~~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 Jeremiah 29:12: “Then when you call upon me and come and pray to me, I will hear you.”

Let us pray. Mighty Lord, open our eyes that we may see; open our ears that we may hear all the wonderful things You have put into the hearts and lives of these people. May they continue to work together in earnest and with integrity to assume the awesome responsibility that You have placed upon their shoulders. Guide them by Your powerful hand. Bless our Nation, President, State, Governor, Speaker, and staff with wisdom and truth. 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. HERBKERSMAN moved that when the House adjourns, it adjourn in memory of Nancy H. Roe of Bluffton, which was agreed to.

**REPORTS OF STANDING COMMITTEES**

Rep. MUNNERLYN, from the Marlboro Delegation, submitted a favorable report on:

H. 4205 -- Reps. Munnerlyn and Hayes: A BILL TO AMEND ACT 256 OF 1981, AS AMENDED, RELATING TO THE SCHOOL DISTRICT OF MARLBORO COUNTY, SO AS TO PROVIDE THE COUNTY SCHOOL BOARD MAY DETERMINE SALARIES AND ALLOWANCES OF BOARD MEMBERS AND APPROVE LOCAL TAX FUNDS NEEDED FOR THESE SALARIES AND ALLOWANCES, AND TO DELETE PROVISIONS REQUIRING THE BOARD MEMBERS TO RECEIVE A PER DIEM AND THE CHAIRMAN TO RECEIVE ADDITIONAL COMPENSATION.

Ordered for consideration tomorrow.

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

S. 148 -- Senators Shealy, Bryant, Gregory and Alexander: A BILL TO AMEND CHAPTER 20, TITLE 37 OF THE 1976 CODE, RELATING TO CONSUMER IDENTITY THEFT PROTECTION, BY ADDING SECTION 37-20-161, TO PROVIDE FOR CERTAIN MEASURES TO SAFEGUARD A CLASS OF "PROTECTED CONSUMERS" FROM BECOMING VICTIMS OF IDENTITY THEFT, TO ALLOW REPRESENTATIVES, PROVIDING SUFFICIENT PROOF OF AUTHORITY, TO PLACE A PREEMPTIVE SECURITY FREEZE ON PROTECTED CONSUMER'S CREDIT REPORTS, TO PROVIDE THE LIMITATIONS OF THIS SECTION, TO PROVIDE REQUIREMENTS TO IMPLEMENT A SECURITY FREEZE, TO PROVIDE FOR THE DURATION AND EXTENT OF A SECURITY FREEZE, AND TO PROVIDE TERMS FOR REMOVAL OF A SECURITY FREEZE ON A PROTECTED CONSUMER'S CREDIT REPORT OR RECORD.

Ordered for consideration tomorrow.

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

S. 310 -- Senators Alexander and Ford: 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.

Ordered for consideration tomorrow.

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

S. 75 -- Senator Cromer: A BILL TO AMEND SECTION 40-57-130, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO LICENSE RENEWALS FOR REAL ESTATE BROKERS AND SALESMEN, SO AS TO REQUIRE A CRIMINAL BACKGROUND CHECK FROM A SOURCE APPROVED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; AND BY ADDING SECTION 40-57-245 SO AS TO REQUIRE THAT THE DEPARTMENT ASSIGN ONE INVESTIGATOR FOR EVERY TWO THOUSAND FIVE HUNDRED LICENSEES TO ENSURE COMPLAINTS ARE PROCESSED AND CONSIDERED IN AN EXPEDITIOUS MANNER.

Ordered for consideration tomorrow.

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

S. 463 -- Senators Hayes and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-53-95 SO AS TO REQUIRE THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A PROFESSIONAL SURETY BONDSMAN OR RUNNER MUST PROVIDE HIS BUSINESS, MAILING, RESIDENTIAL, AND EMAIL ADDRESSES WITH THE APPLICATION, TO PROVIDE HE MUST NOTIFY THE DEPARTMENT OF A CHANGE OF ANY OF THESE ADDRESSES OR A LEGAL NAME CHANGE WITHIN THIRTY DAYS, AND TO PROVIDE A PENALTY FOR A VIOLATION; TO AMEND SECTION 38-43-107, AS AMENDED, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS AN INSURANCE PRODUCER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; TO AMEND SECTION 38-47-15, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS AN ADJUSTER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; TO AMEND SECTION 38-48-30, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A PUBLIC ADJUSTER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS; AND TO AMEND SECTION 38-49-25, RELATING TO THE REQUIREMENT THAT A PERSON APPLYING TO THE DEPARTMENT OF INSURANCE FOR LICENSURE AS A MOTOR VEHICLE PHYSICAL DAMAGE APPRAISER MUST PROVIDE HIS BUSINESS, MAILING, AND RESIDENTIAL ADDRESSES WITH THE APPLICATION, SO AS TO PROVIDE HE ALSO MUST PROVIDE HIS EMAIL ADDRESS.

Ordered for consideration tomorrow.

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

S. 639 -- Senators McElveen, Campsen and Gregory: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION AND THE UNITED STATES FISH AND WILDLIFE SERVICE TO PROMULGATE REGULATIONS AUTHORIZING THE STATE OF SOUTH CAROLINA TO MANAGE DOUBLE-CRESTED CORMORANTS IN THE STATE.

Ordered for consideration tomorrow.

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

S. 674 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO TERM AND CONDITIONS FOR THE PUBLIC'S USE OF LAKES AND PONDS OWNED AND LEASED BY THE DEPARTMENT OF NATURAL RESOURCES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4341, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

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

S. 635 -- Senators Shealy, Campbell, Corbin, Turner, Bryant and Campsen: A BILL TO AMEND CHAPTER 23, TITLE 48 OF THE 1976 CODE, RELATING TO FORESTRY, BY ADDING SECTION 48-23-300, TO PROVIDE THAT A MAJOR FACILITY PROJECT REQUESTING THIRD-PARTY CERTIFICATION SHALL NOT BE ALLOWED TO SEEK A RATING POINT THAT WOULD DISCRIMINATE AGAINST WOOD PRODUCTS OF THIS STATE DERIVED FROM FOREST LANDS CERTIFIED BY THE SUSTAINABLE FORESTRY INITIATIVE OR THE AMERICAN TREE FARM SYSTEM.

Ordered for consideration tomorrow.

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

H. 3987 -- Reps. Goldfinch, Herbkersman, Clemmons, Kennedy, Huggins, Hardee, McCoy, Stavrinakis, Sottile, Limehouse, Hardwick, H. A. Crawford, Riley, Murphy, Spires, Burns, Funderburk, Atwater, Barfield, Bingham, Cole, Finlay, Gagnon, George, Harrell, Owens, Pitts, Ryhal, Taylor, Vick, Wells, White and Knight: A BILL TO AMEND SECTION 39-25-20, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF TERMS CONTAINED IN THE SOUTH CAROLINA FOOD AND COSMETIC ACT, SO AS TO REVISE THE DEFINITIONS OF THE TERM "FOOD", AND TO DEFINE THE TERMS "SEAFOOD" AND "LOCAL SEAFOOD"; AND TO AMEND SECTION 39-25-30, AS AMENDED, RELATING TO ACTS PROHIBITED UNDER THE SOUTH CAROLINA FOOD AND COSMETIC ACT, SO AS TO PROVIDE THAT A RETAIL OR WHOLESALE ESTABLISHMENT IS PROHIBITED FROM SELLING SEAFOOD WHILE KNOWINGLY AND WILFULLY MISREPRESENTING THE IDENTITY OF THE SEAFOOD TO ITS PATRONS.

Ordered for consideration tomorrow.

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

S. 559 -- Senators Campsen and McGill: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN FIFTEEN FLOUNDER TAKEN BY MEANS OF GIG, SPEAR, HOOK AND LINE, OR SIMILAR DEVICE IN ANY ONE DAY, NOT TO EXCEED THIRTY FLOUNDER IN ANY ONE DAY ON ANY BOAT.

Ordered for consideration tomorrow.

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

S. 590 -- Senator Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO TAKE OR POSSESS MORE THAN ONE TARPON IN ANY ONE DAY OR A TARPON OF LESS THAN SEVENTY-SEVEN INCHES IN FORK LENGTH.

Ordered for consideration tomorrow.

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

S. 584 -- Senators Campsen and Rankin: A BILL TO AMEND CHAPTER 9, TITLE 50 OF THE 1976 CODE, RELATING TO HUNTING AND FISHING LICENSES, BY ADDING SECTION 50-9-15, TO DEFINE "LICENSE SALES VENDOR" AND "LICENSE YEAR"; TO AMEND SECTION 50-9-20, RELATING TO THE DURATION OF HUNTING AND FISHING LICENSES, TO PROVIDE FOR THE DURATION OF LICENSES FOR RECREATIONAL AND COMMERCIAL USE, AND PERMITS THE DEPARTMENT TO ISSUE A LICENSE THAT EXPIRES ON THE DAY BEFORE THE ANNIVERSARY OF ITS ISSUANCE; TO AMEND SECTION 50-9-30, RELATING TO RESIDENCY REQUIREMENTS FOR LICENSES, TO REVISE THE REQUIREMENTS; TO AMEND SECTION 50-9-350, RELATING TO APPRENTICE HUNTING LICENSES, TO PROVIDE THAT THE HOLDER OF AN APPRENTICE HUNTING LICENSE WHO OBTAINS A CERTIFICATE OF COMPLETION PRIOR TO THE EXPIRATION DATE OF HIS APPRENTICE HUNTING LICENSE WILL USE HIS APPRENTICE HUNTING LICENSE AS HIS STATEWIDE HUNTING LICENSE, PROVIDED THE LICENSEE MUST HAVE THE CERTIFICATE OF COMPLETION IN HIS POSSESSION WHILE HUNTING; TO AMEND SECTION 50-9-510, RELATING TO LICENSES FOR PURCHASE FOR THE PRIVILEGE OF HUNTING, TO REMOVE THE HUNTING LICENSE VALID ONLY IN A SINGLE COUNTY, TO REMOVE RESTRICTIONS ON THE THREE YEAR LICENSE PURCHASE, TO CLARIFY REQUIREMENTS FOR MIGRATORY WATERFOWL PERMITS, AND TO PROVIDE FOR THE RETAINED VENDOR FEE; TO AMEND SECTION 50-9-530, RELATING TO CATAWBA LICENSES, TO PROVIDE THERE IS NO COST TO A CATAWBA HUNTING AND FISHING LICENSEE FOR ANY OTHER TAGS REQUIRED BY LAW FOR RECREATIONAL HUNTING AND FISHING EXCEPT FOR THOSE DEPARTMENT HUNTING AND FISHING ACTIVITIES CONTROLLED BY LOTTERY; TO AMEND SECTION 50-9-540, RELATING TO RECREATIONAL LICENSES, TO PROVIDE THAT RESIDENTS AND NONRESIDENTS MUST PURCHASE ANY OTHER LICENSE THAT GRANTS FISHING PRIVILEGE, TO DELETE THE LAKES AND RESERVOIRS PERMIT, AND TO CHANGE THE TEMPORARY NONRESIDENT FISHING LICENSE FROM SEVEN TO FOURTEEN DAYS; TO AMEND SECTION 50-9-610, RELATING TO ADDITIONAL REQUIREMENTS FOR TAKING NONGAME FRESHWATER FISH, TO PROVIDE THAT TAGS MUST BE ATTACHED AS PRESCRIBED; TO AMEND SECTION 50-9-665, RELATING TO BEAR TAGS, TO PROVIDE FOR THE REQUIREMENT FOR BEAR TAGS; TO AMEND SECTION 50-9-920, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, TO MAKE CONFORMING CHANGES AND TO PROVIDE FOR LICENSE REVENUE DISTRIBUTION; TO AMEND SECTION 50-9-950, RELATING TO THE FISH AND WILDLIFE PROTECTION FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-955, RELATING TO THE FISH AND WILDLIFE DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; TO AMEND SECTION 50-9-960, RELATING TO THE MARINE RESOURCES FUND, TO PROVIDE FUND ASSETS AND USES; TO AMEND SECTION 50-9-965, RELATING TO THE MARINE RESOURCES DEFERRED LICENSE FUND, TO PROVIDE FOR THE ANNUAL TRANSFER OF FUNDS; AND TO REPEAL SECTION 50-15-65(E).

