~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 18:2: “My Lord is my rock, my fortress and my deliverer...”

Let us pray. Heavenly Father, protect these Representatives and staff from any harm. Be their strong rock and fortress which surrounds and shelters them from all the storms of life. Provide for them the needed wisdom and courage to make right and just decisions. Bless our Nation, President, State, Governor, Speaker, staff, and all who support them. 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. WILLIAMS moved that when the House adjourns, it adjourn in memory of Dwight Dana and his son, Radisson Dana, both of Darlington, which was agreed to.

**REGULATION WITHDRAWN**

Document No. 4283

Agency: Workers' Compensation Commission

Statutory Authority: 1976 Code Sections 42-3-30 and 42-17-50

Oral Argument

Received by Speaker of the House of Representatives January 8, 2013

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration: Permanently Withdrawn

**REPORT OF STANDING COMMITTEE**

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

H. 3378 -- Reps. Sandifer, Whitmire and Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-1-90 SO AS TO ENACT THE "VOLUNTEER SERVICE PERSONNEL APPRECIATION ACT" AND TO ALLOW THE GOVERNING BODY OF A LOCAL GOVERNMENT TO AUTHORIZE THE DISTRIBUTION OF CERTAIN REWARDS TO THREE ENUMERATED CATEGORIES OF VOLUNTEER SERVICE PERSONNEL SO LONG AS ALL PERSONNEL IN A RESPECTIVE CATEGORY ARE TREATED EQUALLY.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3573 -- Rep. Hodges: A HOUSE RESOLUTION TO CONGRATULATE WILLIE NATHAN ROBINSON OF BEAUFORT COUNTY ON THE OCCASION OF HIS ONE HUNDREDTH BIRTHDAY, AND TO WISH HIM A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The Senate sent to the House the following:

S. 393 -- Senator Fair: A CONCURRENT RESOLUTION TO HONOR AND CONGRATULATE CHARLOTTE MCHAFFIE LYNCH OF THE GREENVILLE COUNTY LEGISLATIVE DELEGATION UPON HER RETIREMENT AND TO WISH HER MUCH HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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

**INTRODUCTION OF BILLS**

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

H. 3570 -- Reps. Tallon, Allison, Cole, Forrester, Hixon, G. R. Smith, J. R. Smith, Taylor and Wood: A BILL TO AMEND SECTION 47-3-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIABILITY OF AN OWNER OR KEEPER OF A DOG FOR A DOG ATTACK, SO AS TO PROVIDE THAT LIABILITY DOES NOT EXTEND TO TRAINED LAW ENFORCEMENT DOGS IN THE PERFORMANCE OF OFFICIAL DUTIES OR DOGS ACTING IN DEFENSE OF A PERSON; AND BY ADDING SECTION 23-23-140 SO AS TO DEFINE THE TERM "PATROL CANINE TEAMS", AND TO PROVIDE FOR THE CERTIFICATION OF PATROL CANINE TEAMS.

Referred to Committee on Judiciary

H. 3571 -- Reps. Barfield and Hardee: A BILL TO AMEND SECTION 50-13-665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3572 -- Rep. Barfield: A BILL TO AMEND SECTIONS 59-117-10, 59-117-20, 59-119-40, 59-121-10, 59-121-20, 59-123-40, AS AMENDED, 59-123-50, AS AMENDED, 59-125-20, AS AMENDED, 59-125-30, AS AMENDED, 59-127-20, AS AMENDED, 59-130-10, AS AMENDED, 59-133-10, AS AMENDED, 59-135-10, AS AMENDED, AND 59-136-110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE BOARDS OF TRUSTEES OF CERTAIN FOUR-YEAR STATE-SUPPORTED INSTITUTIONS OF HIGHER LEARNING INCLUDING THE UNIVERSITY OF SOUTH CAROLINA, CLEMSON UNIVERSITY, THE MEDICAL UNIVERSITY OF SOUTH CAROLINA, THE CITADEL, WINTHROP UNIVERSITY, SOUTH CAROLINA STATE UNIVERSITY, LANDER UNIVERSITY, FRANCIS MARION UNIVERSITY, AND COASTAL CAROLINA UNIVERSITY, ALL SO AS TO ADD ONE MEMBER TO THE BOARD OF TRUSTEES OF EACH INSTITUTION, AND TO PROVIDE FOR THE MANNER OF APPOINTMENT OF THESE ADDITIONAL MEMBERS.

Referred to Committee on Education and Public Works

H. 3574 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Without Reference

H. 3575 -- Rep. Gilliard: A BILL TO AMEND SECTION 16-23-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR VIOLATIONS OF CERTAIN OFFENSES INVOLVING WEAPONS, SO AS TO INCLUDE ASSAULT WEAPONS IN THE PURVIEW OF THE STATUTE AND INCREASE THE PENALTIES FOR A VIOLATION AND CREATE A TWO-TIERED PENALTY SCHEME; TO AMEND SECTION 16-23-210, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE, SO AS TO DEFINE THE TERM "ASSAULT WEAPON"; AND TO AMEND SECTIONS 16-23-220, 16-23-230, AND 16-23-240, RELATING TO THE UNLAWFUL TRANSPORTATION; STORING, KEEPING, OR POSSESSING; AND SALE, RENTAL, OR GIVING AWAY OF MACHINE GUNS, MILITARY FIREARMS, OR SAWED-OFF SHOTGUNS OR RIFLES, RESPECTIVELY, SO AS TO INCLUDE ASSAULT WEAPONS IN THE LIST OF WEAPONS BANNED BY THE PROVISIONS OF THE STATUTES.

