

NO. 1

JOURNAL
of the
HOUSE OF REPRESENTATIVES
of the
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

TUESDAY, DECEMBER 4, 2018
(STATEWIDE SESSION)

Tuesday, December 4, 2018
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 11:00 a.m.

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

Our thought for today is from Psalm 5:3: "Loving Creator, hear my prayers, and help me to feel Your presence with each breath I take."

Let us pray. Almighty God, You who cares for each of these people, protect them from all harm and guide them this day. Give them the tools to do the work required. We give thanks for new people as they begin this new venture in their lives. Bless our defenders of freedom and first responders as they protect us. May Your mighty hand rest with our Nation, President, State, Governor, Speaker, staff, and all who contribute to the success of this Body. Heal the wounds, those seen and those hidden, of our brave warriors 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.

MOTION ADOPTED

Rep. CLARY moved that when the House adjourns, it adjourn in memory of President George H. W. Bush, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for former Representative Denny Neilson after the death of her husband, Dave Neilson.

APPOINTMENT OF THE TEMPORARY CHAIRMAN

The CLERK of the late House announced that the first order of business is the appointment of a Temporary CHAIRMAN.

The CLERK of the late House appointed Rep. GILDA COBB-HUNTER.

The CLERK of the late House appointed Reps. BRAWLEY, BALLENTINE, MACK, OTT, HERBKERSMAN, and NORRELL to escort Rep. COBB-HUNTER to the rostrum.

TUESDAY, DECEMBER 4, 2018

Rep. COBB-HUNTER presented her credentials and the oath of office was administered to her by the CLERK.

Rep. COBB-HUNTER thereupon took the Chair and offered the following statement:

Mr Speaker and Members. Thank you so much for this opportunity. For those of you who know me, you know that I usually just go out and wing it, but I had so many conversations with people about the historic nature of what is about to happen. So, I thought well, if it's this big a deal, like people are saying, then maybe I need to figure one of two things to say to the Body.

For the incoming freshman, as well as some of my more seasoned colleagues who are here, I took a minute to jot down a couple of things, and I promise you, for those of you who are use to me, this is not going to be one of my long drawn out rants that I do from time to time on the floor. I'll save that for January!

So let me try to read what I wrote, say what I have to say and wrap it up with anything that I did not get a change to write. So here goes.

Good Morning Colleagues. I am honored to stand before you this morning to gavel in the 123rd Session of the South Carolina House of Representatives.

I must admit I had no idea of the historic nature of this simple act, until the Clerk informed me of his staff's research, documenting three facts. 1) I am not only the longest serving member at this point, but also that; 2) I am apparently the longest serving African American Legislator in the history of the South Carolina House; and also 3) the longest serving female in the history of the South Carolina House.

In the words of a friend and colleague, "this is a Big Deal!" I know some of you just thought about President Obama and what Vice President Joe Biden, said to him at that time about the ACA, but at any rate, I digress and let me stay on script!

However, those of you who really know me, are aware that I am not one to note the significance of my work and accomplishments. Throughout my public service, I have operated under the adage "you'd be surprised at how much you can get done when you don't care about who gets the credit." That adage and three words, "in spite of" have governed my actions since I have been a member of this House.

That to me, seemed worthy of accepting the offer to make remarks on this historic occasion. My mind, as is usually the case, immediately focused on what thoughts I could share with my colleagues that would

TUESDAY, DECEMBER 4, 2018

be useful in their efforts to represent all of the people in their district. Emphasis on “ALL” people in their district.

There is value sometimes, in being around for a while.

These comments are being provided in that spirit.

I would strongly encourage new members to access why you are here. Why did you choose to run for the House? Was it to secure a title and a tag? Was it to build your resume for the next step on your career agenda? Was it because someone asked you to do it and it sounded like a good idea? Finally, was it because you believe in public service and want to make a positive difference in the lives of your constituents?

The answer to that question will determine who you approach your tenure in this Chamber.

I offer the following advice in the “for what it’s worth” category.

- 1) Recognize the honor and privilege it is to serve in this Body. Look at the pictures on the walls of those who have come before you and recognize the awesome opportunity you have to make a positive difference.
- 2) Remember that no one in the South Carolina House can vote for you and only one person in the Senate can. This fact should lead to some independence on your part but unfortunately in these days of partisanship it rarely does and members wind up toeing the Party line.

Let me conclude my comments by quite simply saying that the only lesson that you really need to learn, is the one you learned in kindergarten. Be kind, be respectful, be civil, and while that sounds very simple, it really has become quite difficult for some of us.

All of us were sent here by those who thought we were doing or could do a good job. All of us, in our own mind, are doing what we think is the right thing to do. It is so easy here, to get caught up on personalities, on emotions, and a whole bunch of other things that quite frankly, at the end of the day, have very little to do with the work that is done here.

I want to conclude my comments by asking each of you to take stock of where you are politically, both federally and locally and here at the state level and you determine that you will return to a notion of civility.

All of us have a right to our opinions and we should commit to agree when and where we can, but also agree to disagree, but not be disagreeable. I encourage those of you who are new to reach across the aisle. Reach across the aisle. Meet somebody who is different from you. Meet somebody who doesn’t agree with you. Meet and develop a relationship with someone who doesn’t look like you. What I want to

TUESDAY, DECEMBER 4, 2018

leave you with today is that this business is all about relationships and developing relationships with people.

Spend time learning the Rules of the House.

And finally, I operate from the premise that there are no permanent friends, no permanent enemies, just permanent interests. Those of you who are not familiar with that axiom, I encourage you to consider adopting it.

The business of South Carolina would be a lot better and a lot more efficient, if we could do that.

There is no "P" in team. So okay House team let's get to work!

Thank you and I appreciate this time.

TEMPORARY OFFICERS

The Temporary CHAIRMAN appointed Mr. Charles F. Reid to act as Temporary Clerk, Mr. James L. Mann Cromer, Jr., as Temporary Reading Clerk, and Mr. Mitchell G. Dorman as Temporary Sergeant at Arms.

COMMUNICATION

The following was received:

STATE OF SOUTH CAROLINA
OFFICE OF THE SECRETARY OF STATE

November 30, 2018
South Carolina House of Representatives
Mr. Charles F. Reid
Clerk of the House
Post Office Box 11867
Columbia, SC 29211

Dear Mr. Reid:

The State Election Commission has certified to this office by mail the winners of the State Senate and State House of Representatives in the General Election held on November 6, 2018. Please find enclosed a copy of the election results as certified to this office by the State Election Commission.

Sincerely,
Mark Hammond
Secretary of State

[HJ]

TUESDAY, DECEMBER 4, 2018

SOUTH CAROLINA ELECTION COMMISSION

November 16, 2018
Honorable Mark Hammond
Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201

Dear Mr. Secretary,

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies the winners of the State Senate and State House of Representatives in the November 6, 2018 General Election as reflected in the enclosed winner's report.

Sincerely,
Marci Andino
Executive Director

**CERTIFIED ELECTION RESULTS
MEMBERS OF THE S.C. HOUSE OF REPRESENTATIVES
NOVEMBER 6, 2018**

District 1	William R. "Bill" Whitmire (R)
District 2	William E. "Bill" Sandifer III (R)
District 3	Gary E. Clary (R)
District 4	David R. Hiott (R)
District 5	Neal A. Collins (R)
District 6	W. Brian White (R)
District 7	John T. "Jay" West IV (R)
District 8	Jonathon D. Hill (R)
District 9	Anne Thayer (R)
District 10	Westley P. "West" Cox (R)
District 11	Craig A. Gagnon (R)
District 12	Julia Anne Parks (D)
District 13	John R. McCravy III (R)
District 14	Michael A. "Mike" Pitts (R)
District 15	JA Moore (D)
District 16	Mark N. Willis (R)
District 17	James M. Burns (R)
District 18	Tommy M. Stringer (R)

[HJ]

TUESDAY, DECEMBER 4, 2018

District 19	Dwight A. Loftis (R)
District 20	Adam M. Morgan (R)
District 21	Bobby J. Cox (R)
District 22	Jason T. Elliott (R)
District 23	Chandra E. Dillard (D)
District 24	Bruce W. Bannister (R)
District 25	Leola C. Robinson-Simpson (D)
District 26	Raye T. Felder (R)
District 27	Garry R. Smith (R)
District 28	Ashley B. Trantham (R)
District 29	Dennis C. Moss (R)
District 30	V. Stephen "Steve" Moss (R)
District 31	Rosalyn D. Henderson-Myers (D)
District 32	Max T. Hyde, Jr. (R)
District 33	Edward R. "Eddie" Tallon, Sr. (R)
District 34	Paul Michael "Mike" Forrester (R)
District 35	William M. "Bill" Chumley (R)
District 36	Merita A. "Rita" Allison (R)
District 37	Steven W. Long (R)
District 38	Roy J. Magnuson (R)
District 39	Cally R. "Cal" Forrest, Jr. (R)
District 40	Richard A. "Rick" Martin (R)
District 41	Annie E. McDaniel (D)
District 42	Leon D. "Doug" Gilliam (R)
District 43	Thomas R. "Randy" Ligon (R)
District 44	Mandy Powers Norrell (D)
District 45	Brandon M. Newton (R)
District 46	J. Gary Simrill (R)
District 47	Thomas E. "Tommy" Pope (R)
District 48	Bruce M. Bryant (R)
District 49	John R. King (D)
District 50	William W. Wheeler III (D)
District 51	J. David Weeks (D)
District 52	Laurie Slade Funderburk (D)
District 53	Richard L. "Richie" Yow (R)
District 54	Patricia M. "Pat" Henegan (D)
District 55	Jackie E. Hayes (D)
District 56	Timothy A. "Tim" McGinnis (R)
District 57	Frank L. Atkinson (D)
District 58	Jeffrey E. "Jeff" Johnson (R)
District 59	Terry Alexander (D)

TUESDAY, DECEMBER 4, 2018

District 60	Phillip D. Lowe (R)
District 61	Roger K. Kirby (D)
District 62	Robert Q. Williams (D)
District 63	Wallace H. "Jay" Jordan, Jr. (R)
District 64	Robert L. Ridgeway III (D)
District 65	James H. "Jay" Lucas (R)
District 66	Gilda Cobb-Hunter (D)
District 67	George M. "Murrell" Smith, Jr. (R)
District 68	Heather Ammons Crawford (R)
District 69	Christopher S. "Chris" Wooten (R)
District 70	Wendy C. Brawley (D)
District 71	Jonathan C. "Nathan" Ballentine (R)
District 72	Seth C. Rose (D)
District 73	Christopher R. "Chris" Hart (D)
District 74	James T. "Todd" Rutherford (D)
District 75	Kirkman Finlay III (R)
District 76	Leon Howard (D)
District 77	Kambrell Houston Garvin (D)
District 78	Beth E. Bernstein (D)
District 79	Ivory T. Thigpen (D)
District 80	Jimmy C. Bales (D)
District 81	Bart T. Blackwell (R)
District 82	William "Bill" Clyburn (D)
District 83	William M. "Bill" Hixon (R)
District 84	Ronald "Ronnie" Young (R)
District 85	Colonel C. "Chip" Huggins, Jr. (R)
District 86	William W. "Bill" Taylor (R)
District 87	Paula Rawl Calhoon (R)
District 88	McLain R. "Mac" Toole (R)
District 89	Micajah P. "Micah" Caskey IV (R)
District 90	Justin T. Bamberg (D)
District 91	Lonnie Hosey (D)
District 92	Joseph S. "Joe" Daning (R)
District 93	Russell L. Ott (D)
District 94	Converse A. "Con" Chellis IV (R)
District 95	Jerry N. Govan, Jr. (D)
District 96	Lawrence K. "Kit" Spires (R)
District 97	Mandy W. Kimmons (R)
District 98	Christopher J. "Chris" Murphy (R)
District 99	Nancy Mace (R)
District 100	Sylleste H. Davis (R)

TUESDAY, DECEMBER 4, 2018

District 101	Cezar E. McKnight (D)
District 102	Joseph H. Jefferson, Jr. (D)
District 103	Carl L. Anderson (D)
District 104	William H. Bailey (R)
District 105	Kevin J. Hardee (R)
District 106	Russell W. Fry (R)
District 107	Alan D. Clemmons (R)
District 108	William L. "Lee" Hewitt (R)
District 109	David J. Mack III (D)
District 110	William S. Cogswell, Jr. (R)
District 111	Wendell G. Gilliard (D)
District 112	F. Michael "Mike" Sottile (R)
District 113	Marvin R. Pendarvis (D)
District 114	Linda C. Bennett (R)
District 115	Peter McCoy, Jr. (R)
District 116	Robert L. Brown (D)
District 117	Krystle N. Simmons (D)
District 118	William G. "Bill" Herbkersman (R)
District 119	Leonidas E. "Leon" Stavrinakis (D)
District 120	William Weston J. Newton (R)
District 121	Michael F. Rivers, Sr. (D)
District 122	Shedron D. Williams (D)
District 123	Jeffrey A. "Jeff" Bradley (R)
District 124	Shannon S. Erickson (R)

MEMBERS-ELECT SWORN IN

The TEMPORARY READING CLERK of the late House then commenced a call of the members-elect of the House of Representatives by roll call resulting as follows:

ROLL CALL

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

Alexander	Allison	Anderson
Atkinson	Bailey	Bales
Ballentine	Bamberg	Bannister
Bennett	Bernstein	Blackwell
Bradley	Brawley	Brown
Bryant	Burns	Calhoon
Caskey	Chellis	Chumley
Clary	Clemmons	Clyburn

TUESDAY, DECEMBER 4, 2018

Cobb-Hunter	Cogswell	Collins
B. Cox	W. Cox	Crawford
Daning	Davis	Dillard
Elliott	Erickson	Felder
Finlay	Forrest	Forrester
Fry	Funderburk	Gagnon
Garvin	Gilliam	Gilliard
Govan	Hardee	Hart
Hayes	Henderson-Myers	Henegan
Herbkersman	Hewitt	Hill
Hiott	Hixon	Hosey
Howard	Huggins	Hyde
Jefferson	Johnson	Jordan
Kimmons	King	Kirby
Ligon	Loftis	Long
Lowe	Lucas	Mace
Mack	Magnuson	Martin
McCoy	McCrary	McDaniel
McGinnis	McKnight	Moore
Morgan	D. C. Moss	V. S. Moss
Murphy	B. Newton	W. Newton
Norrell	Ott	Parks
Pendarvis	Pitts	Pope
Ridgeway	Rivers	Robinson
Rose	Rutherford	Sandifer
Simmons	Simrill	G. M. Smith
G. R. Smith	Sottile	Spires
Stavrinakis	Stringer	Tallon
Taylor	Thayer	Thigpen
Toole	Trantham	Weeks
West	Wheeler	White
Whitmire	R. Williams	S. Williams
Willis	Wooten	Young
Yow		

Total Present--124

The foregoing were then sworn in by the Temporary CHAIRMAN.

TUESDAY, DECEMBER 4, 2018

ELECTION OF THE SPEAKER

The Temporary CHAIRMAN announced that nominations were in order for a SPEAKER.

Rep. SIMRILL nominated Rep. JAMES H. "JAY" LUCAS of Darlington, as follows:

Thank you Madam Chair, of this Body. Ladies and Gentlemen in the audience and those watching at home, Mrs. Lucas, in particular.

It is my extreme honor to nominate my friend, your friend, our Speaker, Jay Lucas.

As many of you know, some may not, that in high school; Jay was a standout in athletics - basketball, football, and baseball - and upon his completion of high school, he decided, Mr. Ott, that he would go to Carolina. Spurs Up! And, that he did, but at the end of his freshman year at Carolina his father suffered a debilitating stroke. It was not known at the time if Jay would be able to return to Carolina for his sophomore year. His dad, being a Veteran, the American Legion offered a scholarship for Jay to finish out the University of South Carolina, which he did, Mr. King, with a diploma.

He then decided that he would like to go to law school. One problem stood in the way, Mr. Tallon, that was dollars. Therefore, Mr. Lucas worked for five years, saving enough money to go to law school. He went to Law School and graduated third in his class at the University of South Carolina. However, he graduated first in his class with Tracy Lucas. When he was a third year law student, he met Tracy. The pride of their lives, Will, a son was born to them in 1991.

In 1998, Jay felt the calling of politics and decided to run. He was the first republican to run from that area. At the time, it was Mr. Baxley, now Judge Baxley's seat. When Jay went to bed the night of that election, he was defeated, but the next morning, it turned out that he had won, Mr. McCoy, by the thinnest of margins. But, he won nonetheless.

As Jay came to Columbia, he used his leadership skills and his knowledge of what it is like to work for what you have to work for his district. His understanding that people are more important, Mrs. Cobb-Hunter, than politics. He worked through the ranks in the House.

And in 2014, he became the Speaker of the House and proved to be the much needed steady hand at the wheel. We also realized that there was much to be done in state government. He set out with the boy scout motto, "Leave this place better than he had found it." It is often said when politics clashes with policy, politics often wins. Jay knew that policy was more important than politics. And, while politics is what

TUESDAY, DECEMBER 4, 2018

brings us all into this chamber, what we must deliver is sound policy not politics.

