

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

S.C. SUPREME COURT

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2014-CP-21-2626
Appellate Case No. 2017-000693

County of Florence and Florence County Council..... Respondents,

v.

West Florence Fire District, purported to have been created by
S.C. Act No. 183 of 2014; the West Florence Fire District Commission,
purported to have been created by S.C. Act No. 183 of 2014; David Brown,
Dustin Fails, Linda Lang Gipco, Richard Hewitt, and C. Allen Matthews,
each in his or her purported official capacity as a member of the West Florence
Fire District Commission; and the State of South Carolina..... Defendants,

of whom

West Florence Fire District, purported to have been created by
S.C. Act No. 183 of 2014; the West Florence Fire District Commission,
purported to have been created by S.C. Act No. 183 of 2014,
David Brown, Dustin Fails, Linda Lang Gipco, Richard Hewitt, and
C. Allen Matthews, each in his or her purported official capacity as a
member of the West Florence Fire District Commission are..... Appellants.

RECORD ON APPEAL - Volume 2

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Exhibit 1 - Act 183 of 2014

South Carolina General Assembly
120th Session, 2013-2014

A183, R203, H5225

STATUS INFORMATION

General Bill

Sponsors: Reps. Lowe, K.R. Crawford, Williams and Lucas

Document Path: I:\council\bill\13419sd14.docx

Introduced in the House on May 7, 2014

Introduced in the Senate on May 20, 2014

Passed by the General Assembly on May 22, 2014

Governor's Action: May 28, 2014, Signed

Summary: West Florence Fire District

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
5/7/2014	House	Introduced, read first time, placed on calendar without reference (House Journal-page 31)
5/8/2014	House	Requests for debate-Rep(s). Alexander, Anthony, Branham, GA Brown, King, Neal (House Journal-page 162)
5/13/2014	House	Read second time (House Journal-page 25)
5/13/2014	House	Roll call Yeas-69 Nays-33 (House Journal-page 25)
5/14/2014	House	Debate adjourned until Thur., 5-15-14
5/15/2014	House	Read third time and sent to Senate (House Journal-page 36)
5/15/2014	House	Roll call Yeas-50 Nays-38 (House Journal-page 36)
5/20/2014	Senate	Introduced, read first time, placed on calendar without reference (Senate Journal-page 7)
5/21/2014	Senate	Read second time (Senate Journal-page 66)
5/21/2014	Senate	Unanimous consent for third reading on next legislative day (Senate Journal-page 66)
5/22/2014	Senate	Read third time and enrolled (Senate Journal-page 14)
5/28/2014		Ratified R 203
5/28/2014		Signed By Governor
6/3/2014		Effective date 05/28/14
6/3/2014		Act No. 183

VERSIONS OF THIS BILL

5/7/2014

5/7/2014-A

5/20/2014

(A183, R203, H5225)

AN ACT TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

Be it enacted by the General Assembly of the State of South Carolina:

West Florence Fire District creation

SECTION 1. Chapter 23, Title 4 of the 1976 Code is amended by adding:

“Article 10

West Florence Fire District in Florence and Darlington Counties

Section 4-23-1000. The General Assembly finds that a certain portion of Darlington County primarily consisting of Interstate 95 from the Florence County line northward to Exit 169 in Darlington County is presently served by fire departments in Florence County because no fire department in Darlington County provides service to this area. This therefore presents concerns for the safety and well-being of citizens residing and traveling in this area in addition to placing additional burdens on fire personnel in Florence County which are called on to provide fire service in this area. The General Assembly has therefore determined to create a joint county fire district in the same manner other joint county fire districts have been established pursuant to this chapter, consisting of areas in two counties, to solve this problem, and to provide fire service to all areas of the district on the most economically feasible basis possible.

Section 4-23-1005. There is created in Florence and Darlington counties the West Florence Fire District (district). It consists of areas of Florence and Darlington counties as follows:

(1) the unincorporated areas of the present West Florence Fire Subdistrict of the Florence County Fire District as established by Act 1817 of 1972;

(2) the area of Darlington County reflected in the rights of way for Interstate 95 beginning at the boundary line of Florence County and Darlington County and extending northward into Darlington County for approximately three miles to Exit 169. Additionally, areas described by the following Tax Map Sheet numbers in Darlington County also are included in the area of the district:

- (a) TMS 218-14-01-013;
- (b) TMS 219-03-01-001; and
- (c) TMS 219-03-01-002.

Section 4-23-1010. (A) The district must be governed by a commission to be known as the West Florence Fire District Commission (commission). The commission shall consist of five resident electors of the district who shall be elected by the qualified electors of the district.

(B) The five commissioners shall be elected in a nonpartisan special election to be conducted on the first Tuesday following the first Monday in September 2014, and thereafter in nonpartisan elections to be conducted at the same time as the general election every two or four years thereafter beginning in 2016, in a manner required by this article and other applicable provisions of law.

(C) The election shall be conducted by the Florence and Darlington County Election Commissions. The commissions shall give notice by publication sixty days prior to the election and a second notice two weeks after the first notice, in one or more newspapers with general circulation in the district. Filing for election to the commission opens on July 1, 2014 at noon to run for a period of fifteen days until noon on July 15, 2014. The election commissions in both counties shall certify the candidates receiving the highest number of votes as the election commissioners of the district as provided by this section. In order to stagger the terms, the terms of the three commissioners who receive the highest number of votes in 2014, shall serve initial terms of four years each and the two commissioners receiving the next highest number of votes in 2014, shall serve initial terms of two years each. At the expiration of these initial terms which shall expire at the time the commissioners elected in either 2016 or 2018 qualify and take office, all commissioners shall be elected for terms of four years. The results of the elections shall be determined in accordance with the nonpartisan plurality method provided in Section 5-15-61.

(D) Any vacancy occurring by reason of death, resignation, or otherwise must be filled by the Senators and members of the House of Representatives representing any portion of the district for the remainder of the unexpired term or until the next scheduled election if

the remainder of the unexpired term runs past this date. Commissioners shall take office on the Monday following their election. Upon any commissioner moving out of the area of the district, his position shall become vacant.

(E) Any resident qualified elector of the district may be a candidate for the position of commissioner by filing with the election commission of the county in which he resides at least thirty days prior to the election.

(F) After taking office in 2014, the commissioners shall meet within ten days of their election to organize, select officers and determine the tax millage levy for 2014. The commission shall elect from among its membership a chairman, vice chairman and such other officers as they consider necessary.

Section 4-23-1015. (A) There is committed to the district the functions of constructing, operating, maintaining, improving, and extending a fire protection and fire control district. To that end the commission is empowered as follows:

- (1) have perpetual succession;
- (2) sue and be sued;
- (3) adopt, use, and alter a corporate seal;
- (4) make bylaws for the management and regulations of its affairs;
- (5) acquire, purchase, hold, use, lease, mortgage, sell, transfer, and dispose of any property, real, personal, or mixed, or any interest therein, and to acquire easements or other property rights necessary for the operation of its stated functions;
- (6) enter into contracts for the purchase of water and for maintenance of water pipes, hydrants, valves, and all equipment necessary to provide water for protection against and control of fire;
- (7) appoint officers, agents, employees, and servants, prescribe their duties, fix their compensation, and determine if and to what extent they must be bonded for the faithful performance of their duties;
- (8) make contracts for construction, engineering, and other services;
- (9) purchase that firefighting equipment as the commission deems necessary for controlling fires and furnishing fire protection in the district;
- (10) select the sites or places within the area where the firefighting equipment must be kept;
- (11) provide personnel, voluntary or otherwise, necessary to man this equipment;

(12) provide and supervise the training of any volunteers used in manning this equipment with the end that the equipment must be fully utilized for the protection and control of fire within the district;

(13) be responsible for the upkeep, maintenance, and repairs of the trucks and other firefighting equipment and to make regular inspection of all equipment and operations;

(14) promulgate those regulations as it considers necessary and proper to ensure that the equipment is utilized for the best advantage of the area;

(15) construct, if necessary, buildings to house the equipment provided for herein;

(16) borrow in anticipation of taxes on those terms and for such a period as the governing body of Florence and Darlington counties considers most beneficial. The indebtedness must be evidenced by a note or notes issued by the members of the commission and the county treasurers of Florence and Darlington counties. The full faith, credit, and taxing power of the commission is hereby irrevocably pledged for the payment of the indebtedness; provided, that in no event shall the credit of Florence and Darlington counties be obligated for any indebtedness of the commission; and

(17) do all other acts necessary or convenient to carry out any function or power granted to the district.

(B) The commission is vested with the power to raise funds for discharging the duties vested in it by levying a tax for the benefit of the district. The commission shall notify the auditors and treasurers of Florence and Darlington counties of any desired tax not to exceed thirteen mills for the year 2014. Thereafter, the authorized millage levy for any year shall be at the discretion of the commission, subject to all applicable provisions of law. The millage levy shall be uniform throughout the district, and they shall assess and collect the tax as requested and the treasurers shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the nonpayment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this article.

(C) Notwithstanding the provisions of Section 6-1-320, the commission is authorized to impose a millage levy after 2014 it considers appropriate and necessary for the operation of the district above that permitted by Section 6-1-320 upon a favorable vote of the registered electors of the district in a referendum called for this purpose by the commission.

Section 4-23-1020. The property of and income of the district is exempt from all taxes levied by the State, county, or any municipality, division, subdivision, or agency thereof direct or indirect.

Section 4-23-1025. (A) So long as the district is indebted to any person on any bonds, notes, or other obligations issued pursuant to the authority of this article, the provisions of this article and the powers granted to the district and the commission may not be in any way diminished or restricted, and the provisions of this article are considered a part of the contract between the district and the holders of these obligations.

(B) The real and personal property of the present West Florence Fire Subdistrict of the Florence County Fire District now titled in the subdistrict's name shall be transferred to the new West Florence Fire District created by this article. However, the district must assume a portion of the current indebtedness of the Florence County Fire District, if any, to be determined by agreement of the Florence County Fire District, the West Florence Fire District Commission, and the governing body of Florence County. The real property on Hoffmeyer Road in the county which the governing body of Florence County has acquired to construct a new fire station for the West Florence Fire Subdistrict also must be transferred to the new district established by this article with the consideration for it to be determined by agreement between the district commission and the governing body of Florence County.

Section 4-23-1030. The rates charged for services furnished by any revenue-producing facility of the district, as constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any state bureau, board, commission or other like instrumentality or agency of it.

Section 4-23-1035. The district commission is authorized and empowered to issue general obligation bonds of the district in the manner provided in Article 11 of this chapter.

Section 4-23-1040. Upon the establishment of the district, notwithstanding any other provisions of law, no other millage levy or uniform service fee may be imposed in the district by any other political subdivision or entity for the provision of fire services.

Section 4-23-1045. The district commission, upon agreement with another fire department or district not located in the service area of the district, may permit the other department or district to provide fire services in certain parts of the district if this is considered to be a more cost-effective solution to the provision of fire services in that particular location, and alternatively also may agree to provide fire services in parts of Florence or Darlington counties outside the service area of the district if this is considered to be a more cost-effective solution to the provision of fire services in that particular location.

Section 4-23-1050. The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its usage and operation, and it is his responsibility to ensure that the equipment is readily available for use at all times.

Section 4-23-1055. Vehicles of the fire departments and vehicles of individual members of the fire departments in this district are designated and are considered emergency vehicles while traveling to fires.

Section 4-23-1060. It is unlawful in the fire district to park within five hundred feet of a place where fire apparatus or an emergency vehicle is stopped in answer to an emergency and no person shall cause any highway, road, either public or private, in the area of fire apparatus or emergency vehicles to be blocked by his vehicle in such a manner that fire apparatus or emergency vehicles will be hindered from reaching the scene of the emergency. It is also unlawful to drive a vehicle over any unprotected hose of a fire department without the consent of the fire department official in command on any street, road, or private driveway when the hose is being used for firefighting. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than ten dollars nor more than one hundred dollars.

Section 4-23-1065. All members of a truck company of the fire district, employees, or volunteers may direct and control traffic at the scene of any fire in the area of the district and enforce the laws of this State relating to the following of fire apparatus, the crossing of a fire hose, and interfering with firemen in the discharge of their duties in connection with a fire in the same manner as provided for the enforcement of these laws by law enforcement officers.

Section 4-23-1070. It is unlawful for any person to wilfully destroy or damage any facility of the district, or equipment used in the operation of a facility, to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district. Any person violating the provisions of this section is guilty of a misdemeanor and, upon conviction, must be fined not less than thirty dollars nor more than one hundred dollars or be imprisoned not exceeding thirty days."

Time effective

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

Ratified the 28th day of May, 2014.

Approved the 28th day of May, 2014.

Exhibit 2 - Act 89 of 2015

South Carolina General Assembly
121st Session, 2015-2016

A89, R119, H3670

STATUS INFORMATION

General Bill

Sponsors: Reps. Lowe, Williams and Kirby

Document Path: I:\council\bill\bbm\9212dg15.docx

Introduced in the House on February 17, 2015

Introduced in the Senate on March 25, 2015

Last Amended on June 4, 2015

Passed by the General Assembly on June 4, 2015

Governor's Action: June 13, 2015, Vetoed

Legislative veto action(s): Veto overridden

Summary: West Florence Fire District

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
2/17/2015	House	Introduced and read first time (House Journal-page 25)
2/17/2015	House	Referred to Committee on Ways and Means (House Journal-page 25)
3/5/2015	House	Recalled from Committee on Ways and Means (House Journal-page 47)
3/18/2015	House	Debate adjourned until Thur., 3-19-15 (House Journal-page 14)
3/19/2015	House	Debate adjourned until Tues., 3-24-15 (House Journal-page 34)
3/24/2015	House	Read second time (House Journal-page 23)
3/24/2015	House	Roll call Yeas-78 Nays-1 (House Journal-page 23)
3/25/2015	House	Read third time and sent to Senate (House Journal-page 12)
3/25/2015	Senate	Introduced and read first time (Senate Journal-page 10)
3/25/2015	Senate	Referred to Committee on Judiciary (Senate Journal-page 10)
6/3/2015	Senate	Recalled from Committee on Judiciary (Senate Journal-page 5)
6/3/2015	Senate	Read second time (Senate Journal-page 5)
6/4/2015	Senate	Amended (Senate Journal-page 48)
6/4/2015	Senate	Read third time and returned to House with amendments
6/4/2015	House	Concurred in Senate amendment and enrolled (House Journal-page 76)
6/8/2015		Ratified R 119
6/13/2015		Vetoed by Governor
6/16/2015	House	Veto overridden by originating body Yeas-54 Nays-23
7/7/2015	Senate	Veto overridden Ayes-28 Nays-10
7/10/2015		Effective date 07/07/15
7/14/2015		Act No. 89

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VERSIONS OF THIS BILL

[2/17/2015](#)

[3/5/2015](#)

[6/3/2015](#)

6/4/2015

(A89, R119, H3670)

AN ACT TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES; AND TO PROVIDE FOR THE DURATION OF THE PROVISIONS OF THIS ACT.

Be it enacted by the General Assembly of the State of South Carolina:

Original boundaries clarified

SECTION 1. Section 4-23-1005 of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“Section 4-23-1005. There is created in Florence and Darlington counties the West Florence Fire District (district). It consists of areas of Florence and Darlington counties as follows:

(1) the unincorporated areas of the West Florence Rural Fire District as it existed on May 7, 2014, the introduction date of H.5225 of 2014 (Act 183 of 2014). The General Assembly declares that it intended the original Florence County portion of the West Florence Fire District created by this article to be the unincorporated area of the former West Florence Rural Fire District from which the new district drew its name and from which commissioners were properly elected in 2014 after this article took effect, as provided in Section 4-23-1010, and that it has therefore amended the description of the Florence County portion of the West Florence Fire District created by this article without changing the original boundaries of the district at its creation to remove any ambiguity as to the Florence County portion of this new district or to any citations thereto;

(2) the area of Darlington County reflected in the rights of way for Interstate 95 beginning at the boundary line of Florence County and Darlington County and extending northward into Darlington County for approximately three miles to Exit 169. Additionally, areas described by the following Tax Map Sheet numbers in Darlington County also are included in the area of the district:

- (a) TMS 218-14-01-013;
- (b) TMS 219-03-01-001; and
- (c) TMS 219-03-01-002.”

New areas of district

SECTION 2. Article 10, Chapter 23, Title 4 of the 1976 Code is amended by adding:

“Section 4-23-1006. In addition to the area of the West Florence Fire District in Florence and Darlington counties as enumerated in Section 4-23-1005, there is added to the area of the district that area bounded by the following: beginning at the intersection of Hoffmeyer Road and the Florence-Darlington County line running in a westerly direction including all parcels on both sides of the road until the intersection of Hoffmeyer Road and Winburn Drive, turning down Winburn Drive running in a southerly direction until the intersection of Winburn Drive and the Florence-Darlington County line and being bounded on the east by the Florence-Darlington County line.”

Referendum provisions applicable

SECTION 3. Section 4-23-1015(C) of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“(C) Notwithstanding the provisions of Section 6-1-320, the commission is authorized to impose a millage levy after 2014 it considers appropriate and necessary for the operation of the district above that permitted by Section 6-1-320 upon a favorable vote of the registered electors of the district in a referendum called for this purpose by the commission held pursuant to the provisions and requirements of Sections 6-11-271 and 6-11-273.”

Controlling provisions, transfer of property

SECTION 4. Section 4-23-1025 of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“Section 4-23-1025. (A) So long as the district is indebted to any person on any bonds, notes, or other obligations issued pursuant to the authority of this article, the provisions of this article and the powers granted to the district and the commission may not be in any way diminished or restricted, and the provisions of this article are considered a part of the contract between the district and the holders of these obligations. However, the provisions of Section 5-3-310 supersede any provisions of this section to the contrary and upon annexation of any real property in the area of this district by a municipality, the provisions of Section 5-3-310 shall control.

(B) The real and personal property of the former West Florence Rural Fire District shall be transferred to the new West Florence Fire District created by this article. However, the district must assume any current indebtedness attributed to the West Florence Rural Fire District, if any, to be determined by agreement of the West Florence Fire District Commission, and the governing body of Florence County. The real property on Hoffmeyer Road in the county which the governing body of Florence County has acquired to construct a new fire station also must be transferred to the new district established by this article.”