Ordered for consideration tomorrow.

Rep. OWENS, from the Committee on Education and Public Works, submitted a favorable report with amendments on:

H. 3365 -- Reps. Govan, Jefferson, Williams, Whipper and R. L. Brown: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 12 TO CHAPTER 63, TITLE 59 SO AS TO REQUIRE THAT EACH PUBLIC SCHOOL IN THE STATE EMPLOY A LICENSED PSYCHO-EDUCATIONAL SPECIALIST CERTIFIED IN SCHOOL PSYCHOLOGY BY THE DEPARTMENT OF EDUCATION ON A FULL-TIME BASIS TO HELP SCHOOL PERSONNEL IDENTIFY STUDENTS IN NEED OF MENTAL HEALTH COUNSELING, PROMOTE AWARENESS OF MENTAL HEALTH ISSUES AND THE AVAILABILITY OF TREATMENT, SCREEN AND IDENTIFY STUDENTS FOR MENTAL HEALTH ISSUES, AND PROVIDE APPROPRIATE MENTAL HEALTH COUNSELING AND MAKE REFERRALS FOR APPROPRIATE SOCIAL SERVICES COUNSELING.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4209 -- Reps. Atwater, Quinn, Alexander, Allison, Anderson, Anthony, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE LEXINGTON HIGH SCHOOL BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON

AND TO CONGRATULATE THEM ON WINNING THE 2013 CLASS AAAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4210 -- Reps. Cobb-Hunter, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, 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, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE HOLLY HILL ACADEMY VARSITY BASEBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2013 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AA STATE CHAMPIONSHIP TITLE, THEIR SECOND STRAIGHT STATE BASEBALL CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4211 -- Reps. Bernstein, Bales, Ballentine, Douglas, Finlay, Hart, Howard, McEachern, M. S. McLeod, Neal, Rutherford, J. E. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bannister, Barfield, Bedingfield, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Felder, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE CARDINAL NEWMAN MEN'S SOCCER TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON CAPTURING THE 2013 SCISA CLASS 3A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4212 -- Reps. Ridgeway, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE EAST CLARENDON HIGH SCHOOL SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM ON WINNING THE 2013 CLASS A STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4213 -- Reps. Weeks, G. A. Brown, Neal, G. M. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO CONGRATULATE THE REVEREND DR. JAMES B. BLASSINGAME, PASTOR OF MOUNT ZION MISSIONARY BAPTIST CHURCH, ON BEING ELECTED PRESIDENT OF THE BAPTIST EDUCATIONAL & MISSIONARY CONVENTION OF SOUTH CAROLINA.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4217 -- Reps. Williams, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Willis and Wood: A HOUSE RESOLUTION TO CONGRATULATE TERRY MARTIN, PRINCIPAL OF PATE ELEMENTARY SCHOOL IN DARLINGTON, UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN ALL HER FUTURE ENDEAVORS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4214 -- Reps. Hardwick, H. A. Crawford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, 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, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BURGESS ELEMENTARY SCHOOL IN HORRY COUNTY AND TO CONGRATULATE THE ADMINISTRATION, FACULTY, STUDENTS, AND PARENTS FOR THE SELECTION OF THE SCHOOL AS A 2013 NATIONAL SCHOOL OF CHARACTER BY THE CHARACTER EDUCATION PARTNERSHIP.

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

**CONCURRENT RESOLUTION**

The following was introduced:

H. 4215 -- Reps. Barfield and Hardee: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR AUBREY M. ANDERSON OF CONWAY AND TO EXPRESS THE APPRECIATION OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY FOR HIS SERVICE IN THE UNITED STATES ARMY DURING WORLD WAR II.

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

**INTRODUCTION OF BILL**

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

H. 4216 -- Reps. Bales, Ballentine and Neal: A BILL TO AMEND SECTION 7-7-465, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN RICHLAND COUNTY, SO AS TO REVISE AND ADD CERTAIN PRECINCTS, TO REDESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, TO CORRECT REFERENCES, AND TO PROVIDE FOR ALTERNATE PRECINCT POLLING PLACES UNDER SPECIFIED CONDITIONS.

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

**ROLL CALL**

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

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

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Thursday, May 23.

|  |  |
| --- | --- |
| Terry Alexander | Weston Newton |
| David Mack | Bruce W. Bannister |
| Gary Simrill | Anne Thayer |
| William R. "Bill" Whitmire | Harry Ott |
| Mike Gambrell | James Lucas |
| Richard "Rick" Quinn | M.S. McLeod |
| Chip Huggins | James E. Smith |
| Todd Rutherford | Dan Hamilton |
| Jerry Govan | Harold Mitchell |
| Bakari Sellers | Chris Hart |
| Beth Bernstein |  |

**Total Present--122**

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. HIXON a leave of absence for the day due to a prior commitment.

**LEAVE OF ABSENCE**

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

**DOCTOR OF THE DAY**

Announcement was made that Dr. Coy Irvin of Florence was the Doctor of the Day for the General Assembly.

**SPECIAL PRESENTATION**

Rep. KENNEDY presented to the House the W. Wyman King Academy Varsity Baseball Team, the 2013 South Carolina Independent Schools Association Class A Champions, their coaches and other school officials.

**SPECIAL PRESENTATION**

Rep. ERICKSON presented to the House the Beaufort Academy "Lady Eagles" Varsity Girls Soccer Team, the 2013 South Carolina Independent Schools Association Class AA Champions, their coaches and other school officials.

**CO-SPONSORS 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-SPONSORS REMOVED**

|  |  |
| --- | --- |
| Bill Number: | H. 4095 |
| Date: | REMOVE: |
| 05/23/13 | DANING, TAYLOR and MERRILL |

**ORDERED ENROLLED FOR RATIFICATION**

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

S. 465 -- Senator Hayes: A BILL TO AMEND SECTION 38-71-1330, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SMALL EMPLOYER HEALTH INSURANCE AVAILABILITY ACT, SO AS TO REVISE THE DEFINITION OF AN "ELIGIBLE EMPLOYEE".

**S. 417--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 417 -- Senators Alexander and Davis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "MILITARY SERVICE OCCUPATION, EDUCATION, AND CREDENTIALING ACT"; BY ADDING SECTION 59-101-400 SO AS TO PROVIDE A PUBLIC, POST-SECONDARY INSTITUTION OF HIGHER EDUCATION IN THIS STATE MAY AWARD EDUCATIONAL CREDIT TO AN HONORABLY DISCHARGED MEMBER OF THE ARMED FORCES FOR A COURSE THAT IS PART OF HIS MILITARY TRAINING OR SERVICE, SUBJECT TO CERTAIN CONDITIONS, AND TO REQUIRE THE INSTITUTION TO IMPLEMENT RELATED POLICIES AND REGULATIONS WITHIN A SPECIFIED TIME FRAME; BY ADDING ARTICLE 3 TO CHAPTER 1, TITLE 40 SO AS TO PROVIDE MISCELLANEOUS LICENSURE PROVISIONS FOR MILITARY PERSONNEL, TO PROVIDE A PERSON LICENSED BY BOARD OR COMMISSION UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IS EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS AND FEE ASSESSMENTS DURING ACTIVE DUTY IN THE UNITED STATES ARMED FORCES, TO PROVIDE A BOARD OR COMMISSION MAY ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES IN CERTAIN CIRCUMSTANCES, AND TO PROVIDE A BOARD OR COMMISSION MAY ACCEPT CERTAIN COURSEWORK OR EXPERIENCE OBTAINED DURING THE COURSE OF MILITARY SERVICE TO SATISFY RELATED PROFESSIONAL OR OCCUPATIONAL EDUCATION OR TRAINING LICENSURE REQUIREMENTS; AND TO REPEAL SECTIONS 40-1-75 RELATING TO EXEMPTING ACTIVE DUTY MILITARY PERSONNEL FROM CONTINUING EDUCATION REQUIREMENTS, AND 40-1-77 RELATING TO TEMPORARY PROFESSIONAL OR OCCUPATIONAL LICENSES FOR MILITARY SPOUSES, THE SUBSTANCE OF WHICH ARE INCORPORATED INTO THE NEW ARTICLE ADDED BY THIS ACT.

Rep. TOOLE spoke in favor of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 100; Nays 0

 Those who voted in the affirmative are:

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

**Total--100**

 Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

 I was temporarily out of the Chamber in a constituent meeting during the vote on S. 417. If I had been present, I would have voted in favor of the Bill.

 Rep. Bill Taylor

**S. 417--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. TOOLE, with unanimous consent, it was ordered that S. 417 be read the third time tomorrow.

**S. 191--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 191 -- Senators Verdin, Sheheen, Lourie, Cromer, O'Dell, Hutto, Jackson, Alexander and McElveen: A BILL TO AMEND CHAPTER 3, TITLE 46 OF THE 1976 CODE, RELATING TO DUTIES OF THE DEPARTMENT OF AGRICULTURE, BY ADDING SECTION 46-3-25 TO REQUIRE THE DEPARTMENT TO CREATE AND MAINTAIN A PROGRAM TO ENCOURAGE SCHOOLS TO SERVE LOCALLY GROWN, MINIMALLY PROCESSED FARM FOODS.