Referred to Committee on Judiciary

S. 7 -- Senators Courson, McGill, Williams, Sheheen, Johnson, Hayes and Ford: A BILL TO AMEND SECTION 12-4-520, RELATING TO COUNTY TAX OFFICIALS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT OF REVENUE SHALL ANNUALLY EXAMINE RECORDS OF ASSESSORS, AUDITORS, TREASURERS, AND TAX COLLECTORS TO A PERMISSIVE AUTHORITY TO ANNUALLY EXAMINE THESE RECORDS; TO AMEND SECTION 12-4-530, RELATING TO INVESTIGATION AND PROSECUTION OF VIOLATIONS, TO REDUCE THE OBLIGATION THAT THE DEPARTMENT SHALL INITIATE COMPLAINTS, INVESTIGATIONS, AND PROSECUTIONS OF VIOLATIONS TO A PERMISSIVE AUTHORITY; TO AMEND SECTION 12-37-30, RELATING TO THE ASSESSMENT OF MULTIPLE TAXES TO BE LEVIED ON THE SAME ASSESSMENT, TO CHANGE THE DESIGNATION OF STATE TAXES TO COUNTY TAXES; TO AMEND SECTION 21-37-266, RELATING TO THE HOMESTEAD EXEMPTION FOR DWELLINGS HELD IN TRUST, TO REQUIRE A COPY OF THE TRUST AGREEMENT BE PROVIDED; TO AMEND SECTION 12-37-290, RELATING TO THE GENERAL HOMESTEAD EXEMPTION, TO CHANGE THE HOMESTEAD EXEMPTION FROM PROPERTY TAXES FROM THE FIRST TEN THOUSAND DOLLARS TO THE FIRST FIFTY THOUSAND DOLLARS OF THE VALUE OF THE PRIMARY RESIDENCE OF A HOMEOWNER WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER TO CONFORM WITH OTHER SECTIONS OF THE CODE, AND TO TRANSFER FROM THE COMPTROLLER GENERAL TO THE DEPARTMENT OF REVENUE THE AUTHORITY TO PROMULGATE RULES AND FORMS, AND THE OBLIGATION TO REIMBURSE THE STATE AGENCY OF VOCATIONAL REHABILITATION FOR EXPENSES INCURRED IN EVALUATING DISABILITY UNDER THE REQUIREMENTS OF THIS SECTION; TO AMEND SECTION 12-37-450, RELATING TO THE BUSINESS INVENTORY TAX EXEMPTION, TO REMOVE THE REQUIREMENT THAT THE AMOUNT OF REIMBURSEMENT ATTRIBUTED TO DEBT SERVICE BE REDISTRIBUTED TO OTHER SEPARATE MILLAGES ONCE THE DEBT IS PAID, TO REQUIRE THE REIMBURSEMENT BE REDISTRIBUTED PROPORTIONATELY TO THE SEPARATE MILLAGES LEVIED BY THE POLITICAL SUBDIVISIONS, TO STRIKE THE REQUIREMENT THAT THE REDISTRIBUTION BE ATTRIBUTED TO THE MILLAGE RATES IN THE YEAR 1987, AND TO REQUIRE THE ATTRIBUTION OF THE CURRENT TAX YEAR MILLAGE RATES; TO AMEND SECTION 12-37-710, RELATING TO THE RETURN AND ASSESSMENT OF PERSONAL PROPERTY, TO STRIKE "OF FULL AGE AND OF SOUND MIND" AS A QUALIFIER FOR EVERY PERSON WHO MUST LIST PERSONAL PROPERTY FOR TAXATION; TO AMEND SECTION 12-37-715, RELATING TO THE FREQUENCY OF AD VALOREM TAXATION ON PERSONAL PROPERTY, TO ALLOW NEWLY ACQUIRED VEHICLES TO BE TAXED MORE THAN ONCE IN A TAX YEAR; TO AMEND SECTION 12-37-760, RELATING TO STATEMENTS OF PERSONAL PROPERTY FOR TAXATION WHERE A PERSON REFUSES OR NEGLECTS TO DELIVER A STATEMENT OF PERSONAL PROPERTY, TO ELIMINATE THE OBLIGATION AND TO ALLOW THE PERMISSIVE AUTHORITY FOR THE COUNTY AUDITOR TO ASCERTAIN AND RETURN A LIST OF THAT PERSON'S PERSONAL PROPERTY AND TO ALLOW THAT HE MAY DENOTE REASONS FOR THE REFUSAL; TO REPEAL SECTION 12-37-850, RELATING TO THE REMOVAL OF THE JURISDICTION OF THE COURTS TO HEAR MATTERS ORIGINATED FROM THE TAXPAYER CONCERNING ALLEGATIONS OF FALSE RETURNS, TAX EVASION, OR FRAUD; TO AMEND SECTION 12-37-890, RELATING TO PERSONAL PROPERTY RETURNS FOR TAXATION PURPOSES, TO STRIKE LANGUAGE LISTING ANIMALS AND VEHICLES AND REPLACE WITH DESIGNATION OF PROPERTY USED IN ANY BUSINESS TO BE RETURNED TO THE COUNTY IN WHICH IT IS SITUATED FOR TAXATION PURPOSES, AND TO REMOVE THE REQUIREMENT THAT ALL BANKERS' CAPITAL OR PERSONAL ASSETS RELATED TO THE BANKING BUSINESS BE RETURNED TO THE COUNTY WHERE THE BANKING HOUSE IS LOCATED FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-900, RELATING TO PERSONAL PROPERTY TAX RETURNS, TO STRIKE THE DESIGNATED DATES OF THE REQUIRED ANNUAL RETURNS OF PERSONAL AND REAL PROPERTY TO THE COUNTY AUDITOR AND TO STRIKE THE AUTHORITY OF THE COUNTY LEGISLATIVE DELEGATION TO WAIVE THE PENALTIES OF FAILURE TO MAKE THIS STATEMENT; TO AMEND SECTION 12-37-940, RELATING TO VALUATION OF ARTICLES OF PERSONAL PROPERTY, TO STRIKE THE REQUIREMENT THAT MONEY AND BANK BILLS BE VALUED AT PAR VALUE AND THAT CREDITS BE VALUED AT THE FACE VALUE OF THE CONTRACT UNLESS THE PRINCIPAL BE PAYABLE AT A FUTURE TIME WITHOUT INTEREST AND CONTRACTS FOR THE DELIVERY OF SPECIFIC ARTICLES BE VALUED AT THE USUAL SELLING PRICE OF SUCH ITEMS; TO AMEND SECTION 12-37-970, RELATING TO THE ASSESSMENT AND RETURN OF MERCHANTS' INVENTORIES, TO REMOVE MERCHANTS' INVENTORIES FROM THE REQUIRED ASSESSMENT OF PERSONAL PROPERTY FOR TAXATION PURPOSES; TO AMEND SECTION 12-37-2420, RELATING TO PROPERTY TAX RETURNS FOR AIRLINE COMPANIES, TO CHANGE THE DATE OF FILING FROM APRIL FIFTEENTH TO APRIL THIRTIETH, AND TO STRIKE LANGUAGE DESIGNATING THE FILING DEADLINES FOR AIRLINES IN YEAR 1976; TO AMEND SECTION 12-37-2610, RELATING TO TAX YEAR OF MOTOR VEHICLES, TO REMOVE REFERENCES TO VEHICLE LICENSE AND REPLACE WITH VEHICLE REGISTRATIONS, TO REMOVE REFERENCES AND PROCEDURES FOR TWO-YEAR VEHICLE LICENSES, TO PROVIDE AN EXCEPTION FOR TRANSFER OF THE LICENSE FROM ONE VEHICLE TO ANOTHER, AND TO PROVIDE THAT NOTICES OF SALES BY DEALERS MUST BE MADE TO THE DEPARTMENT OF MOTOR VEHICLES RATHER THAN THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-37-2630, RELATING TO MOTOR VEHICLE TAXES, TO REQUIRE THAT AN OWNER OF A VEHICLE SHALL MAKE A PROPERTY TAX RETURN TO THE AUDITOR WITHIN FORTY-FIVE DAYS OF THE VEHICLE BECOMING TAXABLE IN A COUNTY; TO AMEND SECTION 12-37-2660, RELATING TO MOTOR VEHICLE LICENSE REGISTRATIONS, TO REDUCE THE TIME THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE A LIST OF LICENSE REGISTRATION APPLICATIONS TO THE COUNTY AUDITOR FROM NINETY TO SIXTY DAYS AND TO UPDATE THE REQUIRED FORM OF THE LISTINGS; TO AMEND SECTION 12-37-2725, RELATING TO THE TRANSFER OF THE TITLE OF A VEHICLE TO ANOTHER STATE, TO CHANGE THE LOCATION OF THE RETURN OF THE LICENSE PLATE AND VEHICLE REGISTRATION FROM THE COUNTY AUDITOR TO THE DEPARTMENT OF MOTOR VEHICLES, AND TO DELINEATE THE PROCESS FOR OBTAINING A TAX REFUND FOR THE PORTION OF THE TAX YEAR REMAINING; TO REPEAL SECTION 12-37-2735, RELATING TO THE ESTABLISHMENT OF THE PERSONAL PROPERTY TAX RELIEF FUND; TO AMEND SECTION 12-39-10, RELATING TO THE APPOINTMENT OF THE COUNTY AUDITOR, TO ELIMINATE THE FOUR-YEAR TERM OF THE AUDITOR AND TO REQUIRE HIM TO TAKE THE OATH OF OFFICE BEFORE ENTERING INTO OFFICE; TO AMEND SECTION 12-39-40, RELATING TO APPOINTMENT OF A DEPUTY AUDITOR, TO REQUIRE THE APPOINTMENT TO BE FILED WITH THE STATE TREASURER INSTEAD OF THE COMPTROLLER GENERAL; TO AMEND SECTION 12-39-60, RELATING TO THE COUNTY AUDITOR, TO CHANGE THE DEADLINE FOR RECEIVING TAX RETURNS FROM APRIL FIFTEENTH TO APRIL THIRTIETH AND TO REDUCE THE REQUIREMENT OF PUBLIC NOTICE FOR A LOCATION TO RECEIVE RETURNS TO A PERMISSIVE AUTHORITY FOR THE PROVIDING OF THIS NOTICE; TO AMEND SECTION 12-39-120, RELATING TO THE POWER OF THE COUNTY AUDITOR TO ENTER INTO BUILDINGS THAT ARE NOT DWELLINGS TO DETERMINE VALUE, TO CHANGE THE DETERMINATION FROM THE VALUE OF ANY BUILDING TO THE VALUE OF ANY TAXABLE PERSONAL PROPERTY; TO AMEND SECTION 12-39-160, RELATING TO SPECIAL LEVIES, TO CHANGE THE REQUIREMENT THAT THE COUNTY AUDITOR REPORT THE AMOUNT OF PROPERTIES SUBJECT TO SPECIAL LEVIES TO THE COUNTY SUPERINTENDENT, BOARDS OF EDUCATION, AND BOARDS OF TRUSTEES, TO A PERMISSIVE AUTHORITY TO PROVIDE THE INFORMATION; TO AMEND SECTION 12-39-190, RELATING TO THE REPORTING OF REAL AND PERSONAL PROPERTY TAXES, TO ELIMINATE THE REQUIREMENT THAT THE REPORTING BE IN A NUMBER OF COLUMNS SPECIFIED BY THE DEPARTMENT OF REVENUE; TO AMEND SECTION 12-39-200, RELATING TO FORMS THE DEPARTMENT OF REVENUE MAY PRESCRIBE, TO ALLOW THE DEPARTMENT TO DETERMINE THE TYPES OF ACCEPTABLE FORMAT REQUIRED; TO AMEND SECTION 12-39-220, RELATING TO OMISSION OF NEW PROPERTY FROM THE COUNTY DUPLICATE, TO REQUIRE THE COUNTY AUDITOR TO IMMEDIATELY NOTIFY THE COUNTY ASSESSOR, TO ELIMINATE THE SPECIFICATION OF A TWENTY PERCENT PENALTY FOR UNPAID TAXES TO REPLACE WITH ALL APPLICABLE PENALTIES, AND TO ELIMINATE DUPLICATE LANGUAGE IN THE CODE; TO AMEND SECTION 12-39-260, RELATING TO THE COUNTY AUDITOR'S RECORDS, TO REDUCE THE REQUIREMENT THAT AUDITORS KEEP RECORDS OF ALL SALES OR CONVEYANCES OF REAL PROPERTY TO A PERMISSIVE AUTHORITY TO KEEP THESE RECORDS; TO AMEND SECTION 12-39-270, RELATING TO THE COUNTY AUDITOR'S ABATEMENT BOOK, TO REMOVE THE PROVISION THAT REQUIRES THE ABATEMENT ALLOWED IN ANNUAL SETTLEMENTS BETWEEN THE AUDITOR AND THE TREASURER TO BE ACCORDING TO THE