Jay has proven himself in numerous ways that policy is what this body it not only set out to do, but what we have accomplished. He lives by the axiom that the institution that we are sitting in today is more important any one individual in this room. We are merely temporary stewards given the ability by those back home to represent them in this body.

On motion of Rep. SIMRILL, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The Temporary CHAIRMAN appointed Reps. WEEKS, MCCOY, ALLISON, HIOTT, HOWARD, and HENEGAN to escort SPEAKER-elect JAMES H. "JAY" LUCAS to the desk where the oath of office was administered to him by the Temporary CHAIRMAN.

SPEAKER LUCAS thereupon took the Chair and addressed the House as follows:

My distinguished colleagues, a little over four years ago, I was bestowed a great honor: the members in this Body chose me to serve as your Speaker. Next to being a father and a husband, it has been my greatest privilege to serve the members of this chamber as we strive to serve the citizens of South Carolina. Make no mistake, service is our primary job description. Time away from loved ones, from careers, from home. Your sacrifice is unquantifiable and rarely recognized among the politics that engulf us every day. Thank you for that sacrifice. It is your service that inspires me to continue my service to each member of this Body.

To Representative Gilda Cobb-Hunter – Congratulations on becoming the longest serving member of the House. I have confidence that you will fill the role of elder-stateswoman, as many have filled the role of elder-statesman before you. I encourage you to wear the #1 badge with pride. Further, I would also like to take this opportunity to congratulate Representative Cobb-Hunter on becoming the President of the National Black Caucus of State Legislators. Representative Cobb-Hunter, please stand so the House can acknowledge you.

To my great friend Representative Gary Simrill, thank you for that humbling nomination and your unwavering friendship over the last 20 years. One of my favorite quotes is by Walt Disney. He once said, "Do

TUESDAY, DECEMBER 4, 2018

what you do so well that people will want to see it again, and bring their friends.” Every time Gary speaks, or sells me another car, I am reminded of that quote.

One of my favorite books, *The Little Red Book of Wisdom*, outlines four powerful phrases that great leaders use: “In My Opinion.”, “What Do You Think?”, “Let Me Ask You a Question.”, and “I Don’t Know.” Gary uses these phrases a lot. He uses them to build consensus in our caucus and across the aisle. Gary understands that in an atmosphere of honest questioning, people are more likely to collaborate, to shoot out suggestions, to think out loud, and to discover information no single individual will develop alone.

Gary, on behalf of the Body, thank you for making this chamber a place of ideas. You sir, are a big reason the SC House of Representatives is recognized today as the true policy-making body of our great state.

My wife Tracy is here with me today for the 6th time in 21 years. I know you all have heard that tired cliché of Speakers past: “I could not do this job without her.” I share that sentiment. You see, Tracy is the only Lucas that currently brings home a steady paycheck. Tracy is the love of my life and she has taught me that marriage is an equal undertaking in which one person is always right and the other is the Husband. We recently celebrated our 28th wedding anniversary. She is the nicest and kindest person I know, and I would ask that you welcome her to the State House.

To my distinguished colleagues in the South Carolina House, we are truly a unique legislative body. We’ve grown accustomed to measuring ourselves not by rhetorical success or political gamesmanship; but by actual, difficult policy achievements that have made this state stronger, more successful, and more prepared for the changing world. While other institutions squabble, the South Carolina House rolls up its collective sleeves, studies, works and creates solutions.

This nose-to-the-grind-stone mentality has made this Body, our Body, the true leaders in South Carolina. Take a moment and think: Every major policy initiative over the past several years has come from the men and women in this very room. Infrastructure, conformity, ethics, opioids, and now public utility rates. It’s the House that continues to lead, again and again and again...

How have we sustained this pattern? How have we avoided paralysis and stagnation? How do we manage to come together with real, sustainable solutions?

We talk to each other; but more importantly, we listen to each other. This chamber takes the time and puts the effort into crafting policy that

TUESDAY, DECEMBER 4, 2018

the broad base of, not only this Body, but the public, can support. We have these conversations in the open; we invite all points of view, we consider all options: and only then, do we decide and act.

This is not to say that we all agree all of the time. That would not be reality. But, the men and women in this chamber know how to disagree, without being disagreeable. The debates that happen on this floor can be intense, the points of view extreme on either side of the political spectrum. But, every one of us knows that this institution is bigger than any one of us. Every one of us knows that the people of this state are much more important than any election or term in office.

To the members who have returned for another term, it is a pleasure to have each of you back. We have all been entrusted with a supremely important public trust and whether this is your second term or; as with Representative Cobb-Hunter, your 15th term, you have a keen understanding of what the men and women you represent expect from you.

To our freshmen class, I can honestly say that this is the best class we have had in at least two years. This is an ambitious bunch. I enjoyed reading your committee assignment requests and no, we don't have 15 open spots on Ways and Means. To the new member who penned a note at the bottom of his request wanting to know about my health after my recent surgery, I'll be watching you carefully this year.

Seriously, I know each of you freshmen are wondering: Do I have what it takes to succeed? Members will tell you that you need to be patient because things move quickly in this Body. In the words of Dr. Suess, "If things start happening, don't worry, don't stew, just go right along and you'll start happening too."

However, we're all equals in this Body. We all represent the same number of people across this great state. Always remember, that in this room, the only person that can vote for you, is you. Again, in the words of Dr. Suess, "So open your mouth! For every vote counts. Why fit in when you were born to stand out?"

Speaking of standing out, I would like to talk about two tremendous successes the House experienced last year.

In my Acceptance Speech in 2014, we talked about the challenge this Body faced in implementing Legislative Oversight. I noted: "For the first time in our history, oversight would allow the House to inject true accountability into state agencies and become proactive in spotting potential problems before they rise to crisis levels." At your insistence, I agreed to appoint the true "bloodhounds" of the House to perform this vital function.

TUESDAY, DECEMBER 4, 2018

This Body tapped Representative Weston Newton to implement the oversight plan. Last month, the Levin Center at Wayne State University Law School announced that Representative Newton would receive the inaugural Carl Levin Award for Effective Oversight.

This award is not only a reflection of how the House has chosen to address its statutory oversight responsibilities - this award speaks to the Oversight Committee's tremendous work ethic and its willingness to explore alternatives to find new avenues to root out and solve problems. Representative Newton and current or past members of our Oversight Committee, please stand so the House can acknowledge your tremendous honor.

The second issue I want to highlight is the House's leadership on the SCE&G nuclear project failure. Upon abandonment of the project, the House went to work to achieve one goal-- to protect the ratepayers. Our Ratepayer Protection Committee, under the bipartisan leadership of Representatives Peter McCoy and Russell Ott, thoughtfully and thoroughly studied the issues and uncovered the fraud and mismanagement that plagued the project.

In August, SCE&G challenged the rate in federal court as unconstitutional. The House defended its rate before the court, and prevailed. Ratepayers would not have received over \$364 million without the efforts and leadership of this Body. I commend each one of you for working so diligently to protect the ratepayers. You should be proud of our work.

But - members, we can't rest on our laurels. This Body has to complete its work on Santee Cooper and address the solvency of our retirement system. This Body has to make a concerted effort to modernize our tax code for the benefit of our constituents and businesses across South Carolina. This Body must take immediate action to increase the number of citizens who are ready to fill the jobs that today's - and tomorrow's - economy demands.

More importantly, it is time to face reality in education. Without significant reforms, our students won't have a future. We give them an opportunity at a better future by putting students' needs above all else. It is time to change the educational model in South Carolina.

To conclude, what can you expect from me this year?

First, I'm going to continue to be motivated. People ask me how do you motivate 123 House Members. I don't. Each day I'm responsible for motivating one person, me. At my age, that's a full time job. But I hope that if I can get to that level, the members and staff of the House will meet me there. Every day the folks who gather in this chamber come

TUESDAY, DECEMBER 4, 2018

to work, are enthusiastic, and work hard. That, my colleagues, is what motivates me to be a better Speaker.

Second, I want to continue to remember that pride is the burden of a foolish person. The position of Speaker does not give the occupant's vote more weight, nor does it entitle the occupant to decide for anyone else, nor does it place the occupant at the head of the line. As Speaker, I've been told that it is my job to "rule" the House; some would have me do so with more of an "iron fist". But, I believe the Speaker of the SC House should try to be more of a servant – not a king.

I recently watched a moving video by Rick Rigsby – "Lessons From a Third Grade Dropout". Rick talked about the lessons he learned from his father and said, "Make sure your servant's towel is bigger than your ego. Ego is the anesthesia that deadens the pain of stupidity."

None of us can allow our egos to rule our time here, most of all, those of us that have been asked to lead this Body.

Finally, I want to always remember the circumstances under which I became Speaker. Mark Twain's famous quote, "Always do right. It will gratify some people and astonish the rest," is inspirational. In his book, *Integrity is All You've Got*, a former CEO says he has seen one constant in his career: "the pivotal role of integrity in people's lives. Those who have it usually succeed; those who don't, usually fail." And in the words of former member, B.R. Skelton, "integrity can only be lost once." I promise today never to give my integrity away as I serve as your Speaker.

Again, thank you for your confidence in me. God bless each of you and God bless the great State of South Carolina!

ELECTION OF THE SPEAKER *PRO TEMPORE*

The SPEAKER announced that nominations were in order for SPEAKER *PRO TEMPORE*.

Rep. MCCOY nominated Rep. TOMMY POPE as follows:

Thank you Mr. Speaker. Fellow Members, family and friends that are in the gallery today with us for this special occasion. I arise today to nominate our friend, our former Speaker *Pro Tempore* of the House, Mr. Tommy Pope.

I tell you as the uncontested long-winded member of the House, I have been implored by no less than 120 members of this Body to keep it short. In hopes that Tommy Pope will come up here and keep his speech short. If we all want to eat lunch today, I think that is an absolute must. Folks, we all know Tommy, and I want to give you a little bit of background

TUESDAY, DECEMBER 4, 2018

about him. He grew up in a community right outside of Rock Hill, a community known as Lesslie. It is so small that I think that there is one or two stoplights. It even shows up on the SCDOT Maps, which I did not believe, until I looked it up myself.

Tommy Pope is known nationwide and statewide, as the prosecutor who was elected at the age of 30 to be the chief prosecutor and solicitor in his circuit. Placed upon his lap, early in his career, was a case, a major case. It was a death penalty case, the case that literally got Tommy on the national spot light as a Prosecutor. This was the Susan Smith case. I know that we all remember this case and we remember how Tommy handled that case with grace, dignity, and ethically. He was one of those folks that we always look up to as a Prosecutor. I was a Prosecutor for six years and everyone heard the name 'Tommy Pope.' Everybody heard the name Tommy Pope. We all tried to emulate Tommy as young prosecutors and conduct ourselves that way that he did. So Tommy, the way in which you conducted yourself there is to be well commended and thank you for your service as a Prosecutor.

Now Tommy did receive some accolades for being the Solicitor and prosecuting that case. People magazine actually wrote an article on Tommy, but they didn't highlight his prosecutorial ability. They did not highlight his courtroom ability. I think they focused on your physical physique. Is that correct, Tommy? I have not seen the article, but I have heard the stories.

Tommy's father was a Sheriff, when he grew up and his mother was a School Teacher. And those qualities and what they did in serving their community, serving the public, is something that Tommy looked up to as a young man and as a young boy. I think that it helped instill in him the values that we see here today.

I tell you that you that you really out kicked your coverage Tommy, when you married Kim. She is such a fantastic wife and person to you. And you have raised four fantastic children, as well.

Tommy continues to be recognized. He is a Professor and teaches occasionally at the NAC, National Advocacy Center, which is in Columbia that helps train prosecutors. He is still recognized for what he does. He is recognized as a super lawyer, a category and honor that is placed upon lawyers right now in South Carolina for the work he does now with his firm, of Elrod and Pope.

Now I came in 2010 with Tommy and the first phone call that I received, was from Eddie Tallon. He called me and said, "Peter, I want to be Chairman of the Freshman Caucus." I had never heard of Eddie Tallon before and had never met him before, but I got this phone call.

TUESDAY, DECEMBER 4, 2018

The thing that stuck out the most was that he said, “Tommy Pope supports me.” And that members, was truly all I needed to hear, because a man like Tommy comes around once in a life time, once in a generation. We are very lucky to serve with you. So that was all I needed to hear that you backed Eddie Tallon and I was with him all the way. Tommy, in 2014, you were nominated as Speaker *Pro Tempore* and what I have found in you, as Speaker *Pro Tempore*, is someone who is approachable, someone who is honest, someone who works with every single member in this Body. This really hits home with me. When Mrs. Cobb-Hunter got up to speak today, she said, “What is this Body about? This Body is about relationships.” You have proven through your work in this house, in reaching across lines, party lines, that you have built fantastic relationships in his House. Not only that, but your trustworthy relationships in this house. People trust you. When you say something Tommy, we take it to the bank and that is the reason why we are entrusting this position to you. This is the reason why I am up here today to nominate you. Also, something that Madam Chair Rita Allison said, “Peter, when I walk in this place and look around, I am in absolute awe of the people we serve with, the work that we do here, and the good people that we serve in our districts. Really and truly this encompassed Tommy Pope, because he is here for the right reasons. He is here to protect and help the people back home. Tommy it is an absolute honor and privilege that I stand here today to nominate you for the Speaker *Pro Tempore* of the South Carolina House of Representatives.

On motion of Rep. MCCOY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The SPEAKER appointed Reps. HIXON, THAYER, BERNSTEIN, KING, HEWITT, and GILLIAM to escort the SPEAKER *PRO TEMPORE*-elect to the Desk where the oath of office was administered to him by the SPEAKER.

SPEAKER *PRO TEMPORE* POPE thereupon took the Chair and addressed the House as follows:

If you would stop texting me, I will get through quicker, I promise. I appreciate this opportunity. I want to share, as I go around the state, the Speaker and I have had the opportunity many times to go around and just

TUESDAY, DECEMBER 4, 2018

to clear up that People Magazine, it was one of the 100 Sexiest Men. They had me and Brad Pitt superimposed.

The Speaker loves to tell people that apparently Brad would be disappointed with what I have done with his body. I want to tell you that when we go around the state, I tell people that thanks to the members of the Body, I am the number two man in the House and I go on to tell them that there is a very steep drop between the Number One and the Number Two man. But today, as we were sitting here and the Speaker was giving his acceptance speech. I did not realize how involved I am with other members of the House in addressing different issues and different concerns. One member from Richland County sent me a text stating five minutes in question marks. Raye Felder from my delegation leaned up and said that she had an issue that she needed to address and questioned how long my speech would be as she was concerned. Just so you don't think that I focus on certain areas of the state, and if you quit texting me, Mrs. Crawford, was concerned that it was almost lunchtime and if I could address that issue. Mr. Herbkersman reminded me that I should keep it short as brevity is the sign of intelligence. He continued to say that it would be better to close your mouth and have them think you are a fool, than open your mouth and removed all doubts. I appreciate that advice.

And so as we go through, I do have a few things, as always, Mr. Speaker did it much more eloquently. I always want to thank my family. They are not here today, and we are very blessed, as we sustained a very serious accident coming back from Atlanta this weekend. Kim is under treatment of an ophthalmologist. We are in very good shape, but me trying to tell Kim to just put a little makeup and you will be OK, so come on. Kim Pope is at home recovering. And again, we are very blessed and very good. I did tell Representative Morgan that since Sam is back taking pictures and my family sits up where Representative Morgan's family is sitting, that I was going to do my gesture and thank my family for all their support, and knowing that they are home. They have given me an opportunity to serve. Kim has always been there and has always been supportive. I want to thank my law firm, too. I always tell some of the Freshman that I don't know how you self employed practitioners do it. I know it is difficult, and I have been fortunate that they allow me to come. I will tell you that my law partner came in during the summer and said that, "Tommy, you have really been practicing law this last three months." I felt good and went home to tell Kim that Jack said that I have really been practicing law. Kim said that I wonder what he thinks that you do the other nine months. I am afraid that he knows that I am

TUESDAY, DECEMBER 4, 2018

down here goofing around here with you guys. I want to thank my good friend, Peter McCoy. He has been a friend from the day we walked in the door and I am very humbled and honored by your words. I want to thank my friend, Gary Simrill. Gary and I have been desk mates and every once and a while, when we redo the seats, he lets me sit on the driver's side. After the wreck in Atlanta, he did not want the airbag to deploy over there, so he is not sure that he will let me drive. Gary has always been supportive. I came in fired up and Gary was able to give me that wise advice, like, "Bo, I don't believe I would do that if I was you." So in the interest of our delegation, I am going to lend my friendship with Mr. Simrill to Sheriff Bryan to see if Gary tell Bruce, "Bo, I don't believe I would do that if I was you, so."

I also want to thank Speaker Lucas. We were talking earlier today, as when Speaker Lucas was Speaker *Pro Tempore*, the door between the Speaker's Office and the Speaker *Pro Tempore's* office remained locked at all times. And so when Jay came through the first day when we were sworn in, several years ago, he came in and unlocked the door. Lo and behold, there was plant in there that had been in darkness. Doris has nursed it back to health, so we joke and say that this is our unity plant. But I will tell you, before I take a picture of it Sam, we need to make sure that it is still living. Jay has always allowed me to participate, always allowed me to be involved and I do not take that for granted Mr. Speaker. I want to thank you.