Rep. HIOTT explained the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bedingfield | Bingham |
| Bowen | Bowers | Branham |
| G. A. Brown | Burns | Chumley |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Felder | Finlay | Forrester |
| Funderburk | Gagnon | Gambrell |
| Gilliard | Goldfinch | Hardee |
| Hardwick | Harrell | Hart |
| Hayes | Henderson | Herbkersman |
| Hiott | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Knight | Limehouse |
| Loftis | Long | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| 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 | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. E. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--105**

 Those who voted in the negative are:

**Total--0**

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

**S. 191--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HARDWICK, with unanimous consent, it was ordered that S. 191 be read the third time tomorrow.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. BALLENTINE a temporary leave of absence due to constituent business.

**H. 4073--REQUESTS FOR DEBATE**

The following Bill was taken up:

H. 4073 -- Reps. G. R. Smith, Bedingfield and Willis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 5-7-125 SO AS TO PROVIDE THAT THE GOVERNING BODY OF A MUNICIPALITY, BY ORDINANCE, MAY PROVIDE THAT ALL MEMBERS OF A MUNICIPAL FIRE TRUCK COMPANY OR OTHER EMPLOYEES OF THE FIRE DEPARTMENT MAY DIRECT AND CONTROL TRAFFIC AT THE SCENE OF ANY FIRE IN THE MUNICIPALITY AND ENFORCE THE LAWS OF THIS STATE OR ORDINANCES OF THE MUNICIPALITY RELATING TO THE FOLLOWING OF A FIRE APPARATUS, THE CROSSING OF A FIRE HOSE, AND INTERFERING WITH FIREMEN IN THE DISCHARGE OF THEIR DUTIES IN CONNECTION WITH A FIRE IN THE SAME MANNER AS PROVIDED FOR THE ENFORCEMENT OF SUCH LAWS OR ORDINANCES BY LAW ENFORCEMENT OR CODE ENFORCEMENT OFFICERS.

Rep. G. R. SMITH proposed the following Amendment No. 1 to H. 4073 (COUNCIL\AGM\4073C001.AGM.CM13):

Amend the bill, as and if amended, by deleting SECTION 1 in its entirety and inserting:

/ Chapter 7, Title 5 of the 1976 Code is amended by adding:

 “Section 5‑7‑125. The governing body of Simpsonville, by ordinance, may provide that all members of the Simpsonville fire truck company or other employees of the fire department may direct and control traffic at the scene of any fire in the municipality of Simpsonville and enforce the laws of this State or ordinances of the municipality relating to the following of a fire apparatus, the crossing of a fire hose, and interfering with firemen in the discharge of their duties in connection with a fire in the same manner as provided for the enforcement of such laws or ordinances by law enforcement or code enforcement officers.” /

Renumber sections to conform.

Amend title to conform.

Rep. G. R. SMITH explained the amendment.

Reps. HOWARD, KING, NEAL, ATWATER, D. C. MOSS, CLEMMONS, KNIGHT, SABB, OTT, HART, G. R. SMITH, FELDER and TOOLE requested debate on the Bill.

**S. 620--POINT OF ORDER**

The following Bill was taken up:

S. 620 -- Senator Verdin: A BILL TO AMEND SECTION 56-3-2335 OF THE 1976 CODE, RELATING TO RESEARCH AND DEVELOPMENT LICENSE PLATES, SO AS TO INCLUDE THE MANUFACTURE AND RESEARCH AND DEVELOPMENT OF TRANSMISSIONS IN THIS STATE IN THE DEFINITION OF "RESEARCH AND DEVELOPMENT BUSINESS", TO DEFINE THE TERM "TRANSMISSIONS", TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE RESEARCH AND DEVELOPMENT LICENSE PLATES FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS' TRANSMISSIONS ON THE MOTOR VEHICLE, AND THE DEPARTMENT MAY ENTER INTO RECIPROCAL AGREEMENTS WITH OTHER STATES CONCERNING THE REGISTRATION AND OPERATION OF VEHICLES OWNED BY A RESEARCH AND DEVELOPMENT BUSINESS FOR THE PURPOSE OF TESTING AND EVALUATING THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS' TRANSMISSIONS, TO PROVIDE IT IS THE SOLE RESPONSIBILITY OF THE RESEARCH AND DEVELOPMENT BUSINESS OR CONTRACTED FLEET OWNER TO TAKE ANY OTHER ACTIONS REQUIRED BY ANOTHER STATE THAT ARE NECESSARY FOR THE RESEARCH AND DEVELOPMENT BUSINESS OR CONTRACTED FLEET OWNER, AND TO LEGALLY TEST AND EVALUATE THE PERFORMANCE OF THE RESEARCH AND DEVELOPMENT BUSINESS' TRANSMISSIONS IN THAT STATE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 3383--DEBATE ADJOURNED**

Rep. PATRICK moved to adjourn debate upon the following Bill until Thursday, May 30, which was adopted:

H. 3383 -- Reps. J. E. Smith, Gilliard, R. L. Brown and Whipper: A BILL TO AMEND SECTION 59-63-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO QUALIFICATIONS FOR ATTENDANCE IN A PUBLIC SCHOOL DISTRICT WITHOUT CHARGE, SO AS TO ELIMINATE A PROVISION ALLOWING A CHILD TO QUALIFY IF HE OWNS REAL ESTATE IN THE DISTRICT HAVING AN ASSESSED VALUE OF THREE HUNDRED DOLLARS OR MORE.

**H. 4192--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4192 -- Reps. Merrill, Crosby, Daning, Jefferson, Rivers and Southard: A BILL TO AMEND SECTION 7-7-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN BERKELEY COUNTY, SO AS TO ADD FOUR PRECINCTS AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

The yeas and nays were taken resulting as follows:

 Yeas 104; Nays 0

 Those who voted in the affirmative are:

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

**Total--104**

 Those who voted in the negative are:

**Total--0**

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

**H. 4192--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. DANING, with unanimous consent, it was ordered that H. 4192 be read the third time tomorrow.

**H. 4009--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 4009 -- Reps. Jefferson, Southard, Vick, Williams and Gagnon: A JOINT RESOLUTION TO CREATE THE "FREE HEALTH CARE STUDY COMMITTEE" TO STUDY THE EXTENT TO WHICH MEDICAL PROFESSIONALS VOLUNTEER AT FREE MEDICAL CLINICS AND THE VARIETY AND EXTENT OF MEDICAL SERVICES PROVIDED BY MEDICAL PROFESSIONALS, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE AND THE METHOD OF APPOINTMENT OF MEMBERS, TO SET FORTH THE DUTIES OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GOVERNOR, GENERAL ASSEMBLY, AND DEPARTMENT OF HEALTH AND HUMAN SERVICES, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

**POINT OF ORDER**

Rep. HIOTT 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.

**S. 117--POINT OF ORDER**

The following Bill was taken up:

S. 117 -- Senators Hayes, Courson, O'Dell, Verdin and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-66-75 SO AS TO REQUIRE A HEALTH CARE PROVIDER TO GIVE A PATIENT AN OPPORTUNITY TO ALLOW DISCLOSURE OF CERTAIN INFORMATION TO DESIGNATED FAMILY MEMBERS AND OTHER INDIVIDUALS AND TO AUTHORIZE THE INVOLVEMENT OF THESE FAMILY MEMBERS AND OTHER INDIVIDUALS IN THE TREATMENT OF THE PATIENT; TO SPECIFY THE CONTENTS OF THE AUTHORIZATION; AND TO PROVIDE CIVIL AND CRIMINAL IMMUNITY FOR GOOD FAITH DISCLOSURE OF INFORMATION; AND TO AMEND SECTION 44-66-20, AS AMENDED, RELATING TO DEFINITIONS IN THE ADULT HEALTH CARE CONSENT ACT, SO AS TO DEFINE "PATIENT" AND "TREATMENT" AND TO AMEND OTHER DEFINITIONS.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 127--POINT OF ORDER**

The following Bill was taken up:

S. 127 -- Senators Alexander and Ford: A BILL TO AMEND ARTICLE 6, CHAPTER 38, TITLE 44 OF THE 1976 CODE, RELATING TO HEAD AND SPINAL CORD INJURIES, BY ADDING ARTICLE 6 TO CREATE THE SOUTH CAROLINA BRAIN INJURY LEADERSHIP COUNCIL, TO PROVIDE FOR THE RESPONSIBILITIES AND DUTIES OF THE COUNCIL, TO PROVIDE FOR THE COMPOSITION AND APPOINTMENT OF THE COUNCIL, AND TO PROVIDE FOR THE POWERS AND AUTHORITY OF THE COUNCIL.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**S. 341--POINT OF ORDER**

The following Bill was taken up:

S. 341 -- Senators Alexander, Reese, Fair, Lourie, Cromer, L. Martin, Campbell, Shealy and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "EMERSON ROSE ACT" BY ADDING SECTION 44-37-70 SO AS TO REQUIRE EACH BIRTHING FACILITY LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM A PULSE OXIMETRY SCREENING ON EVERY NEWBORN IN ITS CARE, WHEN THE BABY IS TWENTY-FOUR TO FORTY-EIGHT HOURS OF AGE, OR AS LATE AS POSSIBLE IF THE BABY IS DISCHARGED FROM THE HOSPITAL BEFORE REACHING TWENTY-FOUR HOURS OF AGE.

**POINT OF ORDER**

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

The SPEAKER sustained the Point of Order.

**H. 4202--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 4202 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF NURSING, RELATING TO NURSE LICENSURE COMPACT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4342, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**POINT OF ORDER**

Rep. HOWARD 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. 4203--POINT OF ORDER**

The following Joint Resolution was taken up:

H. 4203 -- Medical, Military, Public and Municipal Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF COSMETOLOGY, RELATING TO ADMINISTRATIVE CITATIONS AND PENALTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4335, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**POINT OF ORDER**

Rep. HOWARD 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. 4204--ORDERED TO THIRD READING**

The following Bill was taken up:

H. 4204 -- Rep. Delleney: A BILL TO AMEND SECTION 7-7-170, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PRECINCTS IN CHESTER COUNTY, SO AS TO REDESIGNATE CERTAIN PRECINCTS, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

The yeas and nays were taken resulting as follows:

 Yeas 105; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Bannister |
| Barfield | Bedingfield | Bernstein |
| Bingham | Bowen | Bowers |
| Branham | Chumley | Clemmons |
| Clyburn | 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 |
| Hart | Hayes | Henderson |
| Herbkersman | Hiott | Hodges |
| Horne | Hosey | Huggins |
| Jefferson | Kennedy | King |
| Knight | Limehouse | Loftis |
| Long | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Newton |
| Norman | Owens | Parks |
| Patrick | Pitts | Pope |
| Powers Norrell | Putnam | Quinn |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Simrill | Skelton |
| J. R. Smith | Sottile | Southard |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Weeks |
| Wells | White | Whitmire |
| Williams | Willis | Wood |

**Total--105**

 Those who voted in the negative are:

**Total--0**

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

**H. 4204--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. DELLENEY, with unanimous consent, it was ordered that H. 4204 be read the third time tomorrow.

