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~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 97:12: “Rejoice in the Lord, O you righteous, and give thanks to his holy name!”

Let us pray. Lord God Almighty, we give thanks for the many gifts and blessings You have provided these Representatives and staff during this Session. Continue to urge us to give thanks for all You do. Keep these women and men in Your love and care. Bless our Nation, President, State, Governor, Speaker, staff, and all who support this Assembly. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our men and women who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

**MOTION ADOPTED**

Rep. SIMRILL moved that when the House adjourns, it adjourn in memory of Larry L. Bigham, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Representative Mitchell.

**ROLL CALL**

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

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bedingfield | Bernstein |
| Bingham | Bowers | Bradley |

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|  |  |  |
| --- | --- | --- |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hardee | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| King | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Newton |
| Norman | Norrell | Ott |
| Parks | Pitts | Pope |
| Putnam | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Wednesday, June 1.

|  |  |
| --- | --- |
| Carl Anderson | Bruce W. Bannister |
| Christopher A. Corley | Jerry Govan |
| Chris Hart | H. B. "Chip" Limehouse |

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|  |  |
| --- | --- |
| Chris Murphy | Joseph Neal |
| Richard "Rick" Quinn |  |

**Total Present--119**

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**LEAVE OF ABSENCE**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**ACTING SPEAKER RILEY IN CHAIR**

**DOCTOR OF THE DAY**

Announcement was made that Dr. Hugh Durrence of Charleston was the Doctor of the Day for the General Assembly.

**SPEAKER IN CHAIR**

**LEAVE OF ABSENCE**

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

**ACTING SPEAKER DELLENEY IN CHAIR**

**SPEAKER IN CHAIR**

**R. 208, H. 5011--ORDERED PRINTED IN THE JOURNAL**

The SPEAKER ordered the following Veto printed in the Journal:

May 26, 2016

The Honorable James H. Lucas

Speaker of the House of Representatives

Statehouse, Second Floor

Columbia, South Carolina 29072

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Dear Speaker Lucas and Members of the House of Representatives,

Today, I am vetoing and returning without my approval R. 208, H. 5011, because it allows local governments to increase taxes on citizens without a public vote.

It is my belief that local tax increases – whether they are fees, property millage, or local option taxes – should be allowed only if the citizens subject to the tax agree to it through public referendum. Past elections have yielded mixed results – some communities agree to self-impose new taxes and fees and other reject them. A bill that would afford citizens this opportunity is sitting on the House of Representatives calendar. Pass S. 1122 with the current committee amendment next week, and I will sign it.

Advocates for H. 5011 will claim that the local option fee is simply tax relief – such statements are misleading. While local governments are allowed to use between 4% and 20% of the tax revenue for property tax millage relief, current law requires at least 80% of this tax be used for tourism marketing and promotion.

Some of your colleagues may further claim that this is a bill with regional impact and is the concern of only a few legislative delegations. To be clear, this is not a local bill and I urge every member to exercise their constitutional responsibility to vote on general tax increases and sustain my veto of R. 208, H. 5011. Sustaining this veto would mark another win in the preservation of citizen participation in local government and provide for a more accountable local tax policy. God bless.

My very best,

Nikki R. Haley

Governor

**R. 208, H. 5011--GOVERNOR'S VETO OVERRIDDEN**

The Veto on the following Act was taken up:

(R. 208, H. 5011) -- Reps. Clemmons, Fry, Johnson, Duckworth, Hardee, Anderson, Goldfinch, George, Hayes, H. A. Crawford and Ryhal: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

Rep. CLEMMONS explained the Veto.

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Rep. CLEMMONS spoke against the Veto.

The question was put, shall the Act become a part of the law, the Veto of her Excellency, the Governor to the contrary notwithstanding, the yeas and nays were taken resulting as follows:

Yeas 80; Nays 13

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Bedingfield | Bingham | Bowers |
| Bradley | Brannon | Burns |
| Chumley | Clary | Clemmons |
| Clyburn | Cole | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Gagnon | George |
| Hardee | Hayes | Henderson |
| Henegan | Herbkersman | Hill |
| Hiott | Hodges | Horne |
| Hosey | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Newton | Norrell | Pitts |
| Pope | Putnam | Riley |
| Rivers | Ryhal | Sandifer |
| G. M. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Toole |
| Wells | Whipper | White |
| Whitmire | Yow |  |

**Total--80**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bamberg | Collins | Douglas |
| Gilliard | Hart | Howard |

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|  |  |  |
| --- | --- | --- |
| Huggins | King | M. S. McLeod |
| Norman | Quinn | Robinson-Simpson |
| Weeks |  |  |

**Total--13**

So, the Veto of the Governor was overridden and a message was ordered sent to the Senate accordingly.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote to override or sustain the Governor’s Veto on H. 5011. If I had been present, I would have voted to override the Veto.

Rep. Garry Smith

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

**S. 1122--RECOMMITTED**

The following Bill was taken up:

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

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REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

Rep. NEAL moved to recommit the Bill to the Committee on Ways and Means, which was agreed to.

**S. 221--DEBATE ADJOURNED**

The following Joint Resolution was taken up:

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

Rep. WEEKS moved to adjourn debate on the Joint Resolution, which was agreed to.

**S. 1015--DEBATE ADJOURNED**

The following Bill was taken up:

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

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

**S. 1182--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1182 -- Senators Shealy, Lourie, Fair and Hutto: A BILL TO AMEND ARTICLE 7, CHAPTER 5, TITLE 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, BY ADDING SECTIONS 17-5-541 AND 17-5-542, SO AS TO PROVIDE THAT THE CORONER OF EACH COUNTY SHALL SCHEDULE A LOCAL CHILD FATALITY REVIEW TEAM TO PERFORM A REVIEW OF A CASE WHERE A CHILD UNDER THE AGE OF EIGHTEEN DIES IN THE COUNTY HE SERVES AND TO PROVIDE THE PURPOSE OF THE REVIEW TEAM; TO AMEND

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ARTICLE 3, CHAPTER 5, TITLE 17, RELATING TO CORONERS, BY ADDING SECTION 17-5-140, SO AS TO PROVIDE THAT FUNDS MUST BE DISBURSED TO THE COUNTIES EQUALLY TO PAY THE DULY ELECTED FULL-TIME CORONER OR OTHER RELATED PERSONNEL OR EQUIPMENT AND TO PROVIDE THAT EXCESS FUNDS MUST BE USED BY THE CORONERS TRAINING ADVISORY COMMITTEE TO PERFORM ITS DUTIES; AND TO AMEND SECTION 17-5-130, RELATING TO THE CORONERS TRAINING ADVISORY COMMITTEE, SO AS TO PROVIDE ADDITIONAL DUTIES.

Rep. MERRILL proposed the following Amendment No. 2 to S. 1182 (COUNCIL\NL\1182C001.NL.AHB16), which was adopted:

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

/ SECTION \_\_. A. Chapter 27, Title 6 of the 1976 Code is amended to read:

“CHAPTER 27

State Aid to Subdivisions Act

Section 6‑27‑10. This chapter may be cited as the ‘State Aid to Subdivisions Act’.

Section 6‑27‑20. There is created the Local Government Revenue Sharing Fund administered by the State Treasurer. This fund is part of the general fund of the State. ~~It is the intent of the General Assembly that this fund not be subject to mid‑year cuts. However, if mid‑year cuts are mandated by the State Budget and Control Board to avoid a year‑end deficit, this fund is not subject to such cuts, except by a majority vote of the entire State Budget and Control Board which is separate and apart from any other reduction. These cuts are permitted only to the extent that counties and municipalities do not receive less funding than received in the immediate preceding fiscal year.~~ The Local Government Revenue Sharing Fund must be financed as provided in this chapter.

Section 6‑27‑30. (A) In the annual general appropriations act, ~~an amount equal to not less than four and one‑half percent of general fund revenues of the latest completed fiscal year must be appropriated~~ the General Assembly must appropriate funds to the Local Government Revenue Sharing Fund.

(B)(1) In any fiscal year in which general fund revenues are projected to increase, the appropriation to the Local Government Revenue Sharing Fund for the upcoming fiscal year must be increased by the same projected percentage increase, but not to exceed five

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percent, when compared to the appropriation in the current fiscal year. For purposes of this subsection, beginning with the initial forecast required pursuant to Section 11‑9‑880, the percentage increase in general fund revenues must be determined by the Revenue and Fiscal Affairs Office by comparing the current fiscal year’s recurring general fund expenditure base with the Board of Economic Advisors’ most recent projection of recurring general fund revenue for the upcoming fiscal year. Upon the issuance of the initial forecast, the Executive Director of the Revenue and Fiscal Affairs Office, or his designee, shall notify the Chairman of the Senate Finance Committee, the Chairman of the House Ways and Means Committee, and the Governor of the projected percentage increase. The executive director, or his designee, shall provide similar notice if subsequent modifications to the forecast change the projected percentage increase. However, the forecast in effect on May thirty‑first of the current fiscal year is the final forecast for which the percentage increase is determined, and no subsequent forecast modifications shall have any effect on that determination.

(2) The Governor shall include the appropriation increase to the Local Government Revenue Sharing Fund in the Executive Budget.

(3) The Revenue and Fiscal Affairs Office shall determine the current fiscal year’s recurring general fund expenditure base, and determine any projected increase in general fund revenues. If an increase is projected, the appropriation for the upcoming fiscal year must be adjusted accordingly.

(C) For purposes of this section:

(1) ‘Recurring general fund revenue’ means the forecast of recurring general fund revenues pursuant to Section 11‑9‑880 after the amount apportioned to the Trust Fund for Tax Relief, as required in Section 11‑11‑150, is deducted.

(2) ‘Recurring general fund expenditure base’ means the total recurring general fund appropriations authorized in the current general appropriations act less any reduced appropriations mandated by the General Assembly or the Executive Budget Office pursuant to Section 11‑9‑890B.

Section 6‑27‑40. (A) Not later than thirty days after the end of the calendar quarter, the State Treasurer shall distribute the monies appropriated to the Local Government Revenue Sharing Fund as follows:

(1) Eighty‑three ~~and two hundred seventy‑eight thousandths~~ percent must be distributed to counties. Of the total distributed to counties, each county must receive an amount based on the ratio that the

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county’s population is of the whole population of this State according to the most recent United States Census.

(2) ~~Sixteen and seven hundred twenty‑two thousandths~~ Seventeen percent must be distributed to municipalities. Of the total distributed to municipalities, each municipality must receive an amount based on the ratio that the municipality’s population is of the population of all municipalities in this State according to the most recent United States Census.

(B) In making the quarterly distribution to counties, the State Treasurer must notify each county of the amount that must be used for educational purposes relating to the use of alcoholic liquors and for the rehabilitation of alcoholics and drug addicts. Counties may pool these funds with other counties and may combine these funds with other funds for the same purposes. The amount that must be used as provided in this subsection is equal to twenty‑five percent of the revenue derived pursuant to Section 12‑33‑245 allocated on a per capita basis according to the most recent United States Census.

~~Section 6‑27‑50.~~ ~~No section of this chapter may be amended or repealed except in separate legislation solely for that purpose.~~

Section 6‑27‑55. From funds distributed to the county pursuant to Section 6‑27‑40, a county council shall provide a reasonable amount of funds for all county offices of state agencies for which the council is required to provide funding by state law.”

B. This act takes effect on July 1, 2016, and first applies for the annual general appropriations bill process for Fiscal Year 2017‑2018. /

Renumber sections to conform.

Amend title to conform.

Rep. MERRILL 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 114; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |

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|  |  |  |
| --- | --- | --- |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--114**

Those who voted in the negative are:

**Total--0**

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

**S. 777--DEBATE ADJOURNED**

The following Bill was taken up:

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

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

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**S. 139--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. MCCOY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 0

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Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hart |
| Hayes | Henderson | Henegan |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | King |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pitts |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--114**

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Those who voted in the negative are:

**Total--0**

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

**S. 1205--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. RILEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 112; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bedingfield | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |

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|  |  |  |
| --- | --- | --- |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Gilliard | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--112**

Those who voted in the negative are:

**Total--0**

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

**S. 1030--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1030 -- Senator Cromer: A BILL TO AMEND SECTION 50-13-645 OF THE 1976 CODE, RELATING TO PROTECTION OF

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NONGAME FISH, TO PROVIDE THAT IT IS UNLAWFUL FOR A RECREATIONAL FISHERMAN TO TAKE MORE THAN TWENTY-FIVE AMERICAN EEL A DAY AND THAT EACH AMERICAN EEL TAKEN MUST BE AT LEAST NINE INCHES LONG.

Rep. RILEY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 104; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | G. A. Brown | R. L. Brown |
| Burns | Chumley | Clary |
| Clyburn | Cobb-Hunter | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hart |
| Hayes | Henderson | Henegan |
| Hicks | Hiott | Hixon |
| Hodges | Horne | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Norman |
| Norrell | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |

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|  |  |  |
| --- | --- | --- |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--104**

Those who voted in the negative are:

**Total--0**

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

**S. 680--REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 680 -- Senators Rankin and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-1-145, TO ENACT THE "PROVISIONS FOR COST OF ANIMAL CARE ACT OF 2015", TO PROVIDE THAT THE CUSTODIAN OF AN ANIMAL TAKEN INTO CUSTODY DUE TO CIVIL OR CRIMINAL VIOLATIONS BY ITS OWNER MAY PETITION THE COURT FOR EXPENSES RELATED TO PROVIDING CARE TO THE ANIMAL, TO ESTABLISH PROCEDURES FOR HEARING SUCH PETITIONS AND FOR THE COLLECTION AND USE OF FUNDS ORDERED TO BE PAID, TO PROVIDE THAT A PERSON WHO FAILS TO PAY SUCH FUNDS FORFEITS RIGHTS OF OWNERSHIP TO THE ANIMAL, TO PROVIDE FOR THE DISPOSITION OF SUCH AN ANIMAL, AND TO PROVIDE FOR THE RETURN OF FUNDS WHEN A PERSON IS NOT FOUND TO BE IN VIOLATION; TO AMEND SECTION 47-1-130, AS AMENDED, RELATING TO CRUELTY TO ANIMALS, TO PROVIDE THAT AGENTS OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, OR ANY OTHER SOCIETY DULY INCORPORATED FOR THAT PURPOSE, MAY ASSIST WITH A LAWFUL INVESTIGATION OF THIS CHAPTER, BUT MAY ONLY EFFECTUATE AN ARREST OF A PERSON IF THEY HAVE BEEN VESTED WITH THE POWER TO ARREST BY A SHERIFF OR THE GOVERNING BODY OF A

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COUNTY OR MUNICIPALITY; AND TO AMEND SECTION 47-1-140, AS AMENDED, RELATING TO NOTICE PROVIDED TO THE OWNER OF ANIMALS WHICH HAVE BEEN SEIZED FROM OTHERS UPON ARREST, TO REMOVE SPECIAL PROVISIONS FOR AGENTS OF THE SOUTH CAROLINA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, OR ANY OTHER SOCIETY DULY INCORPORATED FOR THAT PURPOSE.

Rep. DELLENEY moved to adjourn debate on the Bill.

Rep. HIOTT moved to table the motion.

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

Yeas 64; Nays 21

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anderson | Anthony |
| Bannister | Bernstein | Bingham |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Chumley |
| Clary | Clemmons | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Dillard |
| Duckworth | Erickson | Forrester |
| Fry | Gagnon | George |
| Hart | Hayes | Henderson |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Jefferson | Johnson |
| Kirby | Knight | Limehouse |
| Long | McKnight | V. S. Moss |
| Neal | Norman | Ott |
| Pitts | Pope | Putnam |
| Ryhal | Sandifer | Sottile |
| Tallon | Taylor | Thayer |
| Tinkler | Wells | Whipper |
| White | Whitmire | Williams |
| Willis |  |  |

**Total--64**

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Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bamberg | Bedingfield | Delleney |
| Douglas | Felder | Funderburk |
| Jordan | Kennedy | Loftis |
| Lucas | McCoy | Merrill |
| D. C. Moss | Murphy | Nanney |
| Norrell | Quinn | G. R. Smith |
| Stringer | Toole | Weeks |

**Total--21**

So, the motion to adjourn debate was tabled.

Reps. DELLENEY, D. C. MOSS, QUINN, NEAL, JEFFERSON, J. E. SMITH, FINLAY, WHITE, OTT, CROSBY, G. R. SMITH, STRINGER, KIRBY, HOSEY, CLYBURN, WHIPPER, R. L. BROWN, DOUGLAS, MCEACHERN, HART, NORRELL and WEEKS requested debate on the Bill.

**S. 1028--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. V. S. MOSS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 108; Nays 0

Those who voted in the affirmative are:

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

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|  |  |  |
| --- | --- | --- |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Gilliard | Hart | Hayes |
| Henderson | Henegan | Herbkersman |
| Hiott | Hixon | Hodges |
| Horne | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Limehouse | Loftis |
| Long | Lowe | Mack |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Murphy | Nanney |
| Neal | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--108**

Those who voted in the negative are:

**Total--0**

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

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**H. 5406--RECOMMITTED**

The following Joint Resolution was taken up:

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5407--RECOMMITTED**

The following Joint Resolution was taken up:

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5408--RECOMMITTED**

The following Joint Resolution was taken up:

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

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5409--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5409 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO CREDENTIAL CLASSIFICATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4638, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5410--RECOMMITTED**

The following Joint Resolution was taken up:

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

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5411--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5411 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE

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DEPARTMENT OF NATURAL RESOURCES, RELATING TO ADDITIONAL REGULATIONS APPLICABLE TO SPECIFIC PROPERTIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4634, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5412--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5412 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; AND TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4635, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**S. 980--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 980 -- Senators Sheheen and McElveen: A BILL TO AMEND CHAPTER 69, TITLE 40 OF THE 1976 CODE, RELATING TO VETERINARIANS, BY ADDING SECTION 40-69-305 TO REQUIRE ALL PRESCRIPTION DRUGS DISPENSED TO AN ANIMAL'S OWNER TO BE LABELED IN ACCORDANCE WITH STATE AND FEDERAL LAW; AND TO PROVIDE PENALTIES FOR VIOLATING THIS SECTION.

The Committee on Agriculture, Natural Resources and Environmental Affairs proposed the following Amendment No. 1 to S. 980 (COUNCIL\GT\980C003.GT.CM16), which was adopted:

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

/ SECTION 1. Article 1, Chapter 69, Title 40 of the 1976 Code is amended by adding:

“Section 40‑69‑300. (A) For purposes of this section:

(1) ‘Animal shelter’ means:

(a) a veterinary hospital or clinic operated by a veterinarian or veterinarians which operates for the purpose of impounding, care, adoption or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals ; or

(b) a facility operated, owned, or maintained by an incorporated humane society, animal welfare society, or other nonprofit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals but for the purpose of impounding, care, adoption or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals.

(c) ‘Veterinary services’ means the examination, diagnosis, and treatment of animal patients, administration of vaccines, diagnostic, imaging, surgery, laboratory, pharmacology, and provision of hospitalization and emergency treatment.

(B) Notwithstanding another provision of law, all animal shelters operating in this State that provide veterinary services are subject to the regulation of the South Carolina Board of Veterinary Medical Examiners.

(C) A veterinarian providing veterinary services in an animal shelter, and each animal shelter itself, shall prepare, or cause to be prepared, a written or electronic record concerning the animals in their respective care. An animal shelter shall maintain records for a minimum of three years after the last entry. A copy of a record relating to an animal whose ownership is being transferred must be provided to the owner at the time of adoption or fostering.

(D) An animal shelter shall prepare and maintain records documenting the number of animals admitted to the facility and the method by which those animals exit the facility, whether by adoption, fostering, natural death, euthanasia, transfer to another state, or other means of discharge. The report also must contain the mailing address and street address of the current place of business, and working telephone number of the animal shelter. The shelter shall compile this data in a report and submit the report to the Department of Labor, Licensing and Regulation before January thirty‑first of each year. The department shall make these reports available on its Internet website.