Entity entitled to impose millage or fees

SECTION 5. Section 4-23-1040 of the 1976 Code, as added by Act 183 of 2014, is amended to read:

“Section 4-23-1040. Upon the establishment of the district, notwithstanding any other provisions of law, no other millage levy or uniform service fee may be imposed in the district by any other political subdivision or entity for the provision of fire services. The provisions of this section shall not be construed as any type of property tax or other type of exemption, but rather a clarification of what property taxes may be imposed in the district and by whom to prevent double or multiple taxation for the same fire protection services.”

Expiration

SECTION 6. The provisions of this act shall expire five years from its effective date.

Time effective

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

Ratified the 8th day of June, 2015.

Vetoed by the Governor -- 6/13/15.

Veto overridden by House -- 6/16/15.

Veto overridden by Senate -- 7/7/15.

Exhibit 3 - Act 1817 of 1972

them distributed at the voting places. The ballots shall read as follows:

"Do you favor a tax levy of one mill for the operation and maintenance of the Florence County Museum?

In favor of ☐

Opposed to ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the words 'In favor of' and those voting against the question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to'."

All qualified electors of the area shall be eligible to vote on the question submitted. The officials responsible for canvassing the results of the election shall, within ten days, certify such results to the clerk of court of the county and to the Florence County Council.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of July, 1972.

(R1973, H2619)

No. 1817

An Act To Create The Florence County Fire District, To Authorize The District To Borrow Funds And Provide For A Tax Levy Subject To A Referendum And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Florence County Fire District established.—There is hereby established the Florence County Fire District which shall include that area of Florence County known and designated as School Districts Nos. 1, 2, 3, 4 and 5. The areas comprising the city of Florence and the city of Lake City and the area of any other municipality in Florence County providing itself with full-time fire service on the effective date of this act is specifically excluded from the terms of this act. The Florence County Fire District shall be divided into six subdistricts which shall be separate and distinct. The subdistricts shall be bounded as follows:

Subdistrict No. 1 shall consist of all that area of School District No. 1 of Florence County lying south and west of the following line; Beginning at the point on the Florence-Darlington County line where

Highway 356 intersects with such county line, thence southerly along Highway 356 with its intersection with Highway 343, thence southerly along Highway 343 to the point where the city limits of the city of Florence crosses such road, thence easterly and southerly along such city limits to the point where such city limits cross Highway 13, thence easterly along Highway 13 to its intersection with Highway 24, thence southerly along Highway 24 to its intersection with Highway 642, thence easterly along Highway 642 to the point where such highway turns in a northerly direction toward the Kraft Board Plant, thence continuing in a direct easterly direction from such point to the Florence-Marion County line at the Great Pee Dee River.

Subdistrict No. 2 shall consist of all that area lying in School District No. 2.

Subdistrict No. 3 shall consist of all that area lying in School District No. 3.

Subdistrict No. 4 shall consist of all that area lying in School District No. 4.

Subdistrict No. 5 shall consist of all that area lying in School District No. 5.

Subdistrict No. 6 shall consist of all that area lying north and west of the line referred to in the description of Subdistrict No. 1.

SECTION 2. Board of Fire Control.—There is established a board of fire control for the district to be composed of twelve members who shall be appointed by the Governor, two from each subdistrict, upon the recommendation of a majority of the Florence County Legislative Delegation. The original members of the board shall be appointed as follows: Six shall be appointed for a term of four years and six shall be appointed for a term of two years and until their successors are appointed and qualify. The members of the board shall serve without pay and shall file annually a report with the Florence County Legislative Delegation not later than the first of November of each year, showing all activities and disbursements made by the board during the year. Thereafter, members shall be appointed for terms of four years and until their successors are appointed and qualify.

SECTION 3. Powers and duties.—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the district.

(b) To select additional sites or places within the area where the fire-fighting equipment shall be kept.

(c) To employ all necessary personnel and fix their compensation.

(d) To procure and supervise the training of firemen to insure that the equipment shall be utilized for the best interest of the district.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the district and to carry out the provisions of this act; subject, however, to the right of individual fire companies operating within the district to exercise local control over the operation and conduct of the fire company itself.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow money, subject to the referendum provided for in Section 5, and for such a period as to the fire control board may seem most beneficial for the fire district, in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the district is hereby irrevocably pledged for the payment of indebtedness.

SECTION 4. Not to affect present companies.—The rural fire departments and companies that are now in existence and in operation on the effective date of this act shall remain in existence and shall be given priority by the board in its implementation of this act.

SECTION 5. Tax levy.—The auditor and treasurer of Florence County are hereby authorized to levy and collect a tax of not more than five mills, to be determined by the Board of Fire Control, upon all the taxable property within each subdistrict for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be limited to each subdistrict in which the levy is laid and the monies collected shall be credited and expended within the subdistrict from which the same is collected; *provided*, however, that the tax levy authorized in this section shall not be levied in any subdistrict until a referendum is held within the subdistrict and a majority of the electors voting in such referendum vote in favor of such levy.

SECTION 6. Members to enforce fire laws.—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the county and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

SECTION 7. Unlawful acts—penalties.—It shall be unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire department in the district. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not more than one hundred dollars or be imprisoned not more than thirty days.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of August, 1972.

(R1022, H2625)

No. 1818

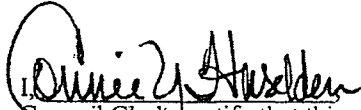
An Act To Authorize The Georgetown County Board Of Education To Borrow Not Exceeding Four Hundred Fifty Thousand Dollars For School Purposes; And To Provide For The Payment Of The Loan.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1 . May borrow money.—The Georgetown County Board of Education is hereby authorized to borrow not exceeding the sum of four hundred fifty thousand dollars from the Division of General Services, or any bank or lending agency, for school purposes for the Georgetown County School District. The loan shall be evidenced by a note of the school district in such form and executed in such manner as the board shall prescribe. The principal of the note may mature not later than five years from its date, or, in the discretion of the board, in such annual installments as it may prescribe. The board may reserve the privilege of redeeming the note or portions thereof in such manner, on such occasions, and under such conditions as it

**Exhibit 8 - Florence County
Ordinance No. 17-2013/14**

Sponsor(s) : County Council
 First Reading : February 20, 2014
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : March 20, 2014
 Public Hearing : May 15, 2014
 Third Reading : May 15, 2014
 Effective Date :


 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on 04/24/14,
05/01/14, and 05/08/14.

ORDINANCE NO. 17-2013/14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Sardis-Timmons ville Rural Fire Protection District, And Dissolving The Johnsonville Rural Fire District, The Howe Springs Fire District, The Hannah-Salem-Friendfield Fire District, The West Florence Rural Fire District, And The Windy Hill/Olanta Rural Fire District, All Incident To The Establishment Of The Florence County Fire Protection District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto.)

WHEREAS,

1. Pursuant to the authorizations contained in Section 4-9-30 of the Code of Laws of South Carolina, 1976, as amended (the "Code"), Florence County, South Carolina (the "County"), acting by and through its County Council ("Council"), created the Sardis-Timmons ville Rural Fire Protection District (the "Sardis-Timmons ville District") by Ordinance 18-81/82 enacted on December 10, 1982 (the "Sardis-Timmons ville Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Sardis-Timmons ville Ordinance; and
2. Pursuant to the authorizations contained in Section 4-19-10, *et seq* of the Code, the County, acting by and through Council, created the Howe Springs Fire District (the "Howe Springs District") by Ordinance 11-87/88 enacted on October 1, 1987 and amended by Ordinance 14-94/95 enacted on February 2, 1995 (as amended, the "Howe Springs Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Howe Springs Ordinance; and
3. Pursuant to the authorizations contained in Section 4-19-10, *et seq* of the Code, the County, acting by and through Council, created the Hannah-Salem-Friendfield Fire District (the "Hannah-Salem-Friendfield District") by Ordinance 25-92/93 enacted on May 6, 1993 and amended by Ordinance 18-2001/02 enacted on August 9, 2001 (as amended, the "Hannah-Salem-Friendfield Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Hannah-Salem-Friendfield Ordinance; and
4. Pursuant to the authorizations contained in Section 4-19-10, *et seq* of the Code, the County, acting by and through Council, created the Windy Hill/Olanta Rural Fire District (the "Windy Hill/Olanta District") and the West Florence Rural Fire District (the "West Florence District") by Ordinance 31-2006/07 enacted on April 5, 2007 (the "Windy Hill/Olanta-West Florence Ordinance") for the provision of fire service within two unincorporated areas of the County designated in the Windy Hill/Olanta-West Florence Ordinance; and

5. Pursuant to the authorizations contained in Section 4-19-10, *et seq* of the Code, the County, acting by and through Council, created the Johnsonville Rural Fire District (the "Johnsonville District") by Ordinance 18-2010/11 enacted on May 19, 2011 (the "Johnsonville District Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Johnsonville District Ordinance; and
6. The Sardis-Timmons ville District, the Howe Springs District, the Hannah-Salem-Friendfield District, the West Florence District, the Windy Hill/Olanta District, and the Johnsonville District may be collectively referred to hereafter as the "Existing Fire Districts"; and
7. Certain portions of the Existing Fire Districts are situated within the boundaries of the Florence County Fire District (the "FCFD") a special purpose district created by Act 1817 of 1973 of the South Carolina General Assembly ("Act 1817") for the provision of fire protection service. Only certain portions of the FCFD were approved by referenda as required by Act 1817 within the applicable area designated in Act 1817, and certain other portions of the FCFD have been removed from the FCFD by the creation of the South Lynches Fire District by the South Carolina General Assembly pursuant to Act 149 of 1983 and certain portions have been excluded from the FCFD by action of Council authorized by Section 6-11-410 through 6-11-450 of the Code. Those portions of the FCFD that were approved by referenda as required by Act 1817 have ceded the provision of fire service to the County. The FCFD is no longer operative and does not have a governing body as required by Act 1817; and
8. Council has undertaken a study of the efficiency and effectiveness of the financing of fire protection service through the Existing Districts and has determined that it will be in the best interests of the County and the residents of the Existing Districts to dissolve each of the Existing Districts and create a new, single County Fire Protection District, to be designated the Florence County Fire Protection District, which will encompass all of the areas contained in the Existing Districts as well as additional area contained within the municipal limits of the Town of Pamplico; and
9. Section 4-9-30(5)(e) of the Code provides that a special tax district created pursuant to the provisions of Section 4-9-30 of the Code may be dissolved by ordinance of Council after a duly noticed public hearing, and special tax fire districts created under Section 4-19-10 of the Code may be dissolved by Council using the same procedure set forth therein for the creation of such districts; and
10. Council has duly noticed by publications run once a week for three (3) successive weeks in the *Morning News* a public hearing which was held on May 15, 2014 concerning the dissolution of the Existing Fire Districts pursuant to Sections 4-9-20(5)(e) and 4-19-20(2) of the Code; and
11. In order to ensure the definitive termination of any residual power or jurisdiction of the FCFD with regard to the provision of fire protection service within the area to be designated the Florence County Fire Protection District, Council has caused to be undertaken the procedure for dissolution of the FCFD pursuant to Section 4-11-290 of the South Carolina Code.

NOW, THEREFORE, BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL, SOUTH CAROLINA DULY ASSEMBLED THAT:

Section 1.01

Pursuant to said 4-9-30(5)(e) of the Code and the provisions of Section 4-19-10, *et seq.*, the Existing Districts are dissolved as Special Tax Fire Districts, such dissolutions to become effective upon the creation and establishment of the Florence County Fire Protection District by Ordinance No. 18-2013/14 of Council ("Ordinance No. 18-2013/14") pursuant to Chapter 19 of Title 4 of the Code and

cyh

upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance No. 18-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the FCFD with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

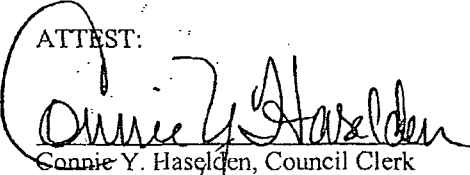
Section 1.02

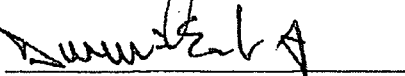
Any person affected by the action of Council in adopting this Ordinance may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of the notice of action taken, but not afterwards, challenge this action of Council. The notice of action taken shall be published once a week for two (2) successive weeks in the *Morning News* following adoption of this Ordinance in substantially the form attached hereto.

Section 1.03

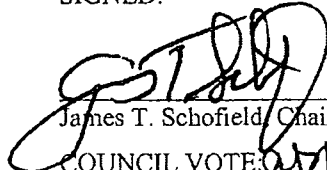
All orders and resolutions and parts thereof in conflict herewith are to the extent of such conflict hereby repealed, and this ordinance shall take effect and be in full force from and after the creation and establishment of the Florence County Fire Protection District by ordinance of Council pursuant to Chapter 19 of Title 4 of the Code.

ATTEST:


Connie Y. Haselden, Council Clerk


Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

SIGNED:


James T. Schofield, Chairman

COUNCIL VOTE: *Approved*
OPPOSED: *2 - M. Kirby, W. Dorriety*
ABSENT: *1 - A. Bradley*

NOTICE OF ACTION TAKEN
BY THE FLORENCE COUNTY COUNCIL CONCERNING THE DISSOLUTION OF THE SARDIS-
TIMMONSVILLE RURAL FIRE PROTECTION DISTRICT, THE JOHNSONVILLE RURAL FIRE
DISTRICT, THE HOWE SPRINGS FIRE DISTRICT, THE HANNAH-SALEM FRIENDFIELD FIRE
DISTRICT, THE WEST FLORENCE RURAL FIRE DISTRICT, AND THE WINDY HILL/OLANTA
RURAL FIRE DISTRICT IN FLORENCE COUNTY, SOUTH CAROLINA

Pursuant to the provisions of Sections 4-9-30(5)(E) and 4-19-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (together, the "Enabling Act"), the Florence County Council ("Council") conducted a public hearing in the County Council Chambers, Florence County, South Carolina, on May 15, 2014 at 9:00 a.m. on the question of the dissolution of the Sardis-Timmons ville Rural Fire Protection District, the Johnsonville Rural Fire District, the Howe Springs Fire District, the Hannah-Salem Friendfield Fire District, the West Florence Rural Fire District, and the Windy Hill/Olanta Rural Fire District (collectively, the "Districts").

Following the aforesaid public hearing, Council did on the 5th day of May, 2014 give third and final reading to an Ordinance entitled "An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Sardis-Timmons ville Rural Fire Protection District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, And Dissolving The Johnsonville Rural Fire District, The Howe Springs Fire District, The Hannah-Salem Friendfield Fire District, The West Florence Rural Fire District, And The Windy Hill/Olanta Rural Fire District, All Incident To The Establishment Of The Florence County Fire Protection District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto" (the "Ordinance").

The Ordinance authorizes the dissolution of the Districts which comprised, embraced, and consisted of the area contained within the boundaries of the Sardis-Timmons ville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Rural Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District provided, however, that dissolution of the Existing Districts shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance of Council No. 18-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the Florence County Fire District, a special purpose district created by Act 1817 of 1972 of the South Carolina General Assembly, with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

Pursuant to the provisions of the Enabling Act, the Council shall be authorized to levy ad valorem taxes within the area of the District to the extent necessary to defray the cost of constructing and equipping fire protection facilities within the District and to pay for maintenance and operation of such fire protection system. The Council shall be further authorized to issue general obligation bonds of Florence County, payable from ad valorem taxes levied within the District, for the purpose of providing fire protection therein.

Notice of this Action is being published once a week for two successive weeks in the *Morning News*.

Any person affected by this action of the Florence County Council may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of this Notice, but not afterwards, challenge this action of the Florence County Council.

FLORENCE COUNTY COUNCIL

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk to Florence County Council, South Carolina ("County Council"), DO
HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by
County Council on May 15, 2014. The Ordinance was read at three public meetings of County Council
on three separate days, Feb. 20, 2014, March 20, 2014, and May 15, 2014. An interval of
at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum of
County Council was present and remained present throughout the meeting.

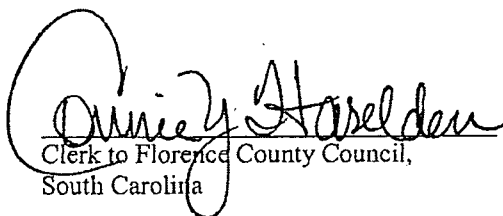
The meetings held on Feb. 20, 2014, Mar. 20, 2014, and May 15, 2014 were regular
meetings of County Council, for which notice had been previously given pursuant to and in conformity
with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of
Information Act").

The original of the Ordinance is duly entered in the permanent records of the County, in my custody
as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County,
South Carolina, this 15 day of May, 2014.

(SEAL)


Clerk to Florence County Council,
South Carolina

First Reading:	February 20, 2014
Second Reading:	March 20, 2014
Public Hearing:	May 15, 2014
Third Reading:	May 15, 2014

Morning News

Carolina Publishing Group

AFFIDAVIT OF INSERTION

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

Personally appeared before me

Carrie Lloyd

The Legal Clerk for the Morning News, a daily newspaper published in the City of Florence, County of Florence, and the State of South Carolina said that the attached advertisement was published on 4/24, 5/1

and 5/8/14

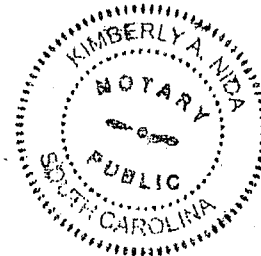
as shown by the files as said company.

Carrie Lloyd

Sworn and subscribed before me this 8th day of May, 2014

Kimberly A. Nida NS
Notary Public South Carolina

Commissions expires: _____
My Commission Expires
May 23, 2022



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World Media Enterprises Inc.

