senators Williams and Elliott: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES UNITED STATES HIGHWAY 501 IN MARION COUNTY ALONG SOUTH CAROLINA HIGHWAY 41 "EBBIE JAMES 'E.J.' ATKINSON BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS "EBBIE JAMES 'E.J.' ATKINSON BRIDGE".

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

**INTRODUCTION OF BILLS**

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

H. 5285 -- Reps. King, Gilliard, Anderson, Cobb-Hunter and Rutherford: A JOINT RESOLUTION TO PROVIDE THAT INDIVIDUALS PROHIBITED FROM APPEARING ON THE JUNE 2012 PRIMARY BALLOT AS THE RESULT OF THEIR FAILURE TO FILE A STATEMENT OF ECONOMIC INTERESTS ARE ENTITLED TO A FULL REFUND OF THEIR FILING FEE FROM THE ENTITY THAT COLLECTED THE FEE.

On motion of Rep. KING, with unanimous consent, the Joint Resolution was ordered placed on the Calendar without reference.

H. 5287 -- Reps. Pope, Delleney, King, Long, D. C. Moss, V. S. Moss, Norman and Simrill: A BILL TO AMEND SECTION 22-2-190, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COUNTY JURY AREAS, SO AS TO PROVIDE FOR ONE JURY AREA COUNTYWIDE FOR THE YORK COUNTY CENTRALIZED DUI COURT.

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

S. 390 -- Senators Lourie, Jackson, Reese, Knotts, Alexander, Matthews, Campsen, McConnell, Cleary, Cromer, Rose and Ford: A BILL TO AMEND SECTION 23-3-115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO CLARIFY THE DEFINITION OF CHARITABLE ORGANIZATIONS WHICH PAY A REDUCED FEE TO INCLUDE LOCAL PARK AND RECREATION VOLUNTEERS THROUGH A COMMISSION, MUNICIPALITY, OR COUNTY.

Referred to Committee on Judiciary

S. 1469 -- Senator Malloy: A BILL TO AMEND ACT 748 OF 1978, AS AMENDED, RELATING TO THE BOARD OF EDUCATION OF DARLINGTON COUNTY, TO RESTRICT THE AUTHORITY OF THE BOARD TO INCREASE THE TAX LEVY WITHOUT THE APPROVAL OF A VOTE OF THE COUNTY ELECTORATE.

Referred to Committee on Education and Public Works

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Agnew | Allen | Allison |
| Anderson | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| Corbin | Crosby | Daning |
| Delleney | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hayes | Hearn | Henderson |
| Herbkersman | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | King |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McEachern | McLeod | Merrill |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. M. Neal |
| Norman | Ott | Owens |
| Parker | Parks | Patrick |
| Pinson | Pitts | Pope |
| Putnam | Quinn | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Tribble | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, May 17.

|  |  |
| --- | --- |
| Terry Alexander | Joseph Neal |
| Ted Vick | Denny Neilson |
| Todd Rutherford |  |

**Total Present--110**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HART a leave of absence for the day due to a death in the family.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MCCOY a leave of absence for the day for a family matter.

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**STATEMENT OF ATTENDANCE**

Rep. RUTHERFORD signed a statement with the Clerk that he came in after the roll call of the House and was present for the Session on Wednesday, May 16.

**STATEMENT OF ATTENDANCE**

Rep. VICK signed a statement with the Clerk that he came in after the roll call of the House and was present for the Sessions on Thursday, May 3, Wednesday, May 9, Tuesday, May 15, and Wednesday, May 16.

**DOCTOR OF THE DAY**

Announcement was made that Dr. Otis Engelman of Summerville was the Doctor of the Day for the General Assembly.

**CO-SPONSOR ADDED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 5250 |
| Date: | ADD: |
| 05/17/12 | LOWE |

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 1149 -- Senators Campsen, Campbell, Massey, Shoopman, Bright, Gregory, Alexander, Peeler, Grooms, Bryant, S. Martin, Davis, Knotts, L. Martin, Rose, Hayes and Thomas: A BILL TO ENACT THE "BORN ALIVE INFANT PROTECTION ACT" BY AMENDING SECTION 2-7-30 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE WORDS "PERSON" AND "PARTY" AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, TO PROVIDE FURTHER FOR THE CONSTRUCTION OF "PERSON", "HUMAN BEING", "CHILD", AND "INDIVIDUAL", SO THAT THEY INCLUDE EVERY INFANT MEMBER OF SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE", TO PROHIBIT THE DEPRIVATION OF MEDICALLY APPROPRIATE AND REASONABLE MEDICAL CARE FOR AN INFANT, TO CLARIFY THE RIGHT OF A PARENT OR GUARDIAN TO REFUSE TREATMENT THAT IS NOT MEDICALLY APPROPRIATE OR REASONABLE, AND TO PROVIDE FOR THE SEVERABILITY AND ENFORCEABILITY OF THE PORTIONS OF THIS SECTION.