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(E) An animal shelter operated by the State or a county, municipal corporation, or other political subdivision of the state is exempt from the provisions of Section 40-69-300 and is regulated pursuant to Sections 47-3-10, et al. However, the Department of Labor, Licensing and Regulation is authorized to enter public animal shelters for purposes of regulating the practice of veterinarian medicine or investigating suspicion of unauthorized practice of veterinarian medicine.

(F) The Department of Labor, Licensing and Regulation shall place on its website a list of all emergency veterinarian clinics in each county within six months of the renewal license period after the enactment of this section.

(G) All shelters and emergency veterinarian clinics that provide veterinary services must register with the South Carolina Board of Veterinary Medical Examiners.”

SECTION 2. Chapter 69, Title 40 of the 1976 Code is amended by adding:

“Section 40‑69‑305. (A) Dispensing a prescription drug to the owner of an end‑user for the treatment of a bodily injury or disease of an animal is unlawful unless the prescription is:

(1) labeled with all information required by state and federal law; and

(2) prescribed by a veterinarian licensed under this chapter.

(B) A person who violates the provisions of subsection (A) is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not more than two hundred dollars or imprisonment for not more than thirty days, or both.

(C) The South Carolina Board of Veterinary Medical Examiners shall regulate the dispensing of prescription drugs as pursuant to Section 40-69-305(A) to animal owners.”

SECTION 3. Section 40‑69‑295 of the 1976 Code is amended to read:

“Section 40‑69‑295. (A) Regardless of mode of transportation, a mobile facility must have a permanent base of operation with a published address and telephone facilities for making appointments or responding to emergency situations. The mobile practice or facility must identify the closest local emergency veterinary services facility to the mobile location. The contact information of the local emergency veterinary services facility must be posted at the mobile location and be included in the paperwork given to the pet owner documenting the services rendered.

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(B) A mobile practice affiliated with, operated by, or supported by a public or private nonprofit animal shelter is prohibited from operating within eyesight of the nearest privately owned veterinarian practice.

(C) As used in this section:

(1) ‘mobile veterinary practice’ means any form of clinical veterinary practice that may be transported or moved from one location to another for delivery of services to a pet; and

(2) ‘pet’ means a domesticated animal kept as a pet but does not include livestock, as defined in Section 47‑9‑210(1).”

SECTION 4. Section 56‑3‑9600 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑9600. (A) The Department of Motor Vehicles may issue ‘No More Homeless Pets’ special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630 registered in their names, which may have imprinted on the plate ‘No More Homeless Pets’. The special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of seventy dollars.

(B) Notwithstanding ~~any other~~ another provision of law, of the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be deposited in a special account, separate and apart from the general fund, designated for use by the South Carolina Department of Agriculture to support local animal spaying and neutering programs. The South Carolina Department of Agriculture may use up to ten percent of the fees deposited in the special account for the administration of the program. Local private nonprofit tax exempt organizations offering animal spaying and neutering programs may apply for grants from this fund to further their tax exempt purposes. Grants must be awarded not more than once a year, and an applicant must receive as a grant an amount of the total revenues in the fund multiplied by the percentage that the applicant’s caseload in the preceding calendar year was of the total caseload of all applicants in that year. The South Carolina Animal Care and Control Association (SCACCA), or its successor organization, on behalf of the tax exempt organizations, shall coordinate the grant program, make the request for

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reimbursement from the Department of Agriculture, and distribute the individual grants to the participating tax exempt organizations.

(C) Before the Department of Motor Vehicles produces and distributes a special license plate pursuant to this section, it must receive:

(1) four hundred or more prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization’s license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, the department must retain the deposit; and

(2) a plan to market the sale of the special license plate that must be approved by the department.

(D) If the department receives less than three hundred biennial applications and renewals for a particular special license plate authorized under this section, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

(E) The Department of Agriculture annually shall provide an accounting and summary of this program to the Chairman of the Senate Agriculture and Natural Resources Committee and to the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee before September first.

(F) A local private nonprofit animal spaying and neutering program that requests reimbursement for services related to this program shall provide to the SCACCA the name and address of each person who brought the animal to the program. Before the Department of Agriculture may send a reimbursement to the SCACCA, the SCACCA shall provide the Department of Agriculture a list of each individual who brought a pet in for spaying or neutering and the number of animals brought in by that individual for spaying or neutering.”

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

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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 title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

Rep. OTT proposed the following Amendment No. 3 to S. 980 (COUNCIL\DKA\980C002.DKA.SA16), which was adopted:

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

/ SECTION 1. Article 1, Chapter 69, Title 40 of the 1976 Code is amended by adding:

“Section 40‑69‑300. (A) For purposes of this section:

(1) ‘Animal shelter’ means:

(a) a veterinary hospital or clinic operated by a veterinarian or veterinarians which operates for the purpose of impounding, care, adoption or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals ; or

(b) a facility operated, owned, or maintained by an incorporated humane society, animal welfare society, or other nonprofit organization for the purpose of providing for and promoting the welfare, protection, and humane treatment of animals but for the purpose of impounding, care, adoption or harboring seized, stray, homeless, abandoned, or unwanted dogs, cats, and other animals.

(c) ‘Veterinary services’ means the examination, diagnosis, and treatment of animal patients, administration of vaccines, diagnostic, imaging, surgery, laboratory, pharmacology, and provision of hospitalization and emergency treatment.

(B) Notwithstanding another provision of law, all animal shelters operating in this State that provide veterinary services are subject to the regulation of the South Carolina Board of Veterinary Medical Examiners.

(C) A veterinarian providing veterinary services in an animal shelter, and each animal shelter itself, shall prepare, or cause to be prepared, a written or electronic record concerning the animals in their respective care. An animal shelter shall maintain records for a minimum of three years after the last entry. A copy of a record relating to an animal

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whose ownership is being transferred must be provided to the owner at the time of adoption or fostering.

(D) An animal shelter shall prepare and maintain records documenting the number of animals admitted to the facility and the method by which those animals exit the facility, whether by adoption, fostering, natural death, euthanasia, transfer to another state, or other means of discharge. The report also must contain the mailing address and street address of the current place of business, and working telephone number of the animal shelter. The shelter shall compile this data in a report and submit the report to the Department of Labor, Licensing and Regulation before January thirty‑first of each year. The department shall make these reports available on its Internet website.

(E) An animal shelter operated by the State or a county, municipal corporation, or other political subdivision of the state is exempt from the provisions of Section 40‑69‑300 and is regulated pursuant to Sections 47‑3‑10, et al. However, the Department of Labor, Licensing and Regulation is authorized to enter public animal shelters for purposes of regulating the practice of veterinarian medicine or investigating suspicion of unauthorized practice of veterinarian medicine.

(F) The Department of Labor, Licensing and Regulation shall place on its website a list of all emergency veterinarian clinics in each county within six months of the renewal license period after the enactment of this section.

(G) All shelters and emergency veterinarian clinics that provide veterinary services must register with the South Carolina Board of Veterinary Medical Examiners.”

SECTION 2. Chapter 69, Title 40 of the 1976 Code is amended by adding:

“Section 40‑69‑305. (A) Dispensing a prescription drug to the owner of an end‑user for the treatment of a bodily injury or disease of an animal is unlawful unless the prescription is:

(1) labeled with all information required by state and federal law; and

(2) prescribed by a veterinarian licensed under this chapter.

(B) The South Carolina Board of Veterinary Medical Examiners shall regulate the dispensing of prescription drugs as pursuant to Section 40‑69‑305(A) to animal owners.”

SECTION 3. Section 40‑69‑295 of the 1976 Code is amended to read:

“Section 40‑69‑295. (A) Regardless of mode of transportation, a mobile facility must have a permanent base of operation with a published

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address and telephone facilities for making appointments or responding to emergency situations. The mobile practice or facility must identify the closest local emergency veterinary services facility to the mobile location. The contact information of the local emergency veterinary services facility must be posted at the mobile location and be included in the paperwork given to the pet owner documenting the services rendered.

(B) A mobile practice affiliated with, operated by, or supported by a public or private nonprofit animal shelter is prohibited from operating within eyesight of the nearest privately owned veterinarian practice.

(C) As used in this section:

(1) ‘mobile veterinary practice’ means any form of clinical veterinary practice that may be transported or moved from one location to another for delivery of services to a pet; and

(2) ‘pet’ means a domesticated animal kept as a pet but does not include livestock, as defined in Section 47‑9‑210(1).”

SECTION 4. Section 56‑3‑9600 of the 1976 Code, as last amended by Act 347 of 2008, is further amended to read:

“Section 56‑3‑9600. (A) The Department of Motor Vehicles may issue ‘No More Homeless Pets’ special motor vehicle license plates to owners of private passenger motor vehicles as defined in Section 56‑3‑630 registered in their names, which may have imprinted on the plate ‘No More Homeless Pets’. The special license plate must be issued or revalidated for a biennial period which expires twenty‑four months from the month it is issued. The fee for this special license plate is the regular motor vehicle registration fee contained in Article 5, Chapter 3 of this title and a special motor vehicle license fee of seventy dollars.

(B) Notwithstanding ~~any other~~ another provision of law, of the fees collected pursuant to this section, the Comptroller General shall place sufficient funds into a special restricted account to be used by the Department of Motor Vehicles to defray the expenses of the Department of Motor Vehicles in producing and administering the special license plates. The remaining funds collected from the special motor vehicle license fee must be deposited in a special account, separate and apart from the general fund, designated for use by the South Carolina Department of Agriculture to support local animal spaying and neutering programs. The South Carolina Department of Agriculture may use up to ten percent of the fees deposited in the special account for the administration of the program. Local private nonprofit tax exempt organizations offering animal spaying and neutering programs may apply for grants from this fund to further their tax exempt purposes.

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Grants must be awarded not more than once a year, and an applicant must receive as a grant an amount of the total revenues in the fund multiplied by the percentage that the applicant’s caseload in the preceding calendar year was of the total caseload of all applicants in that year. The South Carolina Animal Care and Control Association (SCACCA), or its successor organization, on behalf of the tax exempt organizations, shall coordinate the grant program, make the request for reimbursement from the Department of Agriculture, and distribute the individual grants to the participating tax exempt organizations.

(C) Before the Department of Motor Vehicles produces and distributes a special license plate pursuant to this section, it must receive:

(1) four hundred or more prepaid applications for the special license plate or a deposit of four thousand dollars from the individual or organization seeking issuance of the license plate. If a deposit of four thousand dollars is made by an individual or organization pursuant to this section, the department must refund the four thousand dollars once an equivalent amount of license plate fees is collected for that organization’s license plate. If the equivalent amount is not collected within four years of the first issuance of the license plate, the department must retain the deposit; and

(2) a plan to market the sale of the special license plate that must be approved by the department.

(D) If the department receives less than three hundred biennial applications and renewals for a particular special license plate authorized under this section, it shall not produce additional special license plates in that series. The department shall continue to issue special license plates of that series until the existing inventory is exhausted.

(E) The Department of Agriculture annually shall provide an accounting and summary of this program to the Chairman of the Senate Agriculture and Natural Resources Committee and to the Chairman of the House Agriculture, Natural Resources and Environmental Affairs Committee before September first.

(F) A local private nonprofit animal spaying and neutering program that requests reimbursement for services related to this program shall provide to the SCACCA the name and address of each person who brought the animal to the program. Before the Department of Agriculture may send a reimbursement to the SCACCA, the SCACCA shall provide the Department of Agriculture a list of each individual who brought a pet in for spaying or neutering and the number of animals brought in by that individual for spaying or neutering.”

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SECTION 5. (A) There is established the Pet Care and Humane Treatment Study Committee to review, study, and make recommendations concerning the need for improved oversight and regulation in the State.

(B) The study committee shall:

(1) identify issues relating to pets including, but not limited to, breeding, adoption, purchase, veterinary care, transportation, and sale of pets out of this State;

(2) identify and categorize a statewide estimate of the historical and current private nonprofit animal shelters in this State, rescue shelters, county animal shelters, and municipal animal shelters;

(3) identify and categorize the range of services offered in an animal shelter including kenneling, grooming, and veterinary services;

(4) identify and categorize any limitations on services based on income status or other poverty measures;

(5) identify any underserved areas of the State for basic veterinary services;

(6) identify concerns related to unhealthy breeding practices;

(7) identify and quantify the sale of pets by animal shelters to out of state individuals or organizations;

(8) identify how animals are transported to other states and any regulation that might apply;

(9) review the animal cruelty laws and determine if the enforcement and penalties are working;

(10) review appointments to the Board of Veterinary Medical Examiners to determine if it needs any updating or structural change; and

(11) recommend changes to public policy, regulations, or statutes that would improve the overall health and safety of animal shelters, breeding practices, sale, and transportation of pets.

(C) The study committee must be composed of eleven members.

(1) The Chairman of the Senate Agriculture and Natural Resources Committee shall appoint the following five members:

(a) a member of the Senate;

(b) a licensed doctor of veterinary medicine residing in South Carolina;

(c) a representative from an animal shelter located in this State;

(d) a representative from the American Kennel Club; and

(e) a representative of the Municipal Association of South Carolina.

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(2) The Chairman of the House Agriculture, Natural Resources, and Environmental Affairs Committee shall appoint the following four members:

(a) a member of the House of Representatives;

(b) a licensed doctor of veterinary medicine residing in South Carolina;

(c) a representative from the National Humane Society; and

(d) a representative of the South Carolina Association of Counties.

(3) The Governor shall appoint one member to represent the South Carolina Department of Labor, Licensing, and Regulation.

(4) The Commissioner of Agriculture shall appoint one member.

(D) The appointed Senator shall serve as the study committee chairman. The members of the study committee shall serve without compensation and may not receive mileage or per diem. Staff from the Senate Agriculture and Natural Resources Committee and staff from the House Agriculture, Natural Resources, and Environmental Affairs Committee shall provide support for the study committee.

(E) The study committee shall make a report of its findings and recommendations to the General Assembly during the 2017 legislative session, at which time the study committee shall cease to exist.

SECTION 6. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this Act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 7. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. OTT explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 105; Nays 8

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Hardee | Hayes | Henderson |
| Henegan | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Horne | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Norman |
| Norrell | Ott | Parks |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stringer |
| Tallon | Taylor | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--105**

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Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Chumley | Gilliard | Limehouse |
| McCoy | Putnam | G. M. Smith |
| Stavrinakis | Thayer |  |

**Total--8**

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

**H. 5417--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5417 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO COASTAL DIVISION REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4615, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

**H. 5418--RECOMMITTED**

The following Joint Resolution was taken up:

H. 5418 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO EMERGENCY MEDICAL SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4610, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Rep. BEDINGFIELD moved to recommit the Joint Resolution to the Committee on Regulations and Administrative Procedures, which was agreed to.

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**MOTION TO RECUR TO THE MORNING HOUR TABLED**

Rep. HILL moved that the House recur to the morning hour.

Rep. D. C. MOSS moved to table the motion, which was agreed to.

**S. 371--RECOMMITTED**

The following Bill was taken up:

S. 371 -- Senator Bryant: A BILL TO AMEND SECTION 40-33-110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO GROUNDS FOR DISCIPLINING NURSES, SO AS TO ADD THE OVERMEDICATING OR UNDERMEDICATING OF A PATIENT BY A NURSE WHO MISREADS A PHYSICIAN'S ORDER AS A GROUND TO REVOKE THE NURSE'S LICENSE.

Rep. G. M. SMITH moved to recommit the Bill to the Committee on Medical, Military, Public and Municipal Affairs.

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

The question then recurred to the motion to recommit the Bill to the House Medical, Military, Public and Municipal Affairs Committee, which was agreed to by a division vote of 85 to 4.

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 5001--CONFERENCE REPORT ADOPTED**

**H. 5001--CONFERENCE REPORT**

The General Assembly, Columbia, S.C., May 28, 2016

The Committee of Conference, to whom was referred:

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

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PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

<http://www.scstatehouse.gov/sess121_2015-2016/appropriations2016/cr16ndx.php>

Amend title to conform.

/s/Sen. Hugh K. Leatherman /s/Rep. W. Brian White

/s/Sen. Tom Davis /s/Rep. Bill Herbkersman

/s/Sen. Vincent A. Sheheen /s/Rep. Lonnie Hosey

On Part of the Senate. On Part of the House.

Rep. WHITE explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 113; Nays 2

Those who voted in the affirmative are:

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

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|  |  |  |
| --- | --- | --- |
| Johnson | Jordan | Kennedy |
| King | Kirby | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Murphy |
| Nanney | Neal | Newton |
| Norrell | Ott | Parks |
| Pitts | Pope | Putnam |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Wells | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--113**

Those who voted in the negative are:

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

**Total--2**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

**SPEAKER IN CHAIR**

**H. 5002--CONFERENCE REPORT ADOPTED**

**H. 5002 -- Conference Report**

The General Assembly, Columbia, S.C., May 28, 2016

The Committee of Conference, to whom was referred:

H. 5002 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE

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FUND FOR FISCAL YEAR 2015‑2016, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

Beg leave to report that they have duly and carefully considered the same and recommend:

That the same do pass with the following amendments:

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

/ SECTION 1. In accordance with the provisions of Section 36(B)(2) and (3), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(C) and (D) of the 1976 Code, there is appropriated from the monies available in the Capital Reserve Fund for Fiscal Year 2015‑2016 the following amounts:

(1) H630 ‑ Department of Education

Governor’s School for the Arts and the Humanities

Fire Protection System Upgrade $ 50,000

(2) H630 ‑ Department of Education

School Bus Lease or Purchase $ 3,951,785

(3) H630 ‑ Department of Education

Statewide Facilities Assessment $ 1,500,000

(4) H630 ‑ Department of Education

Governor’s School for the Arts and the Humanities

Music Building Addition $ 4,310,000

(5) H630 ‑ Department of Education

Governor’s School for the Arts and the Humanities

Mobile Computing Device $ 85,000

(6) H630 ‑ Department of Education

Governor’s School for Science and Mathematics

Campus Addition $ 471,900

(7) H630 ‑ Department of Education

Technology Technical Assistance $ 2,822,791

(8) H710 ‑ Wil Lou Gray Opportunity School

Cafeteria and Shower Renovations $ 500,000

(9) H180 - Francis Marion University

Honors College $ 500,000

(10) H240 ‑ South Carolina State University

Debt Payment $ 4,600,000

(11) H270 ‑ University of South Carolina Columbia Campus

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Honors College Facility $ 5,000,000

(12) H370 - University of South Carolina Lancaster Campus

Health and Wellness Center Renovations $ 640,000

(13) H370 - University of South Carolina Lancaster Campus

Bradley Arts and Sciences Building Repairs $ 60,000

(14) H380 - University of South Carolina Salkehatchie Campus

Nursing and Campus Facility Roof Repairs $ 346,000

(15) H380 - University of South Carolina Salkehatchie Campus

HVAC and Physical Plant Repairs $ 54,000

(16) H390 ‑ University of South Carolina Sumter Campus

Science Building $ 1,500,000

(17) H400 - University of South Carolina Union Campus

Energy Efficiency Retrofits and Physical Plant Repairs $ 300,000

(18) H470 ‑ Winthrop University

Music Conservatory/Byrnes Auditorium $ 4,500,000

(19) H510 ‑ Medical University of South Carolina

MUSC Shawn Jenkins Children’s Hospital Helipad (1:1 Match) $ 750,000

(20) H510 ‑ Medical University of South Carolina

MUSC Shawn Jenkins Children’s Hospital $ 1

(21) H590 ‑ State Board for Technical and Comprehensive Education

Aiken Technical College Life Science Building $ 4,000,000

(22) H590 ‑ State Board for Technical and Comprehensive Education

Central Carolina Technical College Workforce Center $ 10,000,000

(23) H590 ‑ State Board for Technical and Comprehensive Education

Denmark Technical College Barnwell Workforce Center $ 550,000

(24) H590 ‑ State Board for Technical and Comprehensive Education

Florence Darlington Technical College Academic Building $ 2,000,000

(25) H590 ‑ State Board for Technical and Comprehensive Education

Horry‑Georgetown Technical College Advanced

Manufacturing Center $ 3,500,000

(26) H590 ‑ State Board for Technical and Comprehensive Education

Midlands Technical College Welding Center $ 3,500,000

(27) H590 ‑ State Board for Technical and Comprehensive Education

Midlands Technical College Quick Jobs $ 1,000,000

(28) H590 ‑ State Board for Technical and Comprehensive Education

Orangeburg‑Calhoun Technical College Health Sciences

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Nursing Building $ 5,000,000