RECORD IN THE ABATEMENT BOOK; TO AMEND SECTION 12-43-220, RELATING TO COUNTY EQUALIZATION AND REASSESSMENT, TO REQUIRE THAT IN ORDER TO PROVE ELIGIBILITY FOR THE FOUR PERCENT HOME ASSESSMENT RATIO, THE OWNER-OCCUPANT MUST PROVIDE PROOF THAT ALL MOTOR VEHICLES REGISTERED IN HIS NAME WERE REGISTERED AT THAT SAME ADDRESS; TO REPEAL SECTION 12-45-10, RELATING TO THE APPOINTMENT OF COUNTY TREASURERS; TO AMEND SECTION 12-45-35, RELATING TO THE APPOINTMENT OF DEPUTY COUNTY TREASURERS, TO CHANGE THE REQUIREMENT OF THE FILING OF THE APPOINTMENT WITH THE DEPARTMENT OF REVENUE TO THE FILING WITH THE STATE TREASURER; TO AMEND SECTION 12-45-70, RELATING TO COLLECTION OF TAXES, TO CHANGE THE REQUIREMENT THAT THE OFFICIAL CHARGED WITH COLLECTING TAXES SHALL SEND A LIST OF TAXES PAID TO THE DEPARTMENT OF MOTOR VEHICLES INSTEAD OF THE DEPARTMENT OF PUBLIC SAFETY AND THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ACCEPT THIS CERTIFICATION INSTEAD OF A TAX RECEIPT; TO AMEND SECTION 12-45-90, RELATING TO THE FORMS OF PAYMENT FOR TAXES, TO STRIKE FROM THE ACCEPTABLE FORMS OF PAYMENT, JURY CERTIFICATES, CIRCUIT COURT WITNESS PER DIEMS, AND COUNTY CLAIMS; TO AMEND SECTION 12-45-120, RELATING TO DELINQUENT TAXATION, TO REPLACE THE DESIGNATION OF CHATTEL TAX WITH THE TERM PERSONAL TAX; TO AMEND SECTION 12-45-180, RELATING TO THE COLLECTION OF DELINQUENT TAXES, TO ADD THE OFFICE AUTHORIZED TO COLLECT DELINQUENT TAXES AS AN OFFICE AUTHORIZED TO WAIVE PENALTIES IN CASES OF IMPROPER MAILING OR ERROR; TO AMEND SECTION 12-45-185, RELATING TO THE WAIVER OF PENALTIES FOR DELINQUENT TAXES, TO ALLOW THE COUNTY TREASURER TO NOTIFY THE COUNTY AUDITOR OF SUCH WAIVERS; TO AMEND SECTION 12-45-260, RELATING TO THE MONTHLY FINANCIAL REPORT OF COUNTY TREASURER TO THE COUNTY SUPERVISOR, TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST REPORT TO THE COUNTY SUPERVISOR ON THE FIFTEENTH OF EACH MONTH AND TO ALLOW THE TREASURER TO REPORT MONTHLY; TO AMEND SECTION 12-45-300, RELATING TO THE AUDITOR'S LIST OF DELINQUENT TAXES, TO STRIKE THE REQUIREMENT THAT THE AUDITOR MUST MAKE MARGINAL NOTATIONS AS TO THE REASONS THE TAXES WERE NOT COLLECTABLE, AND TO ELIMINATE THE REQUIREMENT THAT THE TREASURER MUST SIGN AND SWEAR TO THE LIST BEFORE THE AUDITOR; TO AMEND SECTION 12-45-420, RELATING TO THE WAIVER OF PENALTIES DUE TO ERRORS BY THE COUNTY BY A COMMITTEE MADE UP OF THE COUNTY AUDITOR, TREASURER, AND ASSESSOR, TO REQUIRE THAT THE WAIVER MUST BE BY MAJORITY VOTE OF THE COMMITTEE; TO AMEND SECTION 12-49-10, RELATING TO LIENS AND SUITS FOR THE COLLECTION OF TAXES, TO CHANGE THE DESIGNATION OF DEBTS PAYABLE TO THE STATE TO DEBTS PAYABLE TO THE COUNTY; TO AMEND SECTION 12-49-20, RELATING TO LIENS IN THE COLLECTION OF DELINQUENT TAXES, TO MOVE THE AUTHORITY OF THE COUNTY SHERIFF TO COLLECT DELINQUENT TAXES TO THE COUNTY TAX COLLECTOR; TO AMEND SECTION 12-49-85, RELATING TO UNCOLLECTABLE PROPERTY TAX FOR DERELICT MOBILE HOMES, TO CHANGE THE AUTHORITY FROM THE COUNTY AUDITOR TO THE COUNTY ASSESSOR TO DETERMINE THE REMOVAL AND DISPOSAL OF A MOBILE HOME AND TO INCLUDE THE REQUIREMENT THAT THE ASSESSOR REMOVE THE DERELICT HOME FROM HIS RECORDS AND THE AUDITOR TO REMOVE THE DERELICT HOME FROM THE DUPLICATE LIST; TO AMEND SECTION 12-49-910, RELATING TO THE SEIZURE OF PROPERTY SUBJECT TO A TAX LIEN BY THE SHERIFF OR COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO LEVY AND SEIZE PROPERTY OF A DEFAULTING TAXPAYER; TO AMEND SECTION 12-49-920, RELATING TO THE SEIZURE OF PROPERTY FOR TAX DEFAULT BY THE COUNTY SHERIFF OR THE COUNTY TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE SHERIFF TO POSSESS THE SEIZED PROPERTY; TO AMEND SECTION 12-49-930, RELATING TO THE REMOVAL OR DESTRUCTION OF PERSONAL PROPERTY SUBJECT TO A TAX LIEN, TO REMOVE THE REFERENCE TO THE COUNTY SHERIFF; TO AMEND SECTION 12-49-940, RELATING TO THE DISPOSAL OF PERSONAL PROPERTY SEIZED DUE TO A TAX LIEN BY THE COUNTY SHERIFF OR TAX COLLECTOR, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO ADVERTIZE FOR THE SALE OF THE PROPERTY; TO AMEND SECTION 12-49-950, RELATING TO BIDDING ON PERSONAL PROPERTY SUBJECT TO A TAX LIEN BY THE FORFEITED LAND COMMISSION, TO ALLOW BIDS TO BE MADE ON BEHALF OF THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-49-960, RELATING TO THE SALE OF PROPERTY SUBJECT TO A TAX SALE, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF; TO AMEND SECTION 12-49-1110, RELATING TO THE RIGHTS OF REAL PROPERTY MORTGAGES, TO CHANGE THE DEFINITION OF "TAX TITLE" FROM "A DEED FOR REAL PROPERTY AND A BILL OF SALE FOR PERSONAL PROPERTY" TO "A DEED FOR REAL PROPERTY OR A BILL OF SALE FOR PERSONAL PROPERTY"; TO AMEND SECTION 12-49-1150, RELATING TO THE NOTICE TO MORTGAGEE OF A TAX SALE, TO INCLUDE IN THE INFORMATION PROVIDED THE TAX MAP NUMBER OF THE PROPERTY; TO AMEND SECTION 12-49-1220, RELATING TO THE PROCEDURES FOR PROVIDING NOTICE OF TAX SALE OF MOBILE OR MANUFACTURED HOMES, TO SPECIFY THE FORMS OF LIENHOLDERS PROVIDED TO TAX COLLECTORS FOR NOTICE TO BE THOSE PROVIDED BY THE DEPARTMENT RESPONSIBLE FOR THE REGISTRATION OF MANUFACTURED HOMES; TO AMEND SECTION 12-49-1270, RELATING TO THE RIGHTS OF THE LIENHOLDER IN A TAX SALE AND THE RIGHTS AND REMEDIES THAT ARE NOT AFFECTED BY COMPLIANCE OF THE INFORMATION PROVISIONS, TO CHANGE THE INFORMATION PROVIDED TO THE AUDITOR TO THE ASSESSOR; TO AMEND SECTION 12-51-40, RELATING TO PROPERTY TAXES AND THE TREATMENT OF MOBILE HOMES AS PERSONAL PROPERTY, TO REMOVE THE REQUIREMENT OF WRITTEN NOTICE OF THE HOMES ANNEXATION TO THE LAND BY THE HOMEOWNER TO THE AUDITOR TO REQUIRE COMPLIANCE WITH DE-TITLING PROVISIONS OF THE MANUFACTURED HOUSING LAW AND TO ALLOW A COUNTY TO CONTRACT IN THE COLLECTION OF DELINQUENT TAXES; TO AMEND SECTION 12-51-55, RELATING TO THE BID ON PROPERTY SOLD FOR AD VALOREM TAXES, TO REMOVE THE PROVISIONS FOR THE APPLICATIONS OF THE FUNDS FOR WHEN THE PROPERTY IS NOT REDEEMED; TO AMEND SECTION 12-51-80, RELATING TO THE SETTLEMENT BY THE TREASURER, TO INCREASE THE TIME OF SETTLEMENT TO THE POLITICAL SUBDIVISIONS FROM THIRTY DAYS TO FORTY-FIVE DAYS AFTER THE TAX SALE; TO REPEAL SECTION 12-59-30, RELATING TO THE SUFFICIENCY OF DEEDS OF LANDS FORFEITED TO THE STATE COMMISSIONS IN YEAR 1939; TO AMEND SECTION 12-59-40, RELATING TO FORFEITED LAND COMMISSIONS, TO INCLUDE LANDS FORFEITED TO COUNTY TAX COLLECTORS IN LANDS AUTHORIZED FOR SALE AND TO REMOVE THE STATE AS HOLDER OF PROPERTY HELD AND SOLD BY THE FORFEITED LAND COMMISSION; TO AMEND SECTION 12-59-50, RELATING TO THE FORFEITED LAND COMMISSION, TO REMOVE THE REFERENCE TO DELINQUENT STATE TAXES SUBJECT TO THESE PROVISIONS; TO AMEND SECTION 12-59-70, RELATING TO FORFEITED LAND COMMISSION SALES, TO REMOVE REFERENCE TO THE SHERIFF SUBMITTING TITLE TO THE COMMISSION AND TO REFERENCE THE COUNTY TAX COLLECTOR SUBMITTING TITLE TO THE COMMISSION; TO AMEND SECTION 12-59-80, RELATING TO THE FORFEITED LAND COMMISSION, TO DESIGNATE THE PROCEDURE FOR ACCEPTING BIDS FOR THE SALE OF FORFEITED PROPERTY; TO AMEND SECTION 12-59-90, RELATING TO FORFEITED LANDS TAX SALES, TO REMOVE THE AUTHORITY OF THE COUNTY SHERIFF TO EXECUTE DEEDS AND CONVEYANCES FOR FORFEITED LANDS AND TO AUTHORIZE THE COUNTY TAX COLLECTOR TO EXECUTE THE DEEDS AND CONVEYANCES; TO AMEND SECTION 12-59-100, RELATING TO THE TURNING OVER OF PROCEEDS OF A DELINQUENT TAX SALE BY THE FORFEITED LANDS COMMISSION TO THE COUNTY TREASURER AND THE TREASURER TO DEPOSIT THESE FUNDS INTO THE COUNTY GENERAL FUND, TO DELETE THE PROVISION THAT THE TREASURER DO SO AT THE CLOSE OF THE FISCAL YEAR AND TO STRIKE REFERENCES TO THE STATE INTERESTS IN THESE PROCEEDS; TO REPEAL SECTION 12-59-110, RELATING TO FEES AND COSTS OF THE SHERIFF FOR SERVICES PROVIDED TO THE FORFEITED LANDS COMMISSION IN REGARD TO DELINQUENT TAX SEIZURES; TO AMEND SECTION 12-59-120, RELATING TO THE FORFEITED LANDS COMMISSION, TO REPLACE REFERENCE TO THE COUNTY SHERIFFS WITH THE COUNTY TAX COLLECTOR REGARDING THE ALLOWING OF AGENTS OF THE COMMISSION ACCESS TO EXECUTIONS ISSUED FOR THE COLLECTION OF TAXES; AND TO AMEND SECTION 12-60-1760, RELATING TO PROPERTY TAX PROTESTS, TO REPLACE THE COUNTY AUDITOR WITH THE COUNTY IN REGARD TO WHO IS OBLIGATED TO RATABLY APPORTION FEES, EXPENSES, DAMAGES, AND COSTS RESULTING IN DEFENDING A COURT ACTION, AND TO REPLACE THE COUNTY AUDITOR OR TREASURER WITH THE COUNTY AS TO WHO MAY CAUSE A MUNICIPALITY TO BE MADE A PARTY TO ANY ACTION INVOLVING A MUNICIPAL LEVY.