Notice of Public Hearing on the Question of Dissolving Pursuant To Section 4-9-34(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Sardis-Timmonsville Rural Fire Protection District, And Dissolving The Johnsonville Rural Fire District, The Howe Springs Fire District, The Hannah-Salem-Friendfield Fire District, The West Florence Rural Fire District, And The Windy Hill/Olanta Rural Fire District, All Incident To The Establishment Of The Florence County Fire Protection District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended

Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County") presently proposes to dissolve the Sardis-Timmonsville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District (together, the "Existing Districts"), all incident to the creation of the Florence County Fire Protection District (the "Florence County District").

The area of the Existing Districts to be dissolved is that of the Existing Districts as set forth in Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor. The area of the Florence County District shall be the area of the Existing Districts, viz. the area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District, and in addition the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the Existing Districts, and a map of the Florence County District available on the County website.

The ordinance creating the Florence County District shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of such ordinance and Ordinance No. 18-2013/14 (creating the Florence County District) pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the Florence County Fire District, a special purpose district created by Act 1817 of 1973 of the South Carolina General Assembly, with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

There shall be authorized an annual levy by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and maintenance of the Florence County District. The levy within the Florence County District shall be as prescribed in the County's annual budget. The ordinance creating the Florence County District prescribes initial ad valorem taxes to be collected in the Florence County District for operating purposes in the fiscal year ending June 30, 2015 to be an amount that will be generated by approximately 16.3 mills. In addition to or in lieu of the levy of ad valorem

District").

The area of the Existing Districts to be dissolved is that of the Existing Districts as set forth in Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor. The area of the Florence County District shall be the area of the Existing Districts, viz. the area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District, and in addition the areas within the municipal limits of Quinby, Olania, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the Existing Districts, and a map of the Florence County District available on the County website.

The ordinance creating the Florence County District shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of such ordinance and Ordinance No. 18-2013/14 (creating the Florence County District) pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the Florence County Fire District, a special purpose district created by Act 1817 of 1973 of the South Carolina General Assembly, with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

There shall be authorized an annual levy by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and maintenance of the Florence County District. The levy within the Florence County District shall be as prescribed in the County's annual budget. The ordinance creating the Florence County District prescribes initial ad valorem taxes to be collected in the Florence County District for operating purposes in the fiscal year ending June 30, 2015 to be an amount that will be generated by approximately 16.3 mills. In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the Florence County District for operation and maintenance of the Florence County District. In order to provide for the facilities of the Florence County District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Florence County District, such bonds to be payable from ad valorem taxes collected within the Florence County District.

Accordingly, notice is hereby given that a public hearing on the dissolution of the Existing Districts and the creation of the Florence County District will be held in the Council Chambers, Room 803, located in the Florence County Complex at 180 North Troy Street, Florence, South Carolina, beginning at 9:00 a.m. on Thursday, May 15, 2014.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel.

FLORENCE COUNTY COUNCIL

Carolina Publishing Order Confirmation for Ad #0000743280-01

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Product	Placement/Class	Position	# Inserts
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Run Dates			
Tag Line			

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NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING	2	
5/16/2014, 5/23/2014		
NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING THE DISSOLUTION		
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NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING	8	
5/16/2014, 5/17/2014, 5/18/2014, 5/19/2014, 5/20/2014, 5/21/2014, 5/22/2014, 5/23/2014		
NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING THE DISSOLUTION		

Carolina Publishing Order Confirmation for Ad #0000743280-01

Ad Content Proof Actual Size

**NOTICE OF ACTION TAKEN
BY THE FLORENCE COUNTY COUNCIL
CONCERNING THE DISSOLUTION OF THE
SARDIS-TIMMONSVILLE RURAL FIRE
PROTECTION DISTRICT, THE JOHNSONVILLE
RURAL FIRE DISTRICT, THE HOWE SPRINGS
FIRE DISTRICT, THE HANNAH-SALEM
FRIENDFIELD FIRE DISTRICT, THE WEST
FLORENCE RURAL FIRE DISTRICT, AND THE
WINDY HILL/OLANTA RURAL FIRE DISTRICT
IN FLORENCE COUNTY, SOUTH CAROLINA**

Pursuant to the provisions of Sections 4-9-30(5)(E) and 4-19-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (together, the "Enabling Act"), the Florence County Council ("Council") conducted a public hearing in the County Council Chambers, Florence, County, South Carolina, on May 15, 2014 at 9:00 a.m. on the question of the dissolution of the Sardis-Timmons ville Rural Fire Protection District, the Johnsonville Rural Fire District, the Howe Springs Fire District, the Hannah-Salem Friendfield Fire District, the West Florence Rural Fire District, and the Windy Hill/Olanta Rural Fire District (collectively, the "Districts").

Following the aforesaid public hearing, Council did on the 15th day of May, 2014 give third and final reading to an Ordinance entitled "An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Sardis-Timmons ville Rural Fire Protection District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, And Dissolving The Johnsonville Rural Fire District, The Howe Springs Fire District, The Hannah-Salem Friendfield Fire District, The West Florence Rural Fire District, And The Windy Hill/Olanta Rural Fire District, All Incident To The Establishment Of The Florence County Fire Protection District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto" (the "Ordinance").

The Ordinance authorizes the dissolution of the Districts which comprised, embraced, and consisted of the area contained within the boundaries of the Sardis-Timmons ville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Rural Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District provided, however, that dissolution of the Existing Districts shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance of Council No. 18-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the Florence County Fire District, a special purpose district created by Act 1817 of 1972 of the South Carolina General Assembly, with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

Pursuant to the provisions of the Enabling Act, the Council shall be authorized to levy ad valorem taxes within the area of the District to the extent necessary to defray the cost of

constructing and equipping fire protection facilities within the District and to pay for maintenance and operation of such fire protection system. The Council shall be further authorized to issue general obligation bonds of Florence County, payable from ad valorem taxes levied within the District, for the purpose of providing fire protection therein.

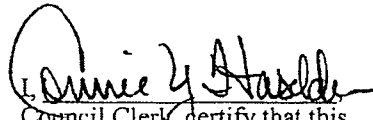
Notice of this Action is being published once a week for two successive weeks in the Morning News.

Any person affected by this action of the Florence County Council may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of this Notice, but not afterwards, challenge this action of the Florence County Council.

FLORENCE COUNTY COUNCIL

**Exhibit 9 - Florence County
Ordinance No. 18-2013/14**

Sponsor(s) : County Council
 First Reading : February 20, 2014
 Committee Referral : N/A
 Committee Consideration Date : N/A
 Committee Recommendation : N/A
 Second Reading : March 20, 2014
 Public Hearing : May 15, 2014
 Third Reading : May 15, 2014
 Effective Date :


 Council Clerk, certify that this
 Ordinance was advertised for
 Public Hearing on 04/24/14
05/01/14 and 05/08/14.

ORDINANCE NO. 18-2013/14

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR FLORENCE COUNTY

(An Ordinance To Create And Establish The Florence County Fire Protection District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto.)

WHEREAS:

1. Pursuant to the provisions of Chapter 19 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the "Code"), the Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County"), is empowered to establish, operate and maintain a system of fire protection facilities within designated areas of the County in order to provide the residents and property owners who reside and own property located within the designated areas with fire protection services.
2. Certain unincorporated areas of the County have previously been designated and established as special tax fire districts under the provisions of Chapter 9 and Chapter 19 of Title 4, as the case may be, of the Code, which special tax fire districts include the following:
 - (a) The Sardis-Timmons ville Rural Fire Protection District (the "Sardis-Timmons ville District") created by Ordinance 18-81/82 enacted on December 10, 1982 (the "Sardis-Timmons ville Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Sardis-Timmons ville Ordinance; and
 - (b) The Howe Springs Fire District (the "Howe Springs District") created by Ordinance 11-87/88 enacted on October 1, 1987 and amended by Ordinance 14-94/95 enacted on February 2, 1995 (as amended, the "Howe Springs Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Howe Springs Ordinance; and
 - (c) The Hannah-Salem-Friendfield Fire District (the "Hannah-Salem-Friendfield District") created by Ordinance 25-92/93 enacted on May 6, 1993 and amended by Ordinance 18-2001/02 enacted on August 9, 2001 (as amended, the "Hannah-Salem-Friendfield Ordinance") for the provision of fire service within an unincorporated area of the County designated in the Hannah-Salem-Friendfield Ordinance; and
 - (d) The Windy Hill/Olanta Rural Fire District (the "Windy Hill/Olanta District") and the West Florence Rural Fire District (the "West Florence District") created by Ordinance 31-2006/07 enacted on April 5, 2007 (the "Windy Hill/Olanta-

West Florence Ordinance”) for the provision of fire service within two unincorporated areas of the County designated in the Windy Hill/Olanta-West Florence Ordinance; and

- (e) The Johnsonville Rural Fire District (the “Johnsonville District”) created by Ordinance 18-2010/11 enacted on May 19, 2011 (the “Johnsonville District Ordinance”) for the provision of fire service within an unincorporated area of the County designated in the Johnsonville District Ordinance

(together, the special tax fire districts described in (a)-(e) above, the “Prior Districts”).

3. Certain portions of the Prior Districts are situated within the boundaries of the Florence County Fire District (the “FCFD”) a special purpose district created by Act 1817 of 1973 of the South Carolina General Assembly (“Act 1817”) for the provision of fire protection service. Only certain portions of the FCFD were approved by referendum as required by Act 1817 within the applicable area designated in Act 1817, and certain other portions of the FCFD have been removed from the FCFD by the creation of the South Lynches Fire District by the South Carolina General Assembly pursuant to Act 149 of 1983 and certain portions have been excluded from the FCFD by action of Council authorized by Section 6-11-410 through 6-11-450 of the Code. Those portions of the FCFD that were approved by referendum as required by Act 1817 have ceded the provision of fire service to the County. The FCFD is no longer operative and does not have a governing body as required by Act 1817.
4. Council has undertaken a study of the efficiency and effectiveness of the financing of fire protection and related rescue service through the Prior Districts and has determined that it will be in the best interests of the County and the residents of the Prior Districts to dissolve each of the Prior Districts and create a new, single County Fire Protection District, to be designated the Florence County Fire Protection District, which will encompass all of the areas contained in the Prior Districts, to include of the area within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville, which Council hereby finds have, by and through their respective Councils in compliance with South Carolina law, requested and agreed to the inclusion of such area within the District (as hereinafter defined) and the provision of fire and related rescue service by the County in such area, and have agreed not to impose taxes or fees for such services within their respective municipal limits so long as the County provides such services.
5. The dissolution of the Prior Districts has been authorized, effective upon the enactment of this Ordinance, by Council’s Ordinance No. 17-2013/14 entitled “An Ordinance Dissolving Pursuant To Section 4-9-30(5)(E) Of The Code Of Laws Of South Carolina, 1976, As Amended, The Sardis-Timmonsville Rural Fire Protection District As A Special Tax Fire District Created Pursuant To Section 4-9-30 Of The Code Of Laws Of South Carolina, 1976, As Amended, And Dissolving The Johnsonville Rural Fire District, The Howe Springs Fire District, The Hannah-Salem-Friendfield Fire District, The West Florence Rural Fire District, And The Windy Hill/Olanta Rural Fire District, All Incident To The Establishment Of The Florence County Fire Protection District As A Special Tax Fire District Under Article 19 Of Title 4 Of The Code Of Laws Of South Carolina, 1976, As Amended, Providing For The Conditions With Respect To Said Dissolution, And Other Matters Related Thereto” (“Ordinance No. 17-2013/14”), effective the date hereof and upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance No. 17-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the FCFD with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

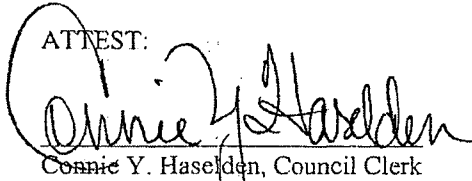
6. Council has determined to create the Florence County Fire Protection District (the "District"), to approve the continuation of the annual levy and collection of ad valorem taxes for the operation and maintenance of the District, and to authorize the County to issue, from time to time by ordinance subsequent hereto, general obligations bonds of the County to finance capital improvements within and operational costs with respect to the District.
7. In order to ensure the definitive termination of any residual power or jurisdiction of the FCFD with regard to the provision of fire protection service within the area to be designated the Florence County Fire Protection District, Council has caused to be undertaken the procedure for dissolution of the FCFD pursuant to Section 4-11-290 of the Code.
8. Pursuant to Section 4-19-20(2) of the Code, Council has duly notice by publications run once a week for three (3) consecutive weeks in the *Morning News* a public hearing which was held on May 15, 2014 concerning the creation and establishment of the District.
9. The Council specifically finds that the establishment of the District satisfies the requirements and conditions of §§4-19-10 and 4-19-20 of the Code and is now minded, in accordance with the specific authorization of §4-19-10(b) of the Code, to create and establish the District to comprise, embrace, and consist of the aggregate area previously contained within the boundaries of the Prior Districts, such area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District and including the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the Prior Districts, and a map of the District available on the County website at <http://flocogis.maps.arcgis.com/home/webmap/viewer.html?webmap=67e5914f9913454ab24cd4dcb77cf82c>; provided, however, that this Ordinance shall become effective with respect to the creation of the District upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance No. 17-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the FCFD with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.
10. Each of the Prior Districts is served by a nonprofit volunteer fire department operating as a nonprofit corporation, including the Windy Hill/Olanta District being served by two separate departments with designated areas within the Windy Hill/Olanta District. Council wishes to maintain the provision of fire service by the applicable nonprofit volunteer fire department in each of the Prior Districts upon the same terms, subject to the entry by the County into contracts with each such volunteer fire department for such service (which contracts shall include, without limitation, mechanisms to assure financial transparency and accountability on the part of the volunteer fire department in question), as each such volunteer fire department presently serves the applicable Prior District, notwithstanding the creation of the District as a new tax district with respect to the areas comprised by the Prior Districts.
11. Mindful of the limitations contained in Section 6-1-320 of the South Carolina Code, Council specifically finds as follows:
 - (1) Total tax revenues for fire protection service collected in the Prior Districts in Fiscal Year 2014 are estimated to be \$3,578,665 (the "Prior Districts Revenues");

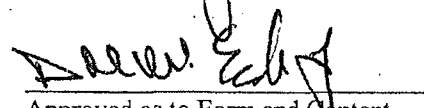
- (2) Based on an equalized millage for the entire area of the Prior Districts, the amount of millage that would have generated the Prior Districts Revenues in Fiscal Year 2014 is 14.94 mills;
 - (3) Based on increases in population in the Prior Districts and growth in the Consumer Price Index as contemplated in Section 6-1-320(A)(1) and (2) of the South Carolina Code, there may be levied in District for Fiscal Year 2015 is 16.3 mills.
12. Council therefore finds that, pursuant to Section 4-19-20(5)(b) of the South Carolina Code, there must be levied within the District for operations 16.3 mills of ad valorem taxes.

NOW THEREFORE BE IT ORDAINED BY THE FLORENCE COUNTY COUNCIL DULY ASSEMBLED THAT:

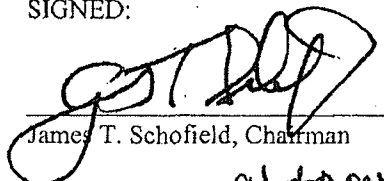
1. Pursuant to the provisions of Section 4-19-10, *et seq.*, the District is created and established as a Special Tax Fire District, such creation and establishment to become effective following the expiration of the period for filing challenges to the adoption of this Ordinance pursuant to Section 4-19-20(6) of the Code.
2. Florence County Code, Chapter 12, Article II, Fire Districts, is hereby deleted in its entirety and replaced with language attached hereto and incorporated by reference, such deletion and replacement to become effective upon the effective date of the dissolution of the Prior Districts and the creation of the District as set forth in paragraph (1) above.
3. Any person affected by the action of Council in adopting this Ordinance may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of the notice of action taken, but not afterwards, challenge this action of Council. The notice of action taken shall be published once a week for two (2) successive weeks in the *Morning News* following adoption of this Ordinance in substantially the form attached hereto.
4. Provisions in other Florence County Ordinances in conflict with this Ordinance are hereby repealed.
5. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provision or application of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

ATTEST:


Connie Y. Haselden, Council Clerk


Approved as to Form and Content
D. Malloy McEachin, Jr., County Attorney

SIGNED:


James T. Schofield, Chairman

COUNCIL VOTE: *approved*
OPPOSED: 2- *M. Kirby, W. Dorriety*
ABSENT: 1- *A. Bradley*

ARTICLE II. FLORENCE COUNTY FIRE PROTECTION DISTRICT

Sec. 12-1. Created; boundaries.

There is hereby created the Florence County Fire Protection District (the "District"), which shall comprise, embrace, and consist of the area contained within the boundaries of the Sardis-Timmonsville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Rural Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District on May 15, 2014, such area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District and including the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87 /88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the such Prior District and for the area contained within municipal limits of Quinby, Olanta, Pamplico, and Johnsonville, and a map of the District available on the County website at <http://flocogis.maps.arcgis.com/home/webmap/viewer.html?webmap=67e5914f9913454ab24cd4deb77cf82c>; provided, however, creation of the District shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance No. 17-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the FCFD with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

Sec. 12-2. Purpose.

The District is created and established for the purpose and function of providing rural fire protection and rescue services therein. Council is hereby authorized to exercise all powers and to perform all duties necessary to the proper rendering of rural fire protection and rescue services therein.

Sec. 12-3. Administration of District.

The District shall be administered as an administrative division of the County under the direction of the County's Fire/Rescue Services Coordinator or such other official or department as the County may from time to time designate. Such County official charged with the direction of the District shall be advised by those Advisory Committees established by Council Ordinance 05-2013/14 enacted September 19, 2013, which ordinance is incorporated herein by reference.

Sec. 12-4. Contracts with Volunteer Fire Departments.

(a) With respect to the provision of fire service within the District, the County shall contract with each of the volunteer fire departments organized as nonprofit corporations that as of the date of this Ordinance is serving the Prior Districts, respectively, for service within the area of the applicable Prior District (or area within the Prior District as is the case with respect to the Windy Hill/Olanta District) as comprised by the District. Each such contract shall provide for service on terms substantially similar to those in effect between each of the nonprofit volunteer fire departments and the applicable prior District as of the effective date of this Ordinance, subject to the entry by the County into contracts with each such volunteer fire department for such service (which contracts shall include, without limitation, mechanisms to assure financial transparency and accountability on the part of the volunteer fire department in question), and such existing contracts as are deemed applicable and compliant with the terms of this Ordinance by the County Administrator may continue and are hereby ratified. Any substantial change in

the terms of such service or the discontinuance of such service must be approved by subsequent ordinance of Council.