RECORD FOR VOTING

I voted “yea” on S. 1149, in error. I do not support the “Born Alive Bill” and intended to vote “nay” on second reading of the Bill.

Rep. Gilda Cobb-Hunter

**S. 1107--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, May 23, which was adopted:

S. 1107 -- Senators Leventis, Hayes, Rose and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-1-77 SO AS TO PROVIDE A BOARD OR COMMISSION THAT REGULATES THE LICENSURE OF A PROFESSION OR OCCUPATION UNDER TITLE 40 MAY ISSUE A TEMPORARY LICENSE FOR A PROFESSION OR OCCUPATION IT REGULATES TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, TO PROVIDE REQUIREMENTS FOR OBTAINING THIS LICENSE, AND TO PROVIDE TIME LIMITS ON THE VALIDITY OF THIS LICENSE.

**S. 1149--MOTION TO RECONSIDER TABLED**

Rep. SELLERS moved to reconsider the vote whereby the following Bill was read third time and enrolled for ratification:

S. 1149 -- Senators Campsen, Campbell, Massey, Shoopman, Bright, Gregory, Alexander, Peeler, Grooms, Bryant, S. Martin, Davis, Knotts, L. Martin, Rose, Hayes and Thomas: A BILL TO ENACT THE "BORN ALIVE INFANT PROTECTION ACT" BY AMENDING SECTION 2-7-30 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF THE WORDS "PERSON" AND "PARTY" AS THOSE WORDS APPEAR IN THE LAWS OF THIS STATE, TO PROVIDE FURTHER FOR THE CONSTRUCTION OF "PERSON", "HUMAN BEING", "CHILD", AND "INDIVIDUAL", SO THAT THEY INCLUDE EVERY INFANT MEMBER OF SPECIES HOMO SAPIENS WHO IS BORN ALIVE AND TO DEFINE "BORN ALIVE", TO PROHIBIT THE DEPRIVATION OF MEDICALLY APPROPRIATE AND REASONABLE MEDICAL CARE FOR AN INFANT, TO CLARIFY THE RIGHT OF A PARENT OR GUARDIAN TO REFUSE TREATMENT THAT IS NOT MEDICALLY APPROPRIATE OR REASONABLE, AND TO PROVIDE FOR THE SEVERABILITY AND ENFORCEABILITY OF THE PORTIONS OF THIS SECTION.

Rep. HIOTT moved to table the motion to reconsider.

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

Yeas 78; Nays 19

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allen | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bingham | Bowen |
| Brady | Branham | Brannon |
| Chumley | Clemmons | Cole |
| Corbin | Crosby | Daning |
| Delleney | Edge | Erickson |
| Forrester | Frye | Gambrell |
| Hamilton | Hardwick | Harrell |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Huggins |
| Limehouse | Loftis | Long |
| Lowe | Lucas | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. M. Neal |
| Norman | Ott | Owens |
| Parker | Patrick | Pinson |
| Pitts | Pope | Putnam |
| Quinn | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Tribble | Weeks | White |
| Whitmire | Willis | Young |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Brantley | G. A. Brown |
| R. L. Brown | Butler Garrick | Cobb-Hunter |
| Gilliard | Hosey | Howard |
| Jefferson | King | Mack |
| McEachern | J. H. Neal | Parks |
| Sabb | Sellers | Whipper |
| Williams |  |  |

**Total--19**

So, the motion to reconsider was tabled.