Referred to Committee on Ways and Means

S. 125 -- Senators Alexander, O'Dell, McGill and Ford: A BILL TO AMEND SECTION 1-11-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INSURANCE PROVIDED TO ELIGIBLE ENTITIES BY THE STATE BUDGET AND CONTROL BOARD THROUGH THE INSURANCE RESERVE FUND, SO AS TO PROVIDE THAT THE STATE BUDGET AND CONTROL BOARD IS AUTHORIZED TO OFFER INSURANCE COVERAGE TO A LOCAL COUNCIL ON AGING OR OTHER ENTITY PROVIDING COUNTYWIDE SERVICES FOR THE AGING, HOWEVER ESTABLISHED, IF THE PROVIDER IS FUNDED BY THE OFFICE ON AGING OF THE LIEUTENANT GOVERNOR.

Referred to Committee on Ways and Means

S. 151 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 56-1-2080 OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR A COMMERCIAL DRIVER'S LICENSE, TO ESTABLISH THE INTRASTATE VISION WAIVER PROGRAM, TO PROVIDE THAT CERTAIN VISUALLY IMPAIRED INDIVIDUALS MAY OBTAIN A WAIVER FROM THE SIGHT REQUIREMENTS ASSOCIATED WITH A COMMERCIAL DRIVER'S LICENSE, AND TO PROVIDE FOR THE WAIVER'S ELIGIBILITY REQUIREMENTS FOR THE WAIVER, THE CIRCUMSTANCES UNDER WHICH A WAIVER MAY GRANTED, AND THE PROCEDURES FOR OBTAINING A WAIVER.

Referred to Committee on Education and Public Works

S. 244 -- Senators McGill, Cleary and Campsen: A BILL TO REPEAL SECTION 50-11-940 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF CERTAIN PROPERTY OF THE BELLE W. BARUCH FOUNDATION IN GEORGETOWN COUNTY AS A BIRD AND GAME REFUGE, AND TO REPEAL SECTION 50-11-941, REQUIRING SECTION 50-11-940 TO NOT BE CONSTRUED IN CONFLICT WITH THE LAST WILL AND TESTAMENT OF BELLE W. BARUCH.

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

Rep. ANDERSON objected.

Referred to Georgetown Delegation

S. 297 -- Senators Grooms and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-222 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.

Referred to Committee on Education and Public Works

S. 304 -- Senators Shealy, Cromer and Campsen: A BILL TO AMEND SECTIONS 50-13-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS REGARDING GENERAL RESTRICTIONS ON FRESHWATER FISHING, SO AS TO MAKE A TECHNICAL CHANGE AND TO REVISE THE DEFINITION OF THE TERM "BAIT FISH"; TO AMEND SECTION 50-13-60, AS AMENDED, RELATING TO THE LAWFUL POSSESSION OF FISH, SO AS TO MAKE A TECHNICAL CHANGE TO THE PROVISION RELATING TO THE POSSESSION OF A GAME FISH; TO AMEND SECTIONS 50-13-200, 50-13-210, 50-13-250, 50-13-260, AND 50-13-270, ALL AS AMENDED, RELATING TO THE PROTECTION OF FRESHWATER GAME FISH, SO AS TO REVISE THE AGE OF PERSONS IN A BOAT THAT MAY USE AN UNLIMITED NUMBER OF FISHING DEVICES, TO REVISE THE NUMBER OF TROUT THAT MAY BE TAKEN ON THE LOWER REACH OF THE SALUDA RIVER, TO PROVIDE THE LEGAL LENGTH OF SMALLMOUTH BASS THAT MAY BE TAKEN FROM CERTAIN LAKES, RIVERS, AND RESERVOIRS ALONG THE STATE'S WESTERN REGION, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 50-13-620, 50-13-625, AND 50-13-635, ALL AS AMENDED, RELATING TO THE PROTECTION OF NONGAME FISH, SO AS TO PROVIDE THAT A COMMERCIAL TROTLINE WHICH USES FIFTY OR FEWER HOOKS MUST BE MARKED AT INTERVALS OF TWENTY-FIVE HOOKS, TO REVISE THE AGE OF PERSONS IN A BOAT THAT MAY USE AN UNLIMITED NUMBER OF FISHING DEVICES, AND TO REVISE THE NUMBER OF SET HOOKS A RECREATIONAL FISHERMAN MAY USE.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

S. 305 -- Senator Campsen: A BILL TO AMEND SECTION 50-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GEOGRAPHIC BOUNDARIES OF THE STATE'S BODIES OF WATERS, SO AS TO REVISE THE GEOGRAPHIC BOUNDARIES OF SAINT HELENA SOUND; TO AMEND SECTION 50-5-15, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO DEFINE THE TERM "TOTAL LENGTH"; TO AMEND SECTION 50-5-40, RELATING TO THE UNAUTHORIZED TAGGING OR MARKING AND RELEASING OF SALTWATER FISH, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 50-5-375, RELATING TO SEAFOOD DEALERS' RECORDS, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO EVERY WHOLESALE SEAFOOD DEALER; TO AMEND SECTION 50-5-545, RELATING TO COMMERCIAL CRAB TRAPS, SO AS TO PROVIDE THAT THIS SECTION APPLIES TO TRAPS USED FOR TAKING BLUE CRABS; TO AMEND SECTION 50-5-550, RELATING TO TRAPS ATTACHED TO A BUOY, SO AS TO PROVIDE THAT CERTAIN MINNOW TRAP FLOATS DO NOT HAVE TO BE MARKED WITH THE OPERATOR'S BAIT DEALER LICENSE NUMBER; TO AMEND SECTION 50-5-705, RELATING TO THE ESTABLISHMENT OF TRAWLING ZONES, SO AS TO REVISE THE BOUNDARIES OF CERTAIN TRAWLING ZONES; TO AMEND SECTION 50-5-1330, RELATING TO THE TAKING OF HORSESHOE CRABS, SO AS TO PROVIDE THAT A PERMIT IS NOT REQUIRED TO POSSESS A CAST OFF OR MOLTED SHELL OF A HORSESHOE CRAB, AND TO PROVIDE THAT THE DEPARTMENT OF NATURAL RESOURCES MAY GRANT PERMITS TO CERTAIN INSTITUTIONS AND PERSONS TO POSSESS AN UNLIMITED NUMBER OF HORSESHOE CRABS OR THEIR PARTS; TO AMEND SECTION 50-5-1335, RELATING TO THE USE OF BLUE CRAB TRAPS, SO AS TO PROVIDE THAT IT IS UNLAWFUL TO SET A TRAP USED FOR TAKING BLUE CRAB FOR COMMERCIAL PURPOSES WITHIN CERTAIN WATERS WITHIN THIS STATE; TO AMEND SECTIONS 50-5-1705 AND 50-5-1710, BOTH AS AMENDED, RELATING TO LAWFUL SIZE AND CATCH LIMITS FOR CERTAIN FISH, SO AS PROVIDE THAT THE LIMITS ESTABLISHED IN ARTICLE 17, CHAPTER 5, TITLE 50 APPLY TO ALL STATE WATERS; AND TO REPEAL SECTION 50-5-1340, RELATING TO COMMERCIAL USE OF CRAB POTS IN LITTLE CHECHESSEE CREEK IN BEAUFORT COUNTY.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, February 20.

|  |  |
| --- | --- |
| Terry Alexander | Chis Murphy |
| Brian White | Bakari Sellers |
| Leon Howard | G. Murrell Smith |
| William Clyburn | M.S. McLeod |
| Harry Ott | Richard "Rick" Quinn |
| Jerry Govan | Chris Hart |
| Mandy Powers Norrell |  |

**Total Present--119**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. David Garr of Mt. Pleasant was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. NORMAN and the York Delegation presented to the House the Fort Mill High School Marching Band, the 2012 AAAA Champions, their directors and other school officials.

**SPECIAL PRESENTATION**

Reps. BALLENTINE, HUGGINS and W. J. MCLEOD presented to the House the Chapin High School Varsity Cheerleading Team, the 2012 AAA Champions, their coaches and other school officials.

**CO-SPONSORS ADDED AND REMOVED**

In accordance with House Rule 5.2 below:

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

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3198 |
| Date: | ADD: |
| 02/20/13 | BERNSTEIN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3236 |
| Date: | ADD: |
| 02/20/13 | J. E. SMITH |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3253 |
| Date: | ADD: |
| 02/20/13 | BERNSTEIN |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3425 |
| Date: | ADD: |
| 02/20/13 | WHIPPER and R. L. BROWN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3428 |
| Date: | ADD: |
| 02/20/13 | BERNSTEIN |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3435 |
| Date: | ADD: |
| 02/20/13 | J. E. SMITH |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3459 |
| Date: | ADD: |
| 02/20/13 | ERICKSON and J. E. SMITH |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3464 |
| Date: | ADD: |
| 02/20/13 | FELDER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3477 |
| Date: | ADD: |
| 02/20/13 | FELDER |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3491 |
| Date: | ADD: |
| 02/20/13 | ATWATER and OTT |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3538 |
| Date: | ADD: |
| 02/20/13 | ALLISON and FELDER |

**CO-SPONSORS ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3560 |
| Date: | ADD: |
| 02/20/13 | R. L. BROWN, WOOD, DANING, ERICKSON, CLEMMONS, POWERS NORRELL, FUNDERBURK, MITCHELL, MERRILL, KENNEDY, D. C. MOSS, GAGNON, BANNISTER, ATWATER, RIVERS, K. R. CRAWFORD, BALLENTINE, OWENS, BINGHAM, G. R. SMITH, TAYLOR, H. A. CRAWFORD, SIMRILL, J. R. SMITH, CROSBY, BRANNON, V. S. MOSS, HENDERSON, DELLENEY, COLE, MCEACHERN, BARFIELD, RIDGEWAY, STRINGER and NANNEY |

**CO-SPONSOR ADDED**

|  |  |
| --- | --- |
| Bill Number: | H. 3557 |
| Date: | ADD: |
| 02/20/13 | OTT |

**CO-SPONSOR REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 3478 |
| Date: | REMOVE: |
| 02/20/13 | ANTHONY |

**S. 368--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 368 -- Senator Coleman: A BILL TO ESTABLISH THE FAIRFIELD COUNTY BOARD OF VETERANS AFFAIRS, TO DEFINE THE BOARD'S TERMS, POWERS, DUTIES, AND RESPONSIBILITIES, AND TO PROVIDE AN ALTERNATIVE METHOD OF APPOINTING AND REMOVING THE FAIRFIELD COUNTY VETERANS AFFAIRS OFFICER.