(29) H590 ‑ State Board for Technical and Comprehensive Education

Spartanburg Community College Academic Building $ 1

(30) H590 ‑ State Board for Technical and Comprehensive Education

Spartanburg Community College Critical Training Equipment $ 3,500,000

(31) H590 ‑ State Board for Technical and Comprehensive Education

Technical College of the Lowcountry New River Workforce

Development Center $ 3,500,000

(32) H590 ‑ State Board for Technical and Comprehensive Education

Tri‑County Technical College Industrial Technology Center

Phase V $ 500,000

(33) H590 ‑ State Board for Technical and Comprehensive Education

Tri‑County Technical College Oconee Workforce

Development Center $ 4,000,000

(34) H590 ‑ State Board for Technical and Comprehensive Education

Tri‑County Technical College Central Plant $ 500,000

(35) H590 ‑ State Board for Technical and Comprehensive Education

Trident Technical College Aeronautical Training Center $ 15,300,000

(36) H590 ‑ State Board for Technical and Comprehensive Education

Williamsburg Technical College Science and

Technology Building $ 3,500,000

(37) H590 ‑ State Board for Technical and Comprehensive Education

York Technical College Health and Human Services Building $ 5,600,000

(38) N200 ‑ Law Enforcement Training Council

Criminal Justice Academy Transport Vehicles $ 237,870

(39) R440 ‑ Department of Revenue

Tax Processing System (COTS) $ 1,854,798

(40) E240 ‑ Office of Adjutant General

Armory Revitalization $ 5,000,000

(41) H730 ‑ Vocational Rehabilitation

Richland VR Center Phase I $ 200,000

(42) H730 ‑ Vocational Rehabilitation

Anderson VR Center Roofing $ 112,000

(43) H730 ‑ Vocational Rehabilitation

Beaufort VR Center Roofing $ 103,000

(44) H730 ‑ Vocational Rehabilitation

Greenwood VR Center Roofing $ 108,000

(45) H730 ‑ Vocational Rehabilitation

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Anderson VR Center Parking Lot $ 130,000

(46) H730 ‑ Vocational Rehabilitation

Sumter VR Center Roof $ 96,000

(47) H730 ‑ Vocational Rehabilitation

Oconee/Pickens Expansion/Roof $ 800,000

(48) J200 ‑ Department of Alcohol and Other Drug Abuse Services

Infrastructure Improvements/Substance Abuse Provider System $ 3,000,000

(49) E040 ‑ Office of Lieutenant Governor

Software and Technology System Upgrades for Office on Aging $ 824,650

(50) P120 ‑ Forestry Commission

Firefighting Equipment $ 1,000,000

(51) P160 ‑ Department of Agriculture

Consumer Protection Equipment $ 1,000,000

(52) P200 ‑ Clemson University‑PSA

T. Ed Garrison Arena Education/Conference Center $ 1,000,000

(53) D500 ‑ Department of Administration

IT Disaster Recovery Plan $ 5,595,000

(54) P280 ‑ Department of Parks, Recreation and Tourism

Parks, Recreational, and Tourism Revitalizations $ 6,375,000

(55) P280 ‑ Department of Parks, Recreation and Tourism

Welcome Center Rebuild $ 4,000,000

(56) R360 - Department of Labor, Licensing, and Regulation

V-SAFE Program $ 500,000

(57) D500 ‑ Department of Administration

Capital Complex Security Upgrades $ 900,000

(58) P280 ‑ Department of Parks, Recreation and Tourism

State Aquarium $ 270,000

(59) P360 ‑ Patriot’s Point Development Authority

USS Laffey $ 50,000

$ 131,047,796

SECTION 2. Of the funds appropriated above in item (21), Section 1, to the State Board for Technical and Comprehensive Education for the Aiken Technical College Life Science Building, up to one million dollars may be used for college road and entrance/exit improvements which must be completed before the construction of the building.

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SECTION 3. Funds appropriated in the amount of one dollar by this act shall not be disbursed. The Comptroller General shall adjust the affected agency‘s chart of accounts accordingly, if necessary.

SECTION 4. The Comptroller General shall post the appropriations contained in this joint resolution as provided in Section 11‑11‑320(D) of the 1976 Code. Unexpended funds appropriated pursuant to this joint resolution may be carried forward to succeeding fiscal years and expended for the same purposes.

SECTION 5. This joint resolution takes effect thirty days after the completion of the 2015‑2016 Fiscal Year in accordance with the provisions of Section 36(B)(3)(a), Article III, Constitution of South Carolina, 1895, and Section 11‑11‑320(D)(1) of the 1976 Code. /

Amend title to conform.

Sen. Hugh K. Leatherman Rep. W. Brian White

Sen. Tom Davis Rep. Bill Herbkersman

Sen. Vincent A. Sheheen Rep. Lonnie Hosey

On Part of the Senate. On Part of the House.

Rep. WHITE explained the Conference Report.

The yeas and nays were taken resulting as follows:

Yeas 114; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bannister | Bedingfield |
| Bernstein | Bingham | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Clyburn | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Govan | Hardee | Hayes |

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|  |  |  |
| --- | --- | --- |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Horne |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | King | Kirby |
| Knight | Limehouse | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Murphy | Nanney | Neal |
| Newton | Norrell | Ott |
| Parks | Pitts | Pope |
| Putnam | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| Simrill | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Wells |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--114**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

The Conference Report was adopted and a message was ordered sent to the Senate accordingly.

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on the Conference Report to H. 5002, the Capital Reserve Fund Joint Resolution. If I had been present, I would have voted to adopt the Conference Report.

Rep. Wendell Gilliard

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**S. 1166--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

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

Rep. WHITE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 111; Nays 2

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anderson |
| Anthony | Atwater | Bales |
| Ballentine | Bamberg | Bannister |
| Bedingfield | Bernstein | Bingham |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Clyburn |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Felder |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Gilliard | Govan | Hayes |
| Henderson | Henegan | Herbkersman |
| Hicks | Hill | Hodges |

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

**Total--111**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman | G. R. Smith |  |

**Total--2**

The Senate Amendments were agreed to, and the Joint Resolution 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.

**RECURRENCE TO THE MORNING HOUR**

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

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**H. 4492--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., May 31, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it insists upon its amendments to H. 4492 and has appointed Senators Shealy, Young and McElveen of the Committee of Conference on the part of the Senate on H. 4492:

H. 4492 -- Reps. Putnam, Clyburn, Collins, Clary, Erickson, Long, Ryhal, Herbkersman, Newton, Tinkler, Jordan, Hicks, McCoy, M. S. McLeod, Douglas, Henegan, Allison, G. M. Smith, Funderburk, Finlay and Pitts: A BILL TO AMEND SECTION 63-7-1630, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO NOTICE OF CHILD ABUSE AND NEGLECT HEARINGS, SO AS TO REQUIRE THE DEPARTMENT OF SOCIAL SERVICES TO PROVIDE TEN DAYS NOTICE OF A HEARING TO, AMONG OTHERS, FOSTER PARENTS AND TO REQUIRE THE NOTICE TO INFORM FOSTER PARENTS OF THE RIGHT TO SUBMIT A REPORT TO THE COURT; TO AMEND SECTION 63-7-1700, AS AMENDED, RELATING TO PERMANENCY PLANNING FOR CHILDREN IN FOSTER CARE, SO AS TO REQUIRE THE DEPARTMENT TO PROVIDE NOTICE OF A PERMANENCY PLANNING HEARING TO FOSTER PARENTS AND OTHER PERSONS PROVIDING CARE FOR A CHILD; AND TO AMEND SECTION 63-11-720, RELATING TO FUNCTIONS OF THE FOSTER CARE REVIEW BOARD, SO AS TO REQUIRE THE FOSTER CARE REVIEW BOARD TO ADVISE FOSTER PARENTS ABOUT THE RIGHT TO SUBMIT A REPORT TO AND BE HEARD BY THE COURT AT A HEARING CONCERNING THE CHILD.

Very respectfully,

President

Whereupon, the Chair appointed Reps. PUTNAM, MCCOY and NORRELL to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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**MESSAGE FROM THE SENATE**

The following was received from the Senate:

Columbia, S.C., June 1, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators L. Martin, Hembree and Bright-Matthews of the Committee of Conference on the part of the Senate on S. 913:

S. 913 -- Senators L. Martin, Davis, Hembree, Fair and Malloy: A BILL TO AMEND SECTION 30-4-50 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE FREEDOM OF INFORMATION ACT, TO INCLUDE LAW ENFORCEMENT VEHICLE MOUNTED VIDEO AND AUDIO RECORDINGS IN THE LIST OF SPECIFIC CATEGORIES OF INFORMATION THAT IS TO BE MADE AVAILABLE TO THE PUBLIC, AND TO PROVIDE THAT LAW ENFORCEMENT MAY APPLY FOR INJUNCTIVE RELIEF FROM THE CIRCUIT COURT IF THERE IS CLEAR AND CONVINCING EVIDENCE OF SPECIFIC HARM FROM THE RELEASE OF THE RECORDING.

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 1, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has appointed Senators L. Martin, Campsen and Hutto of the Committee of Conference on the part of the Senate on H. 3186:

H. 3186 -- Reps. Finlay, Cole, Anderson, Bales, G. A. Brown, R. L. Brown, Felder, Funderburk, Hart, Knight, Lucas, Murphy, Newton, Norman, Norrell, Pope, Putnam, Rivers, Southard, Spires, Tallon, Taylor, Wells, Williams, Willis, Long, Henderson, G. R. Smith, G. M. Smith, McCoy, Clary, J. E. Smith, W. J. McLeod, Weeks, Whipper, Hicks, Atwater, Ballentine and Stavrinakis: A BILL TO AMEND SECTION 8-13-100, CODE OF LAWS OF SOUTH

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CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO ETHICS AND GOVERNMENT ACCOUNTABILITY, SO AS TO REVISE THE DEFINITION OF "BUSINESS WITH WHICH HE IS ASSOCIATED"; AND TO AMEND SECTION 8-13-1120, AS AMENDED, RELATING TO CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REVISE THE FORM AND REQUIRED CONTENTS OF STATEMENTS OF ECONOMIC INTERESTS.

Very respectfully,

President

Received as information.

**REPORT OF STANDING COMMITTEE**

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

H. 5340 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTURE OF FOXWORTH MILL ROAD AND LEONARD BROWN ROAD IN SUMTER COUNTY "MCCOY CROSSROADS" AND TO ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION THAT CONTAIN THIS DESIGNATION.

Ordered for consideration tomorrow.

**HOUSE RESOLUTION**

The following was introduced:

H. 5456 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal,

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Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF EUGENE "GENE" DAVIS OF LEE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5457 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF WILLIAM PEEBLES BASKIN III OF BISHOPVILLE AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5458 -- Reps. W. J. McLeod, G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE DEATH OF TRACY M. GALLOWAY OF LYNCHBURG AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5459 -- Reps. Cole, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan,

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Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR THE SIGNIFICANT AND DISTINCTIVE ROLE OF THE PIEDMONT CLUB IN SPARTANBURG AND TO CONGRATULATE ITS MEMBERS AS THEY CELEBRATE THE MILESTONE OF THEIR SEVENTY-FIFTH ANNIVERSARY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5460 -- Reps. Clyburn, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF MAGGIE LANIER SETTLES AND TO HONOR HER

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OUTSTANDING LIFE AND REMARKABLE COMMITMENT TO HER FAMILY AND HER COMMUNITY.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5461 -- Reps. Knight, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF JEROME STEPHENS "STEVE" BILTON OF DORCHESTER COUNTY, AND TO EXTEND THEIR DEEPEST SYMPATHY TO HIS LARGE AND LOVING FAMILY AND HIS MANY FRIENDS.

The Resolution was adopted.

**CONCURRENT RESOLUTION**

The following was introduced:

H. 5462 -- Rep. Brannon: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH

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CAROLINA HIGHWAY 11 AND MARTIN CAMP ROAD IN SPARTANBURG COUNTY THE "JAMES COOLEY INTERSECTION, 2015 SOUTH CAROLINA AND SOUTHEASTERN FARMER OF THE YEAR", AND ERECT MARKERS OR SIGNS AT THIS INTERSECTION CONTAINING THIS DESIGNATION.

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

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

**THE HOUSE RESUMES**

At 3:00 p.m. the House resumed, the SPEAKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**LEAVE OF ABSENCE**

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

**S. 1258--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

S. 1258 -- Finance Committee: A BILL TO AMEND CHAPTER 43, TITLE 11 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK, TO PROVIDE FOR THE DISTRIBUTION BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK OF CERTAIN FEES AND FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES TRANSFERRED TO THE STATE HIGHWAY FUND; TO AMEND SECTIONS 12-37-2740(D), 38-73-470, 56-1-170(B)(3), 56-1-200, 56-1-286(K)(1), 56-1-390(2), 56-1-400(A), 56-1-460(A)(1)(e)(iii), 56-1-550, 56-1-740(B)(3), 56-1-746(D)(3), 56-1-2080, 56-3-355, 56-3-1335, 56-5-750(G)(3), 56-5-2951(B)(1), 56-5-2951(H)(3), 56-9-330, 56-10-240(C), 56-10-245, 56-10-552, 56-19-

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420(C), AND 56-19-520(A)(4), ALL OF THE 1976 CODE, ALL RELATING TO FEES OR FINES COLLECTED BY THE DEPARTMENT OF MOTOR VEHICLES, TO PROVIDE THAT ALL OR A PORTION OF THE FEES SHALL BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK; TO AMEND SECTION 12-36-2647 OF THE 1976 CODE, AS ENACTED IN ACT 98 OF 2013 AND RELATED TO SOURCES OF REVENUE USED FOR HIGHWAY CONSTRUCTION AND MAINTENANCE, TO PROVIDE THAT THE REVENUES OF SALES, USE, AND CASUAL EXCISE TAXES DERIVED PURSUANT TO SECTIONS 12-36-2620(1) AND 12-36-2640(1) ON THE SALE, USE, OR TITLING OF A MOTOR VEHICLE MUST BE CREDITED TO THE STATE HIGHWAY FUND, AND TO PROVIDE FOR THE DISTRIBUTION OF THOSE FUNDS BY THE DEPARTMENT OF TRANSPORTATION AND THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK.

Rep. SIMRILL explained the Senate Amendments.

Rep. SIMRILL spoke in favor of the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 109; Nays 2

Those who voted in the affirmative are:

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

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|  |  |  |
| --- | --- | --- |
| Henderson | Henegan | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Knight |
| Limehouse | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norrell |
| Ott | Parks | Pitts |
| Pope | Putnam | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Wells | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--109**

Those who voted in the negative are:

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

**Total--2**

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

**STATEMENT FOR HOUSE JOURNAL**

Abstention from Voting

Based on Potential Conflict of Interest

I am notifying you that I will not participate in the debate or votes on S. 1258. In accordance with Section 8-13-700(B) of the S.C. Code, I

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recuse myself from voting on the Bill because of a potential conflict of interest.

Rep. Jeffrey A. Bradley

**STATEMENT FOR HOUSE JOURNAL**

Abstention from Voting

Based on Potential Conflict of Interest

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

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

Rep. Roger K. Kirby

**LEAVE OF ABSENCE**

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

**STATEMENT BY REP. FUNDERBURK**

Rep. FUNDERBURK made a statement relative to Rep. W. J. MCLEOD'S service in the House.

**STATEMENT BY REP. W. J. MCLEOD**

Rep. W. J. MCLEOD made a statement relative to his service in the House.

**SPEAKER *PRO TEMPORE* IN CHAIR**

**STATEMENT BY REP. ERICKSON**

Rep. ERICKSON made a statement relative to Rep. LONG'S service in the House.

**STATEMENT BY REP. LONG**

Rep. LONG made a statement relative to her service in the House.

**SPEAKER IN CHAIR**

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**STATEMENT BY REPS. MERRILL AND HERBKERSMAN**

Reps. MERRILL and HERBKERSMAN made a statement relative to Rep. TINKLER'S service in the House.

**STATEMENT BY REP. TINKLER**

Rep. TINKLER made a statement relative to her service in the House.

**S. 1122--RECONSIDERED, AMENDED AND ORDERED TO THIRD READING**

Rep. WHITE moved to reconsider the vote whereby the following Bill was recommitted to Ways and Means, which was agreed to:

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

The Committee on Ways and Means proposed the following Amendment No. 1 to S. 1122 (COUNCIL\BBM\1122C001. BBM.SA16), which was tabled:

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

/ SECTION 1. Section 4‑10‑930(A) of the 1976 Code, as last amended by Act 3 of 2009, is amended to read:

“(A) Subject to the requirements of this article, a municipality may impose in the municipality a fee not to exceed one percent for not more than ten years for the purposes provided in Section 4‑10‑970 by~~:~~

~~(1)~~ ~~an ordinance adopted by a supermajority of the municipal council which must be at least two‑thirds of the members of a municipal council; or~~

~~(2)~~ the approval of a majority of qualified electors voting in a referendum held pursuant to this section called by a majority of the members of the municipal council.”

SECTION 2. Article 9, Chapter 10, Title 4 of the 1976 Code is amended by adding:

“Section 4‑10‑980. The fee authorized in this article may be renewed and imposed within a municipality in the manner prescribed pursuant to Section 4‑10‑930(A). The referendum on the question of reimposition of the fee must not be held earlier than within the calendar year which is two years before the calendar year in which the fee then in

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effect is scheduled to terminate. Notwithstanding Section 4‑10‑930(D) and (E), any reimposition of the fee is effective immediately upon the termination of the fee previously imposed. Revenues from the reimposition must be expended for the same purposes as set forth in this article, and the provisions of Section 4‑10‑970(A)(2) apply immediately upon reimposition.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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

Rep. WHITE proposed the following Amendment No. 2 to S. 1122 (COUNCIL\BBM\1122C002.BBM.DG16), which was adopted:

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

/ SECTION 1. A. Section 12‑28‑110(1) of the 1976 Code is amended to read:

“(1) ‘Alternative fuel’ means a liquefied petroleum gas, liquefied natural gas, compressed natural gas product, or a combination of liquefied petroleum gas and a compressed natural gas product used in an internal combustion engine or motor to propel any form of vehicle, machine, or mechanical contrivance. It includes all forms of fuel commonly or commercially known or sold as butane, propane, liquefied natural gas, or compressed natural gas.”

B. Section 12‑28‑110(39) of the 1976 Code is amended to read:

“(39) ‘Motor fuel’ means gasoline, diesel fuel, substitute fuel, renewable fuel, alternative fuel, and blended fuel.”

C. Section 12‑28‑110(55) of the 1976 Code is amended to read:

“(55) ‘Motor fuel subject to the user fee’ means gasoline, diesel fuel, kerosene, blended fuel, substitute fuel, alternative fuel and blends of them and any other substance blended with them.”

SECTION 2. A. Section 12‑37‑2820(B) of the 1976 Code is amended to read:

“(B) ‘Gross capitalized cost’, as used in this section, means the original cost upon acquisition for income tax purposes, not to include taxes, interest, or cab customizing. However, for a motor vehicle which is fueled wholly or partially by alternative fuel as defined in Section 12‑28‑110(1), and that was acquired after 2015 but before 2026, the gross capitalized cost is reduced by the differential costs of a comparable diesel or gasoline powered vehicle, not to exceed thirty percent of the

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total acquisition cost of the motor vehicle. This reduction shall apply for the first ten property tax years for which tax is due following the acquisition of the vehicle.”

B. This SECTION first applies to property tax years beginning after 2015.

SECTION 3. A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑3695. (A)(1) A taxpayer who purchases or constructs and installs and places in service in this State eligible property that is used for distribution, dispensing, or storing alternative fuel specified in this subsection, at a new or existing fuel distribution or dispensing facility, is allowed an income tax credit equal to twenty‑five percent of the cost to the taxpayer of purchasing, constructing, and installing the eligible property.