**OBJECTION TO RECALL**

Rep. SANDIFER asked unanimous consent to recall S. 348 from the Committee on Labor, Commerce and Industry.

Rep. HOWARD objected.

**OBJECTION TO RECALL**

Rep. W. J. MCLEOD asked unanimous consent to recall S. 7 from the Committee on Ways and Means.

Rep. WHITE objected.

**H. 3554--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3554 -- Reps. Cole, Forrester, G. M. Smith, Stavrinakis, Herbkersman and Merrill: A BILL TO AMEND SECTION 61-4-1515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SAMPLES AND SALES OF BEER AT BREWERIES, SO AS TO SPECIFY THAT FOURTEEN PERCENT ALCOHOL BY WEIGHT IS THE MAXIMUM THAT MAY BE OFFERED FOR ON-PREMISES CONSUMPTION, TO ALLOW FOR THE SALE OF SIXTY-FOUR OUNCES OF BEER TO A CONSUMER EVERY TWENTY-FOUR HOURS, TO PROVIDE THE BEER MUST BE SOLD AT THE APPROXIMATE RETAIL PRICE, TO PROVIDE THAT APPROPRIATE TAXES MUST BE REMITTED, AND TO CLARIFY THAT A CERTAIN PROVISION APPLIES TO OFF-PREMISES CONSUMPTION.

Rep. COLE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

 Yeas 73; Nays 37

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Anthony | Bales | Bannister |
| Bernstein | Bowen | Bowers |
| G. A. Brown | R. L. Brown | Clemmons |
| Clyburn | Cobb-Hunter | Cole |
| H. A. Crawford | K. R. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | George | Gilliard |
| Goldfinch | Hardwick | Harrell |
| Hart | Hayes | Herbkersman |
| Horne | Hosey | Howard |
| King | Knight | Long |
| Lowe | McCoy | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| V. S. Moss | Munnerlyn | Murphy |
| Neal | Newton | Norman |
| Ott | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Rivers |
| Rutherford | Ryhal | Sabb |
| Skelton | G. M. Smith | Spires |
| Stavrinakis | Taylor | Vick |
| Weeks | Wells | Whipper |
| White |  |  |

**Total--73**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Barfield |
| Bedingfield | Bingham | Burns |
| Chumley | Douglas | Hamilton |
| Hardee | Henderson | Hiott |
| Huggins | Jefferson | Kennedy |
| Limehouse | Loftis | Lucas |
| McEachern | D. C. Moss | Nanney |
| Owens | Parks | Riley |
| Sandifer | Simrill | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Stringer | Tallon | Thayer |
| Toole | Whitmire | Willis |
| Wood |  |  |

**Total--37**

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

**H. 3554--MOTION TO RECONSIDER TABLED**

Rep. COLE moved to reconsider the vote whereby the Senate amendments to the following Bill were concurred in and the Bill enrolled for ratification:

H. 3554 -- Reps. Cole, Forrester, G. M. Smith, Stavrinakis, Herbkersman and Merrill: A BILL TO AMEND SECTION 61-4-1515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SAMPLES AND SALES OF BEER AT BREWERIES, SO AS TO SPECIFY THAT FOURTEEN PERCENT ALCOHOL BY WEIGHT IS THE MAXIMUM THAT MAY BE OFFERED FOR ON-PREMISES CONSUMPTION, TO ALLOW FOR THE SALE OF SIXTY-FOUR OUNCES OF BEER TO A CONSUMER EVERY TWENTY-FOUR HOURS, TO PROVIDE THE BEER MUST BE SOLD AT THE APPROXIMATE RETAIL PRICE, TO PROVIDE THAT APPROPRIATE TAXES MUST BE REMITTED, AND TO CLARIFY THAT A CERTAIN PROVISION APPLIES TO OFF-PREMISES CONSUMPTION.

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

**SENT TO THE SENATE**

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

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

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

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

**H. 4182--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4182 -- Reps. Hardwick, H. A. Crawford, Clemmons, Ryhal and Hardee: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 701 FROM ITS INTERSECTION WITH THE LIMITS OF THE CITY OF CONWAY TO ITS INTERSECTION WITH SOUTH CAROLINA HIGHWAY 22 "W. D. 'BILLY' WITHERSPOON HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS "W. D. 'BILLY' WITHERSPOON HIGHWAY".

The Concurrent Resolution was adopted and sent to the Senate.

**H. 4149--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 4149 -- Rep. Erickson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION AND BEAUFORT COUNTY ERECT APPROPRIATE SIGNS OR MARKERS ALONG UNITED STATES HIGHWAY 21 IN BEAUFORT COUNTY AS IT ENTERS ST. HELENA ISLAND FROM BOTH LADY'S ISLAND AND HUNTING ISLAND THAT CONTAIN THE WORDS "ST. HELENA ISLAND-HOME OF THE 2013 AMERICAN IDOL WINNER CANDICE GLOVER".

The Concurrent Resolution was adopted and sent to the Senate.

**MOTION PERIOD**

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

**H. 3563--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3563 -- Reps. Delleney, J. E. Smith and Lucas: A BILL TO AMEND CHAPTER 20, TITLE 39, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SELF-SERVICE STORAGE FACILITIES, SO AS TO DEFINE "ELECTRONIC MAIL", TO PROVIDE THAT WHEN RENT OR OTHER CHARGES ARE FIVE OR MORE DAYS PAST DUE THE OWNER MAY DENY THE OCCUPANT ACCESS TO THE PERSONAL PROPERTY AND THE OCCUPANT IS CONSIDERED IN DEFAULT, TO PROVIDE THAT WHEN RENT OR OTHER CHARGES ARE FOURTEEN OR MORE DAYS PAST DUE THE OCCUPANT MUST BE NOTIFIED, AND TO PROVIDE THE PROCESS BY WHICH A DEFAULTING OCCUPANT'S PERSONAL PROPERTY MAY BE DESTROYED OR SOLD.

Rep. DELLENEY proposed the following Amendment No. 1 to H. 3563 (COUNCIL\NL\3563C001.NL.DG13), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 3, by striking Section 39‑20‑30(B) and inserting:

/ (B) When rent or other charges are seven or more days past due the owner may deny the occupant access to the personal property located in the self‑storage facility. /

Amend the bill further, SECTION 1, page 3, by striking lines 33 ‑ 36 and inserting:

/ ~~If any monthly installment is not paid by the fifteenth of the month~~ When rent or other charges are seven days past due, or if any check given in payment is dishonored, occupant is considered to be in default. /

Amend the bill further, SECTION 1, page 4, by striking line 23 and inserting:

/ ~~INSTALLMENT~~ RENT OR OTHER CHARGES ARE SEVEN/

Amend the bill further, SECTION 1, page 6, by striking lines 6 ‑ 18 and inserting:

/ After the expiration of the fifty‑day default period, the owner shall publish an advertisement of the public sale to the highest bidder once a week for two consecutive weeks in a newspaper of general circulation where the self‑service storage facility is located. /

Renumber sections to conform.

Amend title to conform.

Rep. HORNE 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 93; Nays 18

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Barfield |
| Bedingfield | Bingham | Bowen |
| Bowers | Branham | G. A. Brown |
| R. L. Brown | Chumley | Clemmons |
| Cole | H. A. Crawford | K. R. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Edge |
| Erickson | Felder | Finlay |
| Forrester | Funderburk | Gagnon |
| Gambrell | Goldfinch | Hardee |
| Hardwick | Harrell | Hayes |
| Henderson | Herbkersman | Hiott |
| Horne | Hosey | Huggins |
| Kennedy | Limehouse | Loftis |
| Long | Lowe | Lucas |
| McCoy | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Munnerlyn | Murphy | Nanney |
| Newton | Norman | Ott |
| Owens | Patrick | Pitts |
| Pope | Powers Norrell | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Ryhal | Sandifer |
| Simrill | Skelton | G. M. Smith |
| G. R. Smith | J. R. Smith | Sottile |
| Southard | Spires | Stavrinakis |
| Stringer | Taylor | Thayer |
| Toole | Vick | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Wood |

**Total--93**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Clyburn | Cobb-Hunter |
| Gilliard | Govan | Hart |
| Hodges | Howard | Jefferson |
| King | Knight | Mack |
| Mitchell | Neal | Parks |
| Rutherford | Sabb | Weeks |

**Total--18**

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

**H. 3563--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. HORNE, with unanimous consent, it was ordered that H. 3563 be read the third time tomorrow.

STATEMENT FOR THE JOURNAL

 I abstained from voting on H. 3563, to avoid any conflict of interest, as I own storage rental units.

 Rep. J. Wayne George

**H. 3024--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3024 -- Reps. McCoy, Henderson, Long, Weeks, Erickson, Harrell and Stavrinakis: A BILL TO AMEND SECTION 63-7-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO REQUIRE ANY PERSON IN THIS STATE TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT; TO AMEND SECTION 63-7-360, RELATING TO MANDATORY REPORTING TO THE CORONER, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 63-7-450, RELATING TO INFORMATION THE DEPARTMENT OF SOCIAL SERVICES MUST PROVIDE TO PERSONS REQUIRED TO REPORT, SO AS TO MAKE CONFORMING CHANGES.

The Committee on Judiciary proposed the following Amendment No. 1 to H. 3024 (COUNCIL\NL\3024C001.NL.DG13), which was adopted:

Amend the bill, as and if amended, by striking SECTION 1 and inserting:

/ SECTION 1. Section 63‑7‑310 of the 1976 Code, as last amended by Act 227 of 2010, is further amended to read:

 “Section 63‑7‑310. (A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner’s or coroner’s office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school or college administrator, coach, school teacher, counselor, principal, assistant principal, school attendance officer, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, foster parent, police or law enforcement officer, firefighter, camp counselor, scout leader, animal control officer, juvenile justice worker, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, judge, or a volunteer non‑attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA, and any other person whose duties require direct contact or supervision of children must report in accordance with this section when in the person’s professional or volunteer capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63‑7‑20.

 (B) If a person required to report pursuant to subsection (A) has received information in the person’s professional or volunteer capacity which gives the person reason to believe that a child’s physical or mental health or welfare has been or may be adversely affected by acts or omissions that would be child abuse or neglect if committed by a parent, guardian, or other person responsible for the child’s welfare, but the reporter believes that the act or omission was committed by a person other than the parent, guardian, or other person responsible for the child’s welfare, the reporter must make a report to the appropriate law enforcement agency.

 (C) ~~Except as provided in subsection (A), a person, including, but not limited to, a volunteer non‑attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA, who has reason to believe that a child’s physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report, and is encouraged to report, in accordance with this section~~ A person in subsection (A) or (B) who reports child abuse or neglect to a supervisor or person in charge of an institution, school, facility, or agency is not relieved of the individual duty to report in accordance with this section. The duty to report is not superseded by an internal investigation within the institution, school, facility, or agency.