The yeas and nays were taken resulting as follows:

 Yeas 80; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Bernstein | Bingham | Bowers |
| Branham | Brannon | G. A. Brown |
| Chumley | Clemmons | Clyburn |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Funderburk |
| Gagnon | Gambrell | George |
| Goldfinch | Harrell | Henderson |
| Hiott | Hixon | Horne |
| Hosey | Kennedy | Limehouse |
| Long | Lowe | Lucas |
| Mack | McEachern | Mitchell |
| D. C. Moss | Munnerlyn | Murphy |
| Nanney | Neal | Newton |
| Owens | Parks | Patrick |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Rivers |
| Robinson-Simpson | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| G. M. Smith | J. E. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Tallon | Taylor | Toole |
| Vick | Wells | White |
| Whitmire | Wood |  |

**Total--80**

 Those who voted in the negative are:

**Total--0**

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

**H. 3360--SENT TO THE SENATE**

The following Bill was taken up:

H. 3360 -- Reps. Owens, Daning, Hiott, Skelton, Simrill, Anthony, Bedingfield, Clemmons, Delleney, Hardwick, Henderson, Hixon, Limehouse, Nanney, Ott, Pope, G. R. Smith, J. E. Smith, Sottile, Stringer, Tallon, Taylor and Bales: A BILL TO AMEND SECTIONS 57-5-10, 57-5-70, AND 57-5-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, ADDITIONS TO THE STATE HIGHWAY SECONDARY SYSTEM, AND THE DELETION AND REMOVAL OF ROADS FROM THE STATE HIGHWAY SECONDARY SYSTEM, SO AS TO PROVIDE THAT ALL HIGHWAYS WITHIN THE STATE HIGHWAY SYSTEM SHALL BE CONSTRUCTED TO THE DEPARTMENT OF TRANSPORTATION STANDARDS, TO PROVIDE THE FUNDING SOURCES THAT THE DEPARTMENT USES TO CONSTRUCT AND MAINTAIN THESE HIGHWAYS, TO REVISE THE PROCEDURE AND WHEREBY ENTITIES TO WHICH THE DEPARTMENT MAY TRANSFER ROADS WITHIN THE STATE HIGHWAY SECONDARY SYSTEM; AND TO REVISE THE PROCEDURE WHEREBY THE DEPARTMENT MAY ADD A ROAD FROM THE COUNTY OR MUNICIPAL ROAD TO THE STATE HIGHWAY SYSTEM; AND TO REPEAL SECTION 57-5-90 RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF BELT LINES AND SPURS.

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

Yeas 87; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Bannister | Barfield |
| Bedingfield | Bingham | Bowers |
| Branham | Brannon | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| K. R. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Edge | Erickson | Finlay |
| Forrester | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Hardwick | Harrell |
| Hayes | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Jefferson |
| King | Loftis | Long |
| Lowe | Lucas | McCoy |
| McEachern | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Nanney | Newton | Owens |
| Patrick | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. R. Smith | J. E. Smith | Sottile |
| Southard | Stavrinakis | Stringer |
| Tallon | Taylor | Toole |
| Vick | Wells | White |
| Whitmire | Williams | Wood |

**Total--87**

 Those who voted in the negative are:

**Total--0**

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

**SENT TO THE SENATE**

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

H. 3423 -- Reps. Sandifer, Toole, D. C. Moss and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-29-95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40-29-225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40-29-325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40-29-500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40-29-80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40-29-200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE-PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40-29-230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

H. 3047 -- Reps. Hardwick and Sottile: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-5-581 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO GIG FOR FLOUNDER IN SALT WATERS DURING DAYLIGHT HOURS, TO DEFINE THE TERM "DAYLIGHT HOURS", AND TO PROVIDE A PENALTY.

**H. 3459--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3459 -- Reps. Sandifer, Bales, J. E. Smith and Erickson: A BILL TO AMEND SECTION 40-2-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA BOARD OF ACCOUNTANCY, SO AS TO PROVIDE THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL DESIGNATE CERTAIN PERSONNEL FOR THE EXCLUSIVE USE OF THE BOARD, TO PROHIBIT THE DEPARTMENT FROM ASSIGNING OTHER WORK TO THESE PERSONNEL WITHOUT APPROVAL OF THE BOARD, AND TO PROVIDE THESE PERSONNEL MAY BE TERMINATED BY THE DIRECTOR OF A MAJORITY OF THE BOARD; TO AMEND SECTION 40-2-30, RELATING TO THE PRACTICE OF ACCOUNTANCY, SO AS TO PROVIDE A CERTIFIED PUBLIC ACCOUNTANT LICENSED BY THE BOARD IS EXEMPT FROM LICENSURE REQUIREMENTS OF PRIVATE SECURITY AND INVESTIGATION AGENCIES; AND TO AMEND SECTION 40-2-70, RELATING TO POWERS AND DUTIES OF THE BOARD, SO AS TO PROVIDE THE BOARD MAY CONDUCT PERIODIC INSPECTIONS OF LICENSEES OR FIRMS; AND TO AMEND SECTION 40-2-80, RELATING TO INVESTIGATIONS OF ALLEGED VIOLATIONS, SO AS TO PROVIDE THE DEPARTMENT SHALL DIRECT THE INVESTIGATOR ASSIGNED TO THE BOARD TO INVESTIGATE AN ALLEGED VIOLATION TO DETERMINE THE EXISTENCE OF PROBABLE CAUSE MERITING FURTHER PROCEEDINGS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3459 (COUNCIL\AGM\3459C001. AGM.AB13), which was adopted:

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

/ SECTION 1. Section 40‑2‑10 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

 “( )(1) The director, with the advice and consent of the board, shall designate for the exclusive use of the board:

 (a) one full‑time administrator who is a certified public accountant licensed in this State; and

 (b) one full‑time inspector‑investigator who is a certified public accountant licensed in this State who has at least five years experience as a licensed certified public accountant in this State.

 (2) The department may not assign work that is not exclusively related to carrying out the purposes of this chapter to a person assigned for the exclusive use of the board under item (1) of this subsection without approval of the board.

 (3) A person employed by the board under this section may be terminated by the director.”

SECTION 2. Section 40‑2‑30 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

 “( ) Notwithstanding another provision of law, a licensed certified public accountant while in the performance of his duties is exempt from the licensing requirements of Chapter 18 of this title.”

SECTION 3. Section 40‑2‑70 of the 1976 Code is amended to read:

 “Section 40‑2‑70. In addition to the powers and duties provided in Section 40‑1‑70, the board may:

 (1) determine the eligibility of applicants for examination and licensure;

 (2) examine applicants for licensure including, but not limited to:

 (a) prescribing the subjects, character, and manner of licensing examinations;

 (b) preparing, administering, and grading the examination or assisting in the selection of a contractor to prepare, administer, or grade the examination;

 (c) charging, or authorizing a third party administering the examination to charge, each applicant a fee in an adequate amount to cover examination costs;

 (3) establish criteria for issuing, renewing, and reactivating authorizations for qualified applicants to practice, including issuing active or permanent, temporary, limited, and inactive licenses or other categories as may be created;

 (4) adopt a code of professional ethics appropriate to the profession;

 (5) evaluate and approve continuing education course hours and programs;

 (6) conduct periodic inspections of licensees or firms;

 (~~6~~7) conduct hearings on alleged violations of this chapter and regulations promulgated under this chapter;

 (~~7~~8) participate in national efforts to regulate the accounting profession;

 (~~8~~9) discipline licensees or registrants in a manner provided for in this chapter;

 (~~9~~10) project future activity of the program based on historical trends and program requirements, including the cost of licensure and renewal, conducting investigations and proceedings, participating in national efforts to regulate the accounting profession, and providing educational programs for the benefit of the public and licensees and their employees;

 (~~10~~11) issue safe harbor language nonlicensees may use in connection with financial statements, transmittals, or financial information which does not purport to be in compliance with the Statements on Standards for Accounting and Review Services (SSARS);

 (~~11~~12) promulgate regulations that have been submitted to the director at least thirty days in advance of filing with the Legislative Council as required by Section 1‑23‑30, including, but not limited to, a schedule of fees for examination, licensure, and regulation; and

 (~~12~~13) promulgate standards for peer review.”

SECTION 4. Section 40‑2‑80(A) of the 1976 Code is amended to read:

 “(A) The department, upon receipt of a complaint or other information suggesting violation of this chapter or of regulations promulgated pursuant to this chapter, shall direct the investigator assigned to the board for its exclusive use under Section 40‑2‑10(A) to conduct an appropriate investigation to determine whether ~~there is~~ probable cause exists to institute proceedings. An investigation under this section is not a prerequisite to conducting proceedings if a determination of probable cause can be made without investigation. In aid of investigations, the administrator of the board may issue subpoenas to compel witnesses to testify or to produce evidence, or both.”

SECTION 5. Section 40‑2‑250(F) of the 1976 Code is amended to read:

 “(F) A certified public accountant, accounting practitioner, or public accountant whose license has lapsed or has been inactive for:

 (1) fewer than three years, the license may be reinstated by applying to the board, submitting proof of completing forty continuing education units for each year the license has lapsed or has been inactive, and paying the reinstatement fee;

 (2) three or more years, the license may be reinstated upon completion of six months of additional experience, and one hundred and twenty hours of continuing education;

 (3) an indefinite period and has active status outside of this State may reinstate the license by submitting an application under Section 40‑2‑240.”

SECTION 6. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. TOOLE 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 110; Nays 0

 Those who voted in the affirmative are:

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

**Total--110**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber on constituent business during the vote on H. 3459. If I had been present, I would have voted in favor of the Bill.

 Rep. Bill Taylor

**S. 91--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 91 -- Senator Gregory: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING AND TAKING OF

ANTLERED DEER, SO AS TO DELETE A PROHIBITION ON BAITING DEER IN GAME ZONES 1 AND 2.

Rep. TALLON moved to adjourn debate on the Bill until Tuesday, February 26.

Rep. HARDWICK moved to table the motion.