(2) The entire credit may not be taken in the taxable year in which the property is placed in service, but must be taken in three equal annual installments beginning with the taxable year in which the property is placed in service. If, in one of the years in which the installment of a credit accrues, property directly and exclusively used for distributing, dispensing, or storing alternative fuel is disposed of or taken out of service and is not replaced, the credit expires and the taxpayer may not claim any remaining installment of the credit.

(3) The unused portion of an unexpired credit may be carried forward for not more than ten succeeding taxable years.

(4) The taxpayer may transfer any applicable credit associated with this section. To the extent that the taxpayer transfers the credit, the taxpayer must notify the department of the transfer in the manner the department prescribes. Notwithstanding subsection (D), as used in this item, the term ‘taxpayer’ only applies to the State or any agency or instrumentality, authority, or political subdivision, including municipalities.

(5) A taxpayer who claims any other credit allowed pursuant to this article with respect to the costs of constructing and installing a facility may not take the credit allowed in this section with respect to the same costs.

(B) The Department of Revenue may require documentation that it considers necessary to administer the credit.

(C) To claim the credits allowed in this section, the taxpayer must place the property or facility in service before January 1, 2026.

(D) For purposes of this section:

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(1) ‘Eligible property’ includes pumps, compressors, storage tanks, and related equipment that is directly and exclusively used for distribution, dispensing, or storing alternative fuel. The equipment used to store, distribute, or dispense alternative fuel must be labeled for this purpose and clearly identified as associated with alternative fuel.

(2) ‘Alternative fuel’ means compressed natural gas, liquefied natural gas, or liquefied petroleum gas, dispensed for use in motor vehicles and compressed natural gas, liquefied natural gas, or liquefied petroleum gas, dispensed by a distributor or facility.

(3) ‘Taxpayer’ means any sole proprietor, partnership, corporation of any classification, limited liability company, or association taxable as a business entity. Also, the word ‘taxpayer’ includes the State or any agency or instrumentality, authority, or political subdivision, including municipalities.”

B. This SECTION first applies to tax years beginning after 2015.

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

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 101; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hardee |
| Hayes | Henderson | Henegan |

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| --- | --- | --- |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Ryhal | Sandifer | Simrill |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--101**

Those who voted in the negative are:

**Total--0**

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

**S. 221--RECOMMITTED**

The following Joint Resolution was taken up:

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

Rep. WEEKS moved to recommit the Joint Resolution to the Committee on Judiciary, which was agreed to.

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**S. 1015--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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

The Committee on Judiciary proposed the following Amendment No. 1 to S. 1015 (COUNCIL\BBM\1015C002.BBM.DG16), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 3, Section 16-13-165(B), by adding an item after line 10 to read:

/ (6) A person is not liable under this section if a person receives a vehicle with a counterfeit or nonfunctional airbag and unknowingly transfers it to another individual. /

Renumber sections to conform.

Amend title to conform.

Rep. WEEKS explained the amendment.

The amendment was then adopted.

Rep. WEEKS explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 100; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bingham | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |

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|  |  |  |
| --- | --- | --- |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis |  |  |

**Total--100**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Yow |  |  |

**Total--1**

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

**S. 777--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 777 -- Senators Malloy and Bennett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 62-5-436 SO AS TO PROVIDE ADDITIONAL AND

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

Rep. G. M. SMITH proposed the following Amendment No. 1 to S. 777 (COUNCIL\MS\777C001.MS.AHB16), which was adopted:

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

/ SECTION \_\_\_. A. Section 12-6-1170 of the 1976 Code is amended by adding an appropriately lettered subsection at the end to read:

“( )(1) Notwithstanding any other provision of this section, if a taxpayer claims a deduction pursuant to Section 12‑6‑1171, then the deduction allowed by this section must be reduced by the amount the taxpayer deducts pursuant to Section 12‑6‑1171; however, this subsection does not apply if the deduction claimed pursuant to Section 12‑6‑1171 is claimed by a surviving spouse.

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(2) In the case of married taxpayers who file a joint federal income tax return, the reduction required by item (1) applies to each individual separately, so that the reduction only applies to the amount the individual claiming the deduction pursuant to Section 12‑6‑1171 otherwise could have claimed pursuant to this section if the individual had not filed a joint return.”

B. Article 9, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12‑6‑1171. (A)(1) An individual taxpayer who has military retirement income, each year may deduct an amount of his South Carolina earned income from South Carolina taxable income equal to the amount of military retirement income that is included in South Carolina taxable income, not to exceed seventeen thousand five hundred dollars. In the case of married taxpayers who file a joint federal income tax return, the deduction allowed by this section shall be calculated separately as though they had not filed a joint return, so that each individual’s deduction is based on the same individual’s retirement income and earned income. For purposes of this item, ‘South Carolina earned income’ has the same meaning as provided in Section 12-6-3330.

(2) Notwithstanding item (1), beginning in the year in which an individual taxpayer reaches age sixty‑five, an individual taxpayer who has military retirement income may deduct up to thirty thousand dollars of military retirement income that is included in South Carolina taxable income.

(B) The term ‘retirement income’, as used in this section, means the total of all otherwise taxable income not subject to a penalty for premature distribution received by the taxpayer or the taxpayer’s surviving spouse in a taxable year from a qualified military retirement plan. For purposes of a surviving spouse, ‘retirement income’ also includes a retirement benefit plan and dependent indemnity compensation related to the deceased spouse’s military service.

(C) A surviving spouse receiving military retirement income that is attributable to the deceased spouse shall apply this deduction in the same manner that the deduction applied to the deceased spouse. If the surviving spouse also has another retirement income, an additional retirement exclusion is allowed.

(D) The department may require the taxpayer to provide information necessary for proper administration of this subsection.”

C. This SECTION takes effect upon approval by the Governor and first applies to tax years beginning after 2015. /

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Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

The amendment was then adopted.

Rep. D. C. MOSS spoke in favor of the Bill.

Rep. DANING moved to adjourn debate on the Bill until Thursday, June 2.

Rep. G. M. SMITH moved to table the motion, which was agreed to.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | Nanney |
| Neal | Newton | Norman |

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|  |  |  |
| --- | --- | --- |
| Norrell | Ott | Parks |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | Simrill | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--97**

Those who voted in the negative are:

**Total--0**

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

RECORD FOR VOTING

I was temporarily out of the Chamber on constituent business during the vote on S. 777. If I had been present, I would have voted in favor of the Bill.

Rep. V. Stephen Moss

**S. 1036--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1036 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-15-176 SO AS TO PROVIDE THE STATE BOARD OF DENTISTRY MAY ISSUE RESTRICTED DENTAL AUXILIARY INSTRUCTORS' LICENSES TO DENTISTS WHO MEET CERTAIN REQUIREMENTS, TO PROVIDE LICENSED DENTAL AUXILIARY INSTRUCTORS MAY PRACTICE DENTISTRY IN LIMITED CIRCUMSTANCES ASSOCIATED WITH CERTAIN ACCREDITED DENTAL AUXILIARY PROGRAMS OF TECHNICAL COLLEGES, AND TO PROVIDE FOR THE RENEWAL AND REVOCATION OF RESTRICTED DENTAL

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AUXILIARY LICENSES; AND TO AMEND SECTION 40-15-175, RELATING TO RESTRICTED INSTRUCTORS' LICENSES ISSUED BY THE BOARD, SO AS TO REVISE CRITERIA FOR LICENSURE AND REQUIRE RENEWAL BIENNIALLY INSTEAD OF ANNUALLY.

Rep. PARKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pitts | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | G. M. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Thayer |

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|  |  |  |
| --- | --- | --- |
| Tinkler | Toole | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**S. 1037--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1037 -- Senator Alexander: A BILL TO AMEND SECTION 40-47-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF TEAM PHYSICIANS OF ATHLETIC TEAMS VISITING THE STATE FOR A SPECIFIC SPORTING EVENT FROM PHYSICIAN LICENSING REQUIREMENTS IN THIS STATE, SO AS TO EXPAND THE EXEMPTION TO INCLUDE TEAM PHYSICIANS OF ATHLETIC TEAMS VISITING THE STATE FOR A TEAM TRAINING CAMP.

Rep. PARKS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bannister | Bernstein |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | George |

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|  |  |  |
| --- | --- | --- |
| Gilliard | Hayes | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Newton | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Thayer |
| Tinkler | Toole | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

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**S. 667--AMENDED AND REQUESTS FOR DEBATE**

The following Bill was taken up:

S. 667 -- Senators Hayes, Williams, L. Martin, Alexander and Peeler: A BILL TO AMEND SECTION 1-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION AND BOUNDARIES OF THE STATE, SO AS TO CLARIFY THE BOUNDARY BETWEEN NORTH CAROLINA AND SOUTH CAROLINA ALONG HORRY, DILLON, MARLBORO, CHESTERFIELD, LANCASTER, YORK, CHEROKEE, AND SPARTANBURG COUNTIES AND TO PROVIDE ADDITIONAL INFORMATION ABOUT THE PLATS DESCRIBING THE LOCATION OF THE BOUNDARY BETWEEN NORTH CAROLINA AND SOUTH CAROLINA ALONG GREENVILLE, PICKENS, AND OCONEE COUNTIES; BY ADDING SECTION 12-2-110 SO AS TO PROVIDE THAT "NEW JOBS" ARE NOT CREATED IN SOUTH CAROLINA BY EMPLOYEES WHOSE WORK LOCATION IS CHANGED FROM NORTH CAROLINA TO SOUTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION, NOR IS THERE ANY NEW INVESTMENT IN SOUTH CAROLINA AS A RESULT OF PROPERTY THAT CHANGES LOCATION FROM NORTH CAROLINA TO SOUTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-2-120 SO AS TO PROVIDE FOR THE MANNER AND APPLICATION OF TAX ASSESSMENTS AND REFUNDS FOR THE PERIOD PRIOR TO THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-2-130 SO AS TO PROVIDE THAT IN THE YEAR CONTAINING THE DATE OF THE BOUNDARY CLARIFICATION, THE DEPARTMENT OF REVENUE HAS THE AUTHORITY TO COMPROMISE TAXES THAT RESULT IN TAXATION IN BOTH SOUTH CAROLINA AND NORTH CAROLINA SOLELY BECAUSE OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-6-5600 SO AS TO PROVIDE FOR THE INCOME TAX TREATMENT OF INDIVIDUALS AND BUSINESSES WHOSE STATE OF RESIDENCE OR PROPERTY LOCATION CHANGES AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-21-820 SO AS TO PROVIDE FOR THE MANNER OF CIGARETTE AND TOBACCO PRODUCTS TAXATION AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-24-160 SO AS TO PROVIDE THAT IF, AS A RESULT

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OF THE BOUNDARY CLARIFICATION, PROPERTY IS DEEMED TO HAVE CHANGED LOCATIONS FROM NORTH CAROLINA TO SOUTH CAROLINA AND IF SOLELY AS A RESULT OF THIS CHANGE, A DEED IS FILED IN SOUTH CAROLINA, NO DEED RECORDING FEES ARE DUE ON THIS FILING AND NO COUNTY FILING FEES MAY BE CHARGED; BY ADDING SECTION 12-28-350 SO AS TO PROVIDE THAT A RETAILER THAT SELLS MOTOR FUEL WHOSE BUSINESS LOCATION CHANGES FROM SOUTH CAROLINA TO NORTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION IS ALLOWED A REFUND OF SOUTH CAROLINA MOTOR FUEL TAXES OR USER FEES IF NORTH CAROLINA REQUIRES THAT RETAILER TO PAY THE NORTH CAROLINA MOTOR FUEL TAXES OR USER FEES ON THAT SAME FUEL; BY ADDING SECTION 12-36-2695 SO AS TO PROVIDE FOR THE MANNER IN WHICH SALES AND USE TAXES AND ADMISSIONS TAXES MUST BE COLLECTED AND PAID AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-37-140 SO AS TO PROVIDE FOR HOW CERTAIN REAL AND PERSONAL PROPERTY IS SUBJECT TO PROPERTY TAXATION, AND FOR PROCEDURAL MATTERS RELATING TO THIS TAXATION, INCLUDING APPLICATION LIEN DATES; BY ADDING SECTION 12-37-145 SO AS TO FURTHER PROVIDE FOR MOTOR VEHICLE LICENSE REGISTRATION AND MOTOR VEHICLE PERSONAL PROPERTY TAXES AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-37-150 SO AS TO PROVIDE THAT IF AS A RESULT OF THE BOUNDARY CLARIFICATION AN INDIVIDUAL IS REQUIRED TO REGISTER HIS PERSONAL MOTOR VEHICLE IN SOUTH CAROLINA AND IF THE PROPERTY TAXES ON THAT MOTOR VEHICLE WOULD HAVE BEEN LESS IN NORTH CAROLINA, THE INDIVIDUAL MAY RECEIVE A TAX REBATE FROM THE SOUTH CAROLINA COUNTY FOR THE DIFFERENCE BETWEEN THE TAX THE INDIVIDUAL WAS REQUIRED TO PAY IN SOUTH CAROLINA AND THE INDIVIDUAL WAS REQUIRED TO PAY IN NORTH CAROLINA ON THAT SAME VEHICLE; BY ADDING SECTION 12-37-155 SO AS TO PROVIDE THAT FOR 2016 ONLY, THE LIEN DATE FOR NONBUSINESS PERSONAL PROPERTY, OTHER THAN MOTOR VEHICLES, IS JANUARY 1, 2016, FOR INDIVIDUALS WHOSE STATE OF RESIDENCY CHANGES FROM NORTH CAROLINA TO SOUTH CAROLINA SOLELY AS

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A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 29-3-800 SO AS TO PROVIDE SPECIFIED PROCEDURES IN REGARD TO THE FORECLOSURE OF MORTGAGES AND OTHER LIENS ENCUMBERING AFFECTED LANDS; BY ADDING SECTION 30-5-270 SO AS TO PROVIDE FOR SPECIAL RECORDING REQUIREMENTS FOR DEEDS, PLATS, MORTGAGES, AND OTHER INSTRUMENTS REGARDING REAL PROPERTY IN THE AFFECTED JURISDICTIONS, AND TO REQUIRE A NOTICE OF THE STATE BOUNDARY CLARIFICATION TO BE PROVIDED BY THE REGISTER OF DEEDS OR CLERKS OF COURT IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 44-1-310 SO AS TO PROVIDE A COMPLIANCE SCHEDULE FOR ENVIRONMENTAL PERMITTEES IMPACTED BY THE BOUNDARY CLARIFICATION; BY ADDING SECTION 44-6-110 SO AS TO PROVIDE THAT A MEDICAID PROVIDER OUTSIDE OF THE GEOGRAPHICAL BOUNDARY OF SOUTH CAROLINA BUT WITHIN THE SOUTH CAROLINA MEDICAID SERVICE AREA SHALL NOT LOSE STATUS AS A MEDICAID PROVIDER AS A RESULT OF THE CLARIFICATION OF THE SOUTH CAROLINA - NORTH CAROLINA BORDER; BY ADDING CHAPTER 2 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH UTILITY SERVICES MUST BE PROVIDED IN AREAS AFFECTED BY THE BOUNDARY CLARIFICATION; BY ADDING SECTION 59-63-550 SO AS TO FURTHER PROVIDE FOR SCHOOL ATTENDANCE PROCEDURES AND REQUIREMENTS FOR CHILDREN RESIDING IN SCHOOL DISTRICTS AFFECTED BY THE BOUNDARY CLARIFICATION; AND BY ADDING SECTION 59-112-150 SO AS TO FURTHER PROVIDE FOR IN-STATE TUITION RATES AND THE AWARDING OF OTHER STATE-SUPPORTED SCHOLARSHIPS AND GRANTS TO INDEPENDENT PERSONS AND THEIR DEPENDENTS AFFECTED BY THE BOUNDARY CLARIFICATION.

Rep. FELDER proposed the following Amendment No. 1 to S. 667 (COUNCIL\NL\667C001.NL.SD16), which was adopted:

Amend the bill, as and if amended, by striking / 2016 / and inserting / 2017 / on lines 4 and 6 of page 3, on lines 14 and 25 of page 14, on lines 6, 18, 20, 25, and 33 of page 15, on lines 20, 31, and 43 of page 16, on lines 2, 3, 5, 7, 12, 15, 22, and 26 of page 17, on lines 7, 12, 16, 19,

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and 33 of page 18, on lines 7, 9, and 12 of page 19, on line 29 of page 21, on line 8 of page 23, on lines 7 and 40 of page 24, on line 12 of page 25, on lines 5, 18, 37, 39, and 42 of page 26, and on lines 5, 11, and 42 of page 27.

Amend the bill further, by striking / , 2015 / on line 26 of page 17 and inserting / of the preceding year /

Amend the bill further, by adding a new SECTION 6A. immediately after SECTION 6, page 15, to read:

/ SECTION 6A. Article 25, Chapter 6, Title 12 of the 1976 Code is amended by adding:

“Section 12-6-3405. If an individual’s residence or a business location is determined to be located in North Carolina rather than South Carolina where the individual or business had previously been taxed, then that individual or business shall receive a one-time refundable income tax credit of five thousand dollars for the year in which this section is enacted. This credit is provided because of additional costs that the individual or business may incur as a result of the change of location and shall be limited to one credit per residence or business. Refundable credits resulting in refunds, for the purpose of this section only, are not subject to South Carolina income tax.” /

Renumber sections to conform.

Amend title to conform.

Rep. FELDER explained the amendment.

Rep. LOFTIS spoke against the amendment.

Rep. WHITE moved to table the amendment.

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

Yeas 21; Nays 68

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| G. A. Brown | Clemmons | Forrester |
| Fry | Gagnon | Gilliard |
| Hayes | Hill | Hosey |
| Jordan | Loftis | Lowe |
| Mack | Merrill | Pitts |
| Rutherford | G. R. Smith | Stringer |
| Thayer | White | Whitmire |

**Total--21**

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Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | Bowers | Bradley |
| Brannon | R. L. Brown | Burns |
| Clary | Cole | Collins |
| Corley | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Funderburk | Henderson | Hicks |
| Hiott | Hixon | Hodges |
| Howard | Huggins | Jefferson |
| Johnson | Kennedy | Kirby |
| Knight | Long | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norman |
| Norrell | Parks | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | G. M. Smith |
| Sottile | Spires | Tallon |
| Taylor | Tinkler | Toole |
| Weeks | Whipper | Williams |
| Willis | Yow |  |

**Total--68**

So, the House refused to table the amendment.

**POINT OF ORDER**

Rep. WHITE raised the Point of Order that under Rule 9.3 that Amendment No. 1 to S. 667 was out of order in that it was not germane to the Bill.

Rep. FELDER spoke to the Point.

SPEAKER LUCAS stated that the original Bill is fairly substantial in its review. Part II of the Bill contains revenue and taxation measures, which deals with individuals in North Carolina. The Speaker overruled the Point of Order and ruled Amendment No. 1 germane to the Bill.

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The question then recurred to the adoption of the amendment.

The amendment was then adopted.

Reps. WHITE, HILL, G. R. SMITH, LOFTIS, WHITMIRE, SANDIFER, GAGNON, HAYES, POPE, FELDER and NORMAN requested debate on the Bill.

**S. 1262--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 1262 -- Senator Alexander: A BILL TO AMEND SECTION 59-40-50 OF THE 1976 CODE, RELATING TO POWERS AND DUTIES OF CHARTER SCHOOLS, SO AS TO ADD PROVISIONS CONCERNING CHARTER SCHOOLS DESIGNATED AS ALTERNATIVE EDUCATION CAMPUSES AND EDUCATIONALLY DISADVANTAGED STUDENTS; AND TO AMEND SECTION 59-40-111, RELATING TO CHARTER SCHOOLS DESIGNATED AS ALTERNATIVE EDUCATION CAMPUSES, TO REVISE CRITERIA FOR THIS DESIGNATION TO INCLUDE SCHOOLS WITH FIFTY PERCENT OR MORE OF STUDENTS HAVING DEMONSTRATED NEEDS FOR CERTAIN SPECIALIZED INSTRUCTION RELATED TO LITERACY, AND TO REVISE CONSIDERATIONS OF CERTAIN DATA THAT MUST BE MADE WHEN MEASURING THE PERFORMANCE OF A CHARTER SCHOOL IN MEETING CERTAIN STATE AND FEDERAL ACCOUNTABILITY STANDARDS.