 (D) Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement agency in the county where the child resides or is found.” /

Renumber sections to conform.

Amend title to conform.

Rep. MCCOY explained the amendment.

The amendment was then adopted.

Rep. PITTS proposed the following Amendment No. 3 to H. 3024 (COUNCIL\SWB\3024C002.SWB.CM13), which was adopted:

Amend the bill, as and if amended, Section 63‑7‑310(A), as contained in SECTION 1, by deleting Section 63‑7‑310(A) and inserting:

/ (A) A physician, nurse, dentist, optometrist, medical examiner, or coroner, or an employee of a county medical examiner’s or coroner’s office, or any other medical, emergency medical services, mental health, or allied health professional, member of the clergy including a Christian Science Practitioner or religious healer, school or college administrator, coach, school teacher, counselor, principal, assistant principal, school attendance officer, social or public assistance worker, substance abuse treatment staff, or childcare worker in a childcare center or foster care facility, foster parent, police or law enforcement officer, firefighter, camp counselor, scout leader, juvenile justice worker, undertaker, funeral home director or employee of a funeral home, persons responsible for processing films, computer technician, judge, or a volunteer non‑attorney guardian ad litem serving on behalf of the South Carolina Guardian Ad Litem Program or on behalf of Richland County CASA, and any other person whose duties require direct contact or supervision of children must report in accordance with this section when in the person’s professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 63‑7‑20. /

Renumber sections to conform.

Amend title to conform.

Rep. PITTS explained the amendment.

The amendment was then adopted.

Reps. HARRELL and STAVRINAKIS proposed the following Amendment No. 4 to H. 3024 (COUNCIL\DKA\3024C004. DKA.SD13), which was adopted:

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

/ SECTION \_\_. Section 63‑7‑410 of the 1976 Code is amended to read:

 “Section 63‑7‑410. A person required to report a case of child abuse or neglect or a person required to perform any other function under this article who knowingly fails to do so, or a person who threatens or attempts to intimidate a witness is guilty of a misdemeanor and, upon conviction, must be fined not more than five ~~hundred~~ thousand dollars or imprisoned not more than ~~six months~~ one year, or both.”

SECTION \_\_. Chapter 7, Title 63 of the 1976 Code is amended by adding:

 “Section 63‑7‑415. Notwithstanding the provisions of the Tort Claims Act or any other provision of law, the failure of a school or college administrator, who is considered a government employee, to report an incident of child abuse or neglect as required by Section 63‑7‑310 negates without limitation the liability and immunity from suit under the Tort Claims Act of the governmental entity by which he is employed.” /

Renumber sections to conform.

Amend title to conform.

Rep. STAVRINAKIS explained the amendment.

The amendment was then adopted.

Rep. MCCOY explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 112; Nays 0

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Bannister | Barfield | Bedingfield |
| Bingham | Bowen | Bowers |
| G. A. Brown | R. L. Brown | Burns |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | H. A. 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 |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Kennedy | King | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | Mitchell |
| D. C. Moss | V. S. Moss | Munnerlyn |
| Murphy | Nanney | Neal |
| Newton | Norman | Ott |
| Owens | Parks | Patrick |
| Pitts | Pope | Powers Norrell |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sabb |
| Sandifer | Sellers | Simrill |
| Skelton | G. M. Smith | J. R. Smith |
| Sottile | Southard | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Vick | Weeks | Wells |
| Whipper | White | Whitmire |
| Willis |  |  |

**Total--112**

 Those who voted in the negative are:

**Total--0**

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

**H. 3024--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. MCCOY, with unanimous consent, it was ordered that H. 3024 be read the third time tomorrow.

STATEMENT FOR THE JOURNAL

 I was out of the Chamber speaking with constituents and a business group in Irmo and missed several votes during session this morning. Had I been present, I would have voted in favor of the following Bills:

 H. 4192, H. 4204, H. 3563 and H. 3024.

 I would have voted to concur in the Senate Amendments on H. 3554.

 Rep. Nathan Ballentine

**H. 3592--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

H. 3592 -- Reps. Sandifer and Loftis: A BILL TO AMEND ARTICLE 8, CHAPTER 52, TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE "ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007", SO AS TO DELETE CERTAIN DEFINITIONS, TO CHANGE CERTIFICATION STANDARDS WITH WHICH MAJOR FACILITY PROJECTS MUST COMPLY, TO ELIMINATE REFERENCE TO THE LEED AND GREEN GLOBES CERTIFICATION RATING SYSTEMS, AND TO MAKE TECHNICAL CORRECTIONS.

The Committee on Labor, Commerce and Industry proposed the following Amendment No. 1 to H. 3592 (COUNCIL\NBD\3592C001. NBD.VR13), which was adopted:

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

/ SECTION 1. Section 48-52-830 of the 1976 Code is amended to read:

 “Section 48-52-830. (A)(1) All major facility projects in this State, as defined in Section 48‑52‑810(10)(i), must be designed, constructed, and at least certified as receiving two globes using the Green Globes Rating System in place as of January 1, 2013 or receiving the LEED Silver standard in place as of January 1, 2013. All major facility projects in this State, as defined in Section 48‑52‑810(10)(a)(ii) or (iii), must be analyzed using a life cycle cost analysis comparing the cost and benefits of designing, constructing, maintaining, and operating the facility at the LEED Silver standard or two globes standard, or better, with certification; normal industry and regulatory standards as applicable; or some standard between the two that causes the project to be designed and constructed in a manner that achieves the lowest thirty‑year life cycle cost.

 (2) In obtaining certification as receiving two globes using the Green Globes Rating System, a major facility project must earn at least twenty percent of the available points for energy performance under ‘C.1.1 Energy Consumption’. In obtaining certification as meeting the LEED Silver standard, a major facility project must earn at least forty percent of the available points for energy performance under "EA Credit 1: Optimize Energy Performance". The State Engineer's Office may waive the requirements of this item for a proposed major facility project should it determine that the costs of meeting this item are not economically feasible. The State Engineer's Office shall notify the board of the reason for the issuance of a waiver.

 (B) Notwithstanding another provision of law, the board may ~~petition the General Assembly to require all major facility projects be certified to a high‑performance~~ utilize the Green Globes Rating System in place as of January 1, 2013, or the LEED Silver standard in place as of January 1, 2013 as a building rating system standard ~~in addition to or instead of the systems provided in this chapter. However, any alternate rating system adopted by the General Assembly must be no less stringent than the systems provided in this chapter~~ for purposes of this article.

 (C) The board shall administer and enforce the provisions in this article. Also, the board may adopt rules and promulgate regulations to comply with the goals set forth in Section 48‑52‑820.”

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

Renumber sections to conform.

Amend title to conform.

Rep. FORRESTER explained the amendment.

The amendment was then adopted.

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

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. K. R. CRAWFORD a leave of absence for the remainder of the day due to a prior commitment.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. NANNEY a leave of absence for the remainder of the day due to family reasons.

Rep. J. E. SMITH continued speaking.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

 Yeas 70; Nays 40

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Ballentine |
| Barfield | Bedingfield | Bingham |
| Burns | Chumley | Clemmons |
| Cole | H. A. Crawford | Crosby |
| Daning | Delleney | Erickson |
| Felder | Forrester | Gagnon |
| Gambrell | George | Goldfinch |
| Hamilton | Hardwick | Harrell |
| Hayes | Hiott | Horne |
| Huggins | Kennedy | Limehouse |
| Loftis | Long | Lowe |
| Lucas | McCoy | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Newton | Norman | Ott |
| Owens | Patrick | Pitts |
| Putnam | Quinn | Riley |
| Rivers | Rutherford | Ryhal |
| Sandifer | Simrill | Skelton |
| G. M. Smith | G. R. Smith | J. R. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Thayer |
| Toole | Vick | Wells |
| White | Whitmire | Willis |
| Wood |  |  |

**Total--70**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Bales | Bernstein | Bowers |
| Branham | G. A. Brown | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Funderburk | Govan | Hart |
| Hodges | Hosey | Howard |
| Jefferson | King | Knight |
| Mack | McEachern | M. S. McLeod |
| W. J. McLeod | Mitchell | Munnerlyn |
| Neal | Parks | Pope |
| Powers Norrell | Ridgeway | Robinson-Simpson |
| Sabb | J. E. Smith | Southard |
| Stavrinakis | Weeks | Whipper |
| Williams |  |  |

**Total--40**

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

**H. 3592--ORDERED TO BE READ THIRD TIME TOMORROW**

On motion of Rep. FORRESTER, with unanimous consent, it was ordered that H. 3592 be read the third time tomorrow.

**H. 3818--DEBATE ADJOURNED**

Rep. SANDIFER moved to adjourn debate upon the following Bill until Tuesday, May 28, which was adopted:

H. 3818 -- Reps. K. R. Crawford, Sandifer, Erickson, Simrill, G. M. Smith, Gambrell and Bannister: A BILL TO AMEND SECTION 38-71-1730, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CLOSED PANEL HEALTH PLANS, SO AS TO REMOVE THE REQUIREMENT THAT CERTAIN EMPLOYERS THAT OFFER ONLY CLOSED PANEL HEALTH PLANS TO ITS EMPLOYEES ALSO OFFER A POINT-OF-SERVICE OPTION TO ITS EMPLOYEES, TO MAKE CONFORMING CHANGES, AND TO INCREASE THE ALLOWABLE DIFFERENCES BETWEEN COINSURANCE PERCENTAGES FOR IN-NETWORK AND OUT-OF-NETWORK COVERED SERVICES AND SUPPLIES UNDER A POINT-OF-SERVICE OPTION.

**H. 3925--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3925 -- Reps. Hardwick and Loftis: A BILL TO AMEND SECTION 48-1-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITING THE DISCHARGE OF POLLUTANTS INTO THE ENVIRONMENT AND REMEDIES FOR VIOLATIONS, SO AS TO CLARIFY PERSONS WHO MAY FILE A PETITION WITH THE DEPARTMENT DO NOT INCLUDE CERTAIN AGENCIES AND DEPARTMENTS OF THE STATE AND TO PROVIDE THAT ANY DECISION OF THE DEPARTMENT WITH RESPECT TO THE TYPE OF REVIEW OBTAINED IS NOT SUBJECT TO JUDICIAL REVIEW; TO AMEND SECTION 48-1-250, AS AMENDED, RELATING TO WHOM BENEFITS FROM CAUSES OF ACTION RESULTING FROM POLLUTION VIOLATIONS INURE, SO AS TO PROVIDE THAT NOTWITHSTANDING ANY OTHER PROVISION OF LAW NO PRIVATE CAUSE OF ACTION IS CREATED BY OR EXISTS UNDER THE POLLUTION CONTROL ACT; AND TO AMEND SECTION 6 OF ACT 198 OF 2012, RELATING TO THE SAVINGS CLAUSE, SO AS TO PROVIDE THAT THE SAVINGS CLAUSE OF ACT 198 OF 2012 APPLIES ONLY TO CASES FILED BEFORE JUNE 6, 2012, AND TO ANY FEDERAL PROJECT FOR WHICH A FINAL ENVIRONMENTAL IMPACT STATEMENT WAS ISSUED PRIOR TO JUNE 6, 2012, BUT NO RECORD OF DECISION WAS ISSUED PRIOR TO JUNE 6, 2012.