**S. 1125--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, May 23, which was adopted:

**S. 1392--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Wednesday, May 23, which was adopted:

S. 1392 -- Senators Campbell and Ford: A BILL TO AMEND SECTION 34-13-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TOTAL LIABILITIES OF ANY ONE BORROWER TO A BANK, SO AS TO DEFINE "TOTAL LIABILITIES" WHICH SHALL INCLUDE "DERIVATIVE TRANSACTIONS" AND TO ALSO DEFINE "DERIVATIVE TRANSACTIONS" FOR THIS PURPOSE; AND TO AMEND SECTION 34-13-70, RELATING TO THE MAXIMUM AMOUNT OF LOANS BY A STATE BANK TO A BORROWER, SO AS TO DEFINE "LOAN" WHICH SHALL INCLUDE "DERIVATIVE TRANSACTIONS", AND TO ALSO DEFINE "DERIVATIVE TRANSACTIONS" FOR THIS PURPOSE.

**S. 1127--DEBATE ADJOURNED**

Rep. DELLENEY moved to adjourn debate upon the following Bill until Tuesday, May 22, which was adopted:

S. 1127 -- Senator Peeler: A BILL TO AMEND SECTION 1-30-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING, AMONG OTHER THINGS, TO THE CREATION OF THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING AUTHORITY, SO AS TO ELIMINATE THE SPECIFIC NUMBER OF BOARD MEMBERS THAT MUST BE APPOINTED TO GOVERN A DEPARTMENT; TO AMEND SECTIONS 40-9-30 AND 40-9-37, BOTH RELATING TO MEMBERSHIP ON THE BOARD OF CHIROPRACTIC EXAMINERS, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE NEWLY CREATED SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-15-20, RELATING TO MEMBERSHIP ON THE STATE BOARD OF DENTISTRY, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND BY ADDING AN ADDITIONAL LAY MEMBER; TO AMEND SECTION 40-33-10, RELATING TO MEMBERSHIP ON AND DUTIES OF THE STATE BOARD OF NURSING, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND TO DELETE THE PROVISION AUTHORIZING THE BOARD TO ESTABLISH A FEE SCHEDULE IN REGULATIONS; TO AMEND SECTION 40-43-40, RELATING TO MEMBERSHIP ON THE STATE BOARD OF PHARMACY, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-45-10, RELATING TO MEMBERSHIP ON THE STATE BOARD OF PHYSICAL THERAPY EXAMINERS, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND BY ADDING AN ADDITIONAL MEMBER FROM THE GENERAL PUBLIC; TO AMEND SECTION 40-47-10, RELATING TO MEMBERSHIP ON AND DUTIES OF THE STATE BOARD OF MEDICAL EXAMINERS, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT AND TO DELETE THE PROVISION AUTHORIZING THE BOARD TO ESTABLISH AN INITIAL FEE SCHEDULE IN REGULATIONS; TO AMEND SECTION 40-47-11, RELATING TO MEMBERSHIP ON THE MEDICAL DISCIPLINARY COMMISSION, SO AS TO DECREASE COMMISSION PHYSICIAN MEMBERSHIP FROM THIRTY-SIX TO THIRTY-FIVE BY CONTINUING TO APPOINT FIVE PHYSICIAN COMMISSIONERS FROM EACH CONGRESSIONAL DISTRICT, BY ELIMINATING THE SIX AT-LARGE PHYSICIAN COMMISSIONERS, AND BY DECREASING LAY COMMISSION MEMBERSHIP FROM TWELVE TO SEVEN BY APPOINTING ONE, RATHER THAN TWO, LAY COMMISSIONERS FROM EACH CONGRESSIONAL DISTRICT; TO AMEND SECTION 40-75-10, RELATING TO MEMBERSHIP ON THE BOARD OF EXAMINERS FOR THE LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALIST, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 44-1-20, RELATING TO MEMBERSHIP ON THE BOARD OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO INCREASE BOARD MEMBERSHIP BY ADDING A MEMBER TO BE APPOINTED FROM THE SEVENTH CONGRESSIONAL DISTRICT; TO AMEND SECTION 44-9-30 AND SECTIONS 44-20-210 AND 44-20-225, BOTH AS AMENDED, RELATING, RESPECTIVELY, TO MEMBERSHIP ON THE SOUTH CAROLINA MENTAL HEALTH COMMISSION, MEMBERSHIP ON THE SOUTH CAROLINA COMMISSION ON DISABILITIES AND SPECIAL NEEDS, AND MEMBERSHIP ON CONSUMER ADVISORY BOARDS TO THE COMMISSION ON DISABILITIES AND SPECIAL NEEDS, SO AS TO MAINTAIN THE SEVEN MEMBER MENTAL HEALTH COMMISSION, THE SEVEN MEMBER COMMISSION ON DISABILITIES AND SPECIAL NEEDS, AND THE SEVEN MEMBER CONSUMER ADVISORY BOARDS BY PROVIDING THAT ONE MEMBER MUST BE APPOINTED FROM EACH CONGRESSIONAL DISTRICT AND BY ELIMINATING THE ONE STATE AT LARGE MEMBER FROM EACH COMMISSION AND FROM EACH BOARD; BY ADDING SECTION 1-1-1320 SO AS TO PROVIDE FOR THE CONTINUATION OF THE TERM OF A PERSON WHO REPRESENTS A CONGRESSIONAL DISTRICT ON A BOARD, COMMISSION, OR COMMITTEE WHOSE RESIDENCY IS TRANSFERRED TO ANOTHER CONGRESSIONAL DISTRICT BY A CHANGE IN THE COMPOSITION OF THE DISTRICT; TO PROVIDE FOR THE APPOINTMENT OF AN ADDITIONAL MEMBER TO REPRESENT THE CONGRESSIONAL DISTRICT FOR WHICH THE TRANSFERRED MEMBER WOULD HAVE SERVED IF THAT DISTRICT IS UNSERVED BY A RESIDENT MEMBER; AND TO PROVIDE FOR THE EXPIRATION OF TERMS AND VACANCIES OCCURRING IN THE AFFECTED DISTRICTS; AND TO DELETE OBSOLETE LANGUAGE AND MAKE CHANGES NECESSARY TO CONFORM TO THE PROVISIONS OF THIS ACT.