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

Yeas 62; Nays 34

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Atwater | Bales |
| Ballentine | Barfield | Bernstein |
| Bowen | Bowers | Branham |
| G. A. Brown | Clemmons | H. A. Crawford |
| K. R. Crawford | Daning | Finlay |
| Gagnon | Gambrell | George |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hayes |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Jefferson |
| Kennedy | Limehouse | Loftis |
| Lowe | Lucas | M. S. McLeod |
| W. J. McLeod | V. S. Moss | Munnerlyn |
| Murphy | Norman | Owens |
| Pitts | Powers Norrell | Putnam |
| Ridgeway | Riley | Rivers |
| Sandifer | G. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Taylor | Toole | Vick |
| Wells | White | Whitmire |
| Williams | Willis |  |

**Total--62**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bingham | Brannon |
| R. L. Brown | Cole | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Forrester | Henderson |
| Howard | Huggins | King |
| Long | McCoy | Mitchell |
| D. C. Moss | Nanney | Newton |
| Patrick | Pope | Quinn |
| Rutherford | Ryhal | Sabb |
| Sellers | Simrill | G. M. Smith |
| Stringer | Tallon | Whipper |
| Wood |  |  |

**Total--34**

So, the motion to adjourn debate was tabled.

Rep. VICK explained the Bill.

Reps. TALLON, SELLERS, BRANNON, COLE, POPE, HAMILTON, CLEMMONS, QUINN, SIMRILL, HIXON, BEDINGFIELD, HARDWICK, LOFTIS, HIOTT, OTT, J. R. SMITH, TAYLOR, CLYBURN, HOSEY, FORRESTER, KING, NEAL, SABB, PARKS, PITTS, G. R. SMITH and GOLDFINCH requested debate on the Bill.

**S. 165--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 165 -- Senators Campsen and Grooms: A BILL TO AMEND SECTION 50-15-65 OF THE 1976 CODE, RELATING TO MANAGEMENT AND CONTROL OF ALLIGATORS ON PRIVATE LAND, TO PROVIDE FOR A HUNTING SEASON OF ALLIGATORS ON PRIVATE LAND FROM SEPTEMBER FIRST THROUGH MAY THIRTY-FIRST.

Rep. VICK explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 111; Nays 0

 Those who voted in the affirmative are:

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

**Total--111**

 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.

**S. 297--RECALLED AND REFERRED TO COMMITTEE ON MEDICAL, MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

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

S. 297 -- Senators Grooms and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-222 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.

**S. 116--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

S. 116 -- Senator Setzler: A CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO SEEK THE WITHDRAWAL OF THE UNITED STATES PREVENTIVE SERVICES TASK FORCE RECOMMENDATION AGAINST PROSTATE-SPECIFIC ANTIGEN-BASED SCREENING FOR PROSTATE CANCER FOR MEN IN ALL AGE GROUPS.

The Concurrent Resolution was adopted and sent to the Senate.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEES**

Rep. ANDERSON, from the Georgetown Delegation, submitted a favorable report on:

S. 244 -- Senators McGill, Cleary and Campsen: A BILL TO REPEAL SECTION 50-11-940 OF THE 1976 CODE, RELATING TO THE DESIGNATION OF CERTAIN PROPERTY OF THE BELLE W. BARUCH FOUNDATION IN GEORGETOWN COUNTY AS A BIRD AND GAME REFUGE, AND TO REPEAL SECTION 50-11-941, REQUIRING SECTION 50-11-940 TO NOT BE CONSTRUED IN CONFLICT WITH THE LAST WILL AND TESTAMENT OF BELLE W. BARUCH.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3011 -- Reps. Whitmire, Long, Gilliard and Williams: A BILL TO AMEND SECTION 53-3-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PURPLE HEART DAY IN SOUTH CAROLINA, SO AS TO MOVE THE DAY FROM THE THIRD SATURDAY IN FEBRUARY TO THE SEVENTH DAY OF AUGUST IN ORDER TO COINCIDE WITH THE DATE GENERAL GEORGE WASHINGTON ORIGINALLY AUTHORIZED THE AWARD.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3161 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40-43-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-43-86, RELATING TO COMPOUNDING PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PRODUCT COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND-USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40-43-88, RELATING TO THE HANDLING OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report with amendments on:

H. 3356 -- Reps. Williams, J. E. Smith, Dillard, Robinson-Simpson and Wood: A BILL TO AMEND SECTION 25-1-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

Ordered for consideration tomorrow.

Rep. HOWARD, from the Committee on Medical, Military, Public and Municipal Affairs, submitted a favorable report on:

H. 3411 -- Reps. R. L. Brown, G. A. Brown, Cobb-Hunter, Mitchell, Neal, Weeks, Whipper and Williams: A BILL TO AMEND SECTION 40-7-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF "HAIR BRAIDING" ASSOCIATED WITH THE LICENSURE AND REGULATION OF BARBERS, SO AS TO PERMIT THE USE OF HAIR EXTENSIONS IN HAIR BRAIDING, EXCEPT IN PUBLIC PLACES.

Ordered for consideration tomorrow.

Rep. FUNDERBURK, from the Kershaw Delegation, submitted a favorable report on:

S. 379 -- Senator Sheheen: A BILL TO AMEND ACT 930 OF 1970, AS AMENDED, RELATING TO THE SCHOOL DISTRICT BOARD OF TRUSTEES FOR KERSHAW COUNTY, SO AS TO REVISE THE SPECIFIC ELECTION DISTRICTS FROM WHICH THE MEMBERS OF THE KERSHAW COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES SHALL BE ELECTED BEGINNING WITH SCHOOL TRUSTEE ELECTIONS IN 2014, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 3576 -- Rep. G. A. Brown: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF ANNETTE WATSON STOKES OF BISHOPVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3581 -- Rep. Clyburn: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE STROM THURMOND HIGH SCHOOL MARCHING BAND FOR A SPECTACULAR PERFORMING SEASON, AND TO CONGRATULATE THE BAND AND ITS DIRECTORS FOR CAPTURING THE 2012 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION (SCBDA) CLASS AA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 3582 -- Rep. Clyburn: A HOUSE RESOLUTION TO EXTEND THE PRIVILEGE OF THE FLOOR OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES TO THE STROM THURMOND HIGH SCHOOL MARCHING BAND OF EDGEFIELD COUNTY WITH THE DIRECTOR 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 2012 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION (SCBDA) CLASS AA 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 Strom Thurmond High School marching band of Edgefield County with the director 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 2012 South Carolina Band Directors Association (SCBDA) Class AA State Championship title.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3577 -- Reps. Owens, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO CONGRATULATE THE TWENTY-FIVE SOUTH CAROLINA TECHNICAL COLLEGE STUDENTS NAMED TO SOUTH CAROLINA'S 2013 ACADEMIC ALL-STATE TEAM BY THE PHI THETA KAPPA HONOR SOCIETY IN RECOGNITION OF THEIR SCHOLARLY ACCOMPLISHMENTS AND SERVICE TO THEIR COMMUNITIES.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 3578 -- Reps. Gilliard, Anderson, Williams, Mitchell, Dillard, Hodges, King, Govan, Robinson-Simpson, Jefferson, M. S. McLeod, Howard and Mack: A CONCURRENT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND ITS COMPONENT FEDERAL HIGHWAY ADMINISTRATION TO TAKE A LEADING ROLE IN ORGANIZING AND PROVIDING REGULAR PUBLIC FERRY SERVICE TO SANDY ISLAND IN GEORGETOWN COUNTY.

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

**INTRODUCTION OF BILLS**

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

H. 3579 -- Rep. Barfield: A BILL TO AMEND SECTION 50-13-325, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAKING OF NONGAME FISH IN GILL NETS, SO AS TO REDUCE THE MINIMUM DISTANCE

REQUIRED BETWEEN NETS PLACED ON THE LITTLE PEE DEE RIVER UPSTREAM OF PUNCH BOWL LANDING.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3580 -- Reps. D. C. Moss, Pitts, Pope, Patrick, McEachern, Bannister, Delleney and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-23-140 SO AS TO PROVIDE FOR THE CERTIFICATION OF CANINE TEAMS.

Referred to Committee on Judiciary

**H. 3501--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 3501 -- Reps. White, Simrill, Merrill, Limehouse, J. R. Smith, Bingham and Pitts: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEARS 2013-2014 AND 2014-2015, AND TO PROVIDE THAT FOR THOSE FISCAL YEARS COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3412--POINT OF ORDER**

The following Bill was taken up:

H. 3412 -- Reps. Harrell, Lucas, Clemmons, Herbkersman, Loftis, Barfield, Huggins, Bowen, K. R. Crawford, Allison, Merrill, Ballentine, McCoy, Wood, Erickson, Putnam, Bannister, Branham, Taylor, Limehouse, Southard, Atwater, Bingham, Brannon, Chumley, Cole, Crosby, Daning, Delleney, Gagnon, Gambrell, Goldfinch, Henderson, Hiott, Hixon, Kennedy, Lowe, D. C. Moss, V. S. Moss, Murphy, Newton, Owens, Patrick, Pitts, Pope, Rivers, Ryhal, Sandifer, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stringer, Tallon, Thayer, Toole, White, Whitmire and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON-FEDERAL AID HIGHWAY FUND, AND TO PROVIDE FOR THE USE OF THESE REVENUES.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**MOTION PERIOD**

The motion period was dispensed with on motion of Rep. W. J. MCLEOD.