Rep. HARDWICK explained the Bill.

Rep. QUINN moved to adjourn debate on the Bill until Tuesday, May 28.

Rep. HARDWICK moved to table the motion, which was not agreed to.

The question then recurred to the motion to adjourn debate.

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

Yeas 38; Nays 60

 Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Anderson | Anthony |
| Atwater | Bernstein | Bingham |
| Bowers | Branham | Clyburn |
| Cobb-Hunter | Dillard | Douglas |
| Funderburk | Govan | Hosey |
| Jefferson | King | Knight |
| Mack | McEachern | W. J. McLeod |
| Mitchell | Munnerlyn | Neal |
| Newton | Parks | Powers Norrell |
| Quinn | Ridgeway | Robinson-Simpson |
| Rutherford | Sabb | J. E. Smith |
| Spires | Stavrinakis | Toole |
| Weeks | Williams |  |

**Total--38**

 Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Ballentine | Barfield |
| Bedingfield | Burns | Chumley |
| Clemmons | Cole | H. A. Crawford |
| Crosby | Daning | Delleney |
| Edge | Erickson | Felder |
| Forrester | Gagnon | Gambrell |
| Goldfinch | Hamilton | Hardee |
| Hardwick | Harrell | Hiott |
| Horne | Huggins | Kennedy |
| Limehouse | Loftis | Long |
| Lucas | D. C. Moss | V. S. Moss |
| Murphy | Norman | Owens |
| Patrick | Pitts | Pope |
| Putnam | Riley | Rivers |
| Ryhal | Sandifer | Simrill |
| Skelton | G. M. Smith | G. R. Smith |
| J. R. Smith | Sottile | Southard |
| Stringer | Tallon | Taylor |
| Thayer | Vick | Wells |
| White | Willis | Wood |

**Total--60**

So, the House refused to adjourn debate.

Rep. STAVRINAKIS spoke against the Bill.

Rep. STAVRINAKIS moved to adjourn debate on the Bill until Tuesday, May 28, which was agreed to.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. GOLDFINCH a leave of absence for the remainder of the day due to a court hearing.

**H. 3827--DEBATE ADJOURNED**

The following Bill was taken up:

H. 3827 -- Reps. Pitts and Loftis: A BILL TO AMEND SECTION 44-1-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUESTS FOR FINAL REVIEW OF A DECISION OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS BEFORE REQUESTING A CONTESTED CASE HEARING BEFORE THE ADMINISTRATIVE LAW COURT, SO AS TO DELETE PROVISIONS ESTABLISHING INITIAL DECISIONS INVOLVING ACTIONS OF THE DEPARTMENT AS STAFF DECISIONS WHICH BECOME DEPARTMENT DECISIONS AND ULTIMATELY FINAL AGENCY DECISIONS IF NOT APPEALED TO THE BOARD AND TO INSTEAD PROVIDE THAT INITIAL STAFF DECISIONS ARE DEPARTMENT DECISIONS AND FINAL AGENCY DECISIONS IF NOT APPEALED AND THAT SUCH APPEALS MUST BE MADE TO THE ADMINISTRATIVE LAW COURT.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to H. 3827 (COUNCIL\GGS\3827C001.GGS.AC13):

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

/ SECTION 1. Timely resolutions of disputes with minimal delay regarding determinations and decisions made by the South Carolina Department of Health and Environmental Control promote economic development, ensure the protection of the State’s natural resources and environment, and allow earlier implementation of healthcare projects for the benefit of the State’s citizens. The current process imposes unreasonable and unnecessary delay which may be eliminated by allowing challenges to Department decisions to be made directly to the South Carolina Administrative Law Court.

SECTION 2. Section 44‑1‑60 of the 1976 Code, as last amended by Act 278 of 2010, is further amended to read:

 “Section 44‑1‑60. (A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department which may give rise to a contested case shall be made using the procedures set forth in this section.

 (B) The department staff shall comply with all requirements for public notice, receipt of public comments and public hearings before making a department decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment and public hearings.

 (C) ~~The initial decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department shall be a staff decision.~~ The staff’s decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department must be in writing and shall constitute a decision by the department as set forth in Subsection (D)(2). In making such a ~~staff~~ written department decision on ~~any~~a permit, license, certification or other approval, the department staff shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition such permit, license, certification or other approval. ~~At the time that such staff decision is made,~~ The department ~~shall issue a department decision, and~~ shall base its department decision on the administrative record which shall consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification or other approval. The administrative record may also include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department decision need not be issued for routine permits for which no adverse public comments have been received.

 (~~E~~D)(1) Notice of a department decision must be sent by certified mail~~, returned receipt requested to the applicant, permittee, licensee, and affected~~ or electronic mail to the last known mailing address or electronic mail address to the applicant, permittee, or licensee, and persons who have requested in writing to be notified. ~~Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail.~~ Notice of ~~staff~~ decisions for which a department decision is not required pursuant to subsection (~~D~~C) must be provided by electronic mail or mail~~, delivery, or other appropriate means~~ to the applicant, permittee, licensee, and ~~affected~~ persons who have requested in writing to be notified.

 (2) The ~~staff~~ written department decision becomes the final agency decision fifteen calendar days after notice of the ~~staff~~ department decision has been mailed to the applicant, unless a written request ~~for final review accompanied by a filing fee is filed with the department by the applicant, permittee, licensee, or affected person~~ for a contested case is filed with the Administrative Law Court within fifteen calendar days after notice of the department decision is mailed to the applicant, permittee, or licensee, and persons who have requested in writing to be notified of the department decision and served upon the Clerk of the DHEC Board and applicant, permittee, or licensee. The Administrative Law Court shall give consideration to the provisions of Section 1‑23‑330 regarding the department’s specialized knowledge.

 ~~(3)~~ ~~The filing fee must be in the amount of one hundred dollars unless the department establishes a fee schedule by regulation after complying with the requirements of Article 1, Chapter 23, Title 1. This fee must be retained by the department in order to help defray the costs of the proceedings and legal expenses.~~

 (E) A person to whom an emergency order is issued by the department may apply directly to the Administrative Law Court for relief and must be afforded a hearing within forty‑eight hours. Regardless of whether a hearing is held, the department must revoke all emergency orders as soon as conditions or operations change to the extent that an emergency no longer exists.

 ~~(F)~~ ~~No later than sixty calendar days after the date of receipt of a request for final review, a final review conference must be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. If the board declines in writing to schedule a final review conference or if a final review conference is not conducted within sixty calendar days, the staff decision becomes the final agency decision, and an applicant, permittee, licensee, or affected person requests pursuant to subsection (G) a contested case hearing before the Administrative Law Court. The department shall set the place, date, and time for the conference; give the applicant and affected persons at least ten calendar days’ written notice of the conference; and advise the applicant that evidence may be presented at the conference. The final review conference must be held as follows:~~

 ~~(1) Final review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the moving party. During the course of the final review conference, the staff must explain the staff decision and the materials relied upon in the administrative record to support the staff decision. The applicant or affected party shall state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. The staff may rebut information and arguments presented by the applicant or affected party and the applicant or affected party may rebut information and arguments presented by the staff. Any final review conference officer may request additional information and may question the applicant or affected party, the staff, and anyone else providing information at the conference.~~

 ~~(2) After the final review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue a written final agency decision based upon the evidence presented. The decision may be announced orally at the conclusion of the final review conference or it may be reserved for consideration. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. In either event, the written decision must be mailed to the parties no later than thirty calendar days after the date of the final review conference. Within thirty calendar days after the receipt of the decision an applicant, permittee, licensee, or affected person desiring to contest the final agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1‑23‑330 regarding the department’s specialized knowledge.~~

 ~~(3) Prior to the initiation of the final review conference, an applicant, permittee, licensee, or affected person must be notified of their right to request a transcript of the proceedings of the final review conference. If a transcript is requested, the applicant, permittee, licensee, or affected person making the request is responsible for all costs.~~

 ~~(G) An applicant, permittee, licensee, or affected person may file a request with the Administrative Law Court for a contested case hearing within thirty calendar days after:~~

 ~~(1) notice is mailed to the applicant, permittee, licensee, and affected persons that the board declined to hold a final review conference; or~~

 ~~(2) the sixty calendar day deadline to hold the final review conference lapses and no conference has been held; or~~

 ~~(3) the final agency decision resulting from the final review conference is received by the parties.~~

 ~~(H) Applicants, permittees, licensees, and affected persons are encouraged to engage in mediation during the final review process.~~

 ~~(I) The department may promulgate regulations providing for procedures for final reviews.~~

 ~~(J) Any statutory deadlines applicable to permitting and licensing programs administered by the department must be extended to all for this final review process. If any deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.~~"

SECTION 3. All statutes and regulations must be interpreted to conform with this statutory amendment to allow challenges to department decisions to be filed directly to the South Carolina Administrative Law Court, and to the extent any existing provision in statute or regulation conflicts with this statutory amendment that provision is superseded.

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, does not affect pending actions, rights, duties, or liabilities founded on it, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

Renumber sections to conform.

AMEND THE TITLE TO READ:

/ TO AMEND SECTION 44-1-60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUESTS FOR FINAL REVIEW OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS BY THE BOARD, SO AS TO REMOVE THE BOARD FROM CHALLENGES TO DEPARTMENT DECISIONS AND TO PROVIDE THAT CHALLENGES TO THESE DECISIONS MUST BE FILED WITH THE SOUTH CAROLINA ADMINISTRATIVE LAW COURT /.

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

Reps. HARDWICK, HIOTT and V. S. MOSS proposed the following Amendment No. 2 to H. 3827 (COUNCIL\GGS\3827C002. GGS.AC13):

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

/ SECTION 1. Timely resolutions of disputes with minimal delay regarding determinations and decisions made by the South Carolina Department of Health and Environmental Control promote economic development, ensure the protection of the State’s natural resources and environment, and allow earlier implementation of healthcare projects for the benefit of the State’s citizens. The current process imposes unreasonable and unnecessary delay which may be eliminated by allowing challenges to Department decisions to be made directly to the South Carolina Administrative Law Court.

SECTION 2. Section 44‑1‑60 of the 1976 Code, as last amended by Act 278 of 2010, is further amended to read:

 “Section 44‑1‑60. (A) All department decisions involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other actions of the department which may give rise to a contested case ~~shall~~ must be made using the procedures set forth in this section.