**S. 1088--POINT OF ORDER**

The following Bill was taken up:

S. 1088 -- Senators McConnell, Ford and Knotts: A BILL TO AMEND STATUTES CREATING CERTAIN BOARDS AND COMMISSIONS WHOSE MEMBERS ARE APPOINTED OR ELECTED BY CONGRESSIONAL DISTRICT, WHICH ARE UNDER THE JURISDICTION OF THE SOUTH CAROLINA SENATE JUDICIARY COMMITTEE PURSUANT TO SOUTH CAROLINA SENATE RULE 19, RELATING TO THE STATE HUMAN AFFAIRS COMMISSION, THE STATE COMMISSION ON MINORITY AFFAIRS, THE STATE ETHICS COMMISSION, THE PUBLIC SERVICE COMMISSION, THE PUBLIC SERVICE AUTHORITY, THE DIVISION FOR THE REVIEW OF THE FOSTER CARE OF CHILDREN, THE CHILDREN’S TRUST FUND OF SOUTH CAROLINA, AND THE BOARD OF JUVENILE PAROLE, NAMELY, SECTION 1-13-40, SECTION 1-31-10, SECTION 8-13-310, SECTION 58-3-20, SECTION 58-31-20, SECTION 63-11-700, SECTION 63-11-920, AND SECTION 63-19-610 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE FOR THE ADDITIONAL CONGRESSIONAL DISTRICT ASSIGNED TO SOUTH CAROLINA PURSUANT TO THE 2010 CENSUS.

**POINT OF ORDER**

Rep. DELLENEY 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. 391--DEBATE ADJOURNED ON MOTION TO RECONSIDER**

Rep. BINGHAM moved to adjourn debate on the motion to reconsider, which was agreed to.

**OBJECTION TO RECALL**

Rep. LOWE asked unanimous consent to recall H. 5250 from the Committee on Judiciary.

Rep. HARRISON objected.

**H. 3417--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3417 -- Rep. Funderburk: A BILL TO AMEND SECTION 6-11-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORITY TO ESTABLISH SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICTS, SO AS TO INCLUDE THE PROVISION OF EMERGENCY MEDICAL AND RESCUE RESPONSE SERVICES AS AN AUTHORIZED PURPOSE FOR WHICH A SPECIAL PURPOSE OR PUBLIC SERVICE DISTRICT MAY BE ESTABLISHED.

The yeas and nays were taken resulting as follows:

Yeas 102; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Atwater |
| Bales | Ballentine | Bannister |
| Barfield | Battle | Bingham |
| Bowen | Bowers | Brady |
| Branham | Brannon | Brantley |
| G. A. Brown | R. L. Brown | Butler Garrick |
| Chumley | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hayes |
| Hearn | Henderson | Herbkersman |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | King | Limehouse |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McLeod | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Putnam |
| Quinn | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Tribble | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Young |

**Total--102**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Nanney | G. R. Smith |  |

**Total--2**

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

**STATEMENT FOR THE JOURNAL**

In accordance with §8-13-700(B) of the S.C. Code, I abstained from voting on H. 3417, because of a potential conflict of interest and wish to have my recusal noted for the record in the House Journal.