(b) The contracts with the nonprofit volunteer fire departments shall provide for the departments to operate as independent contractors providing fire and emergency service for the Florence County Fire Protection District in accordance with the contractual terms.

Sec. 12-5. Annual tax levy for operation and debt service

In order to provide for the operation and debt service of the function of the District, there are hereby authorized annual levies by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and debt service of the District. The levies within the District for the operation and debt service of the District shall be as prescribed in the County's annual budget.

In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the District for operation and debt service of the District.

Sec. 12-6. Issuance of general obligation bonds.

In order to provide fire protection services and facilities therefor within the District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the District, such bonds to be payable from ad valorem taxes collected within the District.

Sec. 12-7 – 12.20. Reserved.

NOTICE OF ACTION TAKEN
BY THE FLORENCE COUNTY COUNCIL
CONCERNING THE CREATION AND ESTABLISHMENT
OF THE FLORENCE COUNTY FIRE PROTECTION DISTRICT

Pursuant to the provisions of Sections 4-19-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), the Florence County Council ("Council") conducted a public hearing in the County Council Chambers, Florence County, South Carolina, on May 15, 2014 at 9:00 a.m. on the question of the creation and reestablishment of the Florence County Fire Protection District (the "District").

Following the aforesaid public hearing, Council did on the 5th day of May, 2014 give third and final reading to an Ordinance entitled "An Ordinance To Create And Establish The Florence County Fire Protection District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto" (the "Ordinance").

The Ordinance authorizes the creation and establishment of the District which shall comprise, embrace, and consist of the area contained within the boundaries of the Sardis-Timmonsville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Rural Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District, such area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District and including the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87 /88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the such Prior District and for the area contained within municipal limits of Quinby, Olanta, Pamplico, and Johnsonville, and a map of the District available on the County website at <http://flocogis.maps.arcgis.com/home/webmap/viewer.html?webmap=67e5914f9913454ab24cd4dcb77cf82c>; provided, however, that creation of the District upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance No. 17-2013/14 pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the FCFD with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

Pursuant to the provisions of the Enabling Act, the Council shall be authorized to levy ad valorem taxes within the area of the District to the extent necessary to defray the cost of constructing and equipping fire protection facilities within the District and to pay for maintenance and operation of such fire protection system. In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the District for operation and maintenance of the District. The Council shall be further authorized to issue general obligation bonds of Florence County, payable from ad valorem taxes levied within the District, for the purpose of providing fire protection therein.

Notice of this Action is being published once a week for two successive weeks in the *Morning News*.

5
Any person affected by this action of the Florence County Council may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of this Notice, but not afterwards, challenge this action of the Florence County Council.

FLORENCE COUNTY COUNCIL

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk to Florence County Council, South Carolina ("County Council"), DO
HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by
County Council on May 15, 2014. The Ordinance was read at three public meetings of County Council
on three separate days, February 20, 2014, March 20, 2014, and May 15, 2014. An interval
of at least seven days occurred between each reading of the Ordinance. At each such meeting, a quorum
of County Council was present and remained present throughout the meeting.

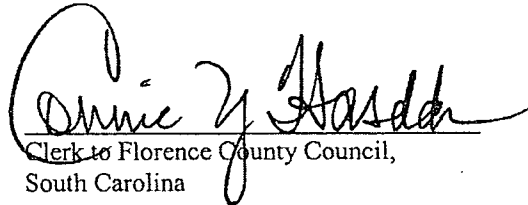
The meetings held on Feb. 20, 2014, March 20, 2014, and May 15, 2014 were regular
meetings of County Council, for which notice had been previously given pursuant to and in conformity
with Chapter 4, Title 30 of the Code of Laws of South Carolina 1976, as amended (the "Freedom of
Information Act").

The original of the Ordinance is duly entered in the permanent records of the County, in my custody
as Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of Florence County,
South Carolina, this 15th day of May, 2014.

(SEAL)


Clerk to Florence County Council,
South Carolina

First Reading: February 20, 2014
Second Reading: March 20, 2014
Public Hearing: May 15, 2014
Third Reading: May 15, 2014

Morning News

Carolina Publishing Group

AFFIDAVIT OF INSERTION

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

Personally appeared before me

Carrie Ubold

The Legal Clerk for the Morning News, a daily newspaper published in the
City of Florence, County of Florence, and the State of South Carolina said
that the attached advertisement was published on 4/24, 5/1

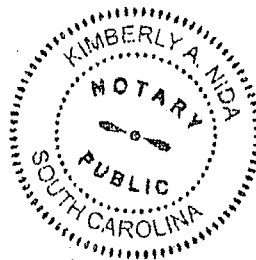
and 5/8/14
as shown by the files as said company.

Carrie Ubold

Sworn and subscribed before me this 8th day of May, 2014

Kimberly A. Nida NS
Notary Public, South Carolina

Commissions expires: _____
My Commission Expires
May 23, 2022



310 S. Dargan Street • P.O. Box 100528 • Florence, South Carolina 29501-0528
843-317-6397 • www.morningnewsonline.com



World Media Enterprises Inc.

Notice of Public Hearing on the Question of Creation and Establishment of The Florence County Fire Protection District in Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1975 As Amended.

Florence County Council (the "Council"), the governing body of Florence County, South Carolina (the "County") presently proposes to create the Florence County Fire Protection District (the "Florence County District") upon dissolution of the Sardis-Timmonsville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District (together, the "Existing Districts").

The area of the Existing Districts to be dissolved is that of the Existing Districts as set forth in Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor. The area of the Florence County District shall be the area of the Existing Districts, viz the area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District, and in addition the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the Existing Districts, and a map of the Florence County District available on the County website.

The ordinance creating the Florence County District shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of such ordinance and Ordinance No. 17-2013/14 (dissolving the Existing Districts) pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the Florence County Fire District, a special purpose district created by Act 1817 of 1973 of the South Carolina General Assembly, with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

There shall be authorized an annual levy by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and maintenance of the Florence County District. The levy within the Florence County District shall be as prescribed in the County's annual budget. The ordinance creating the Florence County District prescribes initial ad valorem taxes to be collected in the Florence County District for operating purposes in the fiscal year ending June 30, 2015 to be an amount that will be generated by approximately 16.3 mills. In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the Florence County District for operation and maintenance of the Florence County District. In order to provide for the facilities of the Florence County District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Florence County District, such bonds to be payable from ad valorem taxes

the West Florence Rural Fire District, and the Johnsonville Rural Fire District (together, the "Existing Districts")

The area of the Existing Districts to be dissolved is that of the Existing Districts as set forth in Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor. The area of the Florence County District shall be the area of the Existing Districts, viz. the area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynchess Fire District, and in addition the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the Existing Districts, and a map of the Florence County District available on the County website.

The ordinance creating the Florence County District shall become effective upon the later of: (1) the expiration of the period for filing challenges to the adoption of such ordinance and Ordinance No. 17-2013/14 (dissolving the Existing Districts) pursuant to Section 4-19-20(6) of the Code; or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the Florence County Fire District, a special purpose district created by Act 1817 of 1873 of the South Carolina General Assembly, with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

There shall be authorized an annual levy by the Auditor of Florence County and the collection by the Treasurer of Florence County of an ad valorem tax for each fiscal year as the Council may determine for the operation and maintenance of the Florence County District. The levy within the Florence County District shall be as prescribed in the County's annual budget. The ordinance creating the Florence County District prescribes initial ad valorem taxes to be collected in the Florence County District for operating purposes in the fiscal year ending June 30, 2015 to be an amount that will be generated by approximately 16.3 mills. In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the Florence County District for operation and maintenance of the Florence County District. In order to provide for the facilities of the Florence County District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Florence County District, such bonds to be payable from ad valorem taxes collected within the Florence County District.

Accordingly, notice is hereby given that a public hearing on the dissolution of the Existing Districts and the creation of the Florence County District will be held in the Council Chambers, Room 803, located in the Florence County Complex at 180 North Irby Street, Florence, South Carolina, beginning at 9:00 a.m. on Thursday, May 15, 2014.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel.

FLORENCE COUNTY COUNCIL

Carolina Publishing Order Confirmation for Ad #0000743276-01

Client	FLORENCE COUNTY COUNCIL	Payor Customer	FLORENCE COUNTY COUNCIL
Client Phone	843-665-3044	Payor Phone	843-665-3044
Account#	2156476	Payor Account	2156476
Address	180 N IRBY STREET, MSC-G, FLORENCE SC 29501 USA	Payor Address	180 N IRBY STREET, MSC-G, FLORENCE SC 29501
Fax	843-665-3042	Ordered By	Acct. Exec
EMail	chaselden@florenceco.org	susan mcdonald	clloyd

Total Amount	\$710.00	Status	
Payment Amt	\$0.00	<u>Materials</u>	
		<u>Tear Sheets</u>	<u>Proofs</u>
Amount Due	\$710.00	2	0
			<u>Affidavits</u>
			<u>Blind Box</u>
Payment Method		<u>PO Number</u>	3700929 notice of actir

Text:

Order Notes:

Ad Number	Ad Type	Color
0000743276-01	CLP Legal Liner	<NONE>
Pick Up Number	Ad Size	Production Method
	1.0 X 110 Li	AdBooker (liner)
Production Color		Production Notes

Product	Placement/Class	Position	# Inserts
Run Schedule Invoice Text			
Run Dates			
Tag Line			

SCA Morning News CLP::	_Legal Ads - Classified	_Legal Notices-LEG-CLP
NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING	2	
5/16/2014, 5/23/2014		
NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING THE CREATION A		
SCA snow CLP.com: Onl Web:	_Legal Ads - Classified	_Legal Notices-LEG-CLP
NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING	8	
5/16/2014, 5/17/2014, 5/18/2014, 5/19/2014, 5/20/2014, 5/21/2014, 5/22/2014, 5/23/2014		
NOTICE OF ACTION TAKEN BY THE FLORENCE COUNTY COUNCIL CONCERNING THE CREATION A		

Carolina Publishing Order Confirmation for Ad #0000743276-01

Ad Content Proof Actual Size

**NOTICE OF ACTION TAKEN
BY THE FLORENCE COUNTY COUNCIL
CONCERNING THE CREATION AND
ESTABLISHMENT OF THE FLORENCE COUNTY
FIRE PROTECTION DISTRICT**

Pursuant to the provisions of Sections 4-19-10 et seq. of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"); the Florence County Council ("Council") conducted a public hearing in the County Council Chambers, Florence County, South Carolina, on May 15, 2014 at 9:00 a.m. on the question of the creation and reestablishment of the Florence County Fire Protection District (the "District").

Following the aforesaid public hearing, Council did on the 15th day of May, 2014 give third and final reading to an Ordinance entitled "An Ordinance To Create And Establish The Florence County Fire Protection District In Florence County, South Carolina Pursuant To Title 4, Chapter 19 Of The Code Of Laws Of South Carolina, 1976, As Amended, To Approve The Annual Levy And Collection Of Ad Valorem Taxes And The Imposition Of Rates And Charges For The Operation And Maintenance Thereof, To Authorize The Issuance Of General Obligation Bonds On Behalf Of The District From Time To Time, And Other Matters Relating Thereto" (the "Ordinance").

The Ordinance authorizes the creation and establishment of the District which shall comprise, embrace, and consist of the area contained within the boundaries of the Sardis-Timmonsville Rural Fire Protection District, the Howe Springs Fire District, the Hannah-Salem-Friendfield Fire District, the Windy Hill/Olanta Rural Fire District, the West Florence Rural Fire District, and the Johnsonville Rural Fire District, such area comprising, embracing and consisting of the entire unincorporated area of the County save and except the area of the South Lynches Fire District and including the areas within the municipal limits of Quinby, Olanta, Pamplico, and Johnsonville. Reference is made to the Council Ordinance 18-81/82, Ordinance 11-87/88 as amended by Ordinance 14-94/95, Ordinance 25-92/93 as amended by Ordinance 18-2001/02, Ordinance 31-2006/07, Ordinance 18-2010/11, and the County Tax Map maintained by the Florence County Tax Assessor for a description of the area comprised by each of the such Prior District and for the area contained within municipal limits of Quinby, Olanta, Pamplico, and Johnsonville, and a map of the District available on the County website at <http://flocogis.maps.arcgis.com/home/webmap/viewer.html?webmap=67e5914f9913454ab24cd4dcb77cf82c>; provided, however, that creation of the District upon the later of: (1) the expiration of the period for filing challenges to the adoption of this Ordinance and Ordinance No. 17-2013/14, pursuant to Section 4-19-20(6) of the Code, or (2) the date of filing of the order of dissolution of the South Carolina Secretary of State with respect to the FCFD with the Clerk of Court of Florence County pursuant to Section 4-11-290(H)(1) of the Code, which filing shall be acknowledged by Resolution of Council.

Pursuant to the provisions of the Enabling Act, the Council shall be authorized to levy ad valorem taxes within the area of the District 5/15/2014 3:17:39PM

to the extent necessary to defray the cost of constructing and equipping fire protection facilities within the District and to pay for maintenance and operation of such fire protection system. In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the District for operation and maintenance of the District. The Council shall be further authorized to issue general obligation bonds of Florence County, payable from ad valorem taxes levied within the District, for the purpose of providing fire protection therein.

Notice of this Action is being published once a week for two successive weeks in the Morning News.

Any person affected by this action of the Florence County Council may, by action de novo instituted in the Court of Common Pleas for Florence County, within twenty (20) days following the last publication of this Notice, but not afterwards, challenge this action of the Florence County Council.

FLORENCE COUNTY COUNCIL

Exhibit 10 - Petition for Dissolution of Act 1817

FILED

MAR 05 2014

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

Mark Hammond
SECRETARY OF STATE

PETITION FOR DISSOLUTION
OF THE FLORENCE COUNTY FIRE DISTRICT
PURSUANT TO SECTION 4-11-290 OF THE CODE OF LAWS
OF SOUTH CAROLINA, 1976, AS AMENDED

FILED
FLORENCE COUNTY, S.C.
MAR 11 2014
PM 3:09

Pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended, John DeLung, Jimmy Coker, Will Ward, Kerry Tanner, and Daniel Jordan ("Petitioners") petition the South Carolina Secretary of State to dissolve the Florence County Fire District (the "District") through the issuance of an Order of Dissolution. In furtherance of such petition and as required by Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended (the "Enabling Act"), Petitioners represent to the Secretary of State of South Carolina the following:

1. The Florence County Fire District is a special purpose district created and established by Act 1817 of 1972 of the South Carolina General Assembly (the "Act"), a copy of which is attached hereto as "Exhibit A."
2. The District was established as provided in the Act for the provision of fire protection service in unincorporated areas of Florence County.
3. Pursuant to the Act, the District is divided into six subdistricts, four of which (Subdistricts 2, 3, 4, and 5) are coterminous with Florence County School Districts 2, 3, 4, and 5, respectively, and two of which (Subdistricts 1 and 6) comprise and encompass respective portions of Florence County School District 1. The District excludes all areas within the limits of an incorporated municipality.
4. Only certain portions of the District were approved by referenda as required by Act 1817 within the applicable areas designated in Act 1817, and certain other portions of the District have been

CERTIFIED: A TRUE COPY

Christa R. Spain

CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

removed from the District by the creation of the South Lynches Fire District by the South Carolina General Assembly pursuant to Act 149 of 1983 (majority of Subdistrict 3), a copy of said Act 149 of 1983 being attached hereto as "Exhibit B," and certain portions have been excluded from the FCFD by ordinance of Council authorized by Section 6-11-410 through 6-11-450 of the Code (entirety of Subdistrict 2), a copy of said ordinance being attached hereto as "Exhibit C." Those remaining portions of the FCFD that were approved by referenda as required by Act 1817 have ceded the provision of fire service to the County (remainder of Subdistrict 3 and entirety of Subdistrict 1), which portions of the FCFD have been provided fire protection service by Florence County by and through the Windy Hill/Olanta Rural Fire District, created by Ordinance of Council No. 31-2006/2007 dated July 1, 2007, a copy of which is attached hereto as "Exhibit D."

5. The Petitioner John DeLung is an individual residing within the boundaries of the designated in the Act as "Subdistrict No. 1" of the District and owning real property located at 1211 Duck Pond Road, Florence, South Carolina; Petitioner Jimmy Coker is an individual residing within the; boundaries of the District designated in the Act as "Subdistrict No. 3" of the District and owning real property located at 230 Thomas Street, Olanta, South Carolina; Petitioner Will Ward is an individual residing within the boundaries of the District designated in the Act as "Subdistrict No. 4" of the District and owning real property located at 1211 W. Smith Street, Timmons ville, South Carolina; Petitioner Kerry Tanner is an individual residing within the boundaries of the District designated in the Act as "Subdistrict No. 5" of the District and owning real property located at 1033 Vox Highway, Johnsonville, South Carolina; Petitioner Daniel Jordan is an individual residing within the boundaries of

the District designated in the Act as "Subdistrict No. 6" of the District and owning real property located at 3102 Gray Shore Drive, Florence, South Carolina

6. The existing boundaries of the District as provided in Act 1817 as are as follows:

Subdistrict No. 1: "all that area of School District No. 1 of Florence County lying south and west of the following line: Beginning at the point on the Florence-Darlington County line where Highway 356 intersects with such county line, thence southerly along Highway 356 with its intersection with Highway 343, thence southerly along Highway 343 to the point where the city limits of the City of Florence crosses such road, thence easterly and southerly along such city limits to the point where such city limits cross Highway 13, thence easterly along Highway 13 to its intersection with Highway 24, thence southerly along Highway 24 to its intersection with Highway 642, thence easterly along Highway 642 to the point where such highway turns in a northerly direction toward the Kraft Board Plant, thence continuing in a direct easterly direction from such point to the Florence-Marion County line at the Great Pee Dee River."