 (B) The department staff shall comply with all requirements for public notice, receipt of public comments and public hearings before making a department decision. To the maximum extent possible, the department shall use a uniform system of public notice of permit applications, opportunity for public comment and public hearings.

 (C) ~~The initial decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department shall be a staff decision.~~ The staff’s decision involving the issuance, denial, renewal, suspension, or revocation of permits, licenses, or other action of the department must be in writing and shall constitute a decision by the department as set forth in Subsection (D)(2). In making such a ~~staff~~ written department decision on ~~any~~ a permit, license, certification or other approval, the department staff shall take into consideration all material comments received in response to the public notice in determining whether to issue, deny or condition such permit, license, certification or other approval. ~~At the time that such staff decision is made,~~ The department ~~shall issue a department decision, and~~ shall base its department decision on the administrative record which shall consist of the application and supporting exhibits, all public comments and submissions, and other documents contained in the supporting file for the permit, license, certification or other approval. The administrative record may also include material readily available at the department, or published materials which are generally available and need not be physically included in the same file as the rest of the record as long as such materials are specifically referred to in the department decision. The department decision need not be issued for routine permits for which no adverse public comments have been received.

 (~~E~~D)(1) Notice of a department decision must be sent by certified mail~~, returned receipt requested to the applicant, permittee, licensee, and affected~~ or electronic mail to the last known mailing address or electronic mail address to the applicant, permittee, or licensee, and persons who have requested in writing to be notified. ~~Affected persons may request in writing to be notified by regular mail or electronic mail in lieu of certified mail.~~ Notice of ~~staff~~ decisions for which a department decision is not required pursuant to subsection (~~D~~C) must be provided by electronic mail or mail~~, delivery, or other appropriate means~~ to the applicant, permittee, licensee, and ~~affected~~ persons who have requested in writing to be notified.

 (2)(a) The ~~staff~~ written department decision becomes the final agency decision fifteen calendar days after notice of the ~~staff~~ department decision has been mailed to the applicant, unless :

 (i) a written request for ~~final review accompanied by a filing fee is filed with the department by the applicant, permittee, licensee, or affected person~~ a contested case is filed with the Administrative Law Court within fifteen calendar days after notice of the department decision is mailed to the applicant, permittee, or licensee, and persons who have requested in writing to be notified of the department decision and served upon the clerk of the board and applicant, permittee, or licensee; or

 (ii) at the option of the applicant, permittee, or licensee, a written request for review is filed with the board by the applicant, permittee, or licensee within fifteen calendar days after notice of the department decision.

 (b) If a request for review is made pursuant to item (ii), the board shall conduct any informal review it considers appropriate within sixty days of the request for review pursuant to procedures established by the board. Upon issuance of a written determination from the board, which must be the department decision and must be issued no later than sixty days from the date of the request for review, this decision becomes the final agency decision fifteen calendar days after notice of the decision has been mailed to the applicant, permittee, or licensee unless a written request for a contested case is filed with the Administrative Law Court within fifteen calendar days after notice of the decision is mailed to the applicant, permittee, or licensee, and persons who have requested in writing to be notified of the department decision and served upon the clerk of the board and the applicant, permittee, or licensee.

 (c) Within ten days of receipt of the notice of assignment from the Administrative Law Court, the permit or license applicant may file a written request for remand to the board for further review. The Administrative Law Court shall grant this request for remand and shall retain jurisdiction over the matter as a contested case, which must be stayed during the remand. The board must conduct any informal review it considers appropriate within sixty days of the order for remand pursuant to procedures established by the board. At the conclusion of the review or upon the expiration of the sixty‑day remand period, the department shall file a statement with the Administrative Law Court and the parties setting forth revisions, modifications, amendments, or changes, if any, to the department decision.

 (3) The ~~filing fee must be in the amount of one hundred dollars unless the department establishes a fee schedule by regulation after complying with the requirements of Article 1, Chapter 23, Title 1. This fee must be retained by the department in order to help defray the costs of the proceedings and legal expenses~~ Administrative Law Court shall give consideration to the provisions of Section 1‑23‑330 regarding the department’s specialized knowledge.

 ( ~~F~~E) A person to whom an emergency order is issued by the department may apply directly to the Administrative Law Court for relief and must be afforded a hearing within forty‑eight hours. Regardless of whether a hearing is held, the department must revoke all emergency orders as soon as conditions or operations change to the extent that an emergency no longer exists.

 ~~No later than sixty calendar days after the date of receipt of a request for final review, a final review conference must be conducted by the board, its designee, or a committee of three members of the board appointed by the chair. If the board declines in writing to schedule a final review conference or if a final review conference is not conducted within sixty calendar days, the staff decision becomes the final agency decision, and an applicant, permittee, licensee, or affected person requests pursuant to subsection (G) a contested case hearing before the Administrative Law Court. The department shall set the place, date, and time for the conference; give the applicant and affected persons at least ten calendar days’ written notice of the conference; and advise the applicant that evidence may be presented at the conference. The final review conference must be held as follows:~~

 ~~(1) Final review conferences are open to the public; however, the officers conducting the conference may meet in closed session to deliberate on the evidence presented at the conference. The burden of proof in a conference is upon the moving party. During the course of the final review conference, the staff must explain the staff decision and the materials relied upon in the administrative record to support the staff decision. The applicant or affected party shall state the reasons for protesting the staff decision and may provide evidence to support amending, modifying, or rescinding the staff decision. The staff may rebut information and arguments presented by the applicant or affected party and the applicant or affected party may rebut information and arguments presented by the staff. Any final review conference officer may request additional information and may question the applicant or affected party, the staff, and anyone else providing information at the conference.~~

 ~~(2) After the final review conference, the board, its designee, or a committee of three members of the board appointed by the chair shall issue a written final agency decision based upon the evidence presented. The decision may be announced orally at the conclusion of the final review conference or it may be reserved for consideration. The written decision must explain the basis for the decision and inform the parties of their right to request a contested case hearing before the Administrative Law Court. In either event, the written decision must be mailed to the parties no later than thirty calendar days after the date of the final review conference. Within thirty calendar days after the receipt of the decision an applicant, permittee, licensee, or affected person desiring to contest the final agency decision may request a contested case hearing before the Administrative Law Court, in accordance with the Administrative Procedures Act. The court shall give consideration to the provisions of Section 1‑23‑330 regarding the department’s specialized knowledge.~~

 ~~(3) Prior to the initiation of the final review conference, an applicant, permittee, licensee, or affected person must be notified of their right to request a transcript of the proceedings of the final review conference. If a transcript is requested, the applicant, permittee, licensee, or affected person making the request is responsible for all costs.~~

 ~~(G) An applicant, permittee, licensee, or affected person may file a request with the Administrative Law Court for a contested case hearing within thirty calendar days after:~~

 ~~(1) notice is mailed to the applicant, permittee, licensee, and affected persons that the board declined to hold a final review conference; or~~

 ~~(2) the sixty calendar day deadline to hold the final review conference lapses and no conference has been held; or~~

 ~~(3) the final agency decision resulting from the final review conference is received by the parties.~~

 ~~(H) Applicants, permittees, licensees, and affected persons are encouraged to engage in mediation during the final review process.~~

 ~~(I) The department may promulgate regulations providing for procedures for final reviews.~~

 ~~(J) Any statutory deadlines applicable to permitting and licensing programs administered by the department must be extended to all for this final review process. If any deadline provided for in this section falls on a Saturday, Sunday, or state holiday, the deadline must be extended until the next calendar day that is not a Saturday, Sunday, or state holiday.~~”

SECTION 3. All statutes and regulations must be interpreted to conform with this statutory amendment to allow challenges to department decisions to be filed directly to the South Carolina Administrative Law Court, and to the extent any existing provision in statute or regulation conflicts with this statutory amendment that provision is superseded.

SECTION 4. The repeal or amendment by this act of any law, whether temporary or permanent, does not affect pending actions, rights, duties, or liabilities founded on it, or alter, discharge, release, or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 5. If any section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, item, subitem, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, items, subitems, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

Renumber sections to conform.

AMEND THE TITLE TO READ:

/ TO AMEND SECTION 44‑1‑60, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUESTS FOR FINAL REVIEW OF DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL DECISIONS BY THE DEPARTMENT BOARD, SO AS TO PROVIDE THAT A PARTY MAY REQUEST A CONTESTED CASE HEARING ON A DEPARTMENT DECISION BEFORE THE ADMINISTRATIVE LAW COURT OR MAY REQUEST A REVIEW OF THE DEPARTMENT DECISION BY THE BOARD; TO PROVIDE THAT IF A REVIEW BY THE BOARD IS REQUESTED, THE BOARD HAS SIXTY DAYS WITHIN WHICH TO CONDUCT ITS REVIEW AND ISSUE A DETERMINATION WHICH BECOMES THE FINAL AGENCY DECISION UNLESS A REQUEST FOR A CONTESTED CASE HEARING IS REQUESTED BEFORE THE ADMINISTRATIVE LAW COURT; TO PROVIDE THAT IF A CONTESTED CASE HEARING IS REQUESTED, THE PARTY MAY REQUEST THE ADMINISTRATIVE LAW COURT TO REMAND THE CASE TO THE BOARD FOR FURTHER REVIEW; TO PROVIDE THAT UPON REMAND, THE BOARD HAS SIXTY DAYS WITHIN WHICH TO CONDUCT ITS REVIEW AND ISSUE A STATEMENT WITH THE ADMINISTRATIVE LAW COURT AND THE PARTIES PROVIDING REVISIONS OR MODIFICATIONS, IF ANY, MADE TO THE DEPARTMENT DECISION; AND TO PROVIDE THAT IF AN EMERGENCY ORDER IS ISSUED BY THE DEPARTMENT, THE PERSON AGAINST WHOM IT IS ISSUED MAY APPLY TO THE ADMINISTRATIVE LAW COURT FOR RELIEF AND MUST BE AFFORDED A HEARING WITHIN FORTY-EIGHT HOURS. /

Rep. HIOTT explained the amendment.

Rep. HIOTT moved to adjourn debate on the Bill until Tuesday, May 28, which was agreed to.

**RECURRENCE TO THE MORNING HOUR**

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

**REPORTS OF STANDING COMMITTEE**

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 710 -- Senators Scott, Campsen, Grooms, Hayes, Reese, Courson, Nicholson and Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF MOTOR VEHICLES BESTOW SPECIAL RECOGNITION UPON CONGRESSIONAL MEDAL OF HONOR RECIPIENTS COLONEL CHARLES MURRAY, JR., CORPORAL FREDDIE STOWERS, MAJOR GENERAL JAMES E. LIVINGSTON, SERGEANT FIRST CLASS WEBSTER ANDERSON, MASTER SERGEANT JOHN BAKER, JR., AND SEAMAN ROBERT BLAKE, AND THE WIVES OF COLONEL CHARLES MURRAY, JR., MAJOR GENERAL JAMES E. LIVINGSTON AND MASTER SERGEANT JOHN BAKER, JR., BY NAMING DEPARTMENT OF MOTOR VEHICLES' BUILDINGS IN THEIR HONOR.