Finally, I want to thank the members, the old friends, the new friends and I appreciate the confidence. I appreciate you bearing with me last year, when I had this weird idea that somehow I was supposed to run for Congress. I was running for Congress, but I was here every day. I was supposed to be running. Greg Delleny was "Darn if I do--Darn if I don't" because if I wasn't here someone would say that I am not doing my job. Greg would ask why are you here as you are supposed to be on the campaign trail. Well Greg, the reason I was here because if I had not been here, I might have actually won and would be in Washington. Fortunately, those 200 votes that I did not get by being in Columbia, placed me right where I am with you right now.

I am honored to be here. I know that some people's stomach are growling. Some are saying to wrap it up. I will tell you that I am blessed to be here at this place at this time now. We have many exciting things going on. And as I tell the Freshman every time, under Jay Lucas's leadership, every one of you really does represent your community and you have that opportunity.

TUESDAY, DECEMBER 4, 2018

I want to leave you with two verses. You always get my favorite verse Philippians 2, 3 and 4. "Do nothing out of selfish ambition or vain conceit, rather in humility value others above yourself not looking to your own interest, but each of you for the interest of others." And finally, for Mr. Burns, be strong and courageous, do not be terrified, do not be discouraged, for the Lord our God is with you wherever you go." When it gets time to make those hard decisions, you make them and do what the people sent you here to do. I will be right here with you. Thank you and it is an honor.

ELECTION OF THE CLERK

The SPEAKER announced that nominations were in order for the Clerk of the House.

Rep. ERICKSON nominated MR. CHARLES F. REID of Columbia as follows:

Ladies and Gentlemen: It is an honor and a privilege to be with you all today.

I agree, when we walk into these hallowed halls, I'm impressed that the state is in such capable hands. They have sent good and qualified and honorable people here. We do our jobs, we do our jobs because we have anchors. We have anchors who afford us the ability to have knowledge that far surpasses what's between these two ears.

Mr. Speaker, I'm here to nominate Mr. Charles Reid, one of those important anchors. Mr. Reid is a PK, a Preacher's Kid, can you tell? Yeah, I can see it. He has that devilish spirit but he wants to do the right thing. He is a native of South Carolina, a graduate of Dreher High School, and went on to attend USC Law School. He has practiced law and appeared before all kinds various courts and is probably one of the most well versed folks in the state, when it comes to state law, state history and the legislature.

When I say anchor, if I told everybody in this body to please raise their hand, if they had sought his counsel, every hand would go up except the freshmen and probably they did over their orientation when they met him. I don't know how he keeps all that knowledge but he does. He imparts it to all of us whether we want to hear it or not. Sometimes we agree and sometimes we don't, but he is going to make sure that it is legal and it is right. His integrity is beyond reproach.

When I asked him for his bio, the last thing on it was that he was Taj's husband and the father of three daughters. I'm going to be honest and tell you that if you know Charles that's probably the top of the list. He

TUESDAY, DECEMBER 4, 2018

definitely has one of the most wonderful families I've ever been honored to meet. His girls are beautiful, and talented, and his wife allows him to be here with us, and hold down the fort, hours that he does not control, that we sometimes put a lot of pressure on when we have to work for people. We should be very cognizant of those families.

Charles has served this body as counsel for the Ethics Committee, Ways and Means Committee, Speaker Wilkins, and I can go on and on and on in his professional duties. He's also a professor. He teaches courses at USC . I don't know how he puts up with all of us, but probably because Taj keeps him grounded, his girls are such joys. We should thank him for even contemplating taking this job each year. And he has served this body since 2004 in this job.

So, I would Mr. Speaker, like to ask that we close nominations and elect Mr. Charles Reid by acclamation.

On motion of Rep. ERICKSON, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The oath of office was administered to him by the SPEAKER.

ELECTION OF THE SERGEANT-AT-ARMS

The SPEAKER announced that nominations were in order for the Sergeant at Arms.

Rep. NORRELL nominated MR. MITCHELL G. DORMAN of Kershaw as follows:

Thank You, Mr. Speaker, it is such an honor to be here, the freshmen, their family and friends who are in the balcony and to the dozens of people watching on the live feed, to place into nomination the name of Mitchell G. Dorman to be our Sergeant at Arms.

Mitch is from Kershaw. Kershaw makes really good people y'all. The only person in this body who can vote for you is you. Well in my case and in some of yours, that is not the case because Mitch Dorman is my constituent in Kershaw. He started in 1983. That may not seem like a long time for some of y'all but I was a little child at that time. He was appointed as Director of Security in 1986. First elected Sergeant at Arms in December 1, 1990. He has seen a lot in that time. He is a graduate of USC Lancaster, with a Degree in Criminal Justice. He has one son, Nicholas, who is 20, a junior at Clemson and a fine, fine young man like his daddy. Mitch and his staff, if you have been here and the freshman,

TUESDAY, DECEMBER 4, 2018

you'll soon find out. They are so professional and they are completely nonpartisan. They are dedicated and loyal to the members of the House regardless of the party that we're in, the length of our service, or our positions. Mitch and his team will give you 100%, if you ever ask for any help. And you know, Mitch is a pretty serious guy. I guess he has to be for the kind of job that he's doing. I joined this body six years ago, and Mitch Dorman said I want to give you my phone number if you ever happen to need anything. I happen to be married to a man named Mitch. There are a lot of men called Mitch in Kershaw. I was texting, I typed in Mit -- somebody answered, "hello." I said, "Hey." I thought it was my Mitch." . And Mitch Dorman said "Hey." So I responded with, Hey! And he said, "Um, hey Mrs Mandy." And it was oh my god it's Mitch Dorman. I was going to ask my husband to go get me some raisin bread at the grocery store. I think Mitch would have done that, too. But to humanize him, because he's so serious, a few favorite things. His favorite vacation destination-Alcatraz. His favorite movie-the Shawshank Redemption. Favorite color is gray. Sometimes we get actual threats. But with Mitch and his team, we always feel safe and protected and we always know that we are. You know so many times he is handling threats before we ever know that they are out there. Mitch Dorman is our Savior and Defender. He keeps his eyes and ears open at all times and he has alot of security cameras too. Mitch keeps our secrets and our confidences. He never shares them, except with his closest confidant, me, I'd like to share some of those with you now. Speaker Lucas informed Rep. Norrell that her time at the podium was up.

On motion of Rep. NORRELL, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

ELECTION OF THE READING CLERK

The SPEAKER announced that nominations were in order for the Reading Clerk.

Rep. CASKEY nominated MR. JAMES L. MANN CROMER, JR., as follows:

Thank you, Mr. Speaker.

Dear Colleagues, It is an honor to stand before you, in the presence of colleagues, staff, family, and friends.

Today, I would like to nominate James Lewis Mann Cromer, Jr., better known as "Bubba", for the position of Reading Clerk for the

TUESDAY, DECEMBER 4, 2018

South Carolina House of Representatives. He has served as Reading Clerk here since 1998, and I submit to this Body that his service should continue.

Over the last two years, it has truly been my pleasure to get to know this man. Bubba is a native of Columbia. He graduated from Dreher High School, having served as student body president of that school. He was president of his fraternity at Clemson. He later attended law school at the University of South Carolina, where he was chief justice of the Moot Court Bar. He successfully took and passed the bar examinations in South Carolina, Washington, D.C., and California.

Bubba served our State as a member of this Chamber for eight years as the only independent member in our history. In 1998, Bubba was awarded the Order of the Palmetto, our state's highest civilian honor.

He is a devout Catholic who, pardon the pun, religiously attends mass. Bubba is a studied parishioner and he live out biblical values; in many ways, it is fair to say that Bubba reflects what Jesus Christ taught all of us to do. Bubba volunteers his time and energy to serve the least fortunate. After years volunteering for a local mission, he saw an opportunity to reach even more poor and homeless people, and he started Candyman Homeless Outreach.

As impressive as those accomplishments are, Bubba is so much more. He is a published novelist, and an award-winning filmmaker. Accomplishments and interests aside, it is his ability to fuse all of those talents and characteristics that sets him apart. He is committed to this job. His often-creative reading of bills makes work fun. Sometimes in French, sometimes in Spanish. Bubba has an incredible amount of empathy; he has the ability to understand and share the feelings of others. Bubba is the sort of kind-hearted, loving person that makes the State House a special place.

Mr. Speaker, I am proud to nominate my friend, our friend, Bubba Cromer as the Reading Clerk for the South Carolina House of Representatives.

On motion of Rep. CASKEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

TUESDAY, DECEMBER 4, 2018

ELECTION OF THE CHAPLAIN

The SPEAKER announced that nominations were in order for the Chaplain.

Rep. WHITMIRE nominated REV. CHARLES E. SEASTRUNK, JR., of Columbia, as follows:

Thank you. It is good to be back in this Body. Charles Seastrunk graduated with Bachelor's degree in 1955 and in 1955 made the best decision of his life. He married Sarah. They are parents of wonderful children, Charleston III and Susan. In 1958 Charles received his Master of Divinity from the Lutheran Seminary. Charles answered the call of duty, like many people in his generation, He served our country almost 35 years. In addition to the National Guard, he served as chaplain for the Air Force and Special Operations for 13 months. After his retirement from the military, he went on to serve again as a contract chaplain for the Veterans Administration Hospital. This was a ten-year term. November 19, 2002, Charles was elected Chaplain of the South Carolina House of Representatives. He's been serving ever since for the past 16 years. My fellow members, we have had many highs and lows in this Body over those 16 years. We passed meaningful legislation that has benefited the citizens of our state. We have celebrated many joys with members, staff and their families. We have also had sad times with illnesses and resignations. We have even had deaths. Through it all those trials and tribulations, Charles Seastrunk has always been our compass, always been there for us when we have needed him. It is indeed my honor to nomination Charles Seastrunk for the South Carolina House of Representatives and ask nominations be closed and he be elected by acclamation.

On motion of Rep. WHITMIRE, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

OFFICERS SWORN IN

The SPEAKER administered the oath of office to the Sergeant at Arms, Mr. Mitchell G. Dorman, the Reading Clerk, Mr. James L. Mann Cromer, Jr., and the Chaplain, Rev. Charles E. Seastrunk, Jr.

TUESDAY, DECEMBER 4, 2018

HOUSE RESOLUTION

The following was introduced:

H. 3000 -- Rep. Lucas: A HOUSE RESOLUTION TO PROVIDE A PROCEDURE FOR ALLOTING SEATS TO MEMBERS OF THE HOUSE OF REPRESENTATIVES FOR THE 2019 AND 2020 SESSIONS OF THE GENERAL ASSEMBLY.

The Resolution was adopted.

ALLOTMENT OF SEATS

The SPEAKER then announced that the House would proceed to the allotment of seats, the names of the counties being drawn from a container by Miles Thomas Dean, son of Emma Dean.

ALLOTMENT OF SEATS

Alexander	113	Allison	61
Anderson	30	Atkinson	92
Bailey	26	Bales	110
Ballentine	100	Bamberg	16
Bannister	40	Bennett	111
Bernstein	98	Blackwell	12
Bradley	123	Brawley	63
Brown	109	Bryant	7
Burns	52	Calhoon	87
Caskey	103	Chellis	48
Chumley	51	Clary	4
Clemmons	8	Clyburn	32
Cobb-Hunter	75	Cogswell	34
Collins	17	Cox, B.	58
Cox, W.	69	Crawford	22
Daning	44	Davis	45
Dillard	39	Elliott	59
Erickson	124	Felder	18
Finlay	99	Forrest	1
Forrester	60	Fry	23
Funderburk	96	Gagnon	68
Garvin	81	Gilliam	72
Gilliard	11	Govan	77
Hardee	24	Hart	104
Hayes	93	Henderson-Myers	76

[HJ]

TUESDAY, DECEMBER 4, 2018

Henegan	89	Herbkersman	121
Hewitt	27	Hill	71
Hiott	5	Hixon	3
Hosey	33	Howard	62
Huggins	101	Hyde	37
Jefferson	65	Johnson	25
Jordan	114	Kimmons	49
King	90	Kirby	116
Ligon	19	Loftis	53
Long	50	Lowe	115
Lucas	118	Mace	47
Mack	10	Magnuson	43
Martin	28	McCoy	21
McCravy	66	McDaniel	91
McGinnis	9	McKnight	31
Moore	78	Morgan	42
Moss, D. C.	6	Moss, V. S.	56
Murphy	46	Newton, B.	29
Newton, W.	122	Norrell	97
Ott	74	Parks	67
Pendarvis	108	Pitts	73
Pope	14	Ridgeway	107
Rivers	112	Robinson	38
Rose	83	Rutherford	82
Sandifer	119	Simmons	79
Simrill	15	Smith, G. M.	95
Smith, G. R.	55	Sottile	35
Spires	88	Stavrinakis	20
Stringer	57	Tallon	36
Taylor	2	Thayer	84
Thigpen	105	Toole	86
Trantham	54	Weeks	94
West	85	Wheeler	106
White	70	Whitemire	120
Williams, R.	64	Williams, S.	80
Willis	41	Wooten	102
Young	13	Yow	117

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

TUESDAY, DECEMBER 4, 2018

THE HOUSE RESUMES

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

POINT OF QUORUM

The question of a quorum was raised.

A quorum was later present.

SPEAKER IN CHAIR

HOUSE RESOLUTION

The following was introduced:

H. 3001 -- Rep. Lucas: A HOUSE RESOLUTION TO ADOPT THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2019 AND 2020 SESSIONS OF THE GENERAL ASSEMBLY.

Be it resolved by the House of Representatives:

That the following rules are adopted as the Rules of the House of Representatives for the 2019 and 2020 Sessions of the General Assembly:

“Rule 1

The Speaker

Speaker Pro Tempore

1.1 The Speaker shall take the chair on every legislative day precisely at the hour to which the House adjourned at the last sitting, immediately call the members to order, cause prayer to be said, the Journal of the previous proceedings to be corrected, and if a quorum be present, proceed to other business.

1.2 The Speaker shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared. Any person guilty of contempt of the House may be ordered into custody by the House and dealt with as it deems proper.

TUESDAY, DECEMBER 4, 2018

1.3 If any member, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall call him to order, or any member may call such transgressions to the attention of the Speaker who shall call the transgressor to order. If repeated cries of order are ineffective, the Speaker may call a member by name, and if the Speaker deems it necessary, he shall state the offense committed. The member may be heard in his exculpation and shall withdraw, and the House shall consider his punishment or any further proceedings to be had.

1.4 The Speaker shall sign all acts, joint resolutions, memorials, writs, warrants, and authorizations for payment or other papers authorized by the House.

1.5 The Speaker shall decide all points of order, subject to an appeal by any member, and he may require the member raising a point of order to cite the rule or other authority in support of the question. With unanimous consent, a member may withdraw a point of order the member has raised. Upon appeal, no member shall speak more than once and for no longer than twenty minutes each, except by permission of the House.

1.6 The Speaker may vote in all cases (except when he may be personally or pecuniarily interested). If the House be equally divided, the question shall be decided in the negative. The presiding officer may give information or explain any matter before the House; he may speak on points of order in preference to other members, and as often as he may deem necessary, but he shall not enter into any debate or endeavor to influence any question before the House while presiding. Provided, the Speaker, in his discretion, may address the body concerning matters of importance to the House.

1.7 The Speaker shall be elected on the opening day of the organizational session by the membership of the House. Pursuant to this rule a person elected Speaker may not serve more than five consecutive terms in that office.

1.8 The Speaker *Pro Tempore* shall be elected on the opening day of the organizational session and shall preside in the absence of the Speaker. If a conflict of interest arises involving the Speaker and the performance of his duties the Speaker *Pro Tempore* shall perform the duties of the Speaker to the extent that the conflict of interest exists. Furthermore, pursuant to this rule a person elected Speaker *Pro Tempore*

TUESDAY, DECEMBER 4, 2018

may not serve more than five consecutive terms in that office. *Provided*, the Speaker or the Speaker *Pro Tempore*, whoever may be presiding at the time, may name a member to preside, but such substitution shall not extend beyond an adjournment. In the absence of the Speaker and the Speaker *Pro Tempore* for more than one day, the House may elect a Speaker *Pro Tempore* to serve until the return of the Speaker or Speaker *Pro Tempore*. When the Speaker *Pro Tempore* is absent for more than three consecutive statewide legislative days, the House of Representatives may elect an acting Speaker *Pro Tempore* who shall serve until the return of the Speaker *Pro Tempore*. The acting Speaker *Pro Tempore* may continue to serve on any committee to which he has been appointed.

1.9 All committees shall be appointed by the Speaker, unless otherwise provided for by rule or by law, except Senatorial and Gubernatorial appointees and *ex officio* members of the House. The Speaker shall name the members constituting each committee in alphabetical order. The Chairman shall be elected by the respective committees during the organizational session. If any subsequent vacancy shall occur in a committee's chairmanship, the election of a new committee chairman shall take place at the time and date to be set by the presiding officer of the respective committee. The committees may at their discretion elect a Vice-Chairman and such other officers as they may choose.