Rep. CLARY explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 98; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bamberg |
| Bannister | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |

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|  |  |  |
| --- | --- | --- |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--98**

Those who voted in the negative are:

**Total--0**

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

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

**RECURRENCE TO THE MORNING HOUR**

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

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**S. 227--ORDERED TO THIRD READING**

The following Bill was taken up:

S. 227 -- Senators Campbell, Rankin and Grooms: A BILL TO AMEND SECTION 12-10-88 OF THE 1976 CODE, RELATING TO THE REMISSION OF REDEVELOPMENT FEES TO A REDEVELOPMENT AUTHORITY, TO EXTEND THE END DATE FOR REMISSIONS FROM JANUARY 1, 2017, TO JANUARY 1, 2037.

Rep. MERRILL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bannister |
| Bowers | Bradley | Brannon |
| R. L. Brown | Burns | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |

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|  |  |  |
| --- | --- | --- |
| Sandifer | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

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

**OBJECTION TO RECALL**

Rep. TOOLE asked unanimous consent to recall S. 1204 from the Committee on Education and Public Works.

Rep. TAYLOR objected.

**OBJECTION TO RECALL**

Rep. D. C. MOSS asked unanimous consent to recall S. 1023 from the Committee on Judiciary.

Rep. COBB-HUNTER objected.

**H. 3891--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3891 -- Reps. Toole, Long, Bedingfield, J. E. Smith, Anderson, Forrester, Rutherford and Sandifer: A BILL TO AMEND SECTION 56-31-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SURCHARGES ON RENTAL OR PRIVATE PASSENGER MOTOR VEHICLES FOR THIRTY-ONE DAYS OR LESS, SO AS TO DEFINE NECESSARY TERMS, TO DELETE EXISTING SURCHARGE PROVISIONS, TO INSTEAD PROVIDE RENTAL COMPANIES ENGAGED IN THE BUSINESS OF RENTING VEHICLES FOR PERIODS OF NINETY DAYS OR LESS MAY CHARGE SEPARATELY STATED FEES WHICH MAY INCLUDE

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CERTAIN FEES AND TAXES, TO PROVIDE THE AMOUNT OF THE CHARGE MUST REPRESENT THE GOOD FAITH ESTIMATE BY THE MOTOR VEHICLE RENTAL COMPANY OF ITS DAILY CHARGE CALCULATED TO RECOVER ITS ACTUAL TOTAL ANNUAL RECOVERABLE COSTS, TO PROVIDE REQUIREMENTS FOR WHEN THE TOTAL AMOUNT OF THE VEHICLE LICENSE FEES COLLECTED BY A MOTOR VEHICLE RENTAL COMPANY IN ANY CALENDAR YEAR EXCEEDS THE ACTUAL COSTS OF THE CAR RENTAL COMPANY DURING THAT PERIOD, TO REQUIRE A CERTAIN DESCRIPTION OF VEHICLE LICENSE FEES IN THE VEHICLE RENTAL AGREEMENTS, AND TO PROVIDE THAT VEHICLE LICENSE FEES ARE SUBJECT TO CERTAIN SALES AND USE TAXES.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 95; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Dillard | Douglas |
| Duckworth | Erickson | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hill | Hiott | Hixon |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Neal |

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|  |  |  |
| --- | --- | --- |
| Newton | Norman | Norrell |
| Ott | Parks | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--95**

Those who voted in the negative are:

**Total--0**

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

**SPEAKER *PRO TEMPORE* IN CHAIR**

**H. 5140--SENATE AMENDMENTS AMENDED AND RETURNED TO THE SENATE**

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

H. 5140 -- Reps. Pope, Felder, King, Gambrell, Gagnon, Erickson, Clary, Tallon and Henderson: A BILL TO AMEND SECTION 59-1-425, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OPENING DATE FOR THE PUBLIC SCHOOL YEAR, SO AS TO PROVIDE THE OPENING DATE FOR STUDENTS MUST NOT BE BEFORE AUGUST FIFTEENTH BEGINNING WITH THE 2017-2018 SCHOOL YEAR; TO AMEND SECTION 59-18-325, AS AMENDED, RELATING TO CERTAIN ASSESSMENTS OF VARIOUS PUBLIC SCHOOL STUDENTS BASED ON GRADE LEVEL, SO AS TO REVISE THE MANNER OF PROCUREMENT AND ADMINISTRATION OF THESE ASSESSMENTS, AMONG OTHER THINGS; AND TO AMEND

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SECTION 59-25-410, RELATING TO THE DATE BY WHICH PUBLIC SCHOOL TEACHERS MUST BE NOTIFIED OF THEIR TENTATIVE ASSIGNMENTS FOR THE UPCOMING SCHOOL YEAR, SO AS TO CHANGE THIS DATE FROM AUGUST FIFTEENTH TO AUGUST EIGHTH.

Rep. ALLISON proposed the following Amendment No. 1A to H. 5140 (COUNCIL\AGM\5140C002.AGM.AB16), which was adopted:

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

/ SECTION 1. Section 59‑1‑425(A) of the 1976 Code, as added by Act 260 of 2006, is amended to read:

“(A) ~~Each~~ A local school district board of trustees of the State ~~shall have~~ has the authority to establish an annual school calendar for teachers, staff, and students. The statutory school term is one hundred ninety days annually and ~~shall~~ must consist of a minimum of one hundred eighty days of instruction covering at least nine calendar months. However, beginning with the ~~2007‑2008~~ 2017‑2018 school year, the opening date for students must not be before ~~the third Monday in~~ August fifteenth, except for schools operating on a year‑round modified school calendar. Three days must be used for collegial professional development based upon the educational standards as required by Section 59‑18‑300. The professional development ~~shall~~ must address, at a minimum, academic achievement standards including strengthening teachers’ knowledge in their content area, teaching techniques, and assessment. No more than two days may be used for preparation of opening of schools and the remaining five days may be used for teacher planning, academic plans, and parent conferences. The number of instructional hours in an instructional day may vary according to local board policy and does not have to be uniform among the schools in the district.”

SECTION 2. Section 59‑18‑325(C) of the 1976 Code, as added by Act 200 of 2014, is amended to read:

“(C)(1) To maintain a comprehensive and cohesive assessment system that signals a student’s preparedness for the next educational level and ultimately culminates in a clear indication of a student’s preparedness for postsecondary success in a college or career and to satisfy federal and state accountability purposes, the ~~Executive Director of the State Fiscal Accountability Authority, with the advice and consent of the special assessment panel, shall direct the procurement of a summative assessment system for the 2014‑2015 school year, and~~

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~~subsequent years as provided in item (3). The procurement must be completed before September 30, 2014.~~ State Department of Education shall procure and maintain a summative assessment system. The summative assessment must be administered to all students in grades three through eight~~, and if funds are available, administered to students in grades nine and ten~~. The summative assessment must assess students in English/language arts and mathematics, including those students as required by the federal Individuals with Disabilities Education Act and by Title I of the Elementary and Secondary Education Act. For purposes of this subsection, ‘English/language arts’ includes English, reading, and writing skills as required by existing state standards. The assessment must be a rigorous, achievement assessment that measures student mastery of the state standards, that provides timely reporting of results to educators, parents, and students, and that measures each student’s progress toward college and career readiness. Therefore, the assessment or assessments must meet all of the following minimum requirements:

(a) compares performance of students in South Carolina to other students’ performance on comparable standards in other states with the ability to link the scales of the South Carolina assessment to the scales from other assessments measuring those comparable standards;

(b) be a vertically scaled, benchmarked, standards‑based system of summative assessments;

(c) measures a student’s preparedness for the next level of their educational matriculation and individual student performance against the state standards in English/language arts, reading, writing, and mathematics and student growth;

(d) documents student progress toward national college and career readiness benchmarks derived from empirical research and state standards;

(e) establishes at least four student achievement levels;

(f) includes various test questions including, but not limited to, multiple choice, constructed response, and selected response, that require students to demonstrate their understanding of the content;

(g) be administered to all students in a ~~paper‑based~~ computer‑based format ~~in 2014‑2015, in either a paper‑based form or computer‑based format in 2015‑2016, and to all students in a computer‑based format by school year 2016‑2017~~ except for students with disabilities as specified in the student’s IEP or 504 plan, and unless the use of a computer by these students is prohibited due to the vendor’s restrictions on computer‑based test security, in which case the paper version must be made available; and

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(h) assists school districts and schools in aligning assessment, curriculum, and instruction.

(2)(a) ~~Additionally, the Executive Director of the State Fiscal Accountability Authority, with the advice and consent of the special assessment panel, also must direct the procurement of a college and career readiness assessment that meets the requirements of subsection (A). The procurement must be completed before September 30, 2014. In addition to WorkKeys, the assessment must be administered to all students entering the eleventh grade for the first time in the 2014‑2015 school year.~~ Beginning in the 2017‑2018 school year, each school district shall administer the statewide summative assessment, with the exception of alternative assessments, for grades three through eight during the last twenty days of school as determined by the district’s regular instructional calendar, not including make‑up days.

(b) Statewide summative testing for each student may not exceed seven days each school year, with the exception of students with disabilities as specified in their IEPs or 504 plans.

(c) The State Board of Education shall promulgate regulations outlining the procedures to be used during the testing process to ensure test security, including procedures for make‑up days, and to comply with federal and state assessment requirements where necessary.

(d) In the event of school closure due to extreme weather or other disruptions, or significant school or district technology disruptions that prevent the administration of assessment, the local school district may request that the department provide a paper‑based administration to complete testing within the last twenty days of school.

(3) ~~In school years 2014‑2015, 2015‑2016, and 2016‑2017,~~ The department must procure and administer ~~the~~ assessments ~~procured by the State Fiscal Accountability Authority~~ in English/language arts and mathematics in grades three through eight, and ~~if funds are available, in grades nine and ten. The department also must administer the state‑developed and adopted~~ administer assessments in science and social studies to all students in grades four through eight~~, and the college readiness assessment and WorkKeys assessment to all students in grade eleven. If the Education Oversight Committee approves of the assessments pursuant to Section 59‑18‑320 after the 2016‑2017 assessment, the assessments also may be administered in 2017‑2018 and 2018‑2019. Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59‑18‑310~~.

(4)~~(a)~~ ~~The special assessment panel must be composed of the following individuals or their designee:~~

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~~(i)~~ ~~the Chairman of the State Board of Education;~~

~~(ii)~~ ~~the Chairman of the Education Oversight Committee;~~

~~(iii)~~ ~~the Chairman of the Board of Directors for the South Carolina Chamber of Commerce;~~

~~(iv)~~ ~~the Chairman of the South Carolina Commission on Higher Education;~~

~~(v)~~ ~~the Chairman of the South Carolina Technical College System Board; and~~

~~(vi)~~ ~~the State Superintendent of Education.~~

~~(b)~~ ~~A panel member who is authorized to designate a person to serve on the board in his stead only may make the designation if he intends for the designee to serve continuously instead of intermittently with himself or another designee.~~

~~(c)~~ ~~The assessment panel must receive input from educators, parents, higher education officials, and business and community leaders on the components of a comprehensive and cohesive assessment system. The assessment panel must convene within two weeks of the effective date of this act, at the request of the Executive Director of the State Fiscal Accountability Authority. The panel must complete its duties in a timely manner which enables the Executive Director of the State Fiscal Accountability Authority to procure the assessments by September 30, 2014. Upon the procurement of a summative assessment system, the special assessment panel is dissolved.~~ The department is responsible for ensuring the procurement of the ACT Plus Writing and WorkKeys assessments. All public high schools and, where necessary, career centers, annually shall administer the WorkKeys assessment and the ACT to all eleventh grade students. For the purposes of this section, ‘eleventh grade students’ means students in the third year of high school after their initial enrollment in the ninth grade. Valid accommodations must be provided according to the student’s IEP/504 plan. If a student also chooses to use the results of the college readiness assessment for post‑secondary admission or placement, the student, his parent, or his guardian must indicate that choice in compliance with the testing vendor’s deadline to ensure that the student may receive allowable accommodations consistent with the IEP or 504 plan that may yield a college‑reportable score.

(5)~~(a)~~ ~~The cost of procuring the assessments pursuant to items (1) and (2), and any costs associated with the performance of the special assessment panel’s duties must be borne by the Department of Education.~~

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~~(b)~~ ~~Staff support to the Executive Director of the State Fiscal Accountability Authority and the special assessment panel must be provided by the Department of Education, Division of Accountability, Office of Assessment. In addition, if requested by the Executive Director of the State Fiscal Accountability Authority or the special assessment panel, the Department of Education, the Education Oversight Committee, the State Board for Technical and Comprehensive Education, and the Commission on Higher Education, must provide assistance to implement the provisions of this subsection.~~ If funds are available, the State shall provide a two‑year college or four‑year college readiness assessment or the WorkKeys assessment to all twelfth grade students at no cost to the students.

(6) If the Education Oversight Committee approves of the assessments pursuant to Section 59‑18‑320 after the 2017‑2018 assessment, the assessment also may be administered in 2018‑2019 and 2019‑2020. Formative assessments must continue to be adopted, selected, and administered pursuant to Section 59‑18‑310.

(~~6~~7) Within thirty days after providing student performance data to the school districts as required by law, the department must provide to the Education Oversight Committee student performance results on assessments authorized in this subsection and end‑of‑course assessments in a format agreed upon by the department and the Oversight Committee. The Education Oversight Committee must use the results of these assessments in school years 2014‑2015 ~~and~~, 2015‑2016, and 2016‑2017 to report on student academic performance in each school and district pursuant to Section 59‑18‑900. The committee may not determine state ratings for schools or districts, pursuant to Section 59‑18‑900, using the results of the assessments required by this subsection until after the conclusion of the ~~2015‑2016~~ 2016‑2017 school year; provided, however, state ratings must be determined by the results of these assessments beginning in the ~~2016‑2017~~ 2017‑2018 school year. The Oversight Committee also must develop and recommend a single accountability system that meets federal and state accountability requirements by the Fall of ~~2016~~ 2017. While developing the single accountability system that will be implemented in the 2017‑2018 school year, the Education Oversight Committee shall determine the format of a transitional report card released to the public in the fall of 2016 and 2017 that will also identify underperforming schools and districts. These transitional reports will, at a minimum, include the following: (1) school, district and statewide student assessment results in reading and mathematics in grades 3 through 8; (2) high school and district graduation rates; and (3)

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measures of student college and career readiness at the school, district, and statewide level. These transitional reports will inform schools and districts, the public, and the Department of Education of school and district general academic performance and assist in identifying potentially underperforming schools and districts and in targeting technical assistance support and interventions in the interim before ratings are issued.

~~(7)~~ ~~The Department of Education must submit a plan for approval and implementation to the Board of Education to mitigate the impact that changes in assessments are projected to have on teacher evaluation systems. If such an impact can be reasonably mitigated by delaying evaluations, the department shall seek a waiver if necessary for federal approval.~~

(8) When standards are subsequently revised, the Department of Education, the State Board of Education, and the Education Oversight Committee shall approve assessments pursuant to Section 59‑18‑320.”

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. STRINGER explained the amendment.

The yeas and nays were taken resulting as follows:

Yeas 97; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hosey | Howard | Huggins |

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|  |  |  |
| --- | --- | --- |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | McKnight | M. S. McLeod |
| W. J. McLeod | D. C. Moss | V. S. Moss |
| Nanney | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| J. E. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--97**

Those who voted in the negative are:

**Total--0**

The amendment was then adopted.

The Senate Amendments were amended, and the Bill was ordered returned to the Senate.

**H. 4931--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4931 -- Reps. Gambrell, Gagnon, Bannister, Mitchell and Thayer: A BILL TO AMEND SECTION 38-53-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EDUCATION AND CONTINUING EDUCATION REQUIREMENTS FOR PROFESSIONAL BONDSMEN, SURETY BONDSMEN, AND RUNNERS, SO AS TO INCREASE THE NUMBER OF HOURS OF

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EDUCATION REQUIRED FOR LICENSURE AND FOR CONTINUING EDUCATION; AND TO AMEND SECTION 38-53-320, RELATING TO VISITING AND EXAMINING PROFESSIONAL BONDSMEN BY THE DEPARTMENT OF INSURANCE, SO AS TO SUBJECT SURETIES TO THESE VISITS AND EXAMINATIONS, AND TO REQUIRE BONDSMEN TO MAINTAIN A PROPERLY ZONED OFFICE IN THIS STATE THAT IS ACCESSIBLE TO THE GENERAL PUBLIC AND DEPARTMENT DURING NORMAL BUSINESS HOURS, AND TO REQUIRE THE BONDSMAN TO PROVIDE CERTAIN CONTACT INFORMATION.

Rep. SANDIFER explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Finlay | Forrester | Fry |
| Funderburk | Gagnon | George |
| Gilliard | Hayes | Henderson |
| Herbkersman | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | D. C. Moss |
| V. S. Moss | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pope |
| Quinn | Ridgeway | Riley |

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|  |  |  |
| --- | --- | --- |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Stringer |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis | Yow |

**Total--96**

Those who voted in the negative are:

**Total--0**

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

**H. 3313--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 3313 -- Reps. Pope, Simrill, Ballentine, Felder, Atwater, Bedingfield, Spires, Clary, Collins, Delleney, Hamilton, Hiott, Hixon, V. S. Moss, Norman, Stringer, Toole, W. J. McLeod and Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-43-222 SO AS TO PROVIDE WHEN CALCULATING ROLL-BACK TAX DUE ON A PARCEL OF REAL PROPERTY CHANGED FROM AGRICULTURAL TO COMMERCIAL OR RESIDENTIAL USE THE VALUE USED FOR PLATTED GREEN SPACE OR OPEN SPACE USE OF THE PARCEL, IF SUCH USE IS TEN PERCENT OR MORE OF THE PARCEL, MUST BE VALUED BASED ON THE GREEN SPACE OR OPEN SPACE USE; AND TO AMEND SECTION 12-43-220, AS AMENDED, RELATING TO CLASSES OF PROPERTY AND APPLICABLE ASSESSMENT RATIOS FOR PURPOSES OF IMPOSITION OF THE PROPERTY TAX, SO AS TO MAKE A CONFORMING AMENDMENT, AND TO PROVIDE THAT AFTER A PARCEL OF REAL PROPERTY HAS UNDERGONE AN

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ASSESSABLE TRANSFER OF INTEREST, DELINQUENT PROPERTY TAX AND PENALTIES ASSESSED BECAUSE THE PROPERTY WAS IMPROPERLY CLASSIFIED AS OWNER-OCCUPIED RESIDENTIAL PROPERTY WHILE OWNED BY THE TRANSFEROR ARE SOLELY A PERSONAL LIABILITY OF THE TRANSFEROR AND DO NOT CONSTITUTE A LIEN ON THE PROPERTY AND ARE NOT ENFORCEABLE AGAINST THE PROPERTY AFTER THE ASSESSABLE TRANSFER OF INTEREST IF THE TRANSFEREE IS A BONA FIDE PURCHASER FOR VALUE WITHOUT NOTICE.