Rep. Eric Bedingfield

**H. 3478--POINT OF ORDER**

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

H. 3478 -- Reps. Young, D. C. Moss, Gambrell, Agnew, Bowen, H. B. Brown, Clyburn, Spires, Frye, Bingham, Cobb-Hunter, Hardwick, Hayes, Herbkersman, Hixon, Horne, Hosey, Lucas, McEachern, Ott, Quinn, G. R. Smith, J. R. Smith, Taylor, Umphlett and White: A BILL TO AMEND SECTION 39-41-235, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PETROLEUM PRODUCTS AND DIESEL FUEL SUITABLE FOR BLENDING, SALE OF UNBLENDED PRODUCTS WITHOUT NECESSARY ADDITIVES, RECORDKEEPING AND REGISTRATION, ENFORCEMENT, WHOLESALER RESPONSIBILITY, LIABILITY, AND NOTICE, SO AS TO PROVIDE THAT THESE REQUIREMENTS APPLY TO EVERY TERMINAL OPERATOR AND EVERY SUPPLIER.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3259--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3259 -- Reps. Herbkersman and Forrester: A BILL TO AMEND SECTION 56-3-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPERATION OF GOLF CARTS ALONG THE STATE'S HIGHWAYS, SO AS TO PROVIDE THAT WHEN A GOLF CART OWNER'S RESIDENCE IS LOCATED WITHIN A GATED COMMUNITY THE TWO-MILE LIMIT WITHIN WHICH A GOLF CART OWNER MAY OPERATE HIS GOLF CART MUST BE MEASURED FROM THE COMMUNITY'S PRIMARY ENTRANCE AND NOT FROM THE OWNER'S RESIDENCE, TO PROVIDE FOR THE OPERATION OF A GOLF CART ALONG A SECONDARY HIGHWAY OR STREET ON CERTAIN SEA ISLANDS, TO PROVIDE A DEFINITION FOR THE TERM "GATED COMMUNITY", AND TO PROVIDE THAT A GOLF CART MAY CROSS CERTAIN SECONDARY HIGHWAYS.

Rep. HERBKERSMAN explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Barfield | Battle |
| Bedingfield | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Corbin |
| Crosby | Delleney | Edge |
| Erickson | Forrester | Gambrell |
| Gilliard | Govan | Hamilton |
| Hardwick | Harrell | Harrison |
| Hearn | Henderson | Herbkersman |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pope | Putnam | Quinn |
| Sabb | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Tribble |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Young |  |  |

**Total--97**

Those who voted in the negative are:

**Total--0**

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

**S. 105--RECONSIDERED**

The motion of Rep. OWENS to reconsider the vote whereby the following Bill was given second reading was taken up and agreed to:

S. 105 -- Senators Verdin, Leventis and L. Martin: A BILL TO AMEND THE 1976 CODE, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE'S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO AGRITOURISM ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR AGRITOURISM ACTIVITIES.

**MOTION PERIOD**

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

**H. 3788--DEBATE ADJOURNED**

Rep. HERBKERSMAN moved to adjourn debate upon the following Bill until Tuesday, May 22, which was adopted:

H. 3788 -- Rep. Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 70 TO TITLE 12 SO AS TO ENACT THE "HERITAGE GOLF PRESERVATION ACT".

**S. 105--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 105 -- Senators Verdin, Leventis and L. Martin: A BILL TO AMEND THE 1976 CODE, BY ADDING ARTICLE 8 TO CHAPTER 25, TITLE 57, TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO CREATE AND SUPERVISE A STATEWIDE PROGRAM RELATED TO PROVIDING DIRECTIONAL SIGNS ALONG THE STATE'S MAJOR HIGHWAYS AND INTERCHANGES LEADING TO AGRITOURISM ORIENTED FACILITIES ENGAGED IN EDUCATIONAL OR AGRITOURISM ACTIVITIES.