Subdistrict No. 3: "all that area lying in [Florence County] School District No. 3 " not a part of South Lynches Fire District.

Subdistrict No. 4: "all that area lying in [Florence County] School District No. 4."

Subdistrict No. 5: "all that area lying in [Florence County] School District No. 5."

Subdistrict No. 6: "all that area lying north and west of the line referred to in the description of Subdistrict No. 1."

7. The District has not provided any governmental services of any type since July 1, 2007 and is presently not providing such services.
8. The District has no general obligation or revenue indebtedness, nor any other financial obligations of any kind, outstanding.
9. The reason for the Dissolution of the District is that such dissolution is in furtherance of the system of fire protection in all areas of Florence County previously served by the District (except for the area contained within the South Lynches Fire District) that has heretofore been implemented by Florence County, and in the creation of a consolidated special tax district for fire protection services, proposed by Florence County Council Ordinance No. 18-

2103/14, which ordinance has received first reading by Florence County Council and a copy of which is attached hereto as "Exhibit E." Florence County consents to the dissolution of the District as evidenced by the letter of Florence County Administrator K.G. "Rusty" Smith dated March 4, 2014 and attached hereto as "Exhibit F." Inasmuch as the District constitutes a dormant and inactive political subdivision that is duplicative with respect to Florence County's existing and proposed system of fire protection within the area encompassed by the District, dissolution of the District is necessary and will serve a valid public purpose.

10. Petitioners are informed and believe that all acts required by the Enabling Act have been met or will be met prior to the dissolution of the District and the conveyance of its assets to Florence County, and none of the conditions prohibiting dissolution as set forth in Section (B) of the Enabling Act will be in existence on the date of the dissolution of the District and the conveyance of its assets to Florence County.

WHEREFORE, Petitioners respectfully request that the South Carolina Secretary of State dissolve the Florence County Fire District in accordance with the laws of the State of South Carolina.

[Signatures Appear on Following Page]

Date: 3/3/2014

Date: 3-3-2014

Date: 3-3-2014

Date: 3-3-14

Date: 3-3-14

John DeLung

Jimmy Coker

Will Ward

Kerry Tanner

Daniel W. Jordan



FLORENCE COUNTY
County Administrator

March 4, 2014

The Honorable Mark Hammond
South Carolina Secretary of State
Post Office Box 11350
Columbia, South Carolina 29211-1350

Dear Secretary Hammond:

Florence County fully supports the Petition of John DeLung, Jimmy Coker, Will Ward, Kerry Tanner, and Daniel Jordan seeking dissolution of the Florence County Fire District (the "District") pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976. As stated in that Petition, the District was only partially activated pursuant to the procedure contained in the act of the South Carolina General Assembly that created the District, and the last active portion of the District ceased providing a governmental service when that service was taken over by Florence County in 2007.

Florence County is presently seeking to restructure fire service County wide, and, regardless of what form that restructuring takes, the County is advised that it will be in the best interests of the County and its residents for the District to be dissolved.

Please do not hesitate to contact me if you have any questions or if I can be of further service to you in this regard.

Sincerely,

K.G. Rusty Smith, Jr.
County Administrator

KGRSjr/ch

Cc: Florence County Council Members

Exhibit 11 - Secretary of State's
Order of Dissolution 5/12/14

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

FILED
2014 MAY 12 AM 10:47
CLERK OF COURT
FLORENCE COUNTY, S.C.

**ORDER OF DISSOLUTION
OF THE FLORENCE COUNTY FIRE DISTRICT
PURSUANT TO SECTION 4-11-290 OF THE CODE OF LAWS
OF SOUTH CAROLINA, 1976, AS AMENDED**

Pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended, the South Carolina Secretary of State (hereinafter referred to as "Secretary") orders the dissolution of the Florence County Fire District (hereinafter referred to as "District"), having found the following:

1. The Florence County Fire District is a special purpose district created and established by Act 1817 of 1972 of the South Carolina General Assembly, for the provision of fire protection service in unincorporated areas of Florence County.

2. The existing boundaries of the District as provided in Act 1817 as are as follows:

Subdistrict No. 1: "all that area of School District No. 1 of Florence County lying south and west of the following line: Beginning at the point on the Florence-Darlington County line where Highway 356 intersects with such county line, thence southerly along Highway 356 with its intersection with Highway 343, thence southerly along Highway 343 to the point where the city limits of the City of Florence crosses such road, thence easterly and southerly along such city limits to the point where such city limits cross Highway 13, thence easterly along Highway 13 to its intersection with Highway 24, thence southerly along Highway 24 to its intersection with Highway 642, thence easterly along Highway 642 to the point where such highway turns in a northerly direction toward the Kraft Board Plant, thence continuing in a direct easterly direction from such point to the Florence-Marion County line at the Great Pee Dee River."

Subdistrict No. 3: "all that area lying in [Florence County] School District No. 3" not a part of South Lynches Fire District.

Subdistrict No. 4: "all that area lying in [Florence County] School District No. 4."

Subdistrict No. 5: "all that area lying in [Florence County] School District No. 5."

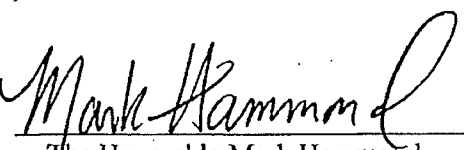
Subdistrict No. 6: "all that area lying north and west of the line referred to in the description of Subdistrict No. 1.

3. On March 5, 2014, the South Carolina Office of the Secretary of State received a Petition for Dissolution of the Florence County Fire District, pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended.

CERTIFIED: A TRUE COPY
Cynthia R. Spivey
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

4. Pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended, the Petition of Dissolution of the Florence County Fire District has been served upon the Governor, the State Treasurer, and the governing body of Florence County.
5. More than forty days have passed since the Governor, the State Treasurer, and the governing body of Florence County were served with the Petition, and the Secretary has not been served with a return to the Petition setting forth comments or grounds for objection to the dissolution of the Florence County Fire District.
6. Pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended, a Notice of Review of the Petition of Dissolution of the Florence County Fire District was published once a week for three successive weeks in The News Journal, a newspaper of general circulation in the county in which the District is located.
7. More than twenty days have passed since the last publication of the Notice of Review, and no persons have filed a return to the Petition setting forth comments upon the dissolution of the Florence County Fire District.
8. Pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended, the persons shown in the records of the Secretary of State who constitute the most recently appointed governing body of the District were served with a copy of the Petition of Dissolution of the Florence County Fire District and the Notice of Review.
9. No conditions exist that would prohibit the dissolution of the Florence County Fire District as a special purpose district under Section 4-11-290(B) of the Code of Laws of South Carolina, 1976, as amended.

WHEREFORE, the Secretary of State has caused investigation to be made and has determined that the Florence County Fire District must be dissolved pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended.

By: 
The Honorable Mark Hammond
Secretary of State
State of South Carolina
1205 Pendleton Street, Suite 525
Columbia, SC 29201

May 6, 2014
Columbia, South Carolina

Exhibit 12 - Secretary of State's
Notice of Dissolution 5/13/14

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

**NOTICE OF DISSOLUTION
OF THE FLORENCE COUNTY FIRE DISTRICT
PURSUANT TO SECTION 4-11-290 OF THE CODE OF LAWS
OF SOUTH CAROLINA, 1976, AS AMENDED**

1. On March 5, 2014, the Secretary of State received a Petition for Dissolution of the Florence County Fire District.
2. The Florence County Fire District is a special purpose district created and established by Act 1817 of 1972 of the South Carolina General Assembly, for the provision of fire protection service in unincorporated areas of Florence County.
3. The existing boundaries of the District as provided in Act 1817 as are as follows:

Subdistrict No. 1: "all that area of School District No. 1 of Florence County lying south and west of the following line: Beginning at the point on the Florence-Darlington County line where Highway 356 intersects with such county line, thence southerly along Highway 356 with its intersection with Highway 343, thence southerly along Highway 343 to the point where the city limits of the City of Florence crosses such road, thence easterly and southerly along such city limits to the point where such city limits cross Highway 13, thence easterly along Highway 13 to its intersection with Highway 24, thence southerly along Highway 24 to its intersection with Highway 642, thence easterly along Highway 642 to the point where such highway turns in a northerly direction toward the Kraft Board Plant, thence continuing in a direct easterly direction from such point to the Florence-Marion County line at the Great Pee Dee River."

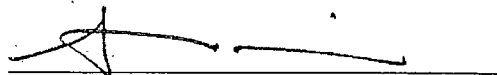
Subdistrict No. 3: "all that area lying in [Florence County] School District No. 3" not a part of South Lynches Fire District.

Subdistrict No. 4: "all that area lying in [Florence County] School District No. 4."

Subdistrict No. 5: "all that area lying in [Florence County] School District No. 5."

Subdistrict No. 6: "all that area lying north and west of the line referred to in the description of Subdistrict No. 1
4. The Secretary of State has determined that the Florence County Fire District must be dissolved pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended.
5. The Order for Dissolution is available for inspection at the Office of the Florence County Clerk of Court.

6. The Order of Dissolution will become final on the twenty-first day following the final publication of this Notice of Dissolution.

By: 

Shannon A. Wiley
Deputy General Counsel
Office of the Secretary of State
1205 Pendleton Street, Suite 525
Columbia, SC 29201
Telephone: (803) 734-0246
Facsimile: (803) 734-1661
Email: swiley@sos.sc.gov

May 13, 2014
Columbia, South Carolina

The News Journal

312 Railroad Avenue | Florence, SC 29506 | 843.667-9656 | 843.661-7102 (fax)

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

AFFIDAVIT OF PUBLICATION

PERSONALLY APPEARED BEFORE ME DON SWARTZ AND
UPON DULY BEING SWORN SAYS THAT HE IS THE PUBLISHER
OF THE NEWS JOURNAL, A WEEKLY NEWSPAPER PUBLISHED
IN THE CITY OF FLORENCE, COUNTY OF FLORENCE,
AND STATE OF SOUTH CAROLINA; AND, FURTHER SAYS THAT
THE ABOVE ATTACHED LEGAL ADVERTISEMENT WAS PUBLISHED
IN THE NEWS JOURNAL ON THE FOLLOWING DATES:

WEDNESDAY, May 21, 2014

WEDNESDAY, May 28, 2014

WEDNESDAY, June 4, 2014

AS SHOWN BY THE FILES OF SAID COMPANY IN ACCORDANCE
WITH ORDER OF PUBLICATION FILED IN THE WITHIN ENTITLED CASE.

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 13th DAY OF JULY, 2016

Catherine Moreno

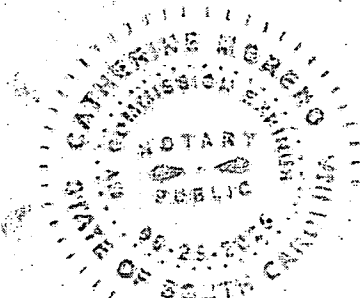
Notary Public for and in S. C.

Commission Expires JUNE 25, 2025

Catherine Moreno

Don Swartz

Don Swartz



STATE OF
SOUTH CAROLINA
COUNTY OF FLORENCE
NOTICE OF
DISSOLUTION OF THE
FLORENCE COUNTY
FIRE DISTRICT
PURSUANT TO
SECTION 4-11-290 OF
THE CODE OF LAWS OF
SOUTH CAROLINA,
1976, AS AMENDED

1. On March 5, 2014, the Secretary of State received a Petition for Dissolution of the Florence County Fire District.

2. The Florence County Fire District is a special purpose district created and established by Act 1817 of 1972 of the South Carolina General Assembly for the provision of fire protection services in unincorporated areas of Florence County.

3. The existing boundaries of the District as provided in Act 1817 as are as follows: Subdistrict No. 1: all that area of School District No. 1 of Florence County lying south and west of the following line: Beginning at the point on the Florence-Darlington County line where Highway 356 intersects with such county line, thence southerly along Highway 356 with its intersection with Highway 343, thence southerly along Highway 343 to the point where the city limits of the City of Florence cross such road, thence easterly and southerly along such city limits to the point where such city limits cross Highway 13, thence easterly along Highway 13 to its intersection with Highway 24, thence southerly along Highway 24 to its intersection with Highway 642, thence easterly along Highway 642 to the point where such highway turns in a northerly direction toward the Kraft Board Plant, thence continuing in a direct easterly direction from such point to the Florence-Marion County line at the Great Pee Dee River.

Subdistrict No. 3: all that area lying in Florence County School District No. 3 not a part of South Lynches Fire District.

Subdistrict No. 4: all that area lying in Florence County School District No. 4.

Subdistrict No. 5: all that area lying in Florence County School District No. 5.

Subdistrict No. 6: all that area lying north and west of the line referred to in the description of Subdistrict No. 1.

4. The Secretary of State has determined that the Florence County Fire District must be dissolved pursuant to Section 4-11-290 of the Code of Laws of South Carolina, 1976, as amended.

5. The Order for Dissolution is available for inspection at the Office of the Florence County Clerk of Court.

6. The Order of Dissolution will become final on the twenty-first day following the final publication of this Notice of Dissolution.

Shannon A. Wiley
Deputy General Counsel
Office of the Secretary

of State
1205 Pendleton Street
Suite 525
Columbia, SC 29201
Telephone: (803) 734-0246
Facsimile: (803) 734-1661
Email:
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May 13, 2014
Columbia, South Carolina
(5/21, 5/28, 6/4/14)

Exhibit 13 - Darlington County Council Resolution (Palmetto Rural)

A RESOLUTION

83

WHEREAS, residents of the County of Darlington out of the city limits of the City of Darlington in the Palmetto area of Darlington County, were interested in the establishment of a rural fire district to afford them fire protection, and

WHEREAS, residents of the Palmetto area petitioned the Darlington County Council to place before the qualified electors of that area a referendum as to the creation of a special fire protection district with Commissioners of the Fire District authorized to levy taxes not to exceed five (5) mills annually, and

WHEREAS, a Petition for the creation of the Palmetto Fire District and a proposed plat thereof was filed in the office of the Clerk of Court for Darlington County on September 21, 1976, pursuant to Section 59-601 of the 1972 Code of Laws of South Carolina, and

WHEREAS, a public referendum was held at the time of the general election in Darlington County on November 2, 1976, with 681 voting for the creation of the Palmetto Rural Fire District and 387 voting against the creation of the Palmetto Rural Fire District, and the following three commissioners being elected by majority vote:

Carter Weaver - 171 votes

Paul Parker - 151 votes

James Collum - 103 votes

WHEREAS, it was resolved by the Darlington County Council that the Palmetto Rural Fire District was created and certified November 12, 1976.

BE IT FURTHER RESOLVED, that this Resolution shall be deemed effective November 12, 1976, being the certified date of said referendum, and by the reading at the regular meeting of the Darlington County Council duly assembled December 5, 1977.


HARRELL L. GARDNER, Chairman
Darlington County Council

Approved December 5, 1977

Exhibit 14 - Deposition of
Phillip D. Lowe 11/24/15

1 STATE OF SOUTH CAROLINA
2 COUNTY OF FLORENCE
3 COUNTY OF FLORENCE
4 and FLORENCE COUNTY COUNCIL,
5 Plaintiffs,
6 vs.
7 CASE NO.: 2014-CP-21-2626

8 WEST FLORENCE FIRE DISTRICT,
9 purported to have been created by
10 S.C. Act No. 183 of 2014; the West
11 FLORENCE FIRE DISTRICT COMMISSION,
12 purported to have been created by
13 S.C. Act No. 183 of 2014; DAVID
14 BROWN, DUSTIN FAILS, LINDA LANG GIPCO,
15 RICHARD HEWITT, and C. ALLEN MATTHEWS,
16 each in his or her purported official
17 capacity as a member of the WEST
18 FLORENCE FIRE DISTRICT COMMISSION;
19 and the STATE of SOUTH CAROLINA,

20 Defendants.

21 DEPOSITION OF: PHILLIP D. LOWE
22 DATE: November 24, 2015
23 TIME: 2:07 PM
24 LOCATION: HAYNSWORTH SINKLER BOYD, PA
25 135 South Dargan Street, Suite 300
Florence, SC
TAKEN BY: Counsel for the Plaintiff
REPORTED BY: LINDA A. MAHONEY, Court Reporter

21
22 A. WILLIAM ROBERTS, JR., & ASSOCIATES
Fast, Accurate & Friendly

23 Charleston, SC (843) 722-8414	Hilton Head, SC (843) 785-3263	Myrtle Beach, SC (843) 839-3376
24 Columbia, SC (803) 731-5224	Greenville, SC (864) 234-7030	Charlotte, NC (704) 573-3919

1 APPEARANCES OF COUNSEL:

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4 and FLORENCE COUNTY COUNCIL:

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(INDEX AT REAR OF TRANSCRIPT)

(PLF. EXH. 35, Subpoena, was marked for
identification.)

(PLF. EXH. 20, Morning News Article,
Wednesday, May 7, 2014, 9:49 PM, was marked for
identification.)

(PLF. EXH. 22, Article by Tonya Brown,
Thursday, May 22, 2014, was marked for
identification.)

(PLF. EXH. 23, Morning News Article, May
22, 2014, 9:41 PM, was marked for identification.)

(PLF. EXH. 32, Morning News Article,
Gavin Jackson, Sunday, May 24, 2015, 3:00 AM, was
marked for identification.)

PHILLIP D. LOWE,
being first duly sworn, testified as follows:

EXAMINATION

BY MR. MATTHEWS:

Q Mr. Lowe, would you please also state your
political position?

A State House of Representatives, District
60.

Q District 60. Thank you. And are you
represented by counsel here today, legal counsel?

A No.

Q Are you represented by counsel with

1 respect to this litigation who might not be here
2 today?

3 A No.

4 Q Have you ever been deposed before in a
5 deposition?

6 A Yes.

7 Q How many times, approximately?

8 A 20.

9 Q So you're familiar with how it works. And
10 just to kind of go through some of the background,
11 you've heard all of this before. The purpose of
12 what we're here for is for both parties to
13 understand the facts and possibly locate evidence,
14 which may then be used either in trial preparation
15 or in motions to try to avoid the necessity of
16 having a trial in the case.