Rep. G. R. SMITH explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bannister | Bowers | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Finlay | Forrester |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Hicks | Hill |
| Hiott | Hixon | Hosey |
| Howard | Huggins | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norman |
| Norrell | Ott | Parks |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |

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|  |  |  |
| --- | --- | --- |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Tinkler | Toole | Weeks |
| Whipper | White | Williams |
| Willis | Yow |  |

**Total--92**

Those who voted in the negative are:

**Total--0**

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

**H. 4542--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 4542 -- Reps. McKnight, Clyburn, Cobb-Hunter, Hill, King, Whipper and Bowers: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 137, TO ENACT THE RIGHT TO TRY ACT, TO PROVIDE FOR AN ELIGIBLE PATIENT’S RIGHT TO TRY INVESTIGATIONAL DRUGS, BIOLOGICAL PRODUCTS, OR DEVICES TO COMBAT A TERMINAL ILLNESS; TO PROVIDE FOR AN ELIGIBLE PATIENT’S REQUEST TO USE AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE THAT AN ELIGIBLE PATIENT GIVE INFORMED CONSENT PRIOR TO USING AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE PROTECTION FROM LIABILITY FOR DOCTORS PRESCRIBING AND MANUFACTURERS OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; TO PROVIDE THAT STATE EMPLOYEES MAY NOT BLOCK THE PROPER USE OF AN INVESTIGATIONAL DRUG, BIOLOGICAL PRODUCT, OR DEVICE; AND TO DEFINE NECESSARY TERMS.

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Rep. MCKNIGHT explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 78; Nays 17

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Bales | Bamberg | Bannister |
| Bowers | Bradley | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | Corley | Crosby |
| Daning | Dillard | Douglas |
| Duckworth | Felder | Finlay |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hodges | Hosey |
| Howard | Jefferson | Johnson |
| Jordan | Kirby | Knight |
| Loftis | Lucas | Mack |
| McCoy | McEachern | McKnight |
| M. S. McLeod | W. J. McLeod | Merrill |
| V. S. Moss | Neal | Newton |
| Norrell | Ott | Parks |
| Pope | Quinn | Ridgeway |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | G. M. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Thayer |
| Tinkler | Weeks | Whipper |
| Whitmire | Williams | Yow |

**Total--78**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Ballentine | H. A. Crawford |
| Delleney | Forrester | Hiott |
| Hixon | Huggins | Kennedy |
| Lowe | D. C. Moss | Nanney |

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|  |  |  |
| --- | --- | --- |
| Norman | Riley | Toole |
| White | Willis |  |

**Total--17**

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. 4763--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 4763 -- Reps. Pope, D. C. Moss, Yow, Hardee, Duckworth, Johnson, Goldfinch, Southard, Long, Felder, Taylor, George, Simrill, Jordan, Chumley, Clemmons, Sandifer, Wells, Whitmire, Funderburk and Tallon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-7-180 SO AS TO CREATE THE INTERNET CRIMES AGAINST CHILDREN FUND TO INVESTIGATE, PROSECUTE, AND PREVENT INTERNET CRIMES AGAINST CHILDREN; AND TO AMEND SECTIONS 14-1-206, 14-1-207, AND 14-1-208, ALL AS AMENDED, ALL RELATING TO ADDITIONAL ASSESSMENTS IMPOSED BY CERTAIN COURTS, SO AS TO REVISE THE AMOUNT OF AN ASSESSMENT THAT A PERSON MUST PAY.

Rep. WEEKS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 97

Those who voted in the affirmative are:

**Total--0**

Those who voted in the negative are:

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

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|  |  |  |
| --- | --- | --- |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | George |
| Gilliard | Hayes | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Hosey | Howard | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Lowe | Lucas |
| Mack | McCoy | McEachern |
| McKnight | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norman |
| Norrell | Ott | Parks |
| Pope | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--97**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

**S. 484--ORDERED ENROLLED FOR RATIFICATION**

The following Bill was taken up:

S. 484 -- Senators Shealy, Jackson, Cleary and Rankin: A BILL TO AMEND SECTION 59-10-310 OF THE 1976 CODE, RELATING TO THE ESTABLISHMENT OF ELEMENTARY SCHOOL FOOD SERVICE MEALS AND COMPETITIVE FOOD REQUIREMENTS,

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TO PROVIDE THAT ALL SCHOOL SERVICE MEALS AND COMPETITIVE FOODS PROVIDED IN KINDERGARTEN THROUGH TWELFTH GRADE DURING THE ACADEMIC SCHOOL YEAR MUST MEET OR MAY EXCEED THE NUTRITIONAL REQUIREMENTS ESTABLISHED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE FOOD AND NUTRITION SERVICE, TO PROVIDE THAT A SCHOOL DISTRICT BOARD OF TRUSTEES MAY ADOPT A MORE RESTRICTIVE POLICY AND THE POLICY DOES NOT RESTRICT THE FOOD A PARENT OR GUARDIAN MAY PROVIDE FOR STUDENT CONSUMPTION AT SCHOOL, AND TO PROVIDE THAT ALL A LA CARTE ITEMS SOLD FOR STUDENT CONSUMPTION MUST BE INCLUDED ON SCHOOL MENUS IN ADDITION TO THE REGULAR MEAL; TO AMEND SECTION 59-10-330(B), RELATING TO THE COORDINATED SCHOOL HEALTH ADVISORY COUNCIL AND THE DEVELOPMENT OF HEALTH WELLNESS PLANS, TO PROVIDE THAT THE SCHOOL HEALTH IMPROVEMENT PLAN MUST REPORT COMPLIANCE WITH THE REQUIREMENTS CONTAINED IN SECTION 59-10-310.

The 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, by a division vote of 56 to 5.

**S. 267--RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bill was taken up:

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

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EACH STATEWIDE DAY AFTER MARCH FIRST, THAT THE HOUSE FAILS TO GIVE THE BILL THIRD READING.

The Bill was read the third time and ordered returned to the Senate with amendments.

**S. 460--RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bill was taken up:

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

The Bill was read the third time and ordered returned to the Senate with amendments.

**S. 626--RETURNED TO THE SENATE WITH AMENDMENTS**

The following Bill was taken up:

S. 626 -- Senators Gregory, Hayes and Reese: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT EIGHTY PERCENT OF THE FAIR MARKET VALUE OF A RENEWABLE ENERGY RESOURCE FOR A PERIOD OF TEN YEARS PROVIDED THE PROPERTY IS OPERATIONAL BY DECEMBER 31, 2020, AND TO EXEMPT A DISTRIBUTED RENEWABLE ENERGY GENERATION PROPERTY FOR RESIDENTIAL USE.

The Bill was read the third time and ordered returned to the Senate with amendments.

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**H. 5441--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5441 -- Rep. Crosby: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PIMLICO BOULEVARD IN BERKELEY COUNTY FROM ITS INTERSECTION WITH CYPRESS GARDENS ROAD TO ITS INTERSECTION WITH LIVE OAKS AVENUE "GLENN A. RHOAD MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**H. 5440--ADOPTED AND SENT TO SENATE**

The following Concurrent Resolution was taken up:

H. 5440 -- Reps. Loftis and Dillard: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE THAT CROSSES THE SALUDA RIVER ALONG SOUTH CAROLINA HIGHWAY 183 IN THE COUNTY OF GREENVILLE "FIRST LIEUTENANT DOUGLAS MACARTHUR MCCRARY MEMORIAL BRIDGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE CONTAINING THIS DESIGNATION.

The Concurrent Resolution was adopted and sent to the Senate.

**S. 1341--DEBATE ADJOURNED**

The following Concurrent Resolution was taken up:

S. 1341 -- Senator Malloy: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME SOUTH CAROLINA HIGHWAY 34 FROM THE BISHOPVILLE CITY LIMITS TO THE LEE COUNTY/KERSHAW COUNTY LINE AS "GOVERNOR MCLEOD HIGHWAY" IN HONOR OF FORMER GOVERNOR THOMAS GORDON MCLEOD, AND ERECT

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APPROPRIATE MARKERS OR SIGNS REFLECTING THIS DESIGNATION.

Rep. CROSBY moved to adjourn debate on the Concurrent Resolution until Thursday, June 2, which was agreed to.

**MOTION PERIOD**

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

**S. 229--DEBATE ADJOURNED**

The following Bill was taken up:

S. 229 -- Senators Campbell and Turner: A BILL TO AMEND SECTION 48-1-90 OF THE 1976 CODE, RELATING TO REMEDIES FOR CAUSING OR PERMITTING POLLUTION OF THE ENVIRONMENT, TO CLARIFY THAT PERSONS WHO MAY FILE A PETITION WITH THE DEPARTMENT DOES NOT INCLUDE A DEPARTMENT, AGENCY, COMMISSION, DEPARTMENT, OR POLITICAL SUBDIVISION OF THE STATE, AND TO PROVIDE FOR DEPARTMENT DECISIONS THAT ARE NOT SUBJECT TO JUDICIAL REVIEW IN A CIVIL PROCEEDING; TO AMEND SECTION 6 OF ACT 198 OF 2012, RELATING TO THE SAVINGS CLAUSE, TO PROVIDE THAT THE SAVINGS CLAUSE OF ACT 198 APPLIES ONLY TO CASES FILED BEFORE JUNE 6, 2012, AND 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. DELLENEY moved to adjourn debate on the Bill until Thursday, June 2, which was agreed to.

**S. 653--DEBATE ADJOURNED**

The following Bill was taken up:

S. 653 -- Senator Scott: A BILL TO AMEND SECTION 38-63-80, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PAYMENT OF INDIVIDUAL LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO PROVIDE THE INTEREST PAID MUST BE PAID AT A RATE NOT LESS THAN

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THE CURRENT RATE INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER; AND TO AMEND SECTION 38-65-120, RELATING TO PAYMENT OF GROUP LIFE INSURANCE POLICY BENEFIT PROCEEDS IN A LUMP SUM, SO AS TO CLARIFY THE REQUIREMENTS FOR CLAIMS SUBMISSIONS, AND TO PROVIDE INTEREST PAID ON LUMP SUM PAYMENTS MUST BE PAID AT A RATE NOT LESS THAN THE CURRENT RATE OF INTEREST PAID ON DEATH PROCEEDS LEFT ON DEPOSIT WITH THE INSURER.

Rep. SANDIFER moved to adjourn debate on the Bill until Thursday, June 2, which was agreed to.

**S. 21--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. LOWE spoke in favor of the Bill.

Rep. NORMAN spoke against the Bill.

Rep. HERBKERSMAN spoke in favor of the Bill.

Rep. TOOLE spoke in favor of the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 82; Nays 12

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bowers |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| Crosby | Daning | Delleney |

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|  |  |  |
| --- | --- | --- |
| Dillard | Duckworth | Erickson |
| Felder | Finlay | Forrester |
| Fry | Funderburk | George |
| Gilliard | Hayes | Henderson |
| Herbkersman | Hicks | Hill |
| Hiott | Hixon | Hodges |
| Howard | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Norrell | Ott |
| Parks | Pope | Quinn |
| Rivers | Robinson-Simpson | Rutherford |
| G. M. Smith | G. R. Smith | Sottile |
| Spires | Stringer | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Whipper |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--82**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Bradley | Brannon | Douglas |
| Gagnon | Hosey | McCoy |
| McEachern | Merrill | Newton |
| Norman | Ridgeway | Stavrinakis |

**Total--12**

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

**S. 427--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 427 -- Senators Hutto, Rankin, O'Dell and Williams: A BILL TO AMEND SECTION 12-6-3360, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOBS TAX CREDIT, SO AS TO ALLOW A TAXPAYER OPERATING AN AGRICULTURAL

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PACKAGING OPERATION TO CLAIM THE CREDIT, TO ALLOW CERTAIN AGRICULTURAL OPERATIONS TO CLAIM SEASONAL WORKERS AS A CERTAIN FRACTION OF A FULL-TIME JOB, AND TO DEFINE AGRICULTURAL PACKAGING; TO AMEND SECTION 12-36-2120, RELATING TO EXEMPTIONS FROM THE STATE SALES TAX, SO AS TO EXEMPT MACHINES USED IN AGRICULTURAL PACKAGING; AND BY ADDING SECTION 13-1-780 SO AS TO REQUIRE THE DEPARTMENT OF COMMERCE AND THE COORDINATING COUNCIL TO CONSIDER AGRICULTURAL BUSINESSES IN AWARDING ECONOMIC DEVELOPMENT BENEFITS.

Reps. OTT and COBB-HUNTER proposed the following Amendment No. 4 to S. 427 (COUNCIL\BBM\427C006.BBM.DG16), which was adopted:

Amend the bill, as and if amended, by striking SECTION 2 and inserting:

/ SECTION 2. Section 12‑6‑3360(A) of the 1976 Code is amended to read:

“(A) Taxpayers that operate manufacturing, tourism, processing, agricultural packaging, warehousing, distribution, research and development, corporate office, qualifying service‑related facilities, agribusiness operations, extraordinary retail establishment, and qualifying technology intensive facilities, and banks as defined pursuant to this title are allowed an annual jobs tax credit as provided in this section. In addition, taxpayers that operate retail facilities and service‑related industries qualify for an annual jobs tax credit in counties designated as ‘Tier IV’. As used in this section, ‘corporate office’ includes general contractors licensed by the South Carolina Department of Labor, Licensing and Regulation. Credits pursuant to this section may be claimed against income taxes imposed by Section 12‑6‑510 or 12‑6‑530, bank taxes imposed pursuant to Chapter 11 of this title, and insurance premium taxes imposed pursuant to Chapter 7, Title 38, and are limited in use to fifty percent of the taxpayer’s South Carolina income tax, bank tax, or insurance premium tax liability. In computing a tax payable by a taxpayer pursuant to Section 38‑7‑90, the credit allowable pursuant to this section must be treated as a premium tax paid pursuant to Section 38‑7‑20.”

SECTION 3. Section 12‑6‑3360(M)(4) of the 1976 Code is amended to read:

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“(4) ‘Full‑time’ means a job requiring a minimum of thirty‑five hours of an employee’s time a week for the entire normal year of company operations or a job requiring a minimum of thirty‑five hours of an employee’s time for a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. For the purposes of this section, two half‑time jobs are considered one full‑time job. A ‘half‑time job’ is a job requiring a minimum of twenty hours of an employee’s time a week for the entire normal year of the company’s operations or a job requiring a minimum of twenty hours of an employee’s time a week for a year in which the employee was hired initially for or transferred to the South Carolina facility. For agricultural packaging and agribusiness operations, seasonal workers may be considered a full‑time employee; however, a seasonal employee only counts as a fraction of a full‑time worker, with the numerator being the number of hours worked a week multiplied by the number of weeks worked, and the denominator being the number one thousand eight hundred twenty.”

SECTION 4. Section 12‑6‑3360(M) of the 1976 Code is amended by adding an appropriately numbered item to read:

“( ) ‘Agricultural packaging’ means the technology of enclosing or protecting or preserving agricultural products for distribution, storage, sale, and use. Packaging also refers to the process of design, evaluation, and production of packages used for agricultural products. Packaging can be described as a coordinated system of preparing agricultural goods for transport, warehousing, logistics, sale and end use.”

SECTION 5. A. Section 12‑36‑2120(17) of the 1976 Code is amended to read:

“(17) machines used in manufacturing, processing, agricultural packaging, recycling, compounding, mining, or quarrying tangible personal property for sale. ‘Machines’ include the parts of machines, attachments, and replacements used, or manufactured for use, on or in the operation of the machines and which (a) are necessary to the operation of the machines and are customarily so used, or (b) are necessary to comply with the order of an agency of the United States or of this State for the prevention or abatement of pollution of air, water, or noise that is caused or threatened by any machine used as provided in this section. This exemption does not include automobiles or trucks. As used in this item ‘recycling’ means a process by which materials that otherwise would become solid waste are collected, separated, or processed and reused, or returned to use in the form of raw materials or products, including composting, for sale. In applying this exemption to

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machines used in recycling, the following percentage of the gross proceeds of sale, or sales price of, machines used in recycling are exempt from the taxes imposed by this chapter:

Fiscal Year of Sale Percentage

Fiscal year 1997‑98 fifty percent

After June 30, 1998 one hundred percent;”

B. This section takes effect July 1, 2016.

SECTION 6. Article 11, Chapter 1, Title 13 of the 1976 Code is amended by adding:

“Section 13‑1‑1780. In awarding benefits for economic development projects, including awards from the Governor’s Closing Fund, the Department of Commerce and the coordinating council must consider agricultural businesses. The Department of Commerce and the coordinating council must consider the number of jobs created, including full‑time, part‑time, and seasonal jobs, and the total investment made, including the cost of the real property.”

SECTION 7. Except where specified otherwise, this act takes effect upon approval by the Governor. SECTION 1 applies to tax years beginning after 2015. /

Renumber sections to conform.

Amend title to conform.

Rep. OTT 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 91; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bamberg |
| Bernstein | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Finlay | Forrester | Fry |

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|  |  |  |
| --- | --- | --- |
| Funderburk | Gagnon | George |
| Gilliard | Hayes | Henderson |
| Herbkersman | Hicks | Hiott |
| Hixon | Hodges | Hosey |
| Howard | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |
| M. S. McLeod | W. J. McLeod | Merrill |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norrell |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Robinson-Simpson |
| Rutherford | Ryhal | G. M. Smith |
| G. R. Smith | Sottile | Spires |
| Stavrinakis | Stringer | Tallon |
| Taylor | Tinkler | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--91**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Norman |  |  |

**Total--1**

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

**S. 778--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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

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PART 5, ARTICLE 5, TITLE 62, RELATING TO POWERS OF ATTORNEY, SO AS TO ENACT THE "SOUTH CAROLINA STATUTORY HEALTH CARE POWER OF ATTORNEY ACT"; TO DEFINE APPLICABLE TERMS; TO OUTLINE THE PART'S REQUIREMENTS AND APPLICABILITY; TO PROVIDE EXECUTION AND WITNESS REQUIREMENTS; AND TO SPECIFY THE PROPER FORM OF A HEALTH CARE POWER OF ATTORNEY.

Reps. ERICKSON and MCCOY proposed the following Amendment No. 1 to S. 778 (COUNCIL\BBM\778C001.BBM.ZW16), which was adopted:

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

/ SECTION \_\_. This act may be cited as the “Supporting and Strengthening Families Act”.

SECTION \_\_. Chapter 15, Title 63 of the 1976 Code is amended by adding:

“Article 7

Supporting and Strengthening Families Act

Section 63‑15‑710. As used in this article:

(1) ‘Attorney‑in‑fact’ means an adult to whom a parent or person with legal custody of a child delegates caregiving authority pursuant to this article.

(2) ‘Child’ means a minor child of a parent.

(3) ‘Parent’ means:

(a) both parents if the parents are living together;

(b) the parent who has legal custody if the parents are divorced, separated, or widowed, or both parents if the parents have joint legal custody; or

(c) either parent if the parents are living together but one parent is unavailable because of illness or infirmity or because that parent is not within the boundaries of this State or because physical presence is impossible.

(4) ‘Person with legal custody’ means a person, other than a parent, who has been awarded permanent custody of a child by a court order.

(5) ‘Qualified nonprofit organization’ means a charitable or religious institution that is exempt from federal income taxation pursuant to Section 501(a) of the Internal Revenue Code of 1986, as an organization which assists a parent of a child with the process of

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delegating temporary caregiving authority pursuant to this article, including identifying and screening an appropriate attorney‑in‑fact and providing services and resources to support the child, parents, and other persons authorized to provide temporary care for a child under a delegation.

Section 63‑15‑720. (A) A parent or person with legal custody of a child may, by a properly executed power of attorney, delegate to an adult, as attorney‑in‑fact, caregiving authority regarding the child for a period not to exceed one year, except as provided in Section 63‑15‑800. The execution of a power of attorney constitutes a change in circumstances.

(B) The delegated caregiving authority may include any power or authority regarding the care and physical custody of the child, except the power to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, enlistment in the armed forces, major nonemergency medical and surgical treatment, and the termination of parental rights to the minor child.

(C) The caregiving authority may be delegated without the approval of a court by executing in writing a power of attorney in a form substantially complying with the provisions of Section 63‑15‑810.

(D) A delegation of caregiving authority pursuant to this article does not deprive the parent or person with legal custody of the child of any parental or legal rights, obligations, or authority established by an existing court order or deprive the parent or person with legal custody of the child of any parental or legal rights, obligations, or authority regarding custody, visitation, or support of the child.