Rep. OWENS proposed the following Amendment No. 7 to S. 105 (COUNCIL\SWB\5330CM12), which was adopted:

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

/ SECTION 1. Chapter 25, Title 57 of the 1976 Code is amended by adding:

“Article 8

Agritourism and Tourism Oriented Signage Program

“Section 57‑25‑800. As used in this article:

(1) ‘Agritourism‑oriented facility’ means a type of location where an agritourism activity, as defined in Section 46‑53‑10(1), is carried out by an agritourism professional, as defined in Section 46‑53‑10(2), or another type of agricultural facility recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830 (A);

(2) ‘Tourism‑oriented facility’ means a type of facility recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830 (A);

(3) ‘Conventional highway’ means a highway with at‑grade intersections and without control of access; and

(4) ‘Rural’ means an area outside the limits of an incorporated municipality having a population of 5,000 or more according to the most recent decennial census of the United States Bureau of Census.

Section 57‑25‑810. In an effort to promote and assist South Carolina facilities that have an interest in educating, sharing, and selling their programs and products to the general public, the Department of Transportation is directed to create and supervise a coordinated, self‑funded, statewide program related to providing directional signs along certain of the State’s rural conventional highways and non‑interstate scenic byways leading to tourism and agritourism‑oriented facilities. The statewide program shall be operated according to standards and regulations consistent with the Manual on Uniform Traffic Control Devices authorized to be adopted and promulgated by the Department of Transportation. The standards and regulations may provide for the use of official logos developed by the Department of Parks, Recreation and Tourism and the Department of Agriculture in compliance with the federal Manual on Uniform Traffic Control Devices. The standards and regulation may also provide for cooperative agreements between the department and private interests for the administration of the program and for the use and display of names for tourism and agritourism information signs on the highway right‑of‑way.

Section 57‑25‑820. (A) The Department of Transportation shall be responsible for the erection and maintenance of the official signs giving specific information to the traveling public providing directions to tourism and agritourism‑oriented facilities. All signs must conform to department rules and regulations regarding the size and placement of the signs and be in compliance with all federal and state regulations.

(B) The department of Transportation shall coordinate with the Department of Agriculture and the Department of Parks, Recreation and Tourism, as applicable, to allow those departments to promote tourism and agritourism‑oriented facilities participating in this directional signage program.

(C) The criteria for selection of qualified agritourism facilities shall be recommended by the Department of Agriculture and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A). The criteria for selection of qualified tourism facilities shall be recommended by the Department of Parks, Recreation and Tourism and incorporated into regulations of the Department of Transportation pursuant to Section 57‑25‑830(A).

(D) The approval of applications for signs for agritourism and tourism oriented facilities must be determined by an oversight committee. The oversight committee shall consist of the following members and shall meet at the call of the chairman semiannually to consider applications for signage:

(1) Secretary of the Department of Transportation, or his designee, serving as chairman;

(2) Director of the Department of Parks, Recreation and Tourism, or his designee;

(3) Commissioner of the Department of Agriculture, or his designee;

(4) President of the South Carolina Association of Tourism Regions (SCATR), or his designee, and a member of SCATR appointed by its president;

(5) President of the South Carolina Travel and Tourism Coalition, or his designee, and a member of the SCTTC appointed by its president.

(6) President of the Outdoor Advertising Association of South Carolina, or his designee, and a member of the Outdoor Advertising Association appointed by its President.

Section 57‑25‑830. (A) Qualified facilities which elect to participate in the directional signage program must submit an application to the Department of Transportation on a form to be supplied by the department. Eligibility and approval to participate in the signage program must be determined by written criteria to be set forth by the Department of Transportation in regulation.

(B) Participating facilities are responsible for the cost of the signs and their installation and maintenance.”

SECTION 2. The Department of Agriculture and the Department of Parks, Recreation and Tourism must develop logos to be utilized for the signage authorized by this act. The logos developed may be used by those departments for other promotional purposes associated with tourism and agritourism.

SECTION 3. Article 1, Chapter 7, Title 57 of the 1976 Code, is amended by adding:

“Section 57‑7‑90. It is unlawful for any person to camp, set fires, or cook on a highway. For purposes of this section the term ‘highway’ shall mean as it is defined in Section 57‑3‑120. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not more than one hundred dollars or imprisoned not more than thirty days or such other lesser disposition, penalty, or non penalty, as the court determines.”

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

Renumber sections to conform.

Amend title to conform.