Provided, when appointing members to a Committee on Conference or Free Conference, the Speaker shall consult with the majority and minority political party leaders and appoint at least one member of the minority political party represented in the House.

1.10 The Speaker is responsible that all amendments ordered by the House be correctly made and that the attention of the House be called to all amendments made by the Senate since the matter was before the House. All Senate amendments to matters previously considered by the House and all House amendments to matters previously considered by the Senate shall, after adoption, be printed by use of distinctive type interlineation in such a manner as to reflect in one text the original version and the language of the amendment.

1.11 If the Speaker or Speaker *Pro Tempore* resigns from such position, he shall submit his resignation to the Clerk of the House in

TUESDAY, DECEMBER 4, 2018

writing. This procedure shall be followed in the case of the resignation of any elected officer of the House.

1.12 In case of emergency, the Speaker has the authority, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the House of Representatives, to declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and Acts of God.

When, due to great emergency or through inadvertence, the House is adjourned without provision for the next meeting, the Speaker may issue a call specifying the time for the next meeting.

Rule 2

Elected Officials

Clerk, Reading Clerk, Chaplain, and Sergeant At Arms

2.1 The Clerk shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

2.2 The Clerk of the preceding session shall, at the beginning of the organizational session of the House, call the members to order, proceed to call the roll of members in alphabetical order, and pending election of a Speaker, Speaker *Pro Tempore*, or temporary officers, preserve order and decorum, and decide all questions of order subject to appeal by any member. The duties of this section may be delegated by the Clerk to any member of the House.

2.3 The Clerk shall cause to be kept a correct Journal of the proceedings of the House, and this Journal shall be numbered serially from the first day of each session of the Legislature. He shall not permit any books or papers belonging to the House to be taken out of his custody other than in the regular course of business and then upon receipt when he deems necessary. He shall report any missing papers to the Speaker.

2.4 The Clerk of the House shall cause to be prepared and laid on the desks of the members every morning an itinerary of the day's

TUESDAY, DECEMBER 4, 2018

business to be called the Calendar. This Calendar shall include the orders of the preceding day and all continued matters arranged according to priority, and numbered from the commencement of the session, every matter being introduced and newly numbered after every new order upon it.

2.5 The Clerk shall assist, under the direction of the Speaker, in taking roll call or division votes.

2.6 The Clerk shall issue all pay certificates for *per diem* and mileage and incidental expenses upon the order of the Speaker, the signature of the Speaker being attested by the Clerk. The Clerk shall also attest to all writs and warrants and to the passage of all bills, resolutions, and memorials.

2.7 The Clerk shall prepare in writing, present to the Speaker for his signature, and send all messages to the Senate and elsewhere as ordered by the House.

2.8 The Clerk shall also be charged with the duty of having executed, in a prompt and accurate manner, all the printing required by the Rules or orders of the House.

2.9 The Reading Clerk shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

2.10 The Reading Clerk shall read all papers to be read at the desk, which the Speaker may direct him to read and shall assist in taking any roll call votes at the Speaker's direction. Upon ordering of a roll call vote, or upon a quorum call, the electronic roll call system is to be used following the procedure of Rule 7.3. When the electronic roll call system is not operating in any manner, the Reading Clerk shall call the roll and take the names of all who vote 'aye' and all who vote 'nay' which shall be entered in the Journal and the provisions of Rule 7.3 shall not apply. If, during the course of an ordered electronic roll call, the electronic roll system malfunctions, in such a manner that the number of aye votes and the number of nay votes are recorded but the names of the members so voting are not recorded, the vote shall stand, and any member desiring to publish a record of his individual vote may submit a statement which shall be printed in the House Journal. If, during the

TUESDAY, DECEMBER 4, 2018

course of an ordered electronic roll call, the electronic roll call system malfunctions in such a manner as to record no accurate information as to the vote totals, the question shall be resubmitted and the Reading Clerk shall call the roll of the members as hereinabove specified.

Provided, however, in the case of a malfunction in the electronic roll call where the roll call to be taken is mandated by the Constitution or Statutes, any malfunction will void the roll call and it will be retaken.

Provided, that whether the ayes and nays are taken by electronic roll or otherwise, they shall be recorded by the Clerk in the Journal.

2.11 The Chaplain shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

2.12 The Chaplain shall provide spiritual guidance for the membership of the House.

2.13 The Sergeant at Arms shall be elected by the membership of the House for a term of two years and shall be under the direct supervision of the Speaker of the House. This election will take place on the opening day of the organizational session.

2.14 The Sergeant at Arms shall assist the Speaker in maintaining order and decorum.

2.15 The duties of the Sergeant at Arms, shall be as provided for in Chapter 3 of Title 2, Code of Laws of South Carolina, 1976, as amended.

2.16 The Sergeant at Arms may designate, subject to the approval of the Speaker, other staff members of the House to assist the Speaker and the Sergeant in performing such duties as they may direct, in accordance with Chapter 3 of Title 2, Code of Laws of South Carolina, 1976.

Rule 3

Members and Membership

3.1 Every member shall be within the House Chamber during its sittings unless excused or necessarily prevented, and may vote on each question put, except that no member shall be permitted to vote on any

TUESDAY, DECEMBER 4, 2018

question immediately concerning his private rights as distinct from the public interest.

3.2 The Speaker may excuse any member from attendance on the House and its committees for any stated period upon reason shown, and such excused absence shall be noted in the Journal.

3.3 Any member absenting himself from attendance on the House or its committees and having in his possession any original papers relating to the business before the House, shall leave such original papers with the Clerk before departing from the Capitol.

3.4 Any member who enters after the roll call at the opening of the daily session and notifies the Clerk in writing shall thereafter be shown as present for such day. *Provided*, that no person except those recorded present shall be eligible for subsistence for that day.

3.5 In cases of contest for a seat in the House, notice setting forth the grounds of such contest shall be given by the contestant to the House within three calendar days after the House first convenes, and in such case, the contest shall be determined by majority vote as speedily as reasonably possible.

3.6 When the House is called to order, every member shall take his seat and shall act with decorum at all times when the House is in session. Every member, when about to speak, shall rise from his seat and respectfully address himself to 'Mr. Speaker' and shall avoid disrespect to the House or the Senate and all personalities, observe decency of speech, and shall confine himself to the question under consideration.

The Speaker, when duly addressed by a member, shall hear from the member who, in the Speaker's opinion, shall arise first, by identifying the member. The Reading Clerk shall not turn on any member's microphone until the Speaker has recognized that person.

3.7 No employee of the House shall personally interest or concern himself with the passage or consideration of any measure whatsoever. If any employee does so, it shall be grounds for summary dismissal. While within the House Chamber during session, no one may personally, or in an official or representative capacity, concern himself with the passage or consideration of any measure whatsoever, except sitting members of

TUESDAY, DECEMBER 4, 2018

the General Assembly and House staff in the usual and ordinary performance of their duties as an employee of the House. The Speaker may require immediate removal from the House Chamber of any person, who violates the provisions of this rule.

3.8 No member shall speak more than twice on the same question without leave of the House, except merely to explain his meaning, even if the debate on the question should be continued for many days. In the case of a matter requiring more than one reading, this limitation applies separately to each reading, *provided*, however, notwithstanding that a matter may move from the uncontested to contested Calendar or vice versa within the same reading, the limitation applies to the entire reading. If a member has the floor and is addressing the body, he shall not lose the floor by asking a question of any member of the body.

3.9 If any member shall be absent without leave and a quorum is not present, the Speaker shall instruct the Sergeant at Arms or appoint other authorized persons to send for such member or members and take them into custody. The outer doors to the Chamber shall be closed. The Speaker shall order that security personnel shall be posted at the outer doors of the Chamber and no member shall be permitted to leave the second floor of the State House without written leave of the Speaker. The Speaker may also order that security personnel be posted at all entrances to the State House to prevent members from leaving without authorization. An absent member who is taken into custody after the invocation of this rule shall pay for all reasonable expenses incurred which shall include mileage at the prevailing rate for state employees. In addition, such absent member who is taken into custody shall forfeit his entitlement to subsistence and mileage for that legislative day and shall be subject to any additional penalties the Speaker deems necessary. Should a quorum be present and ten members request, such absent member or members shall be sent for as herein provided and subjected to the same penalties. The Speaker shall strictly enforce the provisions of this rule. *Provided*, however, in the case of a member not being present when Rule 3.9 is invoked and such member voluntarily returns without being taken into custody, he shall not be subject to the penalties of this section. The invocation of this rule may be rescinded by a majority vote of those present and voting.

3.10 As soon as practicable, after the House has been organized, the seats of the members shall be allotted as follows:

TUESDAY, DECEMBER 4, 2018

The Clerk shall prepare a ballot for each county with only its name printed on it. These shall be put in a closed box. The Speaker shall then direct a person or persons to draw them out, one by one. As each ballot is drawn, the delegation from that county shall select their seats, in accordance with the county in which the member resides. In the event a member's district consists of more than one county, the member may elect to be seated with the delegation the member desires, provided the member indicates the preference to the Clerk of the House prior to balloting. No delegation may select more than one seat on the main aisle.

3.11 As soon as practicable, after the House has been organized, office space of members must be allotted as follows:

Each member shall choose an office in the Blatt Building on the basis of their seniority in the House in accordance with a floor plan prepared by the House Operations and Management Committee with the consent of the Speaker. A member who has served in the immediately preceding session shall have first preference on retention of his previously assigned office. The House Operations and Management Committee is authorized to make necessary adjustments in the assignment of office space with the consent of the Speaker when available space cannot be reasonably adjusted to conform with the county selections made pursuant to this subsection.

The provisions of this rule do not apply to office space for the Speaker, Speaker *Pro Tempore*, Chairman of the Rules Committee, Chairman of the Invitations and Memorial Resolutions Committee, Chairman of the Interstate Cooperation Committee and Chairmen of any other standing study committees or any other caucus having assigned space in the Blatt Building.

3.12 Members and employees of the House, other than pages, shall observe appropriate and dignified attire which means coat, trousers, shirt and tie for males and dress, skirt, slacks and blouse, or pants suits for females, unless otherwise excused by the Speaker in his sole discretion.

3.13 Each legislative caucus occupying office space in the Blatt Office Building may pay to the Clerk of the House of Representatives an amount, determined by the Clerk, for the use of office space by each caucus. Each caucus may also pay an amount for use of state-owned office related equipment including, but not limited to, copying services, computer equipment, and software and related connection charges for internet access and telephone equipment and service. Each legislative

TUESDAY, DECEMBER 4, 2018

caucus may make payment for equipment and services in the manner to be determined by the Clerk.

Rule 4

Committees

4.1 Committee appointments: see Rule 1.9.

4.2 4.2 As soon as practicable after the members have been sworn in and have taken their seats, the following Standing Committees, except the House of Representatives Legislative Ethics Committee, and the House of Representatives Committee on Operations and Management, shall be appointed with the indicated number of members appointed thereto:

1. Committee on Ways and Means – 25.
2. Committee on the Judiciary (Privileges and Elections) – 25.
3. Committee on Agriculture, Natural Resources and Environmental Affairs (Fish, Game, Forestry, State Parks, Rural Development, Environmental Affairs) – 18.
4. Committee on Education and Public Works (Education, Highways, State House and Grounds, Railroads, Aviation) – 18.
5. Committee on Medical, Military, Public and Municipal Affairs (Medical Affairs, Social Security, Penitentiary, State Hospital, Police Regulations, Military Affairs, Veteran's Affairs) – 18.
6. Committee on Labor, Commerce and Industry (Labor, Commerce and Manufacturing, Banking and Insurance, Merchants and Mercantile Affairs) – 18.
7. Committee on Rules – 15.
8. Committee on Interstate Cooperation (membership limited to 5, under 1976 Code, Sec. 1-17-30) – 5.

TUESDAY, DECEMBER 4, 2018

9. Committee on Regulations and Administrative Procedures (State Agency Rule Making, SC Code of Laws Section 1-23-10 et seq.) - 13.

10. Committee on Legislative Oversight (Oversight and Review of Government Operations and Accountability, SC Code of Laws Section 2-2-5 et seq.) - 20.

11. House of Representatives Legislative Ethics Committee – 10.

12. Committee on Invitations and Memorial Resolutions (Invitations, Resolutions memorializing the Federal or State Government or any official or agency thereof, sympathy, and congratulatory Resolutions) – 5.

13. Committee on Operations and Management of the House of Representatives (Advisory to the Speaker on personnel, administration and management of facilities, including management of the Blatt Building) – 8.

Each member shall serve on one and only one of the first six Standing Committees listed above. However, a member of these Committees may also serve on any one of the following Committees: Committee on Regulations and Administrative Procedures, Committee on Legislative Oversight, Committee on Rules, Committee on Interstate Cooperation, Committee on Ethics, Committee on Invitations, or Committee on Operations and Management of the House of Representatives. The Speaker, Speaker *Pro Tempore*, and Clerk shall serve as *ex officio* members of the Committee on Operations and Management of the House of Representatives but no chairman of any other standing committee shall serve as a member of such committee.

Provided, that a minimum of two members from each of the first six Standing Committees listed above shall be appointed to the Committee on Regulations and Administrative Procedures.

Provided, that the members of the Committee on Operations and Management of the House of Representatives (advisory to the Speaker on personnel, administration and management of facilities), and the members of the House of Representatives Legislative Ethics Committee, shall be elected by the members of the South Carolina House of Representatives, their terms to be coterminous with their respective term

TUESDAY, DECEMBER 4, 2018

of office. The Committee on Operations and Management of the House of Representatives shall consist of eight members. Four members of the committee shall be members of the majority party represented in the House of Representatives and four members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Committee on Operations and Management of the House shall be one of the four members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party.

Provided, that the Committee on Education and Public Works shall be deemed to be the Committee on Education, and the Committee on Medical, Military, Public and Municipal Affairs shall be deemed to be the Committee on Military Affairs and the Committee on Medical Affairs, in all cases where the statutes provide for the Chairman of these committees to perform *ex officio* duties.

Provided, that the Committee on Operations and Management of the House of Representatives with the consent of the Speaker may formulate such policies as it deems advisable relating to House personnel. Such policies shall be distributed to the members and must be adopted by majority vote of the House by House Resolution.

Provided, that except as herein provided neither the Speaker nor Speaker *Pro Tempore* shall be a member of any of the foregoing Standing Committees.

No member shall be appointed on a committee before he has been sworn in and has taken his seat. Any member who is sworn in after the general announcement of the committee shall, within a few days afterward, be placed by the Speaker on a Standing Committee whose number of members will not thereby be extended beyond the number provided in these rules.

After a committee has been appointed, no addition to it or change shall be made, except to fill a vacancy or to remove a member for conduct unbecoming a member.

Provided, that in filling a vacancy, the assignment of any member may be changed from another committee to fill such vacancy.

4.3 Unless otherwise ordered, committees shall have jurisdiction only over matters pertaining to the subjects indicated by the names of the respective committees, and to the subject matter indicated in parenthesis following the names.

TUESDAY, DECEMBER 4, 2018

4.4 Committees shall meet regularly to consider pending legislation in the room assigned for their use by the Speaker. Notice of date, time, and place of such meetings shall be posted on a bulletin board provided for this purpose in the lobby. Whenever feasible twenty-four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the committees and to the Sergeant at Arms in the manner the committee deems proper. Information as to subcommittee meetings shall be provided by the administrative assistants to the Sergeant at Arms and shall be available at the Sergeant at Arms' desk. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. No committee shall meet while the House is in session without special leave by the Speaker. *Provided*, however, that the Committee on Rules and any committee of conference or free conference, may sit at any time and may report its message to the House at any time.

No committee shall sit unless a quorum be present and all bills introduced by committees must carry the statement of the Chairman that the bill has the approval of two-thirds of the membership of the committee, except that the State Appropriations Bill, the Supplemental Appropriations Bill, a Rescission Bill, and the Deficiency Appropriations Bill may be introduced by a majority vote of the Ways and Means Committee.

No committee shall introduce a bill pertaining to subject matter over which it has no jurisdiction.

Notice in writing of all public hearings shall be given by Committee Chairmen to the Clerk of the House at least five calendar days prior to the date fixed for the hearing, such notice to be published in the House Calendar. Notice in writing of all committee action taken on a bill or resolution shall be given to the principal author thereof.

No statewide bill directly appropriating money shall be considered by the House until after such bill has been referred to the Ways and Means Committee, *provided*, however, a statewide bill which directly or by implication provides for *per diem*, subsistence or mileage in connection with the subject matter of the bill, but does not otherwise directly appropriate money, shall not be required to be referred to the Ways and Means Committee.

After the House sets a bill for Special Order pursuant to Rule 6.3, no point of order may be raised regarding its reference to committee,

TUESDAY, DECEMBER 4, 2018

however, the House by majority vote may commit or recommit a bill or other matter under debate.

No committee action shall be taken on a bill or resolution except at a regular or called meeting, but this shall not apply to resolutions referred to the Committee on Invitations and Memorial Resolutions.