(E) If the parent or person with legal custody of a child chooses to delegate temporary caregiving authority pursuant to this article to another person, a full background check, to include a criminal history record check, child abuse and neglect central registry check, and a sex offender registry check, must be conducted for the prospective attorney‑in‑fact and any members of the person’s household over eighteen years of age. The results of the background check must be kept with the power of attorney establishing the delegation pursuant to this article. A child must not be placed in the home of a prospective attorney‑in‑fact if the person or anyone eighteen years of age or older has a substantiated history of child abuse or neglect or has pled guilty or nolo contendere or has been convicted of any offense listed in Section 63‑7‑2350.

Section 63‑15‑730. (A) Except as otherwise limited by federal law, this article, or the power of attorney executed by the parent or person

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with legal custody of the child pursuant to this article, the attorney‑in‑fact has the same rights, duties, and responsibilities that would otherwise be exercised by the parent of a child pursuant to the laws of this State.

(B) An attorney‑in‑fact under the power of attorney executed pursuant to this article shall act in the best interests of the child. The attorney‑in‑fact is not liable for consenting or refusing to consent to medical, dental, or mental health care for a child when the decision is made in good faith and is exercised in the best interests of the child.

Section 63‑15‑740. (A) The attorney‑in‑fact for a child under a power of attorney executed pursuant to this article has the right to enroll the child in a public school serving the area where the attorney‑in‑fact resides and may enroll the child in a private school, kindergarten, prekindergarten, home study program, or childcare facility.

(B) A school shall allow the attorney‑in‑fact, with a properly executed power of attorney that complies with the requirements of Section 63‑15‑810, to enroll the child and must not delay in the enrollment of the child. At the time of enrollment, the attorney‑in‑fact shall provide to the school the residency documentation required by the school for any parent of a child.

Section 63‑15‑750. (A) A parent or person with legal custody of a child shall send written notice to any noncustodial parent of the execution of the power of attorney as soon as is reasonably possible.

(B) The provisions of this article do not affect a custodial parent’s rights with respect to the modification of custody or child support orders.

Section 63‑15‑760. (A) A parent or person with legal custody of a child executing a power of attorney pursuant to this article shall certify that the decision to execute the power of attorney is not for the primary purpose of enrolling the child in a school solely to participate in the academic or interscholastic athletic programs provided by that school, except as allowed by federal law, or for any other unlawful purpose.

(B) A parent or person with legal custody of a child must not execute a power of attorney pursuant to this article while the South Carolina Department of Social Services is providing any protective services or while there is any open investigation or case by the department relating to the child, the parent, the person with legal custody of the child, or another child in the care of the parent or person with legal custody of the child. However, the department may permit a parent or person with legal custody of a child subject to an ongoing child protection investigation to execute a power of attorney pursuant to this article if the department believes that the temporary delegation of

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parental and legal authority is in the best interest of the child and will help the parent or person with legal custody of the child to address the issues that led to the department’s investigation. Nothing contained in this article affects the power or responsibilities of any court or investigative entity with regard to child abuse and neglect proceedings.

Section 63‑15‑770. A parent or person with legal custody of a child has the authority to revoke or withdraw a power of attorney authorized pursuant to Section 63‑15‑720, at any time. Except as provided in Section 63‑15‑800, the delegation of power and authority may not exceed one year and may not be renewed. If the parent or person with legal custody of the child withdraws or revokes the power of attorney, the child must be returned to the custody of the parent or person with legal custody of the child as soon as reasonably possible. If a parent or person with legal custody of the child revokes a power of attorney while the South Carolina Department of Social Services is providing any protective services or while there is any open investigation or case by the department relating to the child, the parent, the person with legal custody of a child, or another child in the care of the parent or person with legal custody of the child, the revocation must be approved by the department.

Section 63‑15‑780. Unless a parent or person with legal custody of a child revokes or withdraws the power of attorney as allowed pursuant to Section 63‑15‑770, the attorney‑in‑fact shall exercise parental or legal authority on a continuous basis without compensation for the duration of the power of attorney.

Section 63‑15‑790. (A) The execution of a power of attorney by a parent or person with legal custody of a child pursuant to this article does not constitute abandonment of a child or child abuse or neglect, unless the parent or person with legal custody fails to take custody of the child or execute a new power of attorney after the one‑year time limit has elapsed.

(B) A child subject to a power of attorney executed pursuant to this article is not considered to be placed in foster care or in another placement outside of the home pursuant to Chapter 7, Title 63.

(C) An attorney‑in‑fact of a child designated in the power of attorney executed pursuant to this article is not subject to licensing regulations or other requirements applicable to foster parents, foster homes, other placements outside of the home, or childcare facilities, for exercising the parental or legal authority delegated in the power of attorney.

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Section 63‑15‑800. A member of the armed forces of the United States, including a reserve component of the armed forces or a commissioned corps of the National Oceanic and Atmospheric Administration or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the armed forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on state active duty who is a parent or person with legal custody of a child may delegate caregiving authority to an attorney‑in‑fact for a period longer than one year if on active duty service. The term of delegation, however, may not exceed the term of active duty service plus thirty days.

Section 63‑15‑810. The form to be used by a parent or person with legal custody of a child to delegate powers regarding the care and physical custody of the child to an attorney‑in‑fact pursuant to Section 63‑15‑720 must comply substantially with the following form:

Power of Attorney

to Delegate Limited Parental or Legal Custodian Powers

I certify that I am the parent or person with legal custody of:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Full name of minor child) (Date of birth)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Full name of minor child) (Date of birth)

I designate the following individual as the‑attorney‑in‑fact for each minor child named above:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Full name of attorney‑in‑fact)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Home address, city, state, and zip code)

\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

(Home phone) (Work phone) (Cell phone)

INITIAL ONE OF THE FOLLOWING STATEMENTS:

\_\_\_\_\_\_\_ I delegate to the attorney‑in‑fact all of my power and authority regarding the care, physical custody, and property of each child named above including, but not limited to, the right to enroll the child in school; the right to inspect and obtain copies of education records and other school records concerning the child; the right to attend school activities and other functions concerning the child and to give or withhold any consent or waiver with respect to school activities; the right to give or withhold consent or waiver with respect to the provision or receipt of health care for the child, including medical, dental, and mental

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health care; and the right to inspect and obtain copies of health care records concerning the child. This delegation does not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, enlistment in the armed forces, major nonemergency medical and surgical treatment, or the termination of parental rights to the minor child; or

\_\_\_\_\_\_\_ I delegate to the attorney‑in‑fact the following specific powers and authorities listed below:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. This delegation does not include the power or authority to consent to marriage or adoption of the child, the performance or inducement of an abortion on or for the child, enlistment in the armed forces, major nonemergency medical and surgical treatment, or the termination of parental rights to the minor child.

INITIAL THE FOLLOWING STATEMENT:

\_\_\_\_\_\_\_ I certify that the decision to execute the power of attorney is not for the primary purpose of enrolling the child in a school solely to participate in the academic or interscholastic athletic programs provided by that school, except as allowed by federal law, or for any other unlawful propose.

\_\_\_\_\_\_\_ I certify that at the present time, the South Carolina Department of Social Services or other child protection agency is not providing any protective services and that there are no open investigations or cases by the South Carolina Department of Social Services relating to me, the child, or any other child in my household. If I become aware that I may be involved in a case by the South Carolina Department of Social Services or other child protection agency, I will make that agency aware of the existence of this power of attorney.

INITIAL ONE OF THE FOLLOWING STATEMENTS:

\_\_\_\_\_\_\_ This power of attorney is effective for a period not to exceed one year, beginning \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and ending \_\_\_\_\_\_\_, 20\_\_\_\_. I reserve the right to revoke this authority at any time; or

\_\_\_\_\_\_\_ I am a member of the armed forces or a person serving in a commissioned corps as provided in Section 63‑15‑800. My active duty service is scheduled to begin on \_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_, and is estimated to end on \_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_. I acknowledge that in no event may this delegation of power last more than one year or the term on my active duty plus thirty days, whichever is longer.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of Parent or Person with Legal Custody)

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Date)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of Parent or Person with Legal Custody)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Date)

I hereby accept my designation as attorney‑in‑fact for the minor child(ren) specified in this power of attorney.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

(Signature of Attorney‑in‑Fact) (Date)

AFFIDAVIT

State of South Carolina

County of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

We, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the undersigned witnesses to the foregoing power of attorney, dated the \_\_\_\_ day of \_\_\_, 20\_\_\_, at least one of us being first duly sworn, declare to the undersigned authority, on the basis of our best information and belief, that the power of attorney was on that date signed by the parent or person with legal custody of the child and the attorney‑in‑fact in our presence and we, at their request and in their presence, and in the presence of each other, subscribe our names as witnesses on that date.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Witness

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Witness

ACKNOWLEDGEMENT

State of South Carolina

\_\_\_\_\_\_\_\_\_\_\_\_\_ County

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, a notary public for this State and county, certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, whose name is signed to the foregoing power of attorney as the parent or legal guardian of the child(ren) listed in this power of attorney, and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, whose name is signed to the foregoing power of attorney as the attorney‑in‑fact designated by the parent or legal guardian of the child, and who are both known to me, have both acknowledged before me on this day that, being informed of the contents of the power of attorney, the parent or legal guardian of the child and attorney‑in‑fact executed the same voluntarily on the day the same bears date.

Given under my hand this the \_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Notary Public (seal)

My commission expires: \_\_\_\_\_\_\_\_\_\_\_\_.

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Section 63‑15‑820. (A) A child placement agency or qualified nonprofit organization may establish a program to assist parents with providing temporary care for children pursuant to a delegation authorized by this article. The program is not subject to the requirements of any other childcare facility licensing statutes, rules, or regulations or foster care licensing statutes, rules, or regulations, except as provided pursuant to this article.

(B) Prior to the placement of a child under a delegation authorized by this article, the qualified nonprofit organization shall conduct a full background check to include a criminal history record check, child abuse and neglect central registry check, and a sex offenders registry check on the prospective attorney‑in‑fact and any members of such person’s household over eighteen years of age. A child must not be placed in the home of a prospective attorney‑in‑fact if the person or anyone eighteen years of age or older has a substantiated history of child abuse or neglect or has pled guilty or nolo contendere or has been convicted of any offense listed in Section 63‑7‑2350. The cost associated with conducting the required background checks must be paid by the qualified nonprofit organization, the parent, or the prospective attorney‑in‑fact. The qualified nonprofit organization shall maintain a record of the background checks conducted with a copy of the power of attorney.”

SECTION \_\_. Section 63‑7‑920 of the 1976 Code, as last amended by Act 62 of 2015, is further amended by adding an appropriately lettered subsection at the end to read:

“( ) If an investigation of suspected child abuse or neglect does not result in the placement of the child outside of the home, the department shall provide information to the parent about community resources for families in crisis.”

SECTION \_\_. Section 63‑13‑20(4) of the 1976 Code is amended by adding an appropriately lettered subitem at the end to read:

“( ) a person designated as an attorney‑in‑fact pursuant to Section 63‑15‑720.”

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

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sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective. /

Renumber sections to conform.

Amend title to conform.

Rep. ERICKSON explained the amendment.

The amendment was then adopted.

Rep. D. C. MOSS explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 94; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bamberg |
| Bernstein | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |

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|  |  |  |
| --- | --- | --- |
| Sandifer | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Stringer | Tallon | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--94**

Those who voted in the negative are:

**Total--0**

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

**S. 908--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. D. C. MOSS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 0

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Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Anthony | Atwater |
| Bales | Ballentine | Bernstein |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Neal | Newton |
| Norman | Norrell | Ott |
| Parks | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Robinson-Simpson | Rutherford | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--92**

Those who voted in the negative are:

**Total--0**

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

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**S. 1064--ORDERED TO THIRD READING**

The following Bill was taken up:

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

Rep. D. C. MOSS explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 89; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Anthony |
| Atwater | Bales | Ballentine |
| Bernstein | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Delleney | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gilliard | Hayes | Henderson |
| Herbkersman | Hicks | Hiott |

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|  |  |  |
| --- | --- | --- |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Jordan | Kennedy | Kirby |
| Knight | Loftis | Long |
| Lowe | Lucas | Mack |
| McCoy | McEachern | M. S. McLeod |
| W. J. McLeod | Merrill | D. C. Moss |
| V. S. Moss | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pope |
| Quinn | Ridgeway | Riley |
| Rivers | Rutherford | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Whipper | Whitmire | Williams |
| Willis | Yow |  |

**Total--89**

Those who voted in the negative are:

**Total--0**

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

**S. 868--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

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

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OF THE OWNER OF PROPERTY CONDEMNED UNDER THE PROVISIONS OF THIS ACT; AND TO DESIGNATE THE EXISTING PROVISIONS IN THE CHAPTER AS ARTICLE 1 ENTITLED "GAS AND WATER COMPANIES".

The Committee on Judiciary proposed the following Amendment No. 1 to S. 868 (COUNCIL\AGM\868C001.AGM.AB16), which was tabled:

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

/ SECTION 1. Section 58‑7‑10 of the 1976 Code of Laws is amended to read:

“Section 58‑7‑10. (A) Subject to the same duties and liabilities, all the rights, powers, and privileges conferred upon telegraph and telephone companies under Article 17 of Chapter 9 of this title are hereby granted to pipeline companies incorporated under the laws of this State or to such companies incorporated under the laws of any other state when such companies have complied with the laws of this State regulating the doing of business herein by foreign corporations.

(B) The provisions of this section do not apply to private, for‑profit pipeline companies, including publicly traded for‑profit companies, that are not defined within this title as a public utility.”

SECTION 2. Unless the General Assembly amends Section 58‑7‑10 in any manner before the passing of five years after the effective date of this act or if the language of subsection (B) is reenacted or otherwise extended by the General Assembly, the provisions of subsection (B), as added by this act, are repealed five years after the effective date of this act.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

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

Rep. HIXON proposed the following Amendment No. 2 to S. 868 (COUNCIL\GGS\868C001.GGS.ZW16), which was adopted:

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

/ SECTION 1. Section 58‑7‑10 of the 1976 Code of Laws is amended to read:

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“Section 58‑7‑10. (A) Subject to the same duties and liabilities, all the rights, powers, and privileges conferred upon telegraph and telephone companies under Article 17 of Chapter 9 of this title are hereby granted to pipeline companies incorporated under the laws of this State or to such companies incorporated under the laws of any other state when such companies have complied with the laws of this State regulating the doing of business herein by foreign corporations.

(B) The provisions of this section and of Chapter 2, Title 28, do not apply to private, for‑profit pipeline companies, including publicly traded for‑profit companies, that are not defined within this title as a public utility.”

SECTION 2. Unless the General Assembly amends Section 58‑7‑10 in any manner before the passing of three years after the effective date of this act or if the language of subsection (B) is reenacted or otherwise extended by the General Assembly, the provisions of subsection (B), as added by this act, are repealed June 30, 2019.

SECTION 3. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

Rep. HIXON explained the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 89; Nays 3

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bamberg |
| Bernstein | Bowers | Bradley |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| H. A. Crawford | Crosby | Daning |
| Delleney | Douglas | Duckworth |
| Fry | Funderburk | Gagnon |
| George | Gilliard | Hayes |

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|  |  |  |
| --- | --- | --- |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Neal | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Quinn |
| Ridgeway | Riley | Rivers |
| Rutherford | Sandifer | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Toole | Weeks | Whipper |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--89**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Brannon | Forrester | Ryhal |

**Total--3**

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

**S. 1065--AMENDED AND ORDERED TO THIRD READING**

The following Joint Resolution was taken up:

S. 1065 -- Senators Young, Massey, Setzler and Nicholson: A JOINT RESOLUTION TO CLARIFY THAT SECTION 58-7-10 OF THE 1976 CODE OF LAWS DOES NOT APPLY TO A PRIVATE, FOR-PROFIT PIPELINE COMPANY, INCLUDING A PUBLICLY-TRADED FOR-PROFIT COMPANY, THAT IS NOT A PUBLIC UTILITY AS DEFINED BY TITLE 58 OF THE 1976 SOUTH CAROLINA CODE OF LAWS; AND TO CREATE THE PETROLEUM PIPELINE

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STUDY COMMITTEE TO STUDY MATTERS RELATED TO THE PRESENCE OF PETROLEUM PIPELINES IN SOUTH CAROLINA, AND FOR THE STUDY COMMITTEE TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY BY JANUARY 31, 2017, AND TO CONTINUE ITS WORK UNTIL JUNE 30, 2017, IF THE JANUARY REPORT DETERMINES FURTHER WORK IS NEEDED.

Rep. HIXON proposed the following Amendment No. 1 to S. 1065 (COUNCIL\BBM\1065C001.BBM.DG16), which was adopted:

Amend the joint resolution, as and if amended, section 1, by striking subsection (C) and inserting:

/ (C) The study committee shall prepare a report for the General Assembly that sets forth findings and recommendations regarding matters related to the presence of petroleum pipelines in South Carolina, and provide its report to the General Assembly by June 30, 2017, at which time the study committee may dissolve. However, if the report contains findings or a recommendation that further work is needed, the study committee may continue its work until December 31, 2017, at which time the study committee must be dissolved. /

Renumber sections to conform.

Amend title to conform.

Rep. HIXON explained the amendment.

The amendment was then adopted.

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

The yeas and nays were taken resulting as follows:

Yeas 92; Nays 1

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Alexander | Allison | Atwater |
| Bales | Ballentine | Bamberg |
| Bernstein | Bowers | Bradley |
| Brannon | G. A. Brown | R. L. Brown |
| Burns | Clary | Clemmons |
| Cobb-Hunter | Cole | Collins |
| Corley | H. A. Crawford | Crosby |
| Daning | Delleney | Dillard |
| Douglas | Duckworth | Erickson |
| Felder | Forrester | Fry |

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|  |  |  |
| --- | --- | --- |
| Funderburk | Gagnon | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| Merrill | D. C. Moss | V. S. Moss |
| Nanney | Neal | Norman |
| Norrell | Ott | Parks |
| Pitts | Pope | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| White | Whitmire | Williams |
| Willis | Yow |  |

**Total--92**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Hill |  |  |

**Total--1**

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

**S. 680--RECOMMITTED**

The following Bill was taken up:

S. 680 -- Senators Rankin and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 47-1-145, TO ENACT THE "PROVISIONS FOR COST OF ANIMAL CARE ACT OF 2015", TO PROVIDE THAT THE CUSTODIAN OF AN ANIMAL TAKEN INTO CUSTODY DUE TO CIVIL OR CRIMINAL VIOLATIONS BY ITS OWNER MAY

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

Rep. HIOTT moved to recommit the Bill to the Committee on Agriculture, Natural Resources and Environmental Affairs, which was agreed to.