**H. 3298--DEBATE ADJOURNED**

Rep. LUCAS moved to adjourn debate upon the following Bill until Thursday, February 21, which was adopted:

H. 3298 -- Reps. Lucas, Delleney, Ballentine, Brannon, Clemmons, Hixon, Huggins, Long, McCoy, Murphy, Nanney, Pitts, Sottile, Thayer and Harrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-46 SO AS TO IMPOSE REQUIREMENTS REGARDING THE ACKNOWLEDGMENT OF STATEMENTS OF CANDIDACY AND PUBLICATION OF FILING PERIODS; BY ADDING SECTION 8-13-1115 SO AS TO REQUIRE STATEMENTS OF ECONOMIC INTERESTS TO BE FILED ONLINE NO LATER THAN APRIL FIFTEENTH FOR ALL CANDIDATES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO DELETE REFERENCES TO POLITICAL PARTY CONVENTION; TO AMEND SECTION 7-11-15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN A GENERAL ELECTION, SO AS TO REVISE THE PROCEDURES FOR FILING STATEMENTS OF INTENTION OF CANDIDACY TO BE FILED WITH THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-11-210, AS AMENDED, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REVISE THE PROCEDURES FOR NOTICE SUBMISSIONS, CANDIDATE SIGNATURES, AND OFFICER ACKNOWLEDGMENTS; TO AMEND SECTION 7-13-40, AS AMENDED, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES' QUALIFICATIONS, AND THE FILING FEE, SO AS TO REVISE THE PROCEDURES FOR CERTIFYING AND COMPILING THE NAMES OF CANDIDATES TO BE PLACED ON PRIMARY BALLOTS; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 8-13-365, AS AMENDED, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO PROVIDE THAT A DISCLOSURE FORM FILED PURSUANT TO THIS SECTION IS DEEMED TO SATISFY ANY OTHER FILING REQUIREMENT MANDATED BY LAW; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PERSONS REQUIRED TO FILE STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO FURNISH A WEBSITE ON WHICH ALL STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE AND TO DESIGNATE AN ANNUAL DEADLINE BY WHICH STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE; TO REPEAL SECTION 7-11-30, RELATING TO CONVENTION NOMINATION OF CANDIDATES; AND TO REPEAL SECTION 7-11-220, RELATING TO NOTICE OR PLEDGE BY CANDIDATES FOR STATE SENATOR.

**S. 3--DEBATE ADJOURNED**

The following Bill was taken up:

S. 3 -- Senators L. Martin, Hayes, Fair and Campsen: A BILL TO AMEND SECTION 61-2-180, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO BINGO, RAFFLES, AND OTHER SPECIAL EVENTS, SO AS TO CLARIFY THAT THIS SECTION IS NOT AN EXCEPTION OR LIMITATION TO ACTIVITIES, DEVICES, OR MACHINES THAT ARE PROHIBITED BY SECTION 12-21-2710 OR OTHER PROVISIONS THAT PROHIBIT GAMBLING; AND TO AMEND SECTION 61-4-580, RELATING TO GAME PROMOTIONS ALLOWED BY HOLDERS OF PERMITS AUTHORIZING THE SALE OF BEER OR WINE, SO AS TO CLARIFY THAT THIS SECTION DOES NOT AUTHORIZE THE USE OF AN ACTIVITY, DEVICE, OR MACHINE THAT IS PROHIBITED BY SECTION 12-21-2710 OR BY OTHER PROVISIONS THAT PROHIBIT GAMBLING.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, February 28.

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

Yeas 67; Nays 40

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anderson | Anthony | Bales |
| Bannister | Bernstein | Bowen |
| Bowers | Branham | Brannon |
| R. L. Brown | Chumley | Clemmons |
| Clyburn | Cobb-Hunter | H. A. Crawford |
| K. R. Crawford | Crosby | Daning |
| Dillard | Douglas | Erickson |
| Gagnon | Gambrell | George |
| Gilliard | Hayes | Hodges |
| Horne | Hosey | Howard |
| Jefferson | King | Long |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Munnerlyn |
| Murphy | Neal | Ott |
| Owens | Patrick | Pitts |
| Powers Norrell | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Sabb | Sandifer |
| Sellers | J. E. Smith | Sottile |
| Stavrinakis | Tallon | Taylor |
| Vick | Weeks | Wells |
| Whipper | White | Williams |
| Wood |  |  |

**Total--67**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Barfield | Bedingfield | Bingham |
| Cole | Delleney | Edge |
| Felder | Finlay | Forrester |
| Funderburk | Goldfinch | Hamilton |
| Hardee | Henderson | Hiott |
| Hixon | Huggins | Kennedy |
| Limehouse | Loftis | Lowe |
| Lucas | D. C. Moss | V. S. Moss |
| Nanney | Newton | Norman |
| Pope | Putnam | Ryhal |
| Simrill | G. M. Smith | G. R. Smith |
| Southard | Spires | Toole |
| Willis |  |  |

**Total--40**

So, the motion to adjourn debate until Thursday, February 28, was agreed to.

**S. 91--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 91 -- Senator Gregory: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING AND TAKING OF ANTLERED DEER, SO AS TO DELETE A PROHIBITION ON BAITING DEER IN GAME ZONES 1 AND 2.

Rep. VICK 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 97; Nays 8

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Barfield | Bedingfield |
| Bernstein | Bingham | Bowen |
| Bowers | Branham | Brannon |
| G. A. Brown | R. L. Brown | Chumley |
| Clemmons | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| George | Goldfinch | Hamilton |
| Hardee | Henderson | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Kennedy |
| King | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Newton | Norman |
| Ott | Owens | Patrick |
| Powers Norrell | Putnam | Quinn |
| Ridgeway | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Vick | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Wood |  |  |

**Total--97**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bannister | Felder | Gilliard |
| Huggins | Pitts | Pope |
| Riley | Simrill |  |

**Total--8**

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

**S. 91--MOTION TO RECONSIDER TABLED**

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

S. 91 -- Senator Gregory: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HUNTING AND TAKING OF ANTLERED DEER, SO AS TO DELETE A PROHIBITION ON BAITING DEER IN GAME ZONES 1 AND 2.

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

Further proceedings were interrupted by the Joint Assembly.

**JOINT ASSEMBLY**

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

H. 3337 -- Reps. Delleney, Bannister, Cole, Clemmons, Horne, McCoy and Weeks: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JEAN HOEFER TOAL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, FEBRUARY 20, 2013.

Chief Justice Jean Hoefer Toal and her distinguished party were escorted to the rostrum by Senators Setzler, Leatherman, L. Martin, Malloy and Hembree and Reps. GAMBRELL, WHIPPER, POWERS NORRELL, NEWTON AND COLE.

Address of the Honorable Jean Hoefer Toal

Chief Justice of South Carolina

Thank you very much, thank you very much. Mr. President, Mr. SPEAKER, Members of the Joint Assembly, I'm always filled with such a feeling of nostalgia for this Chamber where I spent so many of my first years in state government. And with the awe and the honor I always felt every time I walked in here, no matter how many years I served. And that continues today. Your invitation over the years to myself and my predecessors represents a commitment to equality and shared responsibility among the three branches for which I continue to be very deeply grateful.

As is my custom, I begin in memorium. We lost a giant of the legal profession in A. Lee Chandler this past year. He was a leader of the central automobile insurance reforms as a member of this House of Representatives from Darlington County. He was a highly respected member of the Circuit Court, later the Supreme Court, and as our Chief. And after a distinguished legal career he went to seminary and had a productive second career as an Episcopal priest. What a life. What a man. He will be missed.

We also remember today Billy Tunstall from Laurens. This wonderful Family Court Judge lost a long-term battle with cancer last year, a profile in courage who served for many years despite his illness.

Let me begin with grateful acknowledgment on behalf of the people of South Carolina for the historic new commitment to court stability this General Assembly has made by honoring the long requested creation of new Family Court and Circuit Court positions. As I sat in the gallery January 30th and reflected on the decency of the process and the incredible election of a diverse group of leaders in the profession to judgeships, I offered my congratulation and my gratitude. Keith Kelly, Maite Murphy, Don Hocker on the Circuit Court bench, and Michelle Hurley, Joe Smithdeal, Kelly Pope, Tony Jones, Jim McGee, Monet Pincus, Randy McGee and David Phillips on the Family Bench are generational leaders who will bring new energy and much-needed relief to the court systems of South Carolina. You have done exceedingly well. (Applause)

Running the South Carolina court system is a business process. This chart is offered to give you the history of revenue and expenditures over the years that I have been Chief. The important figures to look at are the beginning and what the system looked like a short 13 years ago, and where we stand today with a strong new commitment to general revenue funding and with heavy reliance on state fines and fees. But an interesting column is the federal funds which have entirely been devoted to creating an automated record system for the entire State of South Carolina's court system beginning with magistrates and moving on up.

This is a wonderful example of effective use with your oversight of federal funds. We used the federal funding over the years to build a court information system that allows all in the system and the general public to more easily access their court documents. But you made the commitment two years ago to find another way to fund our technology, and at the same time put the crown on the effectiveness of public access. And that is when you funded the electronic filing system about which I'll speak more in a moment.

The revenue generated from that system will replace federal funds--a great model, use federal funds to build but not to bloat and rely on. Then use what you've created with federal funds to generate additional revenues for state government for the operation of a particular function.

As we stand here today this chart, very familiar to you, shows that we remain last in the number of judges per case load and per population. But with your new commitment to nine additional judges, the future for the South Carolina court system is bright. And I look forward very much to beginning to report, maybe even as early as next year, our move away from dead last in this situation.

As you know, technology and its use in changing the way we do business in the court systems of South Carolina has been my hallmark as your Chief Justice for the last 13 years. But this effort is not just a shift away from paper to automated records, it's an integration of technology with court business process. And it changes the way we do business to have a system that makes us more efficiently and effectively manage every court employee from the clerks right on up through the judges themselves. I believe we've achieved a lot with this new system, and much better days are yet to come.

Cyber security has certainly become intensely scrutinized in South Carolina in light of recent successful security attacks on our system. But be assured and aware that cyber security for the court system has been an integral part of our design of your system for 13 years. And it continues to be. We have a security administrator who leads the technology security team, one person doesn't do it. You need an integrated system of making security and its operation a part of the way everyone uses the system and operates in any kind of entity that relies on technology.

We're currently reviewing our security processes to be sure that we take into account the Office of Inspector General's report, and certainly increasing our attention to employee security awareness. Continued training is foundational to long-term prevention of security breaches in any large government information system. And we are committed to that.

The statewide court case management system for Circuit and Magistrates Court handles 100% of the criminal and civil caseload, excluding Family Court. And we are one of only a handful of state systems that handle the breadth of court records. Many states cherry pick the larger communities, and the rural communities never get the benefit of automation. Our system handles it all and started at the ground level in the most rural parts of South Carolina. We are nationally recognized.

Another thing to observe about this slide is that all those counties that have an "H" are counties that are hosted by the South Carolina court system in our data center at the Calhoun Building with our disaster recovery backup provided by Clemson University off-site. What the hosted counties particularly get is support 24/7 and real-time updating of their processing. Certainly larger counties have their own servers and may prefer that process. But for many, many counties in South Carolina who really don't have the funds to have any kind of IT program or security, this hosted environment has been a Godsend to keeping their systems up to date and functioning.