When any standing committee or subcommittee schedules a public hearing on a bill or resolution, the principal sponsor of such bill or resolution shall be notified of the time and place of such hearing not less than five calendar days prior to the hearing date.

4.5 All meetings of all committees shall be open to the public at all times, subject always to the power and authority of the Chairman to maintain order and decorum with the right to go into Executive Session as provided for in the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended. *Provided*, a legislative caucus as defined by Section 2-17-10 of the 1976 Code of Laws of South Carolina, as amended, and its meetings are not subject to the provisions of Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended.

No committee shall file a report unless the committee has met formally at an authorized time and place with a quorum present. All standing committees of the House shall prepare and make available for public inspection, in compliance with Section 30-4-90 of the 1976 Code of Laws of South Carolina, as amended, the minutes of full committee meetings. Such minutes need not be verbatim accounts of such meetings but shall include those matters required by the above mentioned Freedom of Information Act.

4.6 After twenty days from the date of reference, the Chairman of the Committee in possession of a measure shall, upon written request of a sponsor or, in the case of a Senate measure, a House member, set a time for consideration of the measure by the full committee or subcommittee which shall be no later than seven legislative working days thereafter. *Provided*, however, that a member may request consideration of a bill or resolution pursuant to this rule only one time per bill or resolution during a legislative session.

4.7 a. Each report of a committee shall contain the action of the committee on the bill or other measure being transmitted. Such report shall certify the action by the committee and shall be signed by an officer of the committee.

TUESDAY, DECEMBER 4, 2018

b. When reporting a Senate bill as favorable, the committee may include in its report an amendment identical to the final version of any House bill that has been referred to that committee and passed by the House during the current two-year session. If the amendment is identical to a previously passed House bill, the amendment must be considered germane to the bill.

4.8 Any bill, report, petition, or other paper except an amendment which may come before the House, may be committed or recommitted before a final decision thereon. *Provided*, further that the Speaker shall commit to a committee any bill, joint resolution, or concurrent resolution returned from the Senate with an amendment that has so materially changed the bill that the bill's contents, as amended by the Senate, are no longer substantially germane to the bill, joint resolution, or concurrent resolution as it passed the House. Such bill, joint resolution, or concurrent resolution may be reported out of the committee with its recommendation and shall be placed on the Calendar under the heading of second reading or concurrent resolution. If not amended, it shall be enrolled as an act and ratified. If said bill, joint resolution, or concurrent resolution shall be amended, it shall be returned to the Senate at the conclusion of the process as a House amendment. *Provided*, the provisions of this rule may be dispensed with by a two-thirds vote of the membership present and voting of the House, a quorum being present.

4.9 In all cases the House may resolve itself into a Committee of the Whole. The motion to resolve the House into a Committee of the Whole shall specify the subject(s) to be considered in the Committee of the Whole. In the event the House resolves itself into a Committee of the Whole, the Committee of the Whole shall limit discussion to the subject(s) specified in the motion. The Speaker shall leave the Chair after appointing a Chairman to preside, who shall, in case of disturbance or disorderly conduct, have the power to cause same to be cleared. No bill or resolution may be considered by the Committee of the Whole House, except by a two-thirds vote, unless same has first been considered by the appropriate Standing Committee of the House.

4.10 The Committee of the Whole shall consist of the entire body of members in attendance at the particular meeting of the House. Such committee is a real committee in the parliamentary sense. During the time that a meeting of the Committee of the Whole is held, it is technically not 'the assembly'.

TUESDAY, DECEMBER 4, 2018

4.11 The Rules of the House so far as they are applicable shall be observed in a Committee of the Whole, the Chairman being substituted for the Speaker.

4.12 No Committee of the Whole or other committee shall deface or interline a bill or other paper, referred to it, but shall report any amendments recommended on a separate paper, noting the page and line.

4.13 No person shall be permitted to address the House or the Joint Assembly except by written resolution, and such resolution shall be referred to the Committee on Invitations and Memorial Resolutions before being considered by the House. The Committee shall not extend an invitation to any individual or group to address the House or the Joint Assembly unless such person or group is of significant national or state prominence at the time the invitation is extended and will bring a message of major importance to the State or such individual or group will present an artistic performance during the established hours of meeting.

Any invitations extended to the House as a whole to attend any functions shall be submitted to the Committee on Invitations and Memorial Resolutions at least 10 days in advance in order that it may determine what legislation or other pertinent matters may be pending before the House and its Committees before the invitation is accepted. The House shall accept no invitations to any functions other than a breakfast or luncheon prior to 6:00 p.m. Pages are not permitted to attend such functions. No invitations to functions for the House as a whole will be accepted during the week anticipated for the debate of the State Appropriations Bill.

4.14 No member of a committee shall be allowed under any circumstances to vote by proxy.

4.15 None of the House Rules shall be rescinded, suspended, or altered, except by written resolution which has been referred to the Rules Committee, or originates therein, and agreed to by two-thirds of the members of the House present after the committee has made its report. *Provided*, that any rule may be amended by a simple majority of the House during the month of January of each year.

TUESDAY, DECEMBER 4, 2018

4.16 A. The House of Representatives Legislative Ethics Committee (Committee) consists of ten (10) members. The ten members of the House of Representatives Legislative Ethics Committee shall be elected by the members of the House. Five members of the committee shall be members of the majority party represented in the House of Representatives and five members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Ethics Committee shall be one of the five members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party and shall be elected by members of the committee as well.

B. Jurisdiction

(1) The committee shall have jurisdiction over individuals and entities pursuant to Chapter 13, Title 8.

(2) No matter shall be considered later than four years after the violation allegedly occurred.

(3) No complaint may be accepted by the Ethics Committee concerning a member of or candidate for the House during the fifty-day period before an election in which the member or candidate is participating.

C. Duties

The committee shall:

(1) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of this Chapter 13, Title 8, which may include, but are not limited to, an audit of filed reports and applicable campaign bank statements, and to promptly notify the person to file the necessary notices and reports to satisfy the requirements of this Chapter 13, Title 8;

(2) receive complaints or allegations concerning any person under the jurisdiction of the committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2 and refer any complaint except for a complaint regarding a violation of the rules of the House of Representatives to the State Ethics Commission (commission) for investigation in compliance with Sections 8-13-530 through 8-13-550;

(3) upon a majority vote of the members of the committee initiate a complaint concerning any person under the jurisdiction of the committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2 and refer the complaint for investigation to the commission except for

TUESDAY, DECEMBER 4, 2018

a complaint concerning a violation of the rules of the House of Representatives;

(4) cause to be investigated any complaints or allegations regarding a violation of the rules of the House of Representatives or technical violation;

(5) upon request of any member, officer, or employee of the House render committee advisory opinions with regard to legislative ethics when, in its judgment, these opinions would serve the public interest. Such advisory opinions shall serve as binding precedent for the committee until specifically altered or withdrawn;

(6) act as an advisory body to the House and to individual members of or candidates for the House on questions pertaining to Chapter 13, Title 8 or Chapter 17, Title 2;

(7) issue through its staff a written informal advisory opinion, based on real or hypothetical sets of circumstances, to a person or entity within the committee's jurisdiction upon that person's or entity's request. If an informal advisory opinion is raised as a defense in response to a complaint, the committee shall consider whether the respondent is the person who requested the informal advisory opinion or is a member of the entity that requested the informal opinion. The committee also shall consider the accuracy of the facts presented in the informal advisory opinion and determine whether the respondent relied in good faith upon the written informal advisory opinion. The committee shall consider this information prior to making a probable cause determination;

(8) administer or recommend appropriate sanctions or dismiss charges as the result of a properly filed complaint including a complaint which has been investigated by the commission;

(9) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8 and promptly notify the person to file the necessary disclosures to satisfy the requirements and assess and collect any fines or fees authorized by state law for the failure to timely file a disclosure statement; and

(10) recommend a rule or statutory change relating to ethics as the committee deems appropriate.

D. Complaints and Investigations

(1) Complaints must be verified in writing and state the name of the person alleged to have committed the violation and the particulars of the violation.

(2) When a complaint is filed with or by the committee, a copy must be sent to the person alleged to have committed the violation, the

TUESDAY, DECEMBER 4, 2018

respondent, and to the commission for investigation, except for a complaint alleging a violation of the rules of the House of Representatives, within thirty days from the date the complaint was filed.

(3) If the committee determines that the complaint regarding a violation of the rules of the House of Representatives alleges facts sufficient to constitute a violation, an investigation shall be conducted into the alleged violation.

(4) Upon the initiation of an investigation by the committee, pursuant to Rule 4.16D.(3) the committee shall notify the respondent of what matters it intends to investigate and the respondent shall have the opportunity to submit a written response to any complaint or allegations being investigated within thirty days of being notified by the committee. Any complaint referred to the commission by the committee will be handled in accordance with Sections 8-13-530 through 8-13-550.

(5) After the investigation of a complaint referred to the commission and the commission subsequently provides a report to the committee with a recommendation that there is probable cause to believe a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, the committee may then concur or nonconcur with the commission's recommendation, or within forty-five days from the committee's receipt of the report, submit a request to the commission to continue the investigation in order to review information previously received or consider additional matters not considered by the commission.

(6) If, after reviewing the commission's recommendation and relevant evidence, the committee determines that there is not competent and substantial evidence of a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, the committee shall dismiss the complaint and send a written decision to the respondent and the complainant. The notice of dismissal must be made public if the commission made a recommendation that probable cause existed.

(7) If, after reviewing the commission's recommendation and relevant evidence, the committee determines that the respondent has committed only a technical violation pursuant to Section 8-13-1170 or 8-13-1372, then the provisions of the appropriate section apply.

(8) If, after reviewing the commission's recommendation and relevant evidence, the committee determines that there is competent and substantial evidence that a violation of Chapter 13, Title 8 or of Chapter 17, Title 2 has occurred, except for a technical violation of Section 8-13-1170 or 8-13-1372, the committee shall, as appropriate:

(a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or

TUESDAY, DECEMBER 4, 2018

(b) convene a formal public hearing on the matter within thirty days.

(9) The committee may obtain its own information, or request additional investigation by the commission, if it needs additional information to make a determination as to whether or not competent and substantial evidence of a violation exists.

(10) The committee may compel testimony and issue subpoenas for the procurement of witnesses and materials including books, papers, records, documents, or other tangible objects relevant to its investigation by approval of the chairman or a majority of the committee membership, subject to judicial enforcement as provided by law. The committee may administer oaths and affirmation for the testimony. A person to whom a subpoena has been issued may move before the committee for an order quashing a subpoena issued pursuant to this rule.

(11) If the committee determines that assistance is needed in conducting an investigation, the committee shall request the assistance of appropriate agencies.

(12) If the committee determines that there is no probable cause it shall dismiss the complaint.

(13) The committee shall refer any matters, regardless of a finding of probable cause, that are violations of law not under its jurisdiction to the appropriate law enforcement or regulatory agency.

E. Formal Public Hearings

(1) All formal public hearings of the committee must be open to the public subject to the provisions of the Freedom of Information Act (Chapter 4, Title 30).

(2) The investigator or attorney handling the investigation concerning a violation of the rules of the House of Representatives or a technical violation for the committee shall present the evidence related to the complaint at any public hearing and shall not serve as counsel to the committee during the hearing.

(3) The investigator or attorney handling the investigation for the commission shall present the evidence related to the complaint to the committee.

(4) It is the duty of the investigator or attorney to further investigate the subject of the complaint and any related matters under the jurisdiction and at the direction of the committee, to request assistance from appropriate state agencies as needed, to request authorization from the committee for funds for the hiring of auditors, investigators, or other assistance as necessary, to prepare subpoenas, and to present evidence to the committee at any public hearing.

TUESDAY, DECEMBER 4, 2018

(5) The respondent must be allowed to examine and make copies of all evidence in the committee's possession relating to the charges. At the hearing the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. The committee shall issue subpoenas for the attendance of witnesses requested by the respondent pursuant to these rules.

(6) The committee may deliberate in executive session but must render its findings of fact and issue any sanctions in a public hearing.

F. Sanctions

(a) If the committee finds the respondent has committed a violation within the committee's jurisdiction it shall:

(1) administer a public reprimand;

(2) determine that a technical violation as provided for in Section 8-13-1170 or 8-13-1372 has occurred;

(3) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(4) require the forfeiture of gifts, receipts, or profits, or the value of each, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(5) recommend expulsion of the member;

(6) provide a copy of the complaint and accompanying materials to the Attorney General if the committee finds that there is probable cause to support the existence of criminal intent on the part of the respondent when the violation occurred;

(7) require a combination of items (1) through (6) as necessary and appropriate.

(b) The committee may levy an enforcement or administrative fee on a person found in violation or who admits to a violation, pursuant to Title 2 or Title 8, to reimburse the committee for costs associated with the investigation and hearing of a violation as provided in Section 8-13-130.

(c) The committee shall report its findings in writing to the Speaker of the House of Representatives. The report must be accompanied by an order of punishment and supported and signed by a majority of the Ethics Committee members. If the committee finds the respondent has not violated a code or statutory provision, it shall dismiss the charges.

TUESDAY, DECEMBER 4, 2018

(d) The complainant or respondent has ten days from the date of the notification of the committee's action to appeal the action to the full legislative body by written notice to the Speaker of the House.

G. Confidentiality

(1) All investigations and accompanying documents are confidential and only may be released pursuant to this rule.

(2) The respondent or his counsel may, by written notice, waive the confidentiality requirement. The committee shall not accept any partial waivers.

(3) After a finding of probable cause by a majority of the committee or after the dismissal of a complaint after the commission's finding of probable cause, or a complete, written waiver by the respondent, the following documents become public record: the complaint, the response by the respondent, and, if applicable, the committee's notice of dismissal. After a public hearing, the following documents become public record: the notice of hearing, exhibits introduced at a hearing, the committee's findings, and the final order. Exhibits introduced must be redacted prior to release to exclude personal information when the public disclosure would constitute an unreasonable invasion of personal privacy including, but not limited to, social security and bank account numbers.

H. General Provisions

(1) Unless otherwise indicated by rule or statute, all meetings, deliberations, actions, issuance of advisory opinions, debates, recommendations, and other activities of the committee are subject to the provisions of the Freedom of Information Act (Chapter 4, Title 30).

(2) In an instance when the statutory process of amending a required disclosure form cannot adequately correct an error or omission contained in the form, persons subject to the jurisdiction of the committee may request that the committee correct the original filing electronically. All requests must be made to the committee in writing, containing the specific error or omission to be corrected and an explanation as to why the statutory amendment process is not adequate. The request is considered public and must be supported by a vote of a majority of the committee to be carried out. The committee will maintain a record of requests made and changes made for no less than five years.

(3) Notwithstanding Section 8-13-1340, a member of the House shall not, directly or indirectly, establish, finance, maintain, or control any entity including, but not limited to, a noncandidate committee that receives or makes contributions as defined in Section 8-13-1300. This

TUESDAY, DECEMBER 4, 2018

rule does not apply to a candidate committee or a legislative caucus committee.

(4) The Clerk of the House shall, in consultation with the Chairman of the Ethics Committee, cause to be employed by the House of Representatives, counsel exclusively for the purpose of providing legal advice and counsel to the Ethics Committee. Counsel employed for this purpose shall not be employed by or with any office within the House of Representatives other than the office of the Clerk of the House.

4.17 The Standing Committees may order to be printed for their use such papers as shall be referred to them.

4.18 The House shall not resolve itself into Executive Session except under those circumstances permitted by the laws of this State, and then only upon a vote of two-thirds of the membership present and voting, a quorum being present. Upon resolving itself into Executive Session, the Halls of the House shall be cleared of all persons except the members of the House, the Clerk of the House and the Sergeant at Arms.

No action shall be taken which violates the Statutory Law of this State and when such action is permissible it shall only be taken upon a two-thirds vote of the membership present and voting, a quorum being present.

4.19 When a bill or resolution is reported out of a standing committee of the House of Representatives, a summary of the bill or resolution prepared by the staff of that committee, if such summary is available, may be made available to the members electronically. Each summary prepared by staff shall have the following language printed in bold capital letters at the top of the summary: 'THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT'.

4.20 All Committees and subcommittees shall order a roll call vote, with the yeas and nays recorded in the minutes, on the questions of adopting a bill or joint resolution with a favorable report.

TUESDAY, DECEMBER 4, 2018

Rule 5

Bills, Resolutions, and Reports

5.1 No notice shall be required of a member of his intention to introduce a bill or resolution. Any member may introduce bills or resolutions which shall be received by the House staff whether or not the House is in session. Bills and resolutions so received shall be periodically referred by the Speaker of the House to the appropriate committee or committees which may then consider them at such times as the committee meets. Any matter acted upon favorably by any committee may be reported out by the committee when the House reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the House, for second reading consideration; *provided*, however, that bills appropriating revenue shall be referred to the Ways and Means Committee. *Provided*, further, that bills and resolutions creating study committees shall first be referred to the appropriate standing committee having jurisdiction of the subject matter of the bill or resolution. The Clerk of the House shall establish procedures to notify the House membership on a monthly basis of bills and resolutions introduced during periods when the Journal is not printed.

All bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading on the first day of the session.

In those years in which all seats of the House are up for election, no bill shall be received for prefiling between the dates of adjournment *sine die* and the date of completion of the Organizational Session of the House.

When the House of Representatives is not in session and bills are being prefiled and assigned to committees, any member who wishes to have their name added as a sponsor of a bill may do so by notifying the Clerk of the House in writing. The Clerk shall then notify the Chairman of the committee to which the bill has been assigned and their name shall be added. If a member wishes to sponsor a bill individually then they shall so indicate on the face of the bill and no additional sponsors shall be allowed.

5.2 Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper,

TUESDAY, DECEMBER 4, 2018

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

And every bill or joint resolution which shall propose the amendment or repeal of any Section, Chapter, or Title of the General Statutes or of any Act of Assembly or joint resolution, shall, in its title express the subject matter of such section, chapter, title, act, or joint resolution so sought to be amended or repealed. If this is not complied with, the paper shall not be received by the Speaker and objection may be raised by any member to such improper introduction at any time prior to third reading that the bill or resolution is being considered by the House.

Every bill or joint resolution proposing to amend any section or clearly identifiable subdivision or portion of a section of any chapter of the General Statutes or of any Act of Assembly or joint resolution shall give the full text of the Section or clearly identifiable subdivision or portion of a Section as it would read with such amendment inserted therein. And if this latter clause of this rule is not complied with, the bill or joint resolution shall be amended so as to conform to this rule before it be considered by the House. Any member may require such amendment at any time a bill or resolution not in conformance herewith is being considered by the House.

5.3 General Appropriations Bill and Supplemental Appropriations Bill

A. Certificate: Every General Appropriations Bill and Supplemental Appropriations Bill for the ordinary expenses of State Government before presentation shall have attached thereto a certificate from the Revenue and Fiscal Affairs Office stating that the total of the appropriations therein provided for is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided for in the bill, or in any other bill previously passed by the

TUESDAY, DECEMBER 4, 2018

House for the fiscal year to which the bill is applicable, and an Appropriations Bill without such certificate shall not be read the first time in the House, but shall be returned to the Committee on Ways and Means by the Speaker. After passage on second reading and before its consideration on third reading, every General Appropriations Bill, and every Supplemental Appropriations Bill shall have attached thereto a certificate from the Revenue and Fiscal Affairs Office that the total of the appropriations therein provided is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and if the Revenue and Fiscal Affairs Office cannot give such certificate, the Speaker shall order the bill recommitted to the Ways and Means Committee.

B. Germaneness and Amendments: The General Appropriations Bill and Supplemental Appropriations Bills may include both temporary and permanent provisions of law. The substantial effect of all temporary provisions of law and amendments thereto must be directly germane to the appropriation of funds, affecting revenue, or be rules, regulations, directives, or procedures relative to the appropriation of funds or affecting revenue for the fiscal year referred to in the bill. The substantial effect of all permanent provisions of law and amendments thereto must be directly related to and expressly germane to the purpose of an appropriation being made or revenue provided therein for the fiscal year referred to in the bill. An amendment which has the effect of appropriating funds in excess of one million dollars during the fiscal year stated within the bill shall include within the amendment the corresponding appropriation reduction(s) and/or revenue increase(s) within the same section that shall fully fund the amendment's proposed appropriation(s) or have attached to it in writing an explanation of the specific appropriation reduction(s) and/or revenue increase(s) from the different section(s) that shall fully fund the amendment's proposed appropriation(s). Provided, if an amendment identifies unspent projected revenue or balance as the funding source, the Speaker must consult with the Office of Revenue and Fiscal Affairs and confirm the existence of sufficient unspent revenue or balance before the House may consider the amendment. The provisions of this paragraph shall be narrowly and strictly construed with regard to all provisions of and amendments to the General Appropriations Bill and Supplemental Appropriations Bills.

TUESDAY, DECEMBER 4, 2018

C. Report of Conference of Committee: The following requirement applies to the report of the Conference Committee on the Annual Appropriations Bill: Any provision offered for inclusion in the Annual Appropriations Bill which increases or decreases the most recent official projection of general fund revenues of the Board of Economic Advisors may not be included in the bill or recommendation unless the revenue impact is certified by the Board of Economic Advisors. Changes to the official general fund revenue estimate as a result of such provisions may not exceed amounts certified by the Board of Economic Advisors. This requirement is in addition to other provisions of law regarding fiscal impact statements.

D. Format of Appropriations Bill: All State Appropriations Bills must be printed at the following stages in their passage so that:

1. The House Ways and Means Committee version of the Appropriations Bill must include the amounts recommended by the Ways and Means Committee.

2. The House version of the Appropriations Bill must include the amounts recommended by the Ways and Means Committee and the amounts passed by the House.

3. The Report of Conference or Free Conference Committee must include the amounts passed by the House, the amounts passed by the Senate, and the amounts agreed upon by the Conference Committee.

4. The Appropriations Act must include total funds approved for the next fiscal year and a listing of appropriations from the General Fund.

5. *Provided*, further, that:

a. the full salary of the principal officer of each department, agency, or institution shall be set forth as an item distinct and apart;

b. minor budget classifications or other descriptive terminology may be used when necessary to better express the purpose of the appropriation;

c. where the major portion of the operating funds to any department, institution, or principal operational division thereof is derived from Federal or other nonappropriated funds, the total appropriation for each major budget classification may be shown, and

TUESDAY, DECEMBER 4, 2018

the relative contributions of State and nonappropriated funds therefor shall be shown as completely as possible; and

d. the appropriations must be in conformity with the program budget format as adopted by the Ways and Means Committee.

E. Any bill or resolution considered by the House of Representatives, upon second reading, that raises revenue must conform to the provisions of Article III, Section 15 of the South Carolina Constitution.

F. Earmark Projects and Programs: For purposes of this section:

1. 'Appropriations bill' means the annual general appropriations bill, a supplemental appropriations bill, the joint resolution appropriating revenues of the capital reserve fund, a bill appropriating contingency reserve fund revenues, bond bills, or any other bill appropriating state revenues while under consideration by the House Ways and Means Committee or Senate Finance Committee or any subcommittee of it and any free conference committee on an appropriations bill. For purposes of this definition, a bill includes a joint resolution.

2. 'Earmark project or program' means:

a. an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year;

b. an appropriations bill proviso directing the expenditure of funds appropriated to an agency for a purpose not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year.

3. Each request for an earmark project or program included in an appropriations bill must be memorialized in writing on a form designed by the chairman of the House Ways and Means Committee. The form must include the member's name who requested the earmark project or program, an explanation of the earmark project or program requested, and such other information as the form may require. The form must be filed with the House Ways and Means Committee.

4. Each request for an earmark project or program included in the House Ways and Means Committee version of an appropriations bill must be listed on a separate document prepared by the appropriate

TUESDAY, DECEMBER 4, 2018

committee and placed on the members' desks before beginning debate of the appropriations bill on second reading. The document must include the members' name requesting the earmark project or program, a brief description of the earmark project or program request, and such other information as the form may require and must be posted on the General Assembly's web site.

5. An earmark project or program request made while an appropriations bill is in the Senate and is included in the report of a committee of conference must be listed on a separate document, similar to the form described in item 4., and placed on the members' desks before beginning debate of the report of the committee of conference. The chairman of the House Ways and Means Committee is charged with providing this form to the House membership.

6. An earmark project or program request made while an appropriations bill is in a committee of free conference must be listed on a separate document, similar to the form described in item 4., and placed on the members' desks before beginning debate of the report of the committee of free conference. The chairman of the House Ways and Means Committee is charged with providing this form to the House membership.

7. If the provisions of this subsection are not followed in reference to an individual earmark project or program, a two-thirds vote of the membership present and voting is required to include the earmark project or program in the appropriations bill or the report of the committee of conference or free conference.

G. The Annual General Appropriations Bill must be considered section-by-section on second reading, and when the pending question is the adoption of an individual section, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal except when the House agrees to a section by unanimous consent.

5.4 No bill or amendment providing an appropriation to pay a private claim against this State or a department thereof shall be introduced or considered.

TUESDAY, DECEMBER 4, 2018

5.5 No bill or joint resolution shall be introduced as a delegation bill or resolution unless such bill or resolution relates only to local matters concerning the county which such delegation represents.

5.6 Except as provided in subsection 5.1, the first reading of the bill shall be by title only. No amendments shall then be in order and the bill shall be referred to some committee, unless the House unanimously agrees, without debate, to dispense with reference. *Provided*, a request to dispense with reference to committee shall not be in order unless the call of the roll of the House has been taken that day and the Speaker has determined a quorum to be present.

5.7 Upon the second reading of a bill, after all amendments and motions have been disposed of, the question shall be the passage of the bill. Upon a decision in the affirmative, the order shall be made accordingly and the bill shall take its place on the Calendar for third reading.

5.8 At the third reading of a bill, the bill shall be read by its title only.

If the bill originated in the House, the question then shall be the passage of the bill. On a bill which originated in the Senate, if no amendment has been made by the House, the question shall be the passage of the bill and in the case of an affirmative vote, the title 'Bill' shall be changed to an 'Act' and the act shall be enrolled for ratification.

If the bill has been amended in the House, the question shall be the passage of the bill, as amended, and in the event of an affirmative vote, the bill, as amended, shall be returned to the Senate.

5.9 All bills and resolutions reported by a committee shall, as a matter of course, be printed, together with the report of a committee. A bill or joint resolution shall be reprinted following its second reading, if amended by the House, reflecting the substance of the bill in its amended form. Every committee report which amends the provisions of legislation referred to such committee shall give the full text of the section or clearly identifiable subdivision or portion of a section as it would read with such amendment inserted therein. If this rule is not complied with, the committee report shall be amended so as to conform to this rule before the bill or joint resolution is considered by the House. This shall be the responsibility of the committee chairman.

TUESDAY, DECEMBER 4, 2018

5.10 No local bill or joint resolution shall receive a second reading unless its number and title shall have been printed in the House Calendar at least one day prior to such reading. *Provided*, that no statewide bill or joint resolution shall receive a second reading unless its number and title shall have been printed in the House Calendar at least one statewide legislative day prior to such reading unless said bill or resolution has been set for Special Order consideration as provided for by Rule 6.3(15)(b). *Provided*, further, no General Appropriations Bill or Supplemental Appropriations Bill for the ordinary expenses of the State Government shall receive a second reading unless printed copies of such Appropriations Bill shall have been laid on the desks of members at least three legislative days prior to second reading.

5.11 Any bill, resolution, report, or other paper which has been under consideration, may, at the Speaker's discretion, be ordered to be printed for distribution to the members.

5.12 No bill or joint resolution from the Senate shall be considered unless received by April tenth in the House. *Provided*, such bill or joint resolution shall be placed on the Calendar for further consideration if two-thirds of those members present and voting agree to waive the rule. Any bill or joint resolution failing to receive the required vote shall be returned to the appropriate committee. Once voted on and rejected, no further vote shall be allowed to waive this rule.

The motion to waive this rule shall not be debatable, except that the mover shall have the right to make a three-minute explanation of his motion.

The provisions of this rule shall apply only to regular sessions of the General Assembly as opposed to special sessions of the General Assembly.

The Speaker shall enforce the deadlines provided by this rule and shall not allow consideration without putting the question of waiver before the House.

5.13 Each bill effecting the expenditures of money by the State shall, prior to receiving second reading, have attached to it in writing such comment of the appropriate state official or office as may appear appropriate regarding the bill's effect on the finances of the State. Each committee amendment that substantially changes a bill effecting expenditures of money by the State, prior to the bill receiving second reading, shall have attached to the committee amendment such comment

TUESDAY, DECEMBER 4, 2018

of the appropriate state official or office as may appear appropriate regarding the committee amendment's effect on the finances of the State. *Provided*, however, this rule shall not be invoked where the amount is shown in the bill.

Committee chairmen shall satisfy these requirements of a fiscal impact statement prior to the bill receiving second reading.

5.14 No report of a Committee on Conference or Free Conference, except on a *Sine Die* Resolution or local matters, shall be considered until such report has been printed in the House Journal and explained by the conferees on the floor of the House.

Provided, no report of a Committee on Conference or Free Conference concerning the General Appropriations Bills, Supplemental Appropriations Bills for the ordinary expenses of State Government, or legislation appropriating the Capital Reserve Fund, shall be considered until such report has been made available online to the public for at least twenty-four hours.

The provisions of this paragraph may be specifically dispensed with by a two thirds vote of the members present and voting of the House, a quorum being present.

5.15 The printing of any document required to be printed under the Rules of the House may specifically be dispensed with by two-thirds vote of the membership present and voting of the House, a quorum being present; *provided*, such vote shall be by division vote; *provided*, however, the printing of any bill which has not been referred to committee shall not be waived.

5.16 Should any member seek immediate consideration of any House or Concurrent Resolution, the resolution shall receive immediate consideration unless five members object. If immediate consideration of such resolution is not sought, or in the event five members do object where immediate consideration is sought, the resolution shall be referred to an appropriate committee and shall not be considered by the House until after the committee has made its report and at that time shall take its place on the Calendar. *Provided*, however, a House or Concurrent Resolution concerning *Sine Die* Adjournment under Article III, Section 21 of the South Carolina Constitution and Section 2-1-180 of the Code of Laws of South Carolina, 1976, shall receive immediate consideration, which shall include the motion to commit or recommit.

TUESDAY, DECEMBER 4, 2018

A House or Concurrent Resolution sponsored by a committee shall receive immediate consideration if so requested by a member unless five members object, in which case it shall take its place on the Calendar without the necessity of being referred to a committee. Such resolution shall be printed in the same manner as is prescribed in Rule 5.9 for the printing of bills.

Provided, however, the Clerk shall prepare forms for House Resolutions expressing the sympathy or congratulations of the members of the House. Any member wishing to sponsor such a resolution shall forward in writing on a form prepared by the Clerk information sufficient to prepare the resolution. The Speaker shall sign the resolution on behalf of the membership. Such resolutions shall not be read to the House or printed in the Journal except upon the request of ten members. The Speaker may refer any such resolution to the Committee on Invitations and Memorial Resolutions and, in such event, the resolutions must be approved by the committee or if the committee recommends, by the House.

5.17 (A) Upon the consideration of any statewide uncontested bill or joint resolution, an objection or request for debate by five (5) members at any time prevents the consideration of the statewide bill or resolution and it then must be placed upon the statewide contested Calendar and remain on it until one (1) or more objections or requests for debate are formally withdrawn from the floor, and if there are not further objections or requests for debate entered at that time so that the total number of outstanding cumulative objections or requests for debate is less than five (5) or more, the statewide bill or resolution shall then receive immediate consideration if there is any time remaining in the applicable period for that statewide day for that bill or resolution.

(B) Upon the consideration of any local uncontested bill or joint resolution, an objection or request for debate by three (3) members at any time prevents the consideration of the local bill or resolution and it then must be placed upon the local contested Calendar and remain on it until one (1) or more objections or requests for debate are formally withdrawn from the floor, and if there are not further objections or requests for debate entered at that time so that the total number of outstanding objections or requests for debate is less than three (3), the local bill or resolution shall then receive immediate consideration if there is any time remaining in the applicable period for that day for that local bill or resolution.

TUESDAY, DECEMBER 4, 2018

5.18 If any bill or resolution shall be recommitted to a committee or referred to another committee retaining its place on the Calendar, the same may be listed on the Calendar by number only until it is returned to the floor for debate or such action as may be appropriate.

Any bill, resolution, or report upon which debate has been adjourned may be listed on the Calendar by number only until the date for consideration has been reached.

5.19 a. No member shall speak more than twice on the main question of a bill or resolution being considered for any reading and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. No member shall speak more than twice upon an amendment or a motion to reconsider that is debatable and then not longer than ten minutes each time. However, if the previous question has been invoked, no member may speak more than twice on a motion to reconsider that is debatable and then not longer than the amount of time remaining for debate of the underlying motion; *provided*, that proposed amendments announced and introduced by the Reading Clerk shall be considered prior to a member speaking on the bill. No member shall speak more than twice on Senate amendments to a House bill and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. The House may, however, by consent of a majority of the members present and voting suspend the operation of this rule during any debate on any particular question before the House.

Provided, each bill or joint resolution, prior to receiving second reading, must be explained for a minimum of ten minutes or until all questions from House members are addressed, whichever occurs first. The committee chairman of the committee to which a bill or joint resolution was referred, the committee chairman's designee, the sponsor(s) of the bill or joint resolution, and other members of the House may jointly explain the bill or joint resolution in order to provide the required explanation.

b. Subsection a. of this rule shall be applicable on a section-by-section basis on debate upon the General Appropriations Bill, the Supplemental Appropriations Bill, or the bond bills but shall not apply to bills on reapportionment.

TUESDAY, DECEMBER 4, 2018

c. The question of granting Free Conference Powers shall require an affirmative vote of two-thirds of the membership of the House and is not debatable. No member shall speak more than twice on the question of adoption of a Conference or Free Conference Report and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. When the pending question is adoption of a Conference or Free Conference Report, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal. Furthermore, the question of adoption of a Conference or Free Conference Report is subject to the provisions of Rule 8.6.