**S. 667--AMENDED AND ORDERED TO THIRD READING**

The following Bill was taken up:

S. 667 -- Senators Hayes, Williams, L. Martin, Alexander and Peeler: A BILL TO AMEND SECTION 1-1-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JURISDICTION AND BOUNDARIES OF THE STATE, SO AS TO CLARIFY THE BOUNDARY BETWEEN NORTH CAROLINA AND SOUTH CAROLINA ALONG HORRY, DILLON, MARLBORO, CHESTERFIELD, LANCASTER, YORK, CHEROKEE, AND SPARTANBURG COUNTIES AND TO PROVIDE ADDITIONAL INFORMATION ABOUT THE PLATS DESCRIBING THE

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LOCATION OF THE BOUNDARY BETWEEN NORTH CAROLINA AND SOUTH CAROLINA ALONG GREENVILLE, PICKENS, AND OCONEE COUNTIES; BY ADDING SECTION 12-2-110 SO AS TO PROVIDE THAT "NEW JOBS" ARE NOT CREATED IN SOUTH CAROLINA BY EMPLOYEES WHOSE WORK LOCATION IS CHANGED FROM NORTH CAROLINA TO SOUTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION, NOR IS THERE ANY NEW INVESTMENT IN SOUTH CAROLINA AS A RESULT OF PROPERTY THAT CHANGES LOCATION FROM NORTH CAROLINA TO SOUTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-2-120 SO AS TO PROVIDE FOR THE MANNER AND APPLICATION OF TAX ASSESSMENTS AND REFUNDS FOR THE PERIOD PRIOR TO THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-2-130 SO AS TO PROVIDE THAT IN THE YEAR CONTAINING THE DATE OF THE BOUNDARY CLARIFICATION, THE DEPARTMENT OF REVENUE HAS THE AUTHORITY TO COMPROMISE TAXES THAT RESULT IN TAXATION IN BOTH SOUTH CAROLINA AND NORTH CAROLINA SOLELY BECAUSE OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-6-5600 SO AS TO PROVIDE FOR THE INCOME TAX TREATMENT OF INDIVIDUALS AND BUSINESSES WHOSE STATE OF RESIDENCE OR PROPERTY LOCATION CHANGES AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-21-820 SO AS TO PROVIDE FOR THE MANNER OF CIGARETTE AND TOBACCO PRODUCTS TAXATION AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-24-160 SO AS TO PROVIDE THAT IF, AS A RESULT OF THE BOUNDARY CLARIFICATION, PROPERTY IS DEEMED TO HAVE CHANGED LOCATIONS FROM NORTH CAROLINA TO SOUTH CAROLINA AND IF SOLELY AS A RESULT OF THIS CHANGE, A DEED IS FILED IN SOUTH CAROLINA, NO DEED RECORDING FEES ARE DUE ON THIS FILING AND NO COUNTY FILING FEES MAY BE CHARGED; BY ADDING SECTION 12-28-350 SO AS TO PROVIDE THAT A RETAILER THAT SELLS MOTOR FUEL WHOSE BUSINESS LOCATION CHANGES FROM SOUTH CAROLINA TO NORTH CAROLINA AS A RESULT OF THE BOUNDARY CLARIFICATION IS ALLOWED A REFUND OF SOUTH CAROLINA MOTOR FUEL TAXES OR USER FEES IF NORTH CAROLINA REQUIRES THAT RETAILER TO PAY THE

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NORTH CAROLINA MOTOR FUEL TAXES OR USER FEES ON THAT SAME FUEL; BY ADDING SECTION 12-36-2695 SO AS TO PROVIDE FOR THE MANNER IN WHICH SALES AND USE TAXES AND ADMISSIONS TAXES MUST BE COLLECTED AND PAID AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-37-140 SO AS TO PROVIDE FOR HOW CERTAIN REAL AND PERSONAL PROPERTY IS SUBJECT TO PROPERTY TAXATION, AND FOR PROCEDURAL MATTERS RELATING TO THIS TAXATION, INCLUDING APPLICATION LIEN DATES; BY ADDING SECTION 12-37-145 SO AS TO FURTHER PROVIDE FOR MOTOR VEHICLE LICENSE REGISTRATION AND MOTOR VEHICLE PERSONAL PROPERTY TAXES AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 12-37-150 SO AS TO PROVIDE THAT IF AS A RESULT OF THE BOUNDARY CLARIFICATION AN INDIVIDUAL IS REQUIRED TO REGISTER HIS PERSONAL MOTOR VEHICLE IN SOUTH CAROLINA AND IF THE PROPERTY TAXES ON THAT MOTOR VEHICLE WOULD HAVE BEEN LESS IN NORTH CAROLINA, THE INDIVIDUAL MAY RECEIVE A TAX REBATE FROM THE SOUTH CAROLINA COUNTY FOR THE DIFFERENCE BETWEEN THE TAX THE INDIVIDUAL WAS REQUIRED TO PAY IN SOUTH CAROLINA AND THE INDIVIDUAL WAS REQUIRED TO PAY IN NORTH CAROLINA ON THAT SAME VEHICLE; BY ADDING SECTION 12-37-155 SO AS TO PROVIDE THAT FOR 2016 ONLY, THE LIEN DATE FOR NONBUSINESS PERSONAL PROPERTY, OTHER THAN MOTOR VEHICLES, IS JANUARY 1, 2016, FOR INDIVIDUALS WHOSE STATE OF RESIDENCY CHANGES FROM NORTH CAROLINA TO SOUTH CAROLINA SOLELY AS A RESULT OF THE BOUNDARY CLARIFICATION; BY ADDING SECTION 29-3-800 SO AS TO PROVIDE SPECIFIED PROCEDURES IN REGARD TO THE FORECLOSURE OF MORTGAGES AND OTHER LIENS ENCUMBERING AFFECTED LANDS; BY ADDING SECTION 30-5-270 SO AS TO PROVIDE FOR SPECIAL RECORDING REQUIREMENTS FOR DEEDS, PLATS, MORTGAGES, AND OTHER INSTRUMENTS REGARDING REAL PROPERTY IN THE AFFECTED JURISDICTIONS, AND TO REQUIRE A NOTICE OF THE STATE BOUNDARY CLARIFICATION TO BE PROVIDED BY THE REGISTER OF DEEDS OR CLERKS OF COURT IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 44-1-310 SO AS TO PROVIDE A

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COMPLIANCE SCHEDULE FOR ENVIRONMENTAL PERMITTEES IMPACTED BY THE BOUNDARY CLARIFICATION; BY ADDING SECTION 44-6-110 SO AS TO PROVIDE THAT A MEDICAID PROVIDER OUTSIDE OF THE GEOGRAPHICAL BOUNDARY OF SOUTH CAROLINA BUT WITHIN THE SOUTH CAROLINA MEDICAID SERVICE AREA SHALL NOT LOSE STATUS AS A MEDICAID PROVIDER AS A RESULT OF THE CLARIFICATION OF THE SOUTH CAROLINA - NORTH CAROLINA BORDER; BY ADDING CHAPTER 2 TO TITLE 58 SO AS TO PROVIDE FOR THE MANNER IN WHICH UTILITY SERVICES MUST BE PROVIDED IN AREAS AFFECTED BY THE BOUNDARY CLARIFICATION; BY ADDING SECTION 59-63-550 SO AS TO FURTHER PROVIDE FOR SCHOOL ATTENDANCE PROCEDURES AND REQUIREMENTS FOR CHILDREN RESIDING IN SCHOOL DISTRICTS AFFECTED BY THE BOUNDARY CLARIFICATION; AND BY ADDING SECTION 59-112-150 SO AS TO FURTHER PROVIDE FOR IN-STATE TUITION RATES AND THE AWARDING OF OTHER STATE-SUPPORTED SCHOLARSHIPS AND GRANTS TO INDEPENDENT PERSONS AND THEIR DEPENDENTS AFFECTED BY THE BOUNDARY CLARIFICATION.

Rep. WHITE proposed the following Amendment No. 2 to S. 667 (COUNCIL\NL\667C004.NL.SD16), which was adopted:

Amend the bill, as and if amended, by striking SECTION 6A. of the bill in its entirety.

Renumber sections to conform.

Amend title to conform.

Rep. WHITE explained the amendment.

Rep. POPE moved to table the amendment.

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

Yeas 14; Nays 80

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Daning | Delleney |
| Felder | Funderburk | George |
| Kennedy | Knight | Long |

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|  |  |  |
| --- | --- | --- |
| Nanney | Norman | Norrell |
| Pope | Yow |  |

**Total--14**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Bales | Ballentine |
| Bamberg | Bernstein | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | H. A. Crawford | Dillard |
| Douglas | Duckworth | Erickson |
| Finlay | Forrester | Fry |
| Gagnon | Gilliard | Hayes |
| Henderson | Herbkersman | Hicks |
| Hill | Hiott | Hixon |
| Hodges | Hosey | Huggins |
| Jefferson | Johnson | Jordan |
| Kirby | Loftis | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Neal |
| Newton | Ott | Parks |
| Pitts | Quinn | Ridgeway |
| Riley | Rivers | Robinson-Simpson |
| Rutherford | Ryhal | Sandifer |
| G. M. Smith | G. R. Smith | J. E. Smith |
| Sottile | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Toole | Weeks |
| Whipper | White | Whitmire |
| Williams | Willis |  |

**Total--80**

So, the House refused to table the amendment.

The amendment was then adopted.

The question then recurred to the passage of the Bill.

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The yeas and nays were taken resulting as follows:

Yeas 75; Nays 13

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Atwater | Bales | Ballentine |
| Bamberg | Bernstein | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | Dillard | Douglas |
| Duckworth | Erickson | Finlay |
| Forrester | Fry | Gagnon |
| Gilliard | Henderson | Hicks |
| Hiott | Hixon | Hodges |
| Hosey | Huggins | Jefferson |
| Johnson | Jordan | Kennedy |
| Kirby | Loftis | Lowe |
| Lucas | McCoy | McEachern |
| M. S. McLeod | D. C. Moss | V. S. Moss |
| Nanney | Neal | Newton |
| Ott | Parks | Pitts |
| Quinn | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | G. M. Smith |
| G. R. Smith | J. E. Smith | Sottile |
| Spires | Stavrinakis | Taylor |
| Thayer | Tinkler | Toole |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |

**Total--75**

Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Corley | Daning |
| Delleney | Felder | Funderburk |
| George | Hayes | Norman |
| Norrell | Pope | Tallon |
| Yow |  |  |

**Total--13**

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

**RECURRENCE TO THE MORNING HOUR**

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

**H. 4765--COMMITTEE OF CONFERENCE APPOINTED**

The following was received from the Senate:

Columbia, S.C., June 1, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 4765:

H. 4765 -- Reps. G. R. Smith, Parks, D. C. Moss, Cobb-Hunter, Jefferson, Duckworth, Daning, Kirby, R. L. Brown, Burns, Douglas, Brannon, Anthony, Mitchell, Ridgeway, Robinson-Simpson, Clyburn, Ryhal, Johnson, Yow, G. A. Brown, Riley, Taylor, Limehouse, Williams, Simrill, Bedingfield, Chumley, Dillard, Herbkersman, Hicks, Hill, Loftis, Long, V. S. Moss, Pope, Rivers, Thayer, Wells, Crosby and King: A BILL TO AMEND SECTION 12-6-5060, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VOLUNTARY CONTRIBUTIONS MADE BY AN INDIVIDUAL BY MEANS OF THE INCOME TAX RETURN CHECK OFF, SO AS TO ADD HABITAT FOR HUMANITY.

Very respectfully,

President

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

Whereupon, the Chair appointed Reps. G. R. SMITH, HUGGINS and OTT to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

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**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 1, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on the following Joint Resolution, and the report of the Committee of Conference, having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

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

Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 1, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on the following Bill, and the Report of the Committee of Conference having been adopted by both Houses, it was ordered that the title be changed to that of an Act and the Act enrolled for ratification:

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

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Very respectfully,

President

Received as information.

**MESSAGE FROM THE SENATE**

The following was received:

Columbia, S.C., June 1, 2016

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has overridden the Veto by the Governor on R. 208, H. 5011 by a vote of 40 to 5:

(R. 208, H. 5011) -- Reps. Clemmons, Fry, Johnson, Duckworth, Hardee, Anderson, Goldfinch, George, Hayes, H. A. Crawford and Ryhal: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-10-980 SO AS TO PROVIDE FOR THE REIMPOSITION OF THE LOCAL OPTION TOURISM DEVELOPMENT FEE.

Very respectfully,

President

Received as information.

**HOUSE RESOLUTION**

The following was introduced:

H. 5463 -- Reps. McCoy, Rivers, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley,

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Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR MILTON PETER DEMETRE, FOUNDER OF AMERICAN METALS COMPANY AND M. P. DEMETRE JEWELERS IN CHARLESTON, AND TO COMMEND HIM FOR HIS INSIGHTFUL CONTRIBUTION AND GENEROSITY TO THE CITY OF CHARLESTON THAT LED TO THE ESTABLISHMENT OF DEMETRE PARK ON JAMES ISLAND.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5464 -- Reps. Cole, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR DR. THOMAS F. MOORE, CHANCELLOR OF THE UNIVERSITY OF SOUTH CAROLINA UPSTATE, AND TO COMMEND HIS SIGNIFICANT CONTRIBUTIONS TO HIGHER EDUCATION AT THE UNIVERSITY OF SOUTH CAROLINA UPSTATE AND IN THE PALMETTO STATE.

The Resolution was adopted.

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**HOUSE RESOLUTION**

The following was introduced:

H. 5465 -- Reps. J. E. Smith, Finlay, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO CELEBRATE THE LIFE AND ACHIEVEMENTS OF SOUTH CAROLINA NATIVE BLUE SKY, RENOWNED AMERICAN PAINTER AND SCULPTOR AND BELOVED CREATOR OF COLUMBIA'S FAMOUS "TUNNELVISION" MURAL.

The Resolution was adopted.

**HOUSE RESOLUTION**

The following was introduced:

H. 5466 -- Reps. G. A. Brown, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas,

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Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A HOUSE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES UPON THE PASSING OF CAROLYN PARROTT GRANT OF LEE COUNTY AND TO EXTEND THEIR DEEPEST SYMPATHY TO HER LOVING FAMILY AND HER MANY FRIENDS.

The Resolution was adopted.

**H. 4391--NONCONCURRENCE IN SENATE AMENDMENTS**

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

H. 4391 -- Reps. Burns, Yow, Chumley, Felder, Loftis, Bradley and Collins: A BILL TO AMEND SECTION 44-43-305, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TERMS DEFINED IN THE REVISED UNIFORM ANATOMICAL GIFT ACT, SO AS TO CHANGE THE DEFINITION OF "TISSUE" TO INCLUDE BRAIN TISSUE IN CERTAIN CIRCUMSTANCES; AND TO AMEND SECTION 44-43-350, AS AMENDED, RELATING TO AUTHORIZED RECIPIENTS OF ANATOMICAL GIFTS, SO AS TO CLARIFY THAT GIFTS OF BRAIN TISSUE MAY BE USED ONLY FOR RESEARCH OR EDUCATION.

Rep. BURNS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 0; Nays 88

Those who voted in the affirmative are:

**Total--0**

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Those who voted in the negative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Ballentine | Bernstein | Bowers |
| Bradley | Brannon | G. A. Brown |
| R. L. Brown | Burns | Clary |
| Clemmons | Cobb-Hunter | Cole |
| Collins | Corley | H. A. Crawford |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hicks | Hill | Hiott |
| Hixon | Hodges | Hosey |
| Huggins | Jefferson | Johnson |
| Kennedy | Kirby | Knight |
| Loftis | Long | Lowe |
| Lucas | Mack | McCoy |
| McEachern | M. S. McLeod | W. J. McLeod |
| D. C. Moss | V. S. Moss | Nanney |
| Neal | Newton | Norrell |
| Ott | Parks | Pitts |
| Pope | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Rutherford |
| Ryhal | Sandifer | J. E. Smith |
| Spires | Stavrinakis | Tallon |
| Taylor | Thayer | Tinkler |
| Weeks | Whipper | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--88**

The House refused to agree to the Senate Amendments and a message was ordered sent accordingly.

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**H. 5367--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED**

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

H. 5367 -- Reps. Loftis, Bannister, Burns, Bedingfield, Hamilton, Robinson-Simpson, Chumley, Dillard, Henderson, Nanney and G. R. Smith: A BILL TO AMEND ACT 745 OF 1967, AS AMENDED, RELATING TO RENEWABLE WATER RESOURCES (REWA), FORMERLY KNOWN AS THE WESTERN CAROLINA REGIONAL SEWER AUTHORITY, SO AS TO ADD THE "NORTHERN GREENVILLE" AREA OF GREENVILLE COUNTY TO REWA'S SERVICE AREA, AND TO EXPRESS THE GENERAL ASSEMBLY'S INTENT TO DESIGNATE A MAP AS THE DOCUMENT OF RECORD ON WHICH REWA'S AMENDED BOUNDARY LINES ARE DELINEATED.

Rep. LOFTIS explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 88; Nays 0

Those who voted in the affirmative are:

|  |  |  |
| --- | --- | --- |
| Allison | Atwater | Bales |
| Ballentine | Bamberg | Bernstein |
| Bowers | Bradley | Brannon |
| G. A. Brown | R. L. Brown | Burns |
| Clary | Clemmons | Cobb-Hunter |
| Cole | Collins | Corley |
| Crosby | Daning | Delleney |
| Dillard | Douglas | Duckworth |
| Erickson | Felder | Finlay |
| Forrester | Fry | Funderburk |
| Gagnon | George | Gilliard |
| Hayes | Henderson | Herbkersman |
| Hicks | Hiott | Hixon |
| Hodges | Hosey | Howard |
| Huggins | Jefferson | Johnson |
| Kirby | Knight | Loftis |
| Long | Lowe | Lucas |
| Mack | McCoy | McEachern |

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|  |  |  |
| --- | --- | --- |
| M. S. McLeod | W. J. McLeod | D. C. Moss |
| V. S. Moss | Nanney | Neal |
| Newton | Norman | Norrell |
| Ott | Parks | Pitts |
| Pope | Ridgeway | Riley |
| Rivers | Robinson-Simpson | Ryhal |
| Sandifer | G. M. Smith | G. R. Smith |
| J. E. Smith | Spires | Stavrinakis |
| Tallon | Taylor | Thayer |
| Tinkler | Weeks | White |
| Whitmire | Williams | Willis |
| Yow |  |  |

**Total--88**

Those who voted in the negative are:

**Total--0**

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

Rep. HODGES 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. 4322 -- Rep. Anderson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SIMS STREET IN THE CITY OF GEORGETOWN FROM ITS INTERSECTION WITH NORTH CONGDON STREET TO ITS INTERSECTION WITH NORTH MERRIMAN ROAD "MARINE CORPORAL NATHANIEL JACKSON MEMORIAL STREET" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS STREET THAT CONTAIN THIS DESIGNATION.

H. 5416 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME

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THE INTERSECTION LOCATED AT THE JUNCTION OF SOUTH CAROLINA HIGHWAY 401 AND DOG ISLAND ROAD IN LEE COUNTY "ATKINSON CROSSROADS" AND ERECT APPROPRIATE MARKERS OR SIGNS THAT CONTAIN THIS DESIGNATION.

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

H. 5420 -- Rep. Daning: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION PLACE SIGNS AT THE INTERSECTION OF CROWFIELD BOULEVARD AND UNITED STATES HIGHWAY 176, AND AT THE INTERSECTION OF CROWFIELD BOULEVARD AND COLLEGE PARK ROAD IN BERKELEY COUNTY THAT CONTAIN THE WORDS "HOME OF THE STRATFORD HIGH SCHOOL LADY KNIGHTS, THE 2016 AAAA STATE SOFTBALL CHAMPIONS".

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

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

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H. 5454 -- Reps. Bernstein and J.E. Smith: A CONCURRENT RESOLUTION TO COMMEND THE HONORABLE JOEL LOURIE FOR HIS TWELVE YEARS OF COMMITTED SERVICE TO THE CITIZENS OF SENATE DISTRICT 22 IN KERSHAW AND RICHLAND COUNTIES AND SIX YEARS OF COMMITTED SERVICE TO THE CITIZENS OF HOUSE DISTRICT 78 IN RICHLAND COUNTY AND TO WISH HIM CONTENTMENT AND SUCCESS IN ALL HIS FUTURE ENDEAVORS.

H. 5455 -- Reps. Rutherford, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Fry, Funderburk, Gagnon, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE THE COLUMBIA COLLEGE WOMEN IN LEADERSHIP IN SOUTH CAROLINA COURSE FOR ITS CONTRIBUTION TO THE SUPPORT, ENCOURAGEMENT, AND DEVELOPMENT OF WOMEN IN LEADERSHIP IN THE PALMETTO STATE.

H. 5419 -- Rep. W. J. McLeod: A CONCURRENT RESOLUTION TO DECLARE MAY 2016 "ELECTRICAL SAFETY MONTH" IN SOUTH CAROLINA AND ENCOURAGE ALL CITIZENS TO ESTABLISH AND PRACTICE ELECTRICAL SAFETY HABITS IN THE HOME, SCHOOL, AND WORKPLACE TO REDUCE THE NUMBER OF ELECTRICALLY-RELATED FIRES, INJURIES, AND DEATHS.

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**ADJOURNMENT**

At 8:29 p.m. the House, in accordance with the motion of Rep. SIMRILL, adjourned in memory of Larry L. Bigham, to meet at 10:00 a.m. tomorrow.

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