17 If there's anything that I ask you about
18 that you don't understand, please stop me and make
19 me clarify it. I'll be happy to do that. It will
20 be a whole lot faster and more productive if we both
21 understand the terms that we're using and the nature
22 of the questions. Please don't hesitate to ask for
23 clarification.

24 And also, if you're in the middle of an
25 answer and I start to ask another question, just let

1 me know that you haven't finished yet so I can give
2 you time to finish.

3 It will be important for purposes of the
4 transcription to get clear verbal responses. If I
5 ask you a yes or no question, don't just nod because
6 she won't be able to get the nod. Don't shake your
7 head. Just say yes or no or whatever. And then,
8 obviously, answer to the best of your recollection.

9 If you don't know, state that you don't
10 know. And it's important to answer the question
11 even though you may not think the question is
12 particularly relevant to what you understand the
13 case to be about, it's still important to answer the
14 question as posed.

15 If you ever need a break, just let me know
16 and we can take a break. This is not intended to be
17 any kind of an endurance test.

18 Preliminary question. Do you currently
19 take any medication that would affect your memory or
20 your ability to recall anything to testify about
21 today?

22 A No.

23 Q Did you review any documents in
24 preparation for today's deposition?

25 A Partially.

1 Q Could you describe those documents that
2 you did review?

3 A E-mails and documents that I have in this
4 box.

5 Q Okay. We'll come back to those in just a
6 minute.

7 Did you speak with anyone about this
8 deposition today?

9 A Yes.

10 Q With whom did you speak?

11 A The last person I spoke to was my brother.

12 Q Anyone else?

13 A Yes.

14 Q Who would they be?

15 A My wife, last night.

16 Q Anyone other than family members?

17 A That I've spoken to about this deposition
18 or --

19 Q Yes, sir. About the deposition.

20 A -- or about the case?

21 Q About the deposition. Not about the case
22 generally.

23 A I've spoken with Mr. Jordan.

24 Q Were those discussions --

25 A I have not talked with Nichols, to my

1 knowledge, since I was asked for a deposition.

2 Q Okay. Were those discussions about the
3 scheduling or were they about something else?

4 A My discussion was primarily about
5 understanding what I needed to provide in writing,
6 what we brought here. Still I'm a little confused.
7 I'm not sure what privileged versus non-privileged
8 is. I was trying to understand that.

9 Q Okay. You've mentioned what you were
10 supposed to bring. Let me give you a copy of the
11 subpoena.

12 A I have it.

13 MR. MATTHEWS: Does everyone have a copy
14 of the subpoena?

15 MR. NICHOLS: Yes.

16 MR. SMITH: Yes.

17 BY MR. MATTHEWS:

18 Q If you don't, I have it. This is the
19 amended subpoena that was issued showing today's
20 date. This was originally issued for an earlier
21 date that had to be postponed.

22 The copy I've got is marked as Plaintiff's
23 Exhibit 35, which I've already provided to the
24 reporter.

25 Representative Lowe, the request for

1 documents as part of the subpoena is for all
2 non-privileged documents in your possession,
3 custody, or control related to the subject matter of
4 the Letter to the Editor printed on Sunday, May 11,
5 2014 and attached to Exhibit A.

6 Could you turn to your copy of that, to
7 the Exhibit A letter?

8 My first question is: Did you, in fact,
9 write that letter?

10 A Yes.

11 Q Okay. And you submitted it to the
12 Florence Morning News?

13 A Yes.

14 Q And it concerns the creation of the West
15 Florence Fire District; is that correct?

16 A Special Purpose District.

17 Q What's called the West Florence Fire
18 District created by Act 1 -- was it 183 of 2014?

19 A Yes, it was.

20 Q Did anyone else assist you in writing that
21 letter?

22 A I think my wife checked it for grammar. I
23 think that's all.

24 Q No one else reviewed it or commented on it
25 prior to this publication?

1 A I don't recall showing it to anybody.

2 Q Okay. Going back to the -- and we'll go
3 back to the box of documents you've got. The
4 subpoena for the deposition also asked you to bring
5 all non-privileged documents in your possession,
6 custody, or control that are related to the subject
7 matter, which would be the Special Purpose District
8 we just referred to, the West Florence Fire
9 District.

10 Have you brought any documents with you
11 responsive to that?

12 A I have a box there with many in there.

13 Q May I review these?

14 A Yes. It's a running string of them.

15 Q Right. I'm trying --

16 A They are not necessarily starting on the
17 top of the page. It's just running.

18 Q Okay. Thank you. For the record, while
19 I'm going through, so everybody will know what we're
20 looking at, there is a series of -- a string of
21 e-mails that all appear to be a thread that begins
22 with the oldest one on top and it is dated Tuesday,
23 May 6, 2014. And the most recent one at the very
24 back is dated June the 9th, 2014. Excuse me. The
25 first one, Tuesday, May 6, 2014 at 1:59 PM.

11

1 And the last one at the -- that one, by
2 the way, was from Richard Skipper, to a series of
3 people. Fairly long list. Could be a district
4 list.

5 The last one is dated Tuesday, June 9,
6 2015, at 6:18 PM from Representative Lowe to
7 Katherine Veldran in the governor's office. That's
8 really one document, but it contains a large number
9 of e-mails during that time period.

10 The second document is the Addendum to the
11 Petition for Original Jurisdiction in the first
12 iteration of this litigation that was filed in the
13 State Supreme Court.

14 The third is Petitioner's Motion for
15 Temporary Restraining Order and Preliminary
16 Injunction, also in the original jurisdiction case.

17 The fourth is the Petition for Original
18 Jurisdiction in the Supreme Court case.

19 The Fifth is the Complaint in the original
20 jurisdiction case request with the exhibits for it.

21 The next document is a copy of the South
22 Carolina Code Title 4, Chapter 23, Section 810
23 having to do with the South Lynches Fire District.

24 The next is a copy of Act Number 98, 1953,
25 South Carolina Acts having to do with Cherokee

1 County School Districts.

2 The next is an e-mail with attachments.
3 It's an e-mail dated May 22, 2014 from Elizabeth
4 Taylor to Steve Draffin, copied to Nancy Lee, with a
5 copy of the Florence County Ordinance, that being
6 Ordinance Number 17-2013-14, an ordinance dissolving
7 various fire districts.

8 The next is a copy of South Carolina Code
9 Section 4-19-10 along with some aerial maps showing
10 an area along East McIver Road just off of
11 Interstate 95 in Florence. Multiple copies of that
12 aerial map.

13 And then in addition, reports on the West
14 Florence Fire Department dated March 28, 2014,
15 giving various statistical reports there.

16 And then finally at the back of it, a vote
17 tabulation on H. 5225 on May 14, 2014 showing the
18 yeas and nays, and the not-votings of the members of
19 the South Carolina House of Representatives.

20 The next document, and I've lost count, is
21 Florence County Resolution Number 37-2013-2014,
22 which was a resolution of authorizing the action
23 brought on behalf of county council with respect to
24 challenging the special purpose. This is not
25 signed, but appears to be a final version.

1 MR. MATTHEWS: Can you tell, Malloy, is
2 that -- is the number on it?

3 MR. MALLOY: I think it is.

4 BY MR. MATTHEWS:

5 Q The next document is a copy of Section
6 4-19-20 South Carolina Code.

7 The next document is a letter from Malloy
8 McEachin to Chief Hendrix, West Florence Fire
9 Department, dated June 19, 2014. Enclosing a
10 contract -- a draft contract between Florence County
11 and not-for-profit 501(c)(4) organization identified
12 as a fire department. It's a form contract. And
13 those are not signed.

14 Next we have a letter dated July 1, 2014,
15 from Kevin Yokim of Florence County Finance
16 Department to Chief Hendrix enclosing a payment of
17 vehicle delinquent property tax receipts.

18 Next is a copy of a bill to establish the
19 West Florence Fire District. This is a bill that
20 appears to have been prepared by legislative council
21 and the state houses. It indicates House Member
22 Lowe, Attorney Draffin, and Stenographer Lee. Date
23 May 7, 2014. It does not yet have a bill number
24 indicating that it had been introduced yet at that
25 point. There are a few handwritten notes on that.

1 The next document is a copy of South
2 Carolina Code Section 4-11-290.

3 And then next is a new article from the
4 Florence Morning News. This is Sunday, June 29,
5 2014. That begins on page -- this is a carryover.
6 It began on Page 1A, but this is Page 3A.

7 A There was another opinion in there, if you
8 open it up.

9 Q Okay. There is also on Page 6A an
10 editorial having to do with the West Florence Fire
11 District. A part of an article as well as the
12 complete opinion there.

13 Next we have also from the Morning News,
14 Sunday, June 1, 2014, a pullout ad that says ad paid
15 for by James Schofield on one side, primarily text.
16 And on the next back side chart showing various
17 financial impacts.

18 And then we have another copy of 4-19-20.
19 We have two copies of mailers by Representative
20 Lowe's election committee paid for by Lowe for
21 House. They appear to be identical indicating that
22 there was a meeting for Thursday, May 22nd, at the
23 West Florence Rural Fire Department. These appear
24 to be identical.

25 And then finally, we have what appears to

1 be another copy of the same piece of draft
2 legislation that we saw earlier. It has the same
3 house member, Mr. Lowe; same attorney, Draffin; same
4 stenographer, Lee; same date, May 7, 2014. And does
5 not have a bill number indicating that it had been
6 introduced yet.

7 A These are my originals.

8 Q While we'll go through the other part, in
9 order to save time, would you mind if I get someone
10 to make copies so I have multiple copies made for
11 everybody, or you want a set made to distribute
12 later?

13 MR. SMITH: One for me.

14 MR. NICHOLS: One set.

15 THE WITNESS: Don't waste a tree.

16 BY MR. MATTHEWS:

17 Q I'm not going to ask for copies of the
18 original jurisdiction materials, unless you need
19 another copy.

20 Could you describe the search that you
21 made to locate those documents?

22 A Well, I kept that box and had thrown a few
23 things in there as this case began and started. And
24 I'm sure some things didn't make it in.

25 Those were things that I had collected.

1 The Internet search I did in my e-mail and used some
2 search words like West Florence or fire district and
3 pulled up those. And some were repetitive. Some
4 were a string that kept rolling.

5 But I pulled out everything that looked
6 relevant that I thought I needed to be able to
7 produce today.

8 Q Okay. Let me ask you this: I didn't look
9 very closely at the string of e-mails. Were those
10 e-mails one long thread or was it that you printed
11 them all out together?

12 A I printed them out together. I couldn't
13 tell you that you were correct in the order that
14 that's the beginning and the end. They may be
15 jumbled up more.

16 Q So some of them may have been unrelated to
17 others, but they were all related to West Florence
18 or whatever your search terms were?

19 A Right.

20 Q If you would, turn to the Letter to the
21 Editor again. And if you would look on the second
22 page, the paragraph that begins with "The
23 legislature has proposed".

24 A Okay.

25 Q And the last sentence of that paragraph,

1 the bill allows local people to set millage and
2 keeps the revenue in their fire district as we
3 currently do.

4 First, am I correct that the word "to" and
5 the word "in" should be inserted in those two
6 places?

7 The bill allows local people "to" set
8 millage and keeps the revenue "in" their local fire
9 district as we currently do?

10 A Yes.

11 Q Was the concern then that West Florence
12 would pay a higher tax rate than they had previously
13 and that money was going to be used for services
14 being provided in other parts of the county?

15 A That was one of the concerns, yes.

16 Q Okay. And was that what Mr. Crawford had
17 referred to in another setting as a subsidization by
18 West Florence of some other parts of the county?

19 A No. Well, distribution, subsidized
20 districts, yes.

21 Q You also refer here to, in the immediately
22 following sentence, the bill creates a Special
23 Purpose District making West Florence responsible
24 for a portion of interstate in Darlington that is
25 not served by Darlington Fire Department.

1 What was your source for saying that the
2 interstate in Darlington County was not served by
3 the Darlington Fire Department?

4 A The West Florence Fire Department.

5 Q The West Florence Fire Department told you
6 what the Darlington County Fire Department was not
7 serving?

8 A They told me what they served. And they
9 told me that Darlington County does not serve it.

10 Q Okay. There were three lots in Darlington
11 County that were also included in the legislation.

12 Did West Florence also tell you that those
13 three lots were not being served by Darlington
14 County Fire Department?

15 A No. Those lots were put in so that a
16 portion of Darlington County could help pay for some
17 of the costs of serving the interstate with Florence
18 serving the interstate.

19 Q All right. Were you aware of any fire on
20 that stretch of I-95 that had not been responded to?

21 A On the Darlington County portion of that?

22 Q On either portion. Were you aware of any
23 fire on that stretch of Interstate 95 included in
24 the bill where there had been a fire that was not
25 responded to by somebody?

1 A I'm only aware by statement that Dustin
2 Fails made that they served that area and how many
3 calls they had had in that area for a given period
4 of time.

5 Q So could you identify Mr. Fails please?

6 A He's the Chairman of the Board of the West
7 Florence --

8 Q Okay. I'm going to show you a series of
9 news articles. Some quote you and some quote other
10 people.

11 A Can I --

12 Q Sure.

13 A I want to point out that this Letter to
14 the Editor was not my title. They make up their own
15 titles. This is the e-mail that was sent to them.
16 This was my title -- Special Purpose Fire District
17 was what I had entitled that. The editors did that
18 themselves.

19 Q All right. Thank you very much. This
20 e-mail was in that stack I just sent to be copied,
21 right?

22 A Yes.

23 Q I think I saw that in there. Thank you.

24 Let's see. I'm going to show you first an
25 article that was dated May the 7th of 2014. I've

1 got this marked as Plaintiff's Exhibit 20.

2 If you'll look at the third paragraph,
3 you'll see what I was referring to a minute ago. It
4 said Crawford. That would be Chris Crawford, who we
5 can stipulate was formerly a member of the Florence
6 County Delegation to the House.

7 Crawford said -- actually, succeeded by
8 one of our members at the table. Crawford said the
9 bill would prevent "subsidizing" of the county fire
10 districts by unifying the various millage in the six
11 fire districts and the proposed plan 16.3 mills.

12 Then also the word you used,
13 redistribution. If you look in the next paragraph,
14 I think we heard a lot last Tuesday night on members
15 of -- council members who lived in essentially
16 unaffected districts are in favor of taxing the West
17 Florence district more. And other areas will be
18 subsidized and redistributed.

19 Are those two words, subsidizing and
20 redistribution, kind of part of what a lot of the
21 concern was there?

22 A That's Representative Crawford's words,
23 not mine.

24 Q Right. When I mentioned subsidization
25 earlier, you said you referred to redistribution?

1 A Yes.

2 Q I want to ask you about the -- just the
3 event that's being talked about here.

4 If you look up at the top you'll see where
5 it's posted Wednesday, May the 7th, at 9:49 PM, it
6 indicates that the legislation has now been
7 introduced.

8 And can you tell me, would that
9 legislation that was introduced be the May 'the 7th
10 unnumbered bill that you had in your documents that
11 we sent back to be copied?

12 A It's possible that since that bill doesn't
13 have a number on it there could have been a word or
14 sentence that was changed. I'm not sure.

15 I think there were two in there. They may
16 be identical themselves. I'm not sure. They would
17 be very similar to the bill we passed or they may be
18 actually the bill. I honestly didn't read them
19 careful enough to tell you.

20 Q All right. If you look in the second
21 paragraph, the second sentence, it says, The bill,
22 H. 5225, came about after a lively forum hosted by
23 the Florence County GOP on Tuesday where attendees
24 favored such a move over the county's plan to double
25 fire millage and impose a fee on vehicles registered

1 in the area.

2 So would that Tuesday evening have been
3 then May the 6th, the day before this news article?

4 A I'm not sure, but I know one of those
5 e-mails was telling members of the republican party
6 to come out and listen to it. I couldn't tell you
7 that date. I would expect that to be the following
8 day that it came out in the paper.

9 Q I'll represent to you just -- and we can
10 confirm that when the documents come back in -- the
11 first e-mail in the stack was the one that had the
12 long distribution list from Mr. Perry --
13 Mr. Skipper?

14 A Skipper.

15 Q Was it Skipper Perry or Perry Skipper?

16 A Richard Skipper.

17 Q From Richard Skipper to a group of people
18 talking about, I think, a GOP meeting.

19 Were you in attendance at that May the 6th
20 meeting?

21 A Yes.

22 Q Where was that held?

23 A Poyner, P-O-Y-N-E-R.

24 Q Where is Poyner?

25 A A quarter mile from us here.

1 Q Is that a --

2 A It's an old school building. It's part of
3 the district ownership now. They have an
4 auditorium.

5 Q Had you heard about the concerns about the
6 business of West Florence area prior to that
7 meeting?

8 A I had heard some concerns, yes. I go to
9 church in the Ebenezer area, which is Ebenezer
10 Baptist. I talked to some church members and I
11 believe county councilman had some concerns. Hard
12 to remember --

13 Q Okay.

14 A -- much more.

15 Q Do you recall if Mr. Crawford was also at
16 that meeting?

17 A He was.

18 Q Okay. As a result of that meeting, did you
19 or he or both of you request the drafting of the
20 legislation that became 5225, that became the West
21 Florence Fire District legislation?

22 A I was already considering how to respond
23 to the burden that was getting ready to be put on us
24 and the concerns that I had for the safety and the
25 welfare of the people.

1 I was very concerned that taking over this
2 tax district, the fire district, would have lessened
3 the morale of the volunteers. I was starting to
4 hear concerns from fire people about that.

5 And so, yeah, I was already contemplating
6 this as to what could be done. And in Florence
7 County there was already another example of a fire
8 district, a special purpose fire district in South
9 Lynches. So I had begun reviewing information that
10 I could find about how they were avoiding having to
11 be swallowed up into this district, this
12 encompassing district.

13 And the night of this discussion, after we
14 had a lot of time to talk and Chairman Schofield
15 talked and all that, I asked an opinion of the
16 people in the audience. Would you like for me to
17 look into another special purpose district like
18 South Lynches? And everybody that I can remember in
19 the whole room said yes when I asked them to raise
20 their hand.