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

S. 711 -- Senators L. Martin and Alexander: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION RENAME THE L.E.C. ROAD OF S-39-90 THAT BEGINS ON SOUTH CAROLINA HIGHWAY 8 AND ENDS ON MCDANIEL AVENUE IN PICKENS, SOUTH CAROLINA AS THE "C. DAVID STONE ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS ROAD THAT CONTAIN THE WORDS "C. DAVID STONE ROAD".

Ordered for consideration tomorrow.

Rep. BARFIELD, from the Committee on Invitations and Memorial Resolutions, submitted a favorable report on:

H. 4166 -- Reps. Clemmons and Goldfinch: A CONCURRENT RESOLUTION MEMORIALIZING THE CONGRESS OF THE UNITED STATES TO ENACT LEGISLATION REVISING OR REQUIRING REVISIONS TO THE BOUNDARIES OF THE SOUTHEASTERN UNITED STATES FEDERAL OUTER CONTINENTAL SHELF ADMINISTRATIVE DISTRICTS, BOUNDARIES ESTABLISHED BY THE BUREAU OF OCEAN ENERGY MANAGEMENT OF THE UNITED STATES DEPARTMENT OF INTERIOR TO PROTECT SOUTH CAROLINA'S INTERESTS WITH RESPECT TO COMMERCIAL ENERGY LEASES IN THESE DISTRICTS.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 4218 -- Reps. J. E. Smith, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO DESIGNATE THE MONTH OF MAY 2013 AS "MENTAL HEALTH MONTH" IN SOUTH CAROLINA AND TO RAISE COMMUNITY AWARENESS AND UNDERSTANDING OF MENTAL ILLNESS AND THE NEED FOR APPROPRIATE AND ACCESSIBLE SERVICES FOR ALL PEOPLE WITH MENTAL ILLNESSES.

Whereas, the members of the South Carolina House of Representatives call upon all citizens, governmental agencies, public and private institutions, businesses and schools in South Carolina to increase our state’s understanding and acceptance of mental illnesses; and

Whereas, mental health is critical to the well‑being and vitality of our families, businesses, and communities; and

Whereas, mental illness affects people regardless of age, gender, race, ethnicity, religion, or economic status; and

Whereas, the South Carolina Department of Mental Health observes Mental Health Month each year in May to raise awareness of mental health, mental illness, and discrimination against people with mental illnesses; and

Whereas, the South Carolina House of Representatives commends the South Carolina Department of Mental Health for its difficult task of educating the public about the often‑misunderstood issue of mental illness. Now, therefore,

Be it resolved by the House of Representatives:

That the members of the House of Representatives of the State of South Carolina, by this resolution, designate the month of May 2013 as “Mental Health Month” in South Carolina and raise community awareness and understanding of mental illness and the need for appropriate and accessible services for all people with mental illnesses.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4219 -- Reps. Whipper, Gilliard, Mack, Stavrinakis, Limehouse, Horne, Harrell, McCoy, R. L. Brown and Sottile: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR JOSEPH DAWSON, JR., COMMANDANT OF THE MILITARY MAGNET ACADEMY, UPON THE OCCASION OF HIS RETIREMENT AFTER TWENTY-ONE YEARS OF OUTSTANDING DEDICATION AND SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4220 -- Reps. Knight, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WOODLAND HIGH SCHOOL VARSITY BOYS TRACK TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON, AND TO CONGRATULATE THEM FOR WINNING THE

SOUTH CAROLINA HIGH SCHOOL LEAGUE CLASS AA STATE CHAMPIONSHIP.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4221 -- Reps. G. M. Smith, Weeks, G. A. Brown, Ridgeway, Neal, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF JULIE ABNEY BAILEY OF SUMTER AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 4222 -- Reps. G. M. Smith, Weeks, G. A. Brown, Ridgeway, Neal, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Newton, Norman, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, Putnam, Quinn, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE WILSON HALL VARSITY SOFTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN OUTSTANDING SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2013 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS AAA STATE CHAMPIONSHIP TITLE.

The Resolution was adopted.

**INTRODUCTION OF BILLS**

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

H. 4223 -- Reps. Nanney, Delleney, Lucas, Simrill, G. M. Smith, Stringer, Bedingfield, Wood, Clemmons, H. A. Crawford, Gagnon, Atwater, Huggins, Owens, Limehouse, Norman, Erickson, Willis, Rivers, Allison, Ballentine, Bannister, Burns, Chumley, Henderson, Long, Merrill, D. C. Moss, Pitts, Pope, G. R. Smith, Tallon and Thayer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 41, TITLE 44 SO AS TO ENACT THE "SOUTH CAROLINA PAIN-CAPABLE UNBORN CHILD PROTECTION ACT", TO PROVIDE FINDINGS OF THE GENERAL ASSEMBLY, TO PROVIDE NECESSARY TERMS, TO PROVIDE A PHYSICIAN OR ALLIED HEALTH PROFESSIONAL SHALL CALCULATE THE PROBABLE POST-FERTILIZATION AGE OF AN EMBRYO OR FETUS BEFORE PERFORMING OR INDUCING AN ABORTION, TO PROVIDE THAT AN ABORTION MAY NOT BE PERFORMED IF THE PROBABLE POST-FERTILIZATION AGE OF THE EMBRYO OR FETUS IS TWENTY OR MORE WEEKS, TO PROVIDE FOR EXCEPTIONS, TO REQUIRE CERTAIN EDUCATIONAL MATERIALS BE PRODUCED AND DISTRIBUTED, AND TO PROVIDE THE ACT DOES NOT IMPLICITLY OR OTHERWISE REPEAL ANOTHER PROVISION OF LAW.

Referred to Committee on Judiciary

H. 4224 -- Rep. Rutherford: A BILL TO PROVIDE FOR THE AUTHORITY OF THE CITY OF COLUMBIA TO APPOINT AND COMMISSION FIREFIGHTERS TO SERVE AS CERTIFIED LAW ENFORCEMENT OFFICERS WHO HAVE THE FULL POWERS AS CERTIFIED LAW ENFORCEMENT OFFICERS AND TO REQUIRE FIREFIGHTERS TO MEET CERTAIN QUALIFICATIONS TO BE COMMISSIONED AS A CERTIFIED LAW ENFORCEMENT OFFICER.

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

Rep. G. R. SMITH objected.

Referred to Committee on Judiciary

H. 4225 -- Reps. Jefferson, Gilliard, Clyburn, Williams, Hosey, Parks, Cobb-Hunter, Neal, Mitchell, King, R. L. Brown, Hodges, Howard, Powers Norrell and Whipper: A JOINT RESOLUTION TO CREATE THE "HOSPITAL COSTS DISPARITY STUDY COMMITTEE" TO STUDY THE DISPARITY IN THE AMOUNTS HOSPITALS IN THIS STATE CHARGE FOR CERTAIN MEDICAL PROCEDURES BILLED TO MEDICARE AND TO COMPARE THE AMOUNTS HOSPITALS IN THIS STATE CHARGE MEDICARE AS COMPARED TO THE NATIONAL AVERAGE, TO PROVIDE FOR MEMBERSHIP OF THE STUDY COMMITTEE AND THE METHOD OF APPOINTMENT OF MEMBERS, TO SET FORTH THE DUTIES OF THE STUDY COMMITTEE, TO REQUIRE THE STUDY COMMITTEE TO PREPARE A REPORT WITH FINDINGS AND RECOMMENDATIONS FOR THE GOVERNOR AND GENERAL ASSEMBLY, TO MAKE THE INFORMATION

AVAILABLE TO THE PUBLIC, AND TO INCLUDE A SUNSET PROVISION FOR THE STUDY COMMITTEE.

Referred to Committee on Medical, Military, Public and Municipal Affairs

H. 4226 -- Reps. McCoy, Patrick, Pitts, Pope, Simrill and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-17-755 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR ANYONE TO INTENTIONALLY DISSEMINATE FOR PUBLICATION ANY INFORMATION CONTAINED IN AN APPLICATION FOR A CONCEALED WEAPON PERMIT OR ANY INFORMATION REGARDING THE IDENTITY OF A PERSON WHO HAS APPLIED FOR OR HAS BEEN ISSUED A CONCEALED WEAPON PERMIT, AND TO PROVIDE PENALTIES.

Referred to Committee on Judiciary

H. 4227 -- Reps. Henderson, Nanney and Owens: A BILL TO AMEND SECTION 12-28-2740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DISTRIBUTION OF THE GASOLINE USER FEES AMONG COUNTIES, SO AS TO PROVIDE THAT A COUNTY TRANSPORTATION COMMITTEE MUST PROVIDE AN ANNUAL ACCOUNTING OF FUNDS THAT IT RECEIVES TO ITS LEGISLATIVE DELEGATION.

Referred to Committee on Ways and Means

H. 4228 -- Rep. Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38-71-295 SO AS TO PROVIDE THAT THE PROVIDER OF HEALTH INSURANCE MAY NOT IMPOSE A COPAYMENT, COINSURANCE, OR OFFICE VISIT DEDUCTIBLE AMOUNT CHARGED TO AN INSURED FOR SERVICE RENDERED ON EACH DATE OF SERVICE BY AN OCCUPATIONAL THERAPIST OR PHYSICAL THERAPIST, TO PROVIDE FOR THE APPLICABLE SCOPE OF THE ARTICLE, AND TO PROVIDE NECESSARY DEFINITIONS.

Referred to Committee on Labor, Commerce and Industry

S. 495 -- Senators Lourie and Rankin: A BILL TO AMEND SECTION 23-3-115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO CLARIFY THE DEFINITION OF CHARITABLE ORGANIZATIONS WHICH PAY A REDUCED FEE TO INCLUDE LOCAL PARK AND RECREATION VOLUNTEERS THROUGH A COMMISSION, MUNICIPALITY, COUNTY, OR THE SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM.

Referred to Committee on Judiciary

**OBJECTION TO RECALL**

Rep. SANDIFER asked unanimous consent to recall S. 348 from the Committee on Labor, Commerce and Industry.

Rep. NEAL objected.

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

**RETURNED WITH CONCURRENCE**

The Senate returned to the House with concurrence the following:

H. 4194 -- Reps. Hiott, Skelton and Owens: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR PICKENS COUNTY SHERIFF C. DAVID STONE, FOR HIS LONG AND DEDICATED SERVICE AND OUTSTANDING CONTRIBUTIONS TO LAW ENFORCEMENT OVER THE PAST FORTY-FOUR YEARS.

**ADJOURNMENT**

At 1:37 p.m. the House, in accordance with the motion of Rep. HERBKERSMAN, adjourned in memory of Nancy H. Roe of Bluffton, to meet at 10:00 a.m. tomorrow.

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