5.20 Notwithstanding the provisions of any other House Rule, no House or Concurrent Resolution memorializing the Congress of the United States, the President of the United States, or any state or federal department, agency, or official shall receive immediate consideration but shall be referred to the Committee on Invitations and Memorial Resolutions and shall remain in such committee unless three members of the committee vote to report the resolution out of committee. No such resolution may be recalled from committee.

Rule 6

Daily Order of Business and Calendar

6.1 a. The House shall meet each legislative day at 12:00 Noon every Tuesday, 10:00 a.m. every Wednesday, and 10:00 a.m. every Thursday and Friday unless otherwise ordered by the House. *Provided*, that by motion made at any time the House by majority vote may fix the day and hour at which time the House shall next meet (not to exceed constitutional limitations) and this shall be decided without debate.

Provided, further, that during the first three weeks of the legislative session, unless a majority of the House members present object, on Wednesdays the House shall meet at 2:00 p.m. to provide time in the morning hours for committees to meet and hearings to be held.

Provided, further, that unless ordered otherwise, the House shall consider only local uncontested matters on Friday of each week.

b. The Speaker, in his sole discretion, is authorized to call the House of Representatives into statewide session for the exclusive purpose of the introduction and referral of bills and receipt and reading of communications and committee reports and to adjourn immediately

TUESDAY, DECEMBER 4, 2018

thereafter with no roll to be taken. Any such action by the Speaker shall provide the specific date of the statewide session and shall provide that the House of Representatives must convene at 10:00 a.m. and adjourn not later than 10:30 a.m. on these days. Provided, that a statewide session held pursuant to this paragraph shall not be considered in calculating the provisions of Rules 5.10 and 9.1.

6.2 All questions as to priority of business or as to the time when any matters shall be considered or ordered for consideration and as to a departure from the regular order of business shall be decided without debate.

6.3 The following order of business shall be enforced every day by the Speaker, except that Special Orders as defined in subsection 14a of this rule shall be considered at the time and place set.

1. a. prayer;
b. Pledge of Allegiance to the flag of the United States of America;
2. corrections to the Journal;
3. receipt of communications including messages from the Senate;
4. reports of committees including Conference and Free Conference;
5. first reading of House resolutions, concurrent resolutions, committee reports on resolutions, joint resolutions, and bills upon the desk;
6. call of the roll of the House;
7. a. consideration of local uncontested bills and joint resolutions on third reading;
b. consideration of local uncontested bills and joint resolutions on second reading;
8. Special introductions, recognitions, and announcements, the sum total of which may not exceed fifteen minutes with no more than

TUESDAY, DECEMBER 4, 2018

eight special introductions, recognitions, or announcements, each one not exceeding ninety seconds. However, nothing contained herein limits the discretion of the Speaker to allow such special introductions, recognitions, and announcements during roll call voting as he deems appropriate.

9. a. consideration of statewide uncontested bills and joint resolutions on third reading;

b. consideration of statewide uncontested bills and joint resolutions on second reading;

10. withdrawal of objections and requests for debate;

11. consideration of pending motions to reconsider;

12. a. consideration of unanimous consent requests;

b. consideration of vetoes;

c. consideration of Senate amendments;

d. consideration of local contested bills and joint resolutions on third reading;

13. consideration of statewide contested bills and joint resolutions on third reading in the order in which they appear on the Calendar;

14. a. motion period;

b. consideration of local contested bills and joint resolutions on second reading;

15. consideration of statewide contested bills and joint resolutions on second reading in the order in which they appear on the Calendar;

a. Notwithstanding the order of business set forth in Rule 6.3 a matter may be set for Special Order for consideration on a particular day at a particular hour or at a particular place on the Calendar.

b. Special orders may be set for appropriations bills and local bills by majority vote of the House. Special orders on all other bills on the Calendar shall be set only by written resolution, which has been referred to the Rules Committee or originates therein, and agreed to by two-thirds of the members of that committee and agreed to by majority of the members of the House present after the committee has made its report; *provided*, however, that notwithstanding the provisions of Rule 9 governing the amendability of bills and resolutions, no amendments may

TUESDAY, DECEMBER 4, 2018

be offered to any Special Order resolution, which amendments do not pertain to the bill which is the subject of the Special Order resolution, except as to the time and date called for in such resolution.

Provided, that for the purpose of explaining any Special Order resolution the time limit for opponents shall not exceed five minutes and the time limit for proponents shall not exceed five minutes.

c. A Special Order set for a certain day and hour, not being considered by the House at the hour named, shall be transferred by the Clerk of the House to the Special Orders of the following day until disposed of, in the chronological order of original appointment.

Any member may insist upon a Special Order of the Day, or other Special Orders, until it be discharged.

d. The motion period provided for the daily order of business under Rule 6.3 shall be limited to ten minutes only.

Provided, however, that time consumed by roll call votes shall not be construed as part of time allotted to said motions period.

e. Consideration of uncontested local bills and joint resolutions on third and second readings as provided in subsection 7a and b of this rule shall be limited to a total of ten minutes only. Consideration of contested local bills and joint resolutions on second and third readings as provided in subsections 12b and 14b of this rule is limited to a total of ten minutes for second reading bills and joint resolutions and ten minutes for third reading bills and joint resolutions.

f. Consideration of uncontested statewide bills and joint resolutions on third and second readings as provided in subsection 8a and b of this rule shall be limited to a total of thirty minutes only.

g. No debate shall be allowed in the uncontested period, *provided*, however, the Speaker may recognize a proponent and opponent of any uncontested bill or joint resolution for a brief explanation of their position.

h. Consideration of unanimous consent requests as provided for in subsection 12 of this rule shall be limited to five minutes only. No unanimous consent requests except those unanimous consent requests dealing with the pending matter may be considered at any time other than during the time provided for in subsection 12 of this rule.

6.4 A debate interrupted by a simple adjournment shall afterwards be resumed at the point of interruption as if debate had been formally adjourned. A matter interrupted by a call for the Orders of the Day shall, after the Orders have been disposed of, be resumed at the point of interruption before any other question.

TUESDAY, DECEMBER 4, 2018

6.5 Messages may be received at any time while the door is open, except while a question is being put, or a ballot, or a *viva voce* vote is taken. A message shall be presented to the House by the Speaker when received, or afterwards, according to its nature, and the business in which the House is engaged, or its consideration may, on motion, be ordered by the House.

6.6 In all particulars not determined by these rules, or by the laws of the Constitution of this State, or of the United States, the practice of this House shall conform to its previous usage, or be guided by parliamentary law as it may be collected from the best authorities, *Mason's Manual of Legislative Procedure* being the preferred parliamentary authority.

Rule 7

Voting

7.1 If, upon a question by acclamation, the Speaker doubts, or a division be called for, the House shall proceed with a division vote by voting on the electronic roll call board. If the electronic roll call board malfunctions, the Speaker shall proceed to call the division vote by voice vote. When division votes are made by use of the electronic roll call equipment, no individual votes shall be recorded. The Speaker shall state: 'The pending question is..... (designating the matter to be voted upon)'. The Speaker shall then unlock the voting machine and announce that voting will proceed. He shall then sound the bell. Thirty seconds after the announcement of the commencement of the vote on the board, the Speaker shall then announce that voting is closed and shall lock the machine and instruct the Clerk to tabulate the vote on the electronic roll call board. The Speaker shall then announce the result of the vote.

7.2 The House of Representatives shall take a roll call vote on second and on third reading when an amendment has been made on third reading for the following matters, whereupon the yeas and nays shall be ordered and shall be entered by name in the House Journal, the electronic roll call system shall be used, and the procedure provided for in Rule 7.3 shall be followed:

(1) adoption of a Joint Resolution proposing an amendment to the Constitution of South Carolina;

TUESDAY, DECEMBER 4, 2018

(2) adoption of legislation ratifying a proposed amendment to the Constitution of South Carolina;

(3) adoption of a Bill or Joint Resolution establishing a fee or tax, raising an existing fee or tax, or reducing an existing fee or tax;

(4) adoption of the Annual General Appropriations Bill and any individual section of it pursuant to Rule 5.3G;

(5) adoption of a state or congressional reapportionment plan;

(6) adoption of a Bill or Joint Resolution directly increasing or decreasing the salary, benefits, or retirement benefits of members of the General Assembly, elected officials of the Executive Branch, or members of the Judicial Branch;

(7) adoption of a Bill or Joint Resolution amending the Ethics and Accountability Act or the Campaign Finance Act; and

(8) adoption of a Conference or Free Conference Report pursuant to Rule 5.19c.

Provided, the House of Representatives shall take a roll call vote and shall enter the yeas and nays in the House Journal for the following questions:

(1) a question for which the Constitution of South Carolina requires the yeas and nays to be recorded;

(2) an election by the General Assembly or the House of Representatives except where the election is declared by unanimous consent to be by declaration;

(3) adoption of an amendment to the Annual General Appropriations Bill where the amendment directly effects the raising or spending of revenue in the amount of ten thousand dollars or more;

(4) a question of overriding or sustaining an Act returned by the Governor with objections;

(5) a question for which ten members of the House request a roll call vote; and

(6) a question of concurrence, nonconcurrence, or adoption of amendments to bills or joint resolutions returned to the House with amendments by the Senate.

7.3 a. When the House is ready to vote upon any question requiring the yeas and nays and the vote is to be taken by the electronic roll call system, the Speaker shall state: 'The pending question is..... (designating the matter to be voted upon)'. The Speaker shall then unlock the voting machine and announce: 'Roll call vote. Voting on the board'. He shall then sound the bell. Once the voting has begun, it shall

TUESDAY, DECEMBER 4, 2018

not be interrupted, except for the purpose of questioning the validity of a member's vote before the result is announced.

b. Two minutes after the bell has been sounded, the Speaker shall ask the question: 'Have all members present voted?' After a pause, the Speaker shall then lock the machine and instruct the Clerk to tabulate the vote on the electronic roll call board. The Speaker shall then announce the result of the vote.

c. After the voting machine is locked, no member may change his vote and the votes of tardy members shall not be counted.

d. Subject to the provisions of Rule 2.10, the vote as electronically recorded on the roll of members shall not in any manner be altered or changed by any person.

e. No member shall vote for another member, nor shall any person not a member vote for a member. Any member who shall vote or attempt to vote for another member or a person not a member who shall vote or attempt to vote for a member may be punished in such manner as the House determines.

f. Any member or other person who wilfully tampers with or attempts to disarrange, deface, impair, or destroy in any manner whatsoever the electronic voting equipment or who destroys or changes the record of votes thereon shall be punished in such manner as the House determines.

Provided, however, the minimum penalty for violation of Rule 7.3 shall be a public reprimand.

g. The Speaker *Pro Tempore* or a member who has been appointed by the Speaker to preside may designate another member to cast his vote on any question while he is presiding in accordance with his instructions from the Chair.

h. A member recorded as voting while absent from the Chamber shall present to the presiding officer an affidavit attesting to this fact. Any member may also report to the presiding officer his knowledge that another member was recorded as voting while absent from the Chamber. If the affidavit of the member whose vote is in question is presented within forty-eight hours of the vote, the presiding officer shall adjust the vote totals to reflect the affidavit and order action on the question in accordance with the adjusted vote total. If the member filing the affidavit or any other member has knowledge of the identity of the person who voted for him while absent, he shall present this information to the presiding officer who shall refer it to the Ethics Committee for consideration of any recommendation of punishment in accordance with this rule.

TUESDAY, DECEMBER 4, 2018

i. Each member shall be issued one electronic card by the Sergeant at Arms to activate the voting console on his desk to operate the electronic voting system. That card may not be duplicated by the member nor may a duplicate be issued to a member. The card must not be left in the voting console at any time while the member is not within the outer doors of the Chamber. If a member loses his card, a replacement will be issued by the Sergeant at Arms at the member's expense. If a member is temporarily without his card while the House is in session, the Sergeant at Arms will provide a temporary card to that member at the member's request for that day only and that card may not be removed from the House Chamber.

7.4 If the electronic roll call machine is declared by the Speaker of the House to be inoperative, the 'Yeas' and 'Nays' shall be taken by the Reading Clerk calling each member's name in alphabetical order and each member responding by answering simply: 'Yea' or 'Nay'. Each member who may be in the House when called may give his vote.

Provided, further, that when the electronic roll call system is being used to record votes, the doors shall not be closed and members shall be permitted to vote as *provided* in Rule 7.3.

7.5 No member shall, under any circumstances, be permitted to vote after a decision shall have been announced by the Chair. After the decision of the question, a member absent may be permitted to record the vote he would have given if present, but such vote shall not affect the previous question.

7.6 No member shall be permitted to explain his vote during a roll call, but may reduce his explanation to writing, in not more than 200 words, and upon filing said explanation with the Clerk, it shall be entered in the Journal.

7.7 When the pending question is the passage of any bill or resolution on the contested Calendar on second reading, the yeas and nays shall be taken by roll call and the votes thereon shall be recorded in the Journal.

7.8 A member of the House of Representatives may give his proxy to vote on matters before the full body to another member of the House of Representatives if that member is deployed by military order for federal military duty or state national guard duty to a combat zone for a

TUESDAY, DECEMBER 4, 2018

period of more than twenty-one days during a legislative session. However, the member holding the proxy may not cast a vote for the deployed member unless the deployed member has specifically provided the voting member with written voting instructions, including, but not limited to, instruction transmitted by facsimile or electronic mail, with regard to the deployed member's position on the issue. The proxy on a particular question may be used upon unanimous consent of the members of the House present and voting provided the proxy vote does not change the outcome of the question.

Rule 8

Motions and Their Precedence

8.1 No motion shall be debated until it shall have been stated by the Speaker. Any motion, if requested by the Speaker, must be reduced to writing and delivered at the desk and read, before it shall be debated.

8.2 The mover may withdraw any question or proposition before an amendment or decision, except after a demand for the yeas and nays and except after the previous question has been ordered.

8.3 No dilatory motion or amendment shall be entertained by the Speaker, prior precedents to the contrary notwithstanding.

8.4 A question before the House shall be suspended by:

1. a message;
2. a report or resolution of the Committees on Rules, Conference, Free Conference, or Invitations;
3. a question of order;
4. a question of privilege;
5. a question of taking recess;
6. any other incidental questions, such as of reading papers, dividing a question, withdrawing a motion, excusing a member from voting, or the like. *Provided*, further, the five first named may suspend

TUESDAY, DECEMBER 4, 2018

even a speech; *provided*, that the fifth, if once negated, shall not be received during the same speech without the consent of the member speaking.

8.5 When a question is under debate only those motions herein below shall be received and notwithstanding the provisions of any other rule, none of such motions except the motion to adjourn or recede, a motion to continue, or a motion for the previous question shall be considered until the conclusion of such debate. Such motions shall require a simple majority vote unless otherwise specified herein:

1. to adjourn or recede;
2. to continue;
3. to lay on the table;
4. for the previous question (fifty percent of those present and voting, a quorum being present, plus five when a member has the floor at the time the motion is made);
5. to adjourn the debate to a certain day;
6. to commit or recommit.

These motions shall have precedence in the order in which they are hereinabove arranged.

Provided, a motion to reconsider shall be received and noted while a speech is being made but notwithstanding the provisions of Rule 8.14, shall be considered immediately after disposal of the pending matter or pursuant to Rule 6.3(11), whichever shall come first.

8.6 The previous question upon any matter may be invoked as follows:

Upon an affirmative vote on a motion for the previous question (fifty percent of those present and voting, a quorum being present, plus five, being required to interrupt debate and a simple majority vote at all other times), the amendments then upon the desk shall be considered, but no further amendments shall be allowed to be offered unless the amendment has at least two-thirds of the membership of the House as its sponsor. The proponents of an amendment shall be allowed an

TUESDAY, DECEMBER 4, 2018

opportunity to make a short explanation of his amendment for a period not to exceed three minutes, then opponents to the amendment shall be permitted not more than three minutes to oppose the proposed amendment. Then two hours of debate shall be allowed on the bill, the time being equally divided between opponents and proponents with no person to speak more than ten minutes. *Provided*, that after the previous question has been invoked, the primary sponsor of an amendment may withdraw it with unanimous consent without making a motion to table it.

Provided, the previous question may be invoked on a motion to reconsider only when the matter to be reconsidered is debatable.

Provided, a motion to adjourn debate shall be in order even though the previous question has been invoked.

Provided, further, any member who has been recognized by the Speaker and is speaking from the podium, is considered to be debating the issue and a call for the previous question, whether by the member or any other member, requires the necessary fifty percent of those present and voting plus five.

8.7 A motion to recess may state the time for reconvening and in the absence of such time stated, reconvening shall be at the call of the Chair. The Speaker may at anytime order the House to stand at ease to be reconvened at the call of the Chair.

8.8 (Reserved)

8.9 When a motion is made during a motion period, the Speaker shall entertain but one motion at a time and there shall be no substitute motions considered. The same motion may be entertained consecutively during the motion period.

8.10 Any member may without debate, call for the division of a question and the House may divide the question if the Speaker determines the question so distinct that, one being taken away, the rest may stand entirely on its own. *Provided*, however, that a bill may not be divided into separate parts.