21 So that let me know from that group of
22 people that they had a serious interest in looking
23 into reforming of a special purpose district.

24 Q What was your next step after that in
25 order to begin the legislative process?

1 A Well, you draft legislation along with
2 staff and file a bill. Typically I take the time to
3 go to my fellow delegation members and talk to them
4 about what I'm going to propose. And since it's a
5 local-type of an issue -- it's not local
6 legislation, it's a local issue -- I talked to them
7 about if they wanted to get onboard with it and
8 wanted to cosponsor it with me.

9 That was kind of the next step, was
10 actually getting the introduction and getting
11 cosponsors and informing my delegation.

12 Q You mentioned the drafting process
13 involving staff. Was Mr. Draffin, whose name was on
14 the top of the document that's being copied, was he
15 the staffer who did the drafting of the legislation?
16 Do you recall?

17 A He was.

18 Q Okay. What is his first name again?

19 A Steve.

20 Q Steve Draffin. Okay.

21 A Tom Cone.

22 Q Tom Cone?

23 A He's retired now. He worked on some. And
24 I don't think he was talking to me the very first
25 time, but at some point Steve had an illness with

1 his wife, and so I dealt with Tom some too in this
2 process.

3 Q And so the legislation was then introduced
4 the next day on May the 7th, according to this news
5 article; is that correct? Does that sound right?

6 The meeting was on May the 6th and then
7 the legislation was introduced the next day on May
8 the 7th?

9 A I don't know. Was it?

10 Q Well, the posting date up here was May 7th
11 at 9:49 PM. It refers to having been introduced as
12 H. 5225.

13 If you don't recall when it was
14 introduced, that's fine.

15 A It was shortly after.

16 Q Let me look to another document. This is
17 marked as Plaintiff's Exhibit 22. And it is a story
18 from WPDE with a reporter named Tonya Brown showing
19 up on it.

20 If you'll look at the second page there,
21 you're quoted fairly extensively from the second
22 paragraph down through about the middle of the page.

23 My first question is: Was this an
24 in-person interview or did you submit written
25 responses to questions that the reporter sent, or

1 was it on camera? Do you recall?

2 A I don't recall. She's been in for
3 personal interviews with the camera, and we've
4 talked on the phone. I'm not sure.

5 Q Okay. All right. If you'll look at the
6 second paragraph on the second page, it says, Lowe
7 said he sponsored a bill after hundreds of residents
8 called and e-mailed him about Florence County's new
9 consolidated fire district. It merged six districts
10 into one. West Florence residents were upset that
11 the new district meant higher taxes for them.

12 Do you recall or are any of those e-mails
13 that you received in the stack that we sent back to
14 be copied? Did you locate any of those when you
15 were trying to find documents?

16 A I'm sure those are my words that I
17 received e-mails. That's not in quotes. So I have
18 not received hundreds of e-mails or hundreds of
19 calls on this.

20 Q Okay. You did receive calls?

21 A I did.

22 Q And you did receive e-mails?

23 A Very few e-mails.

24 Q Okay. In the aggregate calls and e-mails,
25 would the two together have reached the hundreds

1 figure, or would it be less than that?

2 A No.

3 Q Okay. If you would look at the -- start
4 with the fourth paragraph, West Florence, and read
5 down through the eighth paragraph. The one that
6 says, Lowe said if you want to talk about.

7 If you would, read those and tell me --
8 some of them are in quotation marks. Tell me, is
9 that a fair representation of what you said to
10 Ms. Brown?

11 A You want me start in the fourth paragraph?

12 Q Where it says West Florence residents.
13 You don't have to read it out loud. Just read it
14 and tell me if it's a fair representation of what
15 you said.

16 If you want to read it out loud, that's
17 fine.

18 A This is after it passed the house. This
19 is up for a third and final reading on Thursday. So
20 she's doing a story to see -- talking about if the
21 bill passes in the senate first. That's where we
22 are.

23 We're at a period of time where I think
24 the council had passed an ordinance that had not
25 gone into effect yet, but had passed.

1 I'm discussing how we would be treated in
2 a consolidated district versus remaining in our
3 independent status as we've been for the past 40
4 years or so.

5 Q And is that a fair synopsis of your
6 analysis of the --

7 A I would love to have prepared it in
8 writing instead of come off the cuff like that. So
9 I don't agree with every word the way it kind of
10 comes across.

11 Q Could you point me to the areas where you
12 disagree?

13 A Anything --

14 Q I don't mean to -- excuse me for stepping
15 in. I don't mean to have the ball. The next one
16 I'm going to go to makes it look like this was about
17 the time of the third reading by the senate.

18 A It says it's just before the third and
19 final reading.

20 Q May 22, 2014, is the date on it, but it
21 doesn't have a time period.

22 The next one we're going to look at is May
23 the 22nd, 2014, same date, at 9:41 PM. And it's
24 talking about, it's happened. So it looks like at
25 some point that day was from the third reading.

1 So she may have done this the night before
2 and posted it on the 22nd or something like that. I
3 don't want to hide the ball on that. I'm not trying
4 to --

5 A I would say from my legal understanding as
6 to what has happened, what can be done or what can
7 be undone or what's in front -- would our bill be in
8 front? Would the ordinance be in front?

9 There was a period of time where -- I'm
10 not a lawyer and I did not understand or know
11 whether we're considered consolidated or not
12 considered consolidated.

13 The council kind of passed something that
14 hadn't gone into effect yet. I'm under the
15 assumption that if we -- if our bill passes and the
16 governor signs it, that it will be the law of the
17 land. And because of what I read in the council's
18 ordinance that it could not begin until it had been
19 posted in the paper, and another 20 days or
20 something like that afterwards.

21 So we're in that period of time. I think
22 as council had passed their ordinance, we were about
23 to pass ours. And there was a lot of questions,
24 well, whose is going to trump whose.

25 Q I don't mean to ask about a legal opinion

1 on the sequencing or who got in the door first or
2 anything like that.

3 I'm asking, in terms of your analysis of
4 what you thought about consolidation or not
5 consolidating and creating a special purpose
6 district instead, in terms of the analysis of what
7 you thought was a better idea, is that a fair
8 synopsis of your analysis?

9 A No. I'm not going to say that. If you
10 have a specific question about it, but I'm not going
11 to put a blanket of protection on what a reporter
12 has said because I don't recall what they said and
13 what was complete or incomplete as to what I said.

14 Q Okay. Looking at the fourth one. West
15 Florence residents were upset that the new district
16 meant higher taxes.

17 Would you agree that West Florence
18 residents were upset that the new district meant
19 higher taxes for them? That is the new county
20 consolidated district meant higher taxes for them.
21 They were upset by that?

22 A Absolutely.

23 Q And then come down to the next paragraph,
24 the part in quotation marks. The reporter has
25 described to you that the citizens of West Florence

1 wanted to maintain an independent and autonomous
2 fire department.

3 Would you agree that's what the citizens
4 of West Florence wanted to do?

5 A Yes. They showed up in force. About 300
6 people showed up and said that they did not want to
7 be consolidated.

8 No, we did not get a single person, not
9 one, raise their hand and say they did not want to.

10 Q Okay. And further down that same
11 paragraph, again, the reporter has described to you
12 a description that it, meaning the plan for the new
13 special purpose district, would restore what had
14 been for the last 40 years as an independent
15 district instead of consolidated, so that they would
16 be able to have a board that managed it and ran it
17 and tax people for an appropriate amount that would
18 be needed in the West Florence Fire District.

19 Is that what you were trying to accomplish
20 for the citizens that --

21 A The word restore is the problem that I
22 have. At that time I didn't understand what legal
23 ramifications there were as to whether -- who's in
24 front.

25 Q Let's ignore the word restore. Is it fair

1 to say that on behalf of the citizens of West
2 Florence, you were trying to have a board that they
3 managed that ran their own fire district and kept
4 their tax money inside that fire district instead of
5 going out to other parts of the county? Is that
6 what you were trying to do?

7 A It's fair to say that they wanted to keep
8 it as close to or exactly like it was. That's the
9 fire chief, that's the fire board, that's the
10 citizens of the county.

11 All of them that showed up, 100 percent of
12 them, wanted to have an independent special purpose
13 district, not come under the thumbs of the central
14 government here, not come under a fire marshal that
15 ran it, not come and irritate volunteers who have
16 been the backbone of that system, a system that does
17 not have any bonds, a system that is the best in
18 this county, a system that had the best fire
19 protection for this county.

20 They wanted to keep it as close to what
21 they had with their own control and their own
22 taxation taking care of themselves like they had
23 previously done for 40 years. Is that clear?

24 Q Yup. Then the last two of those -- it
25 says, he argued, meaning you Representative Lowe

1 argued, according to the reporter, that the West
2 Florence residents would be unfairly taxed under the
3 consolidated district. I think that's probably
4 stating what you just said. You thought that the --

5 A The chairman -- sorry. Chairman Schofield
6 was proposing a variety of different taxes at that
7 time. It started around 16 mills. We were at 8.
8 He was going to 16. Then we started hearing 20.
9 Then we started more. Then we started hearing about
10 a tax on automobiles that he was proposing in
11 addition to the 16 or 20.

12 So he started proposing tax increases of
13 roughly three times the amount of taxes that the
14 citizens were paying. They were very upset.

15 I videotaped the meeting. I asked them, I
16 panned the camera around the whole place, you never
17 heard a bunch of screaming. They wanted something.
18 And not one said they wanted to be consolidated. So
19 absolutely, but it's a lot bigger than taxation.

20 Q I want to come back to the videotape in
21 just a minute. We talked about one meeting so far
22 which was the May the 6th meeting, I think.

23 The meeting with the videotape, I think
24 you're referring to a May the 22nd meeting where
25 Senator Leatherman was present; is that correct?

1 A If I remember, we had a meeting at the
2 fire district. Leatherman, Crawford, and I were
3 there. Dorriety was there. It was on, I think,
4 this same day.

5 Leatherman even came back from the senate
6 and, I think, on that same day said that it passed
7 third reading. And we had that meeting and there
8 was a lot of joy. However, we had not heard from
9 the governor at that point.

10 Q Right. And we'll get to that. I wanted
11 to clarify, when you said the meeting, we weren't
12 talking about the one we talked about a few minutes
13 ago. It wasn't the May 6th meeting. It was the May
14 22nd meeting about the third reading.

15 A This may have been the night before that
16 meeting while we were in Columbia.

17 Q Okay. The next couple of paragraphs
18 brings up a slightly different aspect where the
19 reporter says, Lowe questioned why Florence County
20 Council didn't include municipal fire stations. And
21 then there's more discussion of municipal fire
22 stations and complete consolidation in the next
23 paragraph.

24 Was it ever suggested that the municipal
25 fire stations could also be included into a

1 county-wide consolidated district?

2 A Did who ever suggest that?

3 Q Did anyone, to your knowledge, ever
4 suggest that?

5 A My discussion was relative to the entire
6 county, including the special purpose districts and
7 other municipalities. If you wanted to, why didn't
8 we sit down and talk about how to do that properly?

9 If you look at Florence County and the
10 Florence city limits, it's a gerrymandered
11 looking -- there are doughnuts of the county within
12 the city limits. And vice versa. There might be a
13 little postage stamp little connector piece for the
14 city to be in the county.

15 But we have not, in my opinion, sat down
16 and had a county-wide look at how to provide it.
17 Right here at our own back door at the West Florence
18 side of town we've got multiple examples of that.

19 A city fire truck would have to drive past
20 a rural fire department to get to a piece of the
21 city when the rural fire department was right beside
22 that.

23 They don't all offer the same services. I
24 realize that. I don't think we were utilizing all
25 of our assets for the region, especially around

1 Florence here because it was an inefficient use of
2 assets by the nature of just really what was in the
3 city limits and what wasn't.

4 Q All right. Let me turn to the next one.
5 Okay. Next is May the 22nd. And this is showing up
6 as Plaintiff's Exhibit 23.

7 This one has a time stamp from the
8 Florence Morning News posted at 9:41 PM on May the
9 22nd, 2014. And this, I think, ties in with what
10 you were saying about the sequence. This indicates
11 that third reading has been given. And that there
12 was a group of people at the WFFD, which I take it
13 is West Florence Fire Department, Station 1 to hear
14 from you, from Mr. Crawford, and from the senator
15 regarding that.

16 The question that I had relates to the
17 second and third paragraphs from the bottom. The
18 third paragraph from the bottom says -- sorry. The
19 third from bottom and then the bottom. Third from
20 bottom says, Leatherman commended Lowe on the legal
21 work that received approval from Columbia lawyers.

22 My question is: Who were the lawyers --
23 I'm not asking for what legal advice was given --
24 but who were -- if you could identify the lawyers
25 who provided the approval of the special purpose

1 district plan.

2 A We had staff attorneys that --

3 Q Legislative counsel?

4 A Right.

5 Q That would have been again Mr. Draffin and
6 Mr. Cone primarily?

7 A That's right.

8 Q And then if you look at the bottom
9 paragraph, and this is what you just referred to a
10 minute ago. It says, Lowe plans to send a cell
11 phone video recording of the crowd's reaction to
12 both plans.

13 Could you tell me, was that a video that
14 you were making at the meeting or was someone else
15 taking the video?

16 A That's the one I made.

17 Q You made. Do you know if anyone else made
18 a video at all?

19 A I'm not sure if the paper was still there
20 at the very end. I don't recall.

21 Q Okay.

22 A They kind of hid and --

23 Q Did you videotape the whole meeting or
24 just part of?

25 A I videotaped the vote and where I asked

1 them if they wanted to be in a consolidated district
2 versus being in the special purpose fire district.

3 Q About how long would the video have been?

4 A A minute.

5 Q Okay. Did you send that on to the
6 governor's office?

7 A I did.

8 Q Okay.

9 A I wish I still had it. It was on an old
10 phone that went swimming.

11 Q That answers my next question. All right.

12 I'm going to jump forward in time to an
13 article that has to do with the second piece of
14 legislation, the 2015 amendment to H. 5225.

15 This is an article from the Florence
16 Morning News from Sunday, May the 24th of 2015.
17 This is showing up as Plaintiff's Exhibit 32.

18 If you look at the fifth paragraph that
19 begins, Lowe checked on the bill in the senate.
20 This is a report from Gavin Jackson, the reporter at
21 the Morning News who wrote that. Lowe checked on
22 the bill in the senate last week and was told that a
23 meeting was scheduled with several officials in
24 Darlington County on the bill.

25 Do you recall that? First, do you recall

1 the conversation with Mr. Jackson? Was there a
2 meeting that you referred to him?

3 A This is that the second bill passed the
4 house and is in the senate now? Is that where we're
5 at?

6 Q Let's see. It was the second bill. It
7 should have passed the house by that point. Later
8 recalled by Lowe in early March, approved before the
9 senate. Yes, it was apparently pending in the
10 judiciary committee. In fact, I can probably
11 confirm that.

12 A Yeah. That's what it says here, that it
13 was sat in judiciary committee.

14 Q The report from the general assembly
15 website is that it came out and got third reading
16 from the house on March the 25th after having been
17 recalled from the committee. It went to the senate
18 and went to judiciary and was still on judiciary on
19 May 24th. It was not recalled from judiciary until
20 June the 3rd.

21 A I had a meeting one time with the chief of
22 the fire district in Darlington that was currently
23 serving that portion of Darlington County where the
24 new neighborhood --

25 Q Hoffmeyer Road?

1 A Yes. Hoffmeyer Road. The neighborhood
2 was going to come into our district. So that's the
3 only Darlington official other than, I think,
4 Senator Malloy and Leatherman and all that that has
5 a part of Darlington. I have a part of Darlington
6 County myself. Robert Williams, Senator Malloy, and
7 Senator Leatherman. So we had all had meetings. He
8 came up to the State House. I don't recall what
9 period of time that was. It could have been back
10 when it was in the house that we actually had that
11 meeting.

12 Now, Malloy, when I talked to him, he said
13 he was going to be meeting with some Darlington
14 County officials. I'm not sure if that's what
15 you're referring to.

16 Q Okay. If you'll go down to the next
17 paragraph. The second sentence that begins, the
18 land grab. And I'm not asking you whether or not it
19 was a land grab. That's just the reporter's phrase.
20 He means incorporated the Hoffmeyer Road to the
21 special purpose district, will remove fire tax waste
22 from Darlington County. Something that Lowe
23 believes could be offset but is causing some
24 heartburn, he said. Meaning you said.

25 Can you describe the removal of the fire

1 tax base that was the concern there?

2 And then also, has it been offset in the
3 new legislation, or is that something that is to be
4 dealt with later on?

5 A Nothing -- there's nothing in writing that
6 talks about an offset. There are mutual aid
7 agreements that most fire departments have with
8 neighboring fire departments. I know they were
9 going to get something worked out so they would know
10 who to call first or second with the emergency
11 services and if there could be a mutual aid
12 discussion about one or both actually coming. So we
13 didn't offend the Darlington firemen. They could
14 come, too.

15 If you look at that subdivision, there's a
16 diagonal line, the county line that goes through
17 that subdivision. So they always had difficulty
18 determining, was this a Florence residence or a
19 Darlington residence. Because it wasn't following a
20 road where it's clear to see left and right. It was
21 cutting through houses, backyards, and everything.

22 So there was some -- I thought it was
23 important as we talked about it, some type of a
24 mutual aid workout so that nobody was sitting there
25 fumbling around wondering whose it was to come cover

1 the fire issues.

2 Q So the workout would be the fire
3 departments would talk between themselves and figure
4 out who is going to respond when, who's going to get
5 there faster?

6 A Or even both coming, you know, in case
7 there was some confusion. I mean, I didn't get
8 involved in any of the details at all of what they
9 might work out between themselves with mutual aid.

10 Q Okay. Let me go back to the original 2014
11 legislation. Other than creating the special
12 purpose district, were there any other ideas that
13 were explored for preventing the tax increase in the
14 West Florence area?

15 A I think it would have taken an election to
16 do that.

17 Q Do you recall whose idea it was to create
18 the special tax district? Who first came up with
19 that idea?

20 A The idea came about in a telephone
21 conversation with Willard Dorriety and asking -- my
22 asking him, how is South Lynches exempt from this
23 since they have their own special purpose district?