Let me highlight another application that has now come online. It's the crown jewel. It's the automation of case management in the Court of Appeals and the Supreme Court. We started live case processing on this system in April of this year, opinion circulation in September, and statistical reporting in November. Manual functions are now automated for the scanning of court documents for opinion circulation and statistical reporting. Our next big goal is to put all of these records online. But I'll discuss in a moment there are some considerations that need to be made as we move to online access to all these documents.

E-courts is our next step, and it will be an electronic court system where you can file, serve, and view documents. This includes anybody, members of the general public. No special password needed as is the case in the federal system. No money to be paid to view the documents as it is in the federal system. This will be for everyone in South Carolina. Our foundation was the Attorney Information System. We've created a database with accurate attorney contact information, updated real-time, including the email address which all lawyers are now required to have. That's the platform for allowing for an electronic environment for the filing of documents.

Our next step is the strategic plan for e-filing. I'll tell you how we develop that in a moment. But also, we've got to pay bigger attention to public access to information because you've got to balance security of personal information and privacy of personal information with public access, we're working very hard on that. But we are committed to having a system by next year for the appellate case management part of it that will allow you to access records and documents. Family Court records are our biggest challenge. That is where a lot of the privacy issues become very acute. But we are committed to having South Carolinians access to this very important view into the court systems of the State.

The benefits of e-filing of course are that you can access documents 24/7. I started my practice 45 short years ago when even going to a courthouse couldn't guarantee you that you'd be able to see public documents. And of course, the efficiencies of paper handling for attorneys, for clerks offices is another enormous benefit of e-filing. And particularly for smaller offices where personnel are so strapped and counties are strapped to fund them, electronic filing will be a Godsend.

The e-filing committee was composed of people from all over the system. It was chaired by Pat Ellis who came to our court with 40 years of experience in state government. She's one of only five certified project managers in the State. She's managing the e-filing project along with my counsel, Stephanie Nye. They have already developed a group which has made the detailed recommendations you see on the screen that deal with how a request for proposal is formulated to develop the software for this system. The proposal went out on the street last week. I'm proud to say that within 18 months we'll be in pilot, and within 24 months I think the entire system will be in place all over the State. That will put us light years ahead of the development of e-filing and its ownership by the state of any state in the country.

But we can't be satisfied to try to improve court efficiency and operations just by looking at automation. Docket management is a huge part of that where we look internally at our work ethic and how we process cases as a system. Justice Kaye Hearn chaired the Docket Management Task Force. And nothing was off the table. They reviewed court operations, consistency, effectiveness, court resources. The task force was divided between the three big trial dockets in South Carolina; Family Court, Criminal Circuit and Civil Circuit.

The final reports are in and here are some highlights from those three task forces. On the Common Pleas side, that's your Civil Court/Circuit Court, statewide implementation of fast-track jury trials using the Charleston model. This is a very effective way to take smaller cases, try them in less than a day, give young lawyers experience in the courtroom in an environment in which some settlement has been discussed beforehand and the trials are streamlined. We hope to get out of pilot and put this in all over the State of South Carolina.

We want to reform the post-conviction relief process, it's broken. These dockets are essentially second bites at the apple for criminal defendants. These cases need to move along.

Mediation and a short notice docket or rocket docket are among the other proposals that will be implemented. And making more efficient use of judges' chambers weeks; and Friday afternoons is something I am absolutely committed to and will happen.

Family Court subcommittee, its recommendations include a new method of docket management that schedules cases back-to-back for all circuits. The bigger circuits, some of the most sophisticated circuits, manage on an A, B, C docket. That needs to be the case all over the State. Family Court time is too precious not to maximize its use and eliminate downtime. Mandatory mediation, a simpler way of filing financial declarations for those involved in child support disputes, and scheduling temporary hearings more quickly are among the recommendations.

And on the General Sessions side, the recommendations include a uniform docket management system, and I will talk about that more in a moment. Expanding nonjury terms so that motions for these criminal cases can move along more quickly. And finally, increased use of alternative sentencing proposals like those recommended by your Sentencing Reform Commission several years ago. Justice Don Beatty is the court's voice for an increased look at sentencing reform. Alternatives to jail for nonviolent offenders makes sense, saves money, and may save a life.

General Sessions docket, let's get right to this for a moment. You've heard a lot of conversation already this session about the State v. Langford decision in which our court held that one side can no longer control the calling of cases on a criminal roster in South Carolina. For years I have discussed with you what we can do to organize criminal court dockets in South Carolina on a more businesslike basis.

In your own life when you get a book of business in, you set deadlines for the completion of tasks and move them on to conclusion. We have a fancy term for that, Differentiated Case Management. But the concept has been around forever. Several years ago every Solicitor in the State signed an agreement, a consent order, agreeing to manage on this kind of basis. And still we have enormous backlogs, tens of thousands of cases, some by circuit, some that are two years old and more. We've got to drain the swamp of those cases first. We've got to get a handle on these old cases and dispose them.

I recently sent a judge to hear a 15 year old incest case, indicted and 15 years, and not disposed. This isn't South Carolina. The public of South Carolina will not tolerate this. And frankly, most of the folks involved in the system would do anything not to have this be the case. And there are a lot of complex reasons why we have big backlogs. The Solicitors need more financial support, so does the Public Defender system, so do Clerks of Court. But we have got to have a business process for looking this in the eye and starting to make a dent in what we've got.

Next week I will announce the appointment of a Stakeholders Committee to develop collaborative management of the criminal docket. But I can already tell you that two people who did it right while they were Solicitors, who really reinvented the term of Differentiated Case Management, I will ask Representative POPE and Senator Hembree to serve with other members of the judicial profession and members of the public on this very important committee to take a look at how we must move forward, and finally to determine how to keep the docket moving after we deal with the problem of backlog.

This isn't a judge run situation, no judge can run these dockets. It is a joint cooperative partnership between Clerks of Court, Solicitors, Public Defenders, defense attorneys, and all others involved in the system. And I believe we can make progress without it having to be a "me against you," and an "us against them" situation. We don't operate like that in South Carolina. And I am bound and determined that we are not going to solve this problem by doing an "us and them" approach to something this important to the safety and security of South Carolina. (Applause)

Business courts are a really wonderful success story in South Carolina. We are now into several years of experience with our pilots in Charleston, Greenville and Richland with three able experienced judges leading this effort; Roger Young in Charleston, Ned Miller in Greenville, and Cliff Newman in Richland. We are now on the cusp of expanding this program statewide. These are complex business to business disputes that one judge manages from beginning to end. And I can tell you that the reception in the larger legal community and in the business community is extremely positive for this effort to provide for sensible and early dispute resolution in these very important matters.

We had our first annual Pro Bono Summit this past year. This is an effort to get volunteer lawyers to help by giving free legal services to the working poor -- to the people who don't qualify for legal aid but who can't navigate the system, and particularly if the matter is complex. This is the fifth anniversary of our Access to Justice Commission, also very much devoted to the task of helping those who cannot afford access to our legal system. The Summit's goal was to increase this voluntary effort by lawyers. And we will hold this Summit annually. Governor Haley was an active participant and issued a Governor's Proclamation and sent members of her staff to assist with this effort.

With great pride the State of South Carolina recognized Kaye Hearn as the 2012 recipient of the Woman of Achievement award presented to her by Governor Haley this past fall. Kaye was chosen as a woman whose work and life has made a significant impact on the quality of life for other women and for all citizens of South Carolina.

In our disciplinary realm, the Office of Disciplinary Counsel has been nationally recognized in an article in the American Bar Journal in January for our commitment to lawyers civility and the use of technology. A feature story was done on Lee Coggiola, our very able Disciplinary Counsel. In addition, the American Bar Association's Standing Committee on Judicial Discipline recently recognized our case management software developed in-house by our IT staff as a model for other states.

We have exciting new developments continuing in mentoring our beginning lawyers. In this economy, young lawyers more and more go out on their own as they graduate from law school without any benefit of assistance and help by wiser heads who can help them navigate the business process. We now have lawyer mentors, seasoned experienced lawyers, for each and every new admittee to the South Carolina Bar. And thanks to the work of Justice Kittredge and the Commission on the Profession we are reemphasizing professionalism in the practice of law.

For the good of the order, you've made a major step forward to reforming the people's access to their courts with the creation of these new judgeships. And we will use them wisely and well. With our appellate court case management system, with e-filing and e-courts we intend to make our system all the more accessible and easier to navigate by citizens, by you, by the attorneys, and by all who use the court system. And the General Sessions docket will be top priority for this coming year. And with the help of people who care, I believe we'll be able to make a real move forward on this issue.

Please allow me to introduce the Appellate Court Judges who've come with me today; Supreme Court, Costa Pleicones, Don Beatty, John Kittredge, Kaye Hearn. And the Court of Appeals; Chief Judge John Few, Tommy Huff, Paul Short, Bruce Williams, Paula Thomas, Danny Pieper, Aphrodite Konduros, John Geathers and James Lockemy. You won't find better representatives of all that is good and decent about our court system than these judges who sit in the back of your chambers at this time.

They don't just make a difference here in South Carolina, each one of them is recognized far beyond the borders of this State for the contribution to justice that they each make. I'm just as proud as anything to stand shoulder to shoulder with these judges and the state judiciary in South Carolina.

And finally, you know how this story ends. There's my grandson Patrick. He's 10 years old now. But this was the trip of a lifetime. Patrick is marching the ramparts of the ancient city of old Jerusalem where our family went on a two week trip at Easter and Passover last year. We walked where He walked. And we discovered the miracle of unfolding history in this Israel which is so much at the heart of everything we believe and work for. That's a bright smile for the future. Thank you and God bless.

**JOINT ASSEMBLY RECEDES**

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

The Senate accordingly retired to its Chamber.

**THE HOUSE RESUMES**

At 12:30 p.m. the House resumed, the SPEAKER in the Chair.

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

**MOTION NOTED**

Rep. DELLENEY moved to reconsider the vote whereby debate was adjourned on S. 3 until Thursday, Feb. 3, and the motion was noted.

**ADJOURNMENT**

At 12:33 p.m. the House, in accordance with the motion of Rep. WILLIAMS, adjourned in memory of Dwight Dana and his son, Radisson Dana, both of Darlington, to meet at 10:00 a.m. tomorrow.

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