Rep. OWENS 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 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Agnew | Alexander | Allen |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Battle | Bedingfield |
| Bingham | Bowen | Bowers |
| Brady | Branham | Brannon |
| Brantley | G. A. Brown | R. L. Brown |
| Butler Garrick | Chumley | Clemmons |
| Clyburn | Cole | Corbin |
| Crosby | Daning | Delleney |
| Edge | Erickson | Forrester |
| Frye | Gambrell | Gilliard |
| Govan | Hamilton | Hardwick |
| Harrell | Harrison | Hearn |
| Henderson | Herbkersman | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McLeod |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | J. H. Neal |
| J. M. Neal | Neilson | Norman |
| Ott | Owens | Parker |
| Parks | Patrick | Pinson |
| Pitts | Pope | Putnam |
| Quinn | Sabb | Sandifer |
| Sellers | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Toole | Tribble |
| Weeks | White | Whitmire |
| Williams | Willis | Young |

**Total--102**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Barfield |  |  |

**Total--1**

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

**S. 105--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. OWENS, with unanimous consent, it was ordered that S. 105 be read the third time tomorrow.

**RECURRENCE TO THE MORNING HOUR**

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

**HOUSE RESOLUTION**

The following was introduced:

H. 5288 -- Rep. Battle: A HOUSE RESOLUTION TO CONGRATULATE FRANBETH ESKRIDGE BEESON OF MARION COUNTY ON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR TWENTY-FIVE YEARS OF DEDICATED SERVICE TO THE CHILDREN OF SOUTH CAROLINA AS AN EDUCATOR, AND TO WISH HER FULFILLMENT AND EVERY HAPPINESS IN HER FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5289 -- Reps. Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MICKY G. RUCKER OF GREENWOOD COUNTY FOR HIS YEARS OF DEDICATED SERVICE IN LAW ENFORCEMENT IN THE PALMETTO STATE AND FOR HIS CONTINUED COMMITMENT TO PROTECTING OUR CHILDREN.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5290 -- Reps. Jefferson, Williams, King, Hosey, G. A. Brown, R. L. Brown, Clyburn, Whipper, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, H. B. Brown, Butler Garrick, Chumley, Clemmons, Cobb-Hunter, Cole, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Howard, Huggins, Johnson, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Putnam, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Vick, Weeks, White, Whitmire, Willis and Young: A HOUSE RESOLUTION TO RECOGNIZE AND COMMEND THE PALMETTO STATE CHAPTERS OF ZETA PHI BETA SORORITY, INCORPORATED, FOR THEIR MANY YEARS OF OUTSTANDING DEDICATED SERVICE TO THE PEOPLE AND COMMUNITIES OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5291 -- Rep. Gilliard: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR COACH EARL D. BROWN UPON THE OCCASION OF HIS RETIREMENT AFTER MORE THAN FORTY YEARS OF COACHING HIGH SCHOOL FOOTBALL AND BASKETBALL.

The Resolution was adopted.

**INTRODUCTION OF BILL**

The following Joint Resolution was introduced, read the first time, and referred to appropriate committee:

S. 1526 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BUILDING CODES COUNCIL, RELATING TO DUTIES AND RESPONSIBILITIES OF DEPARTMENT, AND MODULAR BUILDINGS CONSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Referred to Committee on Labor, Commerce and Industry

**S. 391--RECONSIDERED**

The motion of Rep. BINGHAM to reconsider the vote whereby the following Bill was recommitted to the Judiciary Committee was taken up and agreed to:

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7-13-350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

**S. 391--DEBATE ADJOURNED**

The following Bill was taken up:

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7-13-35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7-13-40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7-13-190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7-13-350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

**POINT OF ORDER**

Rep. WEEKS raised the Point of Order that House Rule 4.8 prohibited S. 391 from being before the House of Representatives on third reading.

SPEAKER HARRELL spoke to the Point stating that under Rule 4.8, any bill, report, petition, or other paper except an amendment which may come before the House, may be committed or recommitted before a final decision thereon. The SPEAKER stated further that S. 391 had been previously recommitted to the Judiciary Committee, was reported out of the committee and amended on second reading, and pursuant to Rule 4.8 was then properly placed on third reading on the Calendar. SPEAKER HARRELL overruled the Point of Order.

Rep. BEDINGFIELD moved to adjourn debate on the Bill until Tuesday, May 22, which was agreed to.

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

**ADJOURNMENT**

At 11:26 a.m. the House, in accordance with the motion of Rep. ALLEN, adjourned in memory of former Representative Dr. Willie B. McMahand of Greenville, to meet at 10:00 a.m. tomorrow.

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