8.11 a. The following motions shall be decided by simple majority unless otherwise specified and without debate after any short remarks the Speaker permits:

to adjourn;

TUESDAY, DECEMBER 4, 2018

- to recede;
- to continue;
- to lay on the table;
- for the previous question (unless it is made when a member has the floor and then it requires a majority plus five);
- to adjourn debate;
- to commit or recommit;
- to resolve the House into a Committee of the Whole;
- to proceed to the orders of the day;
- to recur to the morning hour;
- to fix the hour to which the House shall next meet;
- to grant free conference powers;
- to divide the question.

b. The following motions shall not be permitted at the same stage of the bill or proposition until one hour of time has elapsed since the same question was negatived:

- for the previous question;
- to lay on the table;
- to adjourn debate;
- to continue;
- to commit or recommit;
- to recur to the morning hour.

8.12 Motions to adjourn, to recede, and to recede subject to the call of the Chair, shall always be in order except while the House is actually engaged in deciding a question by yeas and nays or in voting *viva voce* or in balloting. However, if a motion to adjourn or to take a recess has been negatived, no new motion to adjourn or take a recess shall be in order until fifteen minutes shall have elapsed from the decision of the former motion, even though such motion to recede might be to recede to a different time.

8.13 (Reserved)

8.14 When a question shall have been once decided in the affirmative or negative, any member who voted with the prevailing side may on the same day or the next day of the sitting of the House move for a reconsideration thereof and the House, if in session for statewide matters, shall immediately have the question of reconsideration before it. If the House is not in session for statewide matters or have before it a matter under Special Order, it shall have the question of

TUESDAY, DECEMBER 4, 2018

reconsideration before it as provided in Rule 6.3. *Provided*, that, if the motion to reconsider concerns an amendment to the matter under Special Order, the House shall immediately have the question of reconsideration before it. If the House shall refuse to reconsider, or, upon reconsideration, shall affirm its first decision, no further motion shall be in order except by unanimous consent; *provided*, that once a motion to reconsider is made it may not be withdrawn except in the same day in which it was made.

Provided, that a motion to reconsider shall not be allowed if the bill, resolution, message, report, amendment, motion, or the paper upon which the vote was taken shall have gone out of the possession of the House.

A motion to reconsider may be laid on the table. If such motion be laid on the table, it shall be deemed a final disposition of the motion.

8.15 A member may move to continue a matter when called on the Calendar to the next session, but not to a specific date in the next session; and if the House agrees thereto, the matter shall be thereupon continued to the next session, and the Clerk of the House shall make up a Calendar of all the matters so continued, placing the same thereupon, in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued and shall have priority according to the last order for consideration made upon them.

If a motion to continue, having received an affirmative vote, shall be reconsidered and thereupon such motion to continue shall receive a negative vote, the matter shall be taken up in its original place on the Calendar.

Rule 9

Amendments

9.1 A bill which originated in the House, or which, having originated in the Senate and having been amended by the House, shall be returned from the Senate with amendments, such bill as amended shall be printed, placed on the House Calendar, and shall not be considered until its number and title shall have been printed in the House Calendar for at least one statewide day prior to such reading. *Provided*, however, that this requirement shall not apply to local bills; nor shall this requirement apply to bills returned from the Senate with amendments

TUESDAY, DECEMBER 4, 2018

during any extension of the session under Section 2-1-180 of the Code of Laws of South Carolina, 1976, or to bills returned from the Senate with amendments during an extra session pursuant to Article IV, Section 19 of the South Carolina Constitution.

The General Appropriations Bill, Supplemental Appropriations Bill for the ordinary expenses of State Government, and legislation appropriating the Capital Reserve Fund, having been returned from the Senate with amendments, shall not be considered until:

(1) their number and title shall have been printed in the House Calendar; and

(2) their contents, as amended, have been made available online to the public for at least forty-eight hours.

The consideration of amendments shall have precedence over a motion to either concur or nonconcur in the Senate amendments. Once the matter is amended and all pending amendments are considered, then said bill is returned to the Senate for consideration.

If no amendments have been adopted by the House then the question shall be: 'Will the House agree to the Senate amendment?' A decision in the negative shall be a rejection. Upon a decision in the affirmative, the title of the bill shall be changed to an act an ordered to be enrolled.

9.2 At the third reading of a bill, no amendment shall be permitted without unanimous consent, except that the Chairman of the Committee on Ways and Means may (if he shall have given notice at the second reading of his intention to offer amendments at the third) be permitted to offer amendments to any appropriations bill, as may be pertinent to the bill. The chairman of any committee may (if he has given notice at the second reading of his intention to offer amendments at the third) be permitted to offer technical amendments to any bill which has been reported from his committee; and

Provided, that the House may, in its discretion, commit or recommit any bill at its third reading and after the report of the committee any amendment which it shall recommend may be adopted.

9.3 No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment unless it refers to the intent of the motion or proposition under consideration. *Provided*, that nothing in this rule shall prevent a committee from amending and favorably reporting a Senate bill with an amendment identical to the final version of a House bill that was referred to that

TUESDAY, DECEMBER 4, 2018

committee and passed by the House during the current two-year session. *Provided*, further, that nothing shall prevent the adoption of an amendment which rewrites the bill in its entirety if the bill as rewritten remains germane to the original title of the bill. *Provided*, further, that in determining whether or not any amendment be germane, the Speaker of the House of Representatives shall be guided by precedents of the House of Representatives to the extent available.

9.4 A proposed amendment shall be in order regardless of the number of changes proposed therein to the matter under debate, *provided* such amendment is otherwise in order. Proposed amendments must be typewritten and in the proper format for the computer system except as allowed by the Speaker at his discretion.

9.5 Proposed amendments to any matter before the House shall be initially considered in the order in which received.

9.6 Proposed amendments to local bills may not impact, affect, or reference any portion of a county other than the county originally referenced in the local bill.

Rule 10

Miscellaneous

10.1 Only the following persons shall be admitted within the House Chamber during a session of the House unless otherwise authorized by House Resolution.

The present and former members and officers and present employees of the House of Representatives; the members of the Press as designated by the Speaker of the House of Representatives; the Governor; the Lieutenant Governor; each statewide constitutional officer; the present members, officers, and employees of the Senate; the present employees of the Legislative Council; dignitaries and the family of members designated by the Speaker, employees of the respective legislative delegations; the employees of legislative caucuses, and such persons as may be invited by resolution of the House; *provided*, however, that employees of legislative caucuses, legislative delegations, the Senate, state agencies, and other branches of state government that are authorized admittance must remain behind the rail in the back of the Chamber at all times when the House is in session; *provided*, no seat in

TUESDAY, DECEMBER 4, 2018

the House shall be occupied by anyone except the members thereof. No lobbyist, including former members registered as lobbyists, shall be admitted within the Hall without special leave of the House. No former member seeking personal favors nor any former member who has filed as a candidate or is a candidate for a position which is elected by the General Assembly shall be admitted within the outer doors of the Chamber without special leave of the House. *Provided*, that no member of the Press may conduct interviews within the House Chamber while the House is in session.

Provided, that notwithstanding other provisions of this rule, access within the outer doors of the Chamber is denied to any former House member who has been convicted of a crime, the conviction of which would impose a maximum penalty of imprisonment of one year or more. This paragraph does not apply to a former House member who is re-elected to either House of the General Assembly after the conviction of the crime referred to in this paragraph.

10.2 Whenever the pronoun ‘he’ appears in any rule, it shall be deemed to designate either masculine or feminine. The words ‘person’ and ‘party’ and any other word importing the singular number used in any bill or resolution shall be held to include the plural and to include firms, companies, associations, and corporations and all words in the plural shall apply also to the singular in all cases in which the spirit and intent of the bill or resolution may require it. All words in a bill or resolution importing the masculine gender shall apply to females also and words in the feminine gender shall apply to males. And all words importing the present tense shall apply to the future also.

10.3 Definitions of measures:

1. ‘Resolutions’ This term includes:

a. ‘House Resolution’ which affects only the action of the House and the members thereof. It requires only one reading for adoption, and shall not be submitted to the Senate.

b. ‘Concurrent Resolution’ which affects only the action of the General Assembly and the members thereof. It requires only one reading in each House for adoption.

c. ‘Joint Resolution’ which shall have the same force of law as an act, but is a temporary measure, dying when its subject matter is completed. It requires the same treatment as a bill does in its passage through both Houses, but its title after passage shall not be changed to

TUESDAY, DECEMBER 4, 2018

that of an act; and when used to propose an amendment to the Constitution it does not require the approval of the Governor.

2. 'Bill' A bill is the term applied to a measure introduced in either House designed to become a permanent law (or an 'act').

It must be read and adopted three times on three separate days in each House, following which its title is changed to that of an act.

3. 'Act' An act is the term applied to a bill that has passed both Houses, been ratified by the presiding officer of each House and signed by the Governor or passed over his veto. It is a permanent measure, having the force of law until repealed.

4. 'Veto' The term used for disapproval of a bill or joint resolution by the Governor. It may be overridden by a two-thirds vote of the members present and voting of each House.

10.4 The House shall not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. All invitations received shall be referred to the Committee on Invitations and Memorial Resolutions and the five House members on the Committee on Invitations and Memorial Resolutions shall have the duty of recommending to the House which invitations should be accepted.

10.5 Each member of the House shall be entitled to appoint one individual as a House page to perform such duties as determined by the Speaker. The provisions of this rule shall be contingent upon the General Assembly providing for at least one hundred twenty-four House pages in the annual General Appropriations Act for the fiscal year during which such session shall take place. Any additional House pages authorized shall be appointed by the Speaker in his sole discretion. Pages and guests of the House shall observe appropriate and dignified attire which means shirt and tie for males and dress, skirt or slacks and blouse, or pants suits for females. This provision shall be enforced by the Speaker.

10.6 Laptop computers located in the House Chamber may not be removed from the Chamber.

TUESDAY, DECEMBER 4, 2018

10.7 No smoking or use of tobacco products is permitted in any area under the exclusive control of the House of Representatives unless the area is otherwise designated a 'smoking area' by the Speaker. Smoking for purposes of this rule includes carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment. *Provided*, further, that the consumption of food is not permitted within the House Chamber.

10.8 No member of the House shall incur more than one thousand eight hundred dollars in long distance telephone charges at state expense during any fiscal year. If a member accumulates more than one thousand eight hundred dollars in long distance telephone expenses during any fiscal year, he shall be billed and must reimburse the State on a monthly basis for the remaining balance.

10.9 House Resolutions granting the privilege of admittance to the House Chamber to persons not otherwise granted the privilege pursuant to House Rule 10.1 are limited to the following conditions:

(a) The privilege of admittance to the House Chamber is limited to school teams or school groups that have won state or national championships or received statewide or national awards. Individual persons are not granted the privilege of admittance to the House Chamber.

(b) School teams or groups may be scheduled for the privilege of admittance to the House Chamber only on Wednesdays and Thursdays that the House is in session, and no more than two teams or groups may be scheduled in one day. *Provided*, further, that no school teams or groups may be granted the privilege of admittance to the House Chamber during the last week of the regularly scheduled legislative session.

(c) The House member wishing for the qualified school team or group to have privilege of admittance to the House Chamber shall introduce a House Resolution granting the privilege on a 'date and time to be determined by the Speaker of the House'. The House of Representatives shall adopt the resolution in order for the team or group to be granted the privilege. *Provided*, the school team or group's list of members, coaches, mascot, and other appropriate school officials must be listed on the House Calendar for the day in which they are granted the privilege of admittance to the House Chamber. The House member sponsoring the resolution shall provide the appropriate information to the Clerk five days in advance of the school team or group scheduled admittance to the House Chamber.

TUESDAY, DECEMBER 4, 2018

(d) All other teams, groups, or individuals not otherwise allowed the privilege of admittance to the House Chamber may be recognized in the balcony of the House Chamber at a 'time determined by the Speaker of the House'. *Provided*, no presentation either within the House Chamber or in the balcony may exceed five minutes, and no one, other than a House member, may speak or make remarks during a presentation.

10.10 The use of audible pagers, cell phones, and any other personal communication device by any person is prohibited in the House Chamber when the House is in session and when the General Assembly is meeting in Joint Session. The use of these devices by any person is also prohibited in House committee meetings and subcommittee meetings. These devices must be turned off, or placed in a silent mode, such as vibrate, prior to being carried into the House Chamber, committee meetings, or subcommittee meetings. Should a device which has been placed in a silent mode activate in the Chamber, a committee meeting, or subcommittee meeting the person possessing the device must exit the Chamber, committee room, or subcommittee room prior to responding in any fashion.

10.11 The Clerk's office shall establish procedures for providing House members with certificates commemorating birthdays, anniversaries, retirements, achievements, awards, etc. as needed. House members shall request certificates in writing and provide the Clerk's office with the information necessary to complete the certificates.

The Clerk's office also shall establish procedures whereby members may have House certificates and House and Concurrent Resolutions framed at local businesses providing framing services within the Columbia area during the legislative session. House members are responsible for paying for all framing services within a timely manner.

The Clerk's office shall establish procedures whereby staff shall deliver framing requests to local businesses no more than one time each legislative day. *Provided*, further, the Clerk's office shall establish procedures whereby staff shall pickup framing requests from local businesses no more than one time each legislative day. Framing requests will not be delivered or picked up on nonlegislative days. All framing requests, upon their completion and pickup, must be delivered to the House member on the State House complex. House staff may not deliver framing requests to members outside the State House complex.

TUESDAY, DECEMBER 4, 2018

10.12 The Clerk's Office shall establish procedures for the hiring of staff for the House of Representatives. The procedures must provide that the Clerk's Office shall receive and review all applications for employment vacancies within the House, and the Clerk's Office shall submit a list of the most qualified applicants to the appropriate supervisory authority for consideration. The appropriate supervising authority shall select an applicant from the list submitted by the Clerk's Office. If the appropriate supervisory authority determines no applicant is acceptable the Clerk's Office shall reopen the application process, receive and review additional applications for the vacancy, and will resubmit a list of the most qualified applicants to the appropriate supervisory authority. The appropriate supervisory authority's selected applicant then must be submitted to the Speaker of the House for final appointment as a member of the staff of the House of Representatives.

For purposes of this rule the Speaker of the House and the Speaker *Pro Tempore* are the supervisory authority for their respective offices. The Committee Chairmen are the supervisory authority for their respective committees, and the Sergeant at Arms is the supervisory authority for security personnel necessary for the proper performance of the Sergeant at Arms' office and security needs of the House Chamber, Solomon Blatt Building, and other areas under the Sergeant at Arms' jurisdiction. The Clerk is the appropriate supervisory authority for administrative and clerical staff of the House necessary for the proper operation of the Clerk's Office and the general administrative and clerical needs of the House.

Provided, the appropriate supervisory authority's selected applicant must be submitted to the Speaker of the House for final appointment as a member of the staff of the House of Representatives.

10.13 The Clerk's Office shall conduct reviews of employee salaries and compensation and shall, upon consultation with the appropriate supervisory authority, submit salary and compensation recommendations regarding new and current employees to the Speaker of the House. After consideration of these recommendations, the Speaker shall set the salary and compensation of new and current employees."

The Resolution was adopted.

TUESDAY, DECEMBER 4, 2018

**ELECTION OF OPERATIONS AND
MANAGEMENT COMMITTEE**

The SPEAKER announced that nominations were in order for eight members of the House Operations and Management Committee.

The following names were placed in nomination: Reps. MORGAN, W. COX, MARTIN, G. R. SMITH, GOVAN, BAMBERG, HENDERSON-MYERS, and MCKNIGHT.

On motion of Rep. KING, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the SPEAKER announced that Reps. MORGAN, W. COX, MARTIN, G. R. SMITH, GOVAN, BAMBERG, HENDERSON-MYERS and MCKNIGHT, having received the necessary number of the votes cast, were duly elected for the term prescribed by law.

ELECTION OF HOUSE ETHICS COMMITTEE

The SPEAKER announced that nominations were in order for ten members of the House Ethics Committee.

Pursuant to House Rule 4.16, the House must elect five members of the majority party to the Ethics Committee.

The following names were placed in nomination: Reps. G. M. SMITH, CRAWFORD, McCOY, D. C. MOSS, and JORDAN.

Pursuant to Rule 4.16, the House must elect five members who are not members of the majority party.

The following names were placed in nomination: Reps. RUTHERFORD, WEEKS, KING, BERNSTEIN, and STAVRINAKIS.

On motion of Rep. TAYLOR, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the SPEAKER announced that Reps. G. M. SMITH, CRAWFORD, MCCOY, D. C. MOSS, JORDAN, RUTHERFORD, WEEKS, KING, BERNSTEIN, AND STAVRINAKIS were duly elected for the term prescribed by law.

Rep. COBB-HUNTER moved that the House do now adjourn, which was agreed to.

TUESDAY, DECEMBER 4, 2018

ADJOURNMENT

At 3:45 p.m. the House, in accordance with the motion of Rep. CLARY, adjourned in memory of President George H. W. Bush, to meet at 10:00 a.m. tomorrow.