24 He said, they have a special purpose
25 district. I said, well, maybe I should look into

1 one for us.

2 Q Okay. And just to clarify the
3 identification, Mr. Dorriety was the county council
4 member from the West Florence area; is that correct?

5 A That's correct.

6 Q Tell me why, in the course of the 2014
7 legislation, the original piece of legislation, why
8 it didn't go through the committee process.

9 A What committee? You mean in the house?

10 Q In the house or the senate. You may not
11 be able to comment on the senate. I don't know if
12 you follow that.

13 A Because I received a unanimous consent
14 from the floor of the house that it didn't need to
15 go, so the house unanimously agreed to allow it to
16 happen.

17 Q Was there a stated reason why it didn't
18 need to go through the committee?

19 A It could have been considered a local
20 issue even though it's not local legislation.
21 People may not have been concerned about how we
22 provided fire protection in Greenville.

23 They said that's an issue -- two counties
24 and two delegations within that county are going to
25 be working together. We'll let them work it out.

1 MR. MATTHEWS: Okay. Let me check to see
2 if those documents are done.

3 MR. JORDAN: Let's break for a two-minute
4 restroom break.

5 (A recess transpired.)

6 MR. MATTHEWS: During the break we
7 received the photocopies of the documents that
8 Representative Lowe brought with him consisting of
9 the stack of e-mails that he brought with him.

10 I'd like to correct for the record what I
11 thought I saw in the first quick run-through.

12 Although they start on May the 6th, 2014,
13 and end on June the 9th, 2015, as Representative
14 Lowe mentioned during our discussion, it's not an
15 unbroken pattern. It goes forward some and drops
16 back some and then it goes forward again. So it's
17 not all chronological.

18 Also, just by way of clarification, we can
19 fix this when we put these back together.

20 The last page of what we got here is also
21 a separate document. It's Section 4-19-20 of the
22 State Code, which was not part of that original
23 packet. That should be a separate document.

24 I've had a quick review of these
25 documents. I do not have any further questions with

PHILLIP D. LOWE - EX. BY MR. NICHOLS
1 regard to these e-mails and do not have any
2 questions with regard to the other documents that
3 are still being copied.

4 So at this point I will turn to counsel
5 for the state and for the fire district and
6 commissioners to see if you have any questions for
7 Representative Lowe.

8 MR. NICHOLS: Just to clear up a couple of
9 things that Representative Lowe said.

10 EXAMINATION

11 BY MR. NICHOLS:

12 Q At one point, Mr. Lowe, you said that
13 there were about 300 people who came to a meeting.
14 Your precise words were "not one said that they did
15 not want it."

16 Did you misspeak? Did you mean to say
17 that not one said that they did want it, or did not
18 want it? What is "it"? What did you mean by "it"?

19 A Everyone at the meeting, when they were
20 asked to raise their hand and to use their voice to
21 vote, indicated that they wanted this special fire
22 district for the governor, to pass it without a
23 veto, to sign it into legislation, the new fire
24 district.

25 Not one spoke against it or raised their

PHILLIP D. LOWE - EX. BY MR. NICHOLS,
1 hand or hollered when they were asked if they were
2 in favor, I guess, of the consolidated version.

3 Q Thank you. Because that's what clarified
4 it. I think in context it sounded to me like not
5 once did they want the consolidated version. But
6 you've clarified that. Thank you.

7 And then I think in one of counsel's
8 questions he called the district that was created by
9 the legislation a special tax district. But it's
10 not -- it's a special fire district for taxation
11 purposes..

12 A Special purpose fire district is what I
13 understand. It was created with two counties.

14 Q But a special purpose district created for
15 providing fire services wouldn't necessarily have
16 some tax implication on the residents?

17 A It would. Of both counties.

18 Q But it's not a special tax district. It's
19 a special purpose fire district?

20 A Special purpose fire district.

21 Q I just wanted to clarify.

22 A It would be -- the taxation would occur
23 within that district for fire millage only. Not
24 other types of millages.

25 MR. MATTHEWS: For purposes of

1 clarification -- this isn't a question. I'm not
2 sure where I used that phrase.

3 By way of clarification, there were
4 earlier special tax districts that existed in
5 Florence County, which were the ones that county
6 council was attempting to dissolve and replace with
7 a consolidated fire protection service area.

8 What Representative Lowe was creating with
9 the general assembly was not a special tax district,
10 but was a special purpose district for prior
11 purposes which would have had taxing authority.

12 MR. NICHOLS: I thought that's what it
13 was. Your question might have been just --

14 MR. MATTHEWS: If I was referring to
15 Representative Lowe's district and I referred to it
16 as a special tax district, I was misspeaking.

17 MR. NICHOLS: As I do on many occasions,
18 so thank you.

19 MR. SMITH: I'm Emory Smith for the State
20 and I have no questions.

21 (The deposition was concluded at 3:43 PM.)

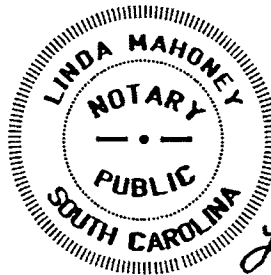
22 (The witness, after having been advised of
23 his right to read and sign this transcript, waives
24 that right.)
25

CERTIFICATE OF REPORTER

I, Linda A. Mahoney, Court Reporter
and Notary Public for the State of South Carolina at
Large, do hereby certify that the foregoing
transcript is a true, accurate and complete record.

I further certify that I am neither
related to nor counsel for any party to the cause
pending or interested in the events thereof.

Witness my hand, I have hereunto
affixed my official seal this 2nd day of December,
2015 at Horry County, South Carolina.



Linda Mahoney

Linda A. Mahoney, Court Reporter
My Commission expires
October 12, 2017

I N D E X

Page/Line

WITNESS/EXAMINATION

PHILLIP D. LOWE

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EXAMINATION

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4 16

EXAMINATION

BY MR. NICHOLS:

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CERTIFICATE OF REPORTER

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(No Information Requested)

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Exhibit 14A - Exhibit 20 to
Lowe Deposition

State bill would create new West Florence Fire District

GAVIN JACKSON, Morning News | Posted: Wednesday, May 7, 2014 9:49 pm

FLORENCE, S.C. — Several members of the Florence and Darlington County delegations sponsored and introduced a bill Wednesday that would turn the West Florence Fire District into its own special purpose tax district, a move that would be a blow to the county's proposed unified fire protection district.

Florence Republican Reps. Phillip Lowe and Kris Crawford as well as Rep. Robert Williams, D-Darlington and Speaker Pro-Tem Jay Lucas, R-Darlington, sponsored the bill. The bill, H. 5225, came about after a lively forum hosted by the Florence County GOP on Tuesday evening where attendees favored such a move over the county's plan to double fire millage and impose a fee on vehicles registered in the area.

Crawford said the bill would prevent "subsidizing" other county fire districts by unifying the various millage in the six fire districts in the proposed plan to 16.3 mills, basically doubling West Florence's millage, as well as a \$28.50 fee on vehicles in those districts, as proposed under a plan by the Florence County Council that has its support and third reading next Thursday.

"I think we heard a lot last (Tuesday) night, how members of council members who live in, essentially unaffected districts, are in favor of taxing the West Florence District more," Crawford said. "And other areas will be subsidized and redistributed."

The bill states the millage is not to exceed 13 mills for the year 2014. After that Crawford said it would follow state law on how the millage can be increased, which has hamstrung the West Florence Fire District at 8 mills, forcing it to operate with a deficit. Florence County Council tried to do the same thing, but with fire districts established under different parts of state code, members didn't believe they could withstand a legal fight over taxation if challenged. Crawford believes the separate district should.

"We don't run afoul with (Act) 388 here," Crawford said.

Florence County Council Chairman James Schofield wrapped up seven fire station outreach tour recently and willingly spoke at the forum where a different sentiment prevailed, contrary to what he heard when first speaking to residents in West Florence and elsewhere.

"My question is where it goes from here and how fast they'll try and pull it off in legislative session if they do well end up dealing with the consequences and dealing with the fire protection and the unincorporated areas," Schofield said. "It's just a group of people that have legislative power trying to take one section of the county to keep taxes low and exempts others."

Schofield did not offer additional comment.

But Lowe said the sentiment of those attending the GOP forum made the message very clear.

"One hundred percent of residents of West Florence Fire District voted to pursue the special district," Lowe said. "Residents who attended the meeting."

Crawford said the better approach would have been to unify the entire county districts, South Lynches and all municipal city fire departments into one unified fire district, rather than just the six rural districts that council members say needs better fiscal oversight, standardized practices and equipment for residents and firefighters.

West Florence Fire Chief Larue Hendrix said he did not advise legislators on the legislation, and he had not read yet when contacted Wednesday.

Crawford said he is confident that the bill will pass the House and Senate despite introduction and crossover deadlines that have passed.

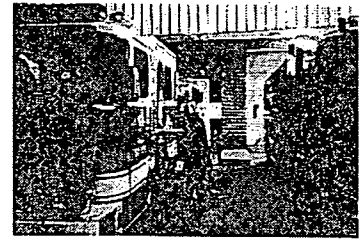
"We feel very certain that it could get passed and enacted into law this year," Crawford said.

The House has an introduction deadline that after April 15, a bill can be introduced, read for the first time then referred to committee, but can not be taken up for reading without first receiving a two-thirds vote in the House.

After May 1, a bill originating in one body must be received in the other body to receive normal consideration for the legislative year. Any bill not already introduced needs a supermajority vote to progress.

Florence County Councilman Willard Dorrierty Jr. said he only provided Crawford with revenue data for the West Florence district and had heard that such a bill was in the works.

"West Florence has always paid their fair share or more," Dorrierty said. "I have no vote on this or say so. This is a legislative process and if it helps West Florence, I have to support what helps West Florence."



Fire District Meeting

Firefighter Josh Phillips prepares to head to a car fire from at West Florence Fire Department Station One on April 1, 2014 during a Florence County public outreach session on the county's proposed, unified fire district.

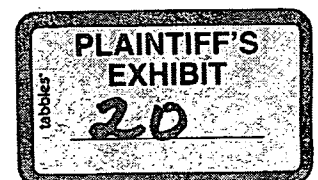
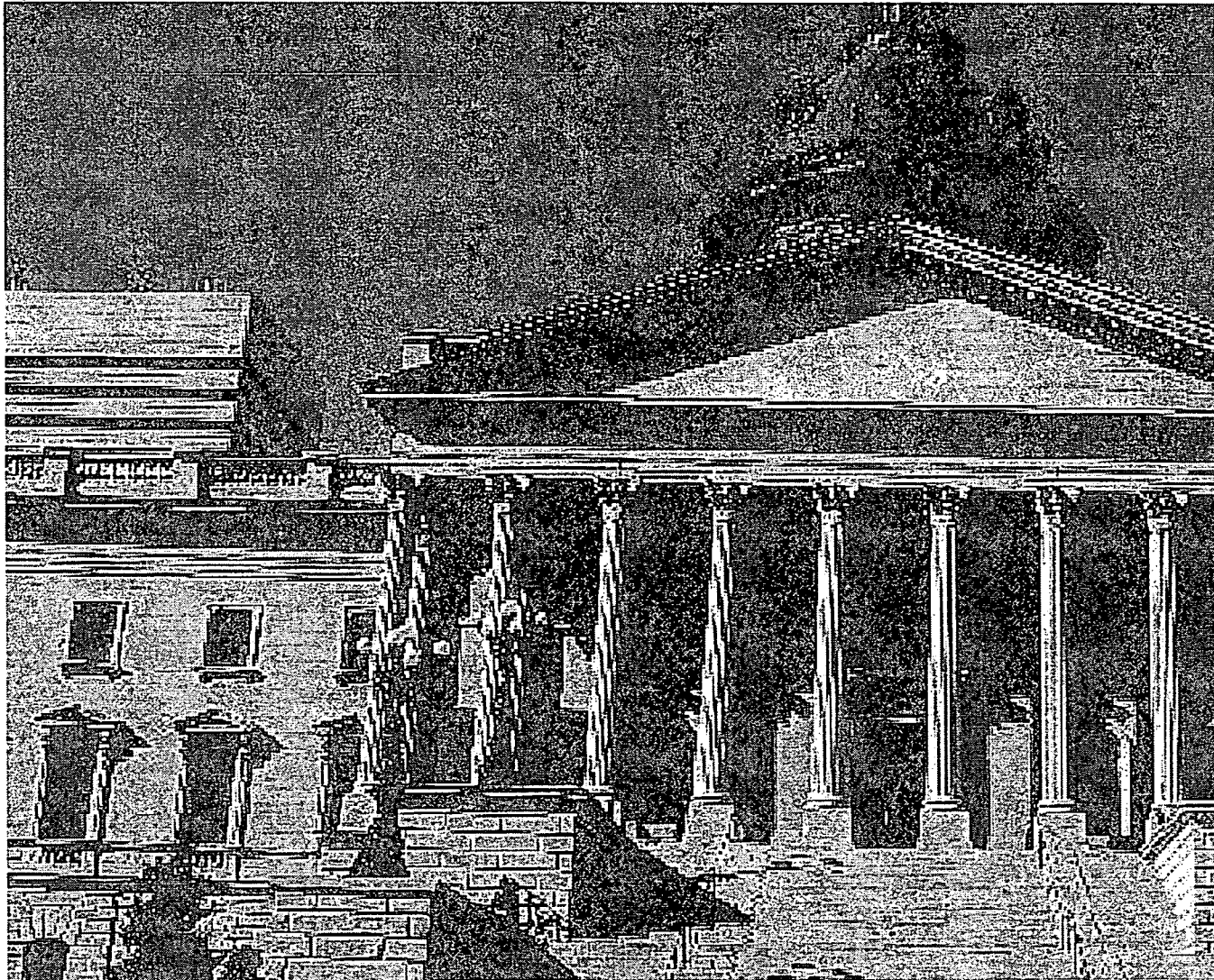


Exhibit 14B - Exhibit 22 to
Lowe Deposition

Bill to create separate fire district in West Florence expected to pass

By Tonya Brown Thursday, May 22nd 2014



[share now!](#)

Thu, 22 May 2014 11:35:41 GMT — State House Bill H.5225 sponsored by Florence and Darlington Counties Representative Phillip Lowe to create a separate fire district for West Florence is up for third and final reading in the Senate Thursday.

If it passes, Governor Nikki Haley will sign the bill and it will become law.

Lowe said he sponsored the bill after hundreds of residents called and emailed him about Florence County's new consolidated fire district.

It merged six districts into one.

West Florence residents were upset that the new district meant higher taxes for them.

"The citizens of West Florence want to maintain an independent and an autonomous fire department over there. And to do so we can have them elect five commissioners that can determine the needs of West Florence. And set mileage rates for those needs. And take care of the problems in the West Florence area. It would restore it to what it has been for the last 40 years. As an independent district instead of being consolidated. So that they would be able to have a board to that managed and ran it and managed it. And taxed people for an appropriate amount that would be needed within the West Florence Fire District..," said Rep. Lowe, District 60 (R).

He argued West Florence residents were being unfairly taxed under the consolidated district.

Lowe questioned why Florence County council didn't include municipal fire stations, instead of just rural county stations, in its consolidation district.

Lowe said, "If you want to talk about complete consolidation, I'm like you know let's get all the areas in the county together to work on a plan rather than select some primarily to try and bring them so you can get the taxes out of that district and pay for the needs for other parts of the district. So there's politics in anything and I don't think this is any district. But the citizens of West Florence are not happy about this plan that county council put together."

Florence County Council Chairman James Schofield believes the consolidation plan is fair all across the board.

He said it creates an equal tax rates throughout the county.

Schofield argued that West Florence paid lower tax rates due to its large tax base for years, while other communities paid higher rates.

Tax payers in West Florence now pay \$32 on a \$100,000 house while those in Johnsonville pay \$161 on a home valued at \$100,000.

Under the consolidated district, all tax payers will pay the same rates which equates to about \$80 on a \$100,000 home.

Schofield said, "County council is trying to tax people at the same mileage rate for the same service. Just like we do every other service and that's fair. To secede from this county and say we

can get a better deal because we got a lot of people and a lot of valuation out here and we can do it cheaper. It's not right."

He added the bill hurts economic development in Florence County.

He said the language of the bill doesn't allow for the City of Florence to annex any more land in West Florence.

"No more annexation in West Florence. Go talk to the Mayor of the City of Florence and see if he likes that language in there. That's a problem. This bill is a problem. Bad for the city . Bad for the county. Bad for economic development," explained Schofield.

He said Rep. Lowe's bill doesn't allow for West Florence Fire to provide mutual aid to neighboring departments.

Schofield sites page four of the bill section 12 that says ' the equipment must be fully utilized for the protection and control of fire within the district.'

Schofield said that means firefighters can't take their equipment out of the West Florence coverage area.

Rep. Lowe said that's not true.

"They would still have their ability to help out with any of the other districts around or that are sitting around them, if they had some mutual problems. And they have a mutual aid clause that allows them to take care of the other areas around them too in the event that they needed more fire trucks to put out a fire. They can go to any other part of the county too," explained Rep. Lowe.

We'll let you know what happens with the bill.

There will be a community meeting to discuss the bill at West Florence Fire Department on Pine Needles Road at 6 Thursday night.

Exhibit 14C - Exhibit 23 to Lowe Deposition

West Florence Fire District sponsors celebrate state bill's passage

GAVIN JACKSON, Morning News | Posted: Thursday, May 22, 2014 9:41 pm

FLORENCE, S.C. — The former West Florence Fire District will, upon the signature of the governor, be its own special purpose tax district after a bill creating it passed the Senate on Thursday.

Some 300 people turned out at the WFFD Station One to hear the bill's primary sponsor Rep. Phillip Lowe, R-Florence, sponsor Rep. Kris Crawford, R-Florence, and Sen. Hugh K. Leatherman Sr., (R-Florence), celebrate the accomplishment. The group navigated the bill through the Statehouse the last two weeks to liberate the densely populated area of the county from the higher millage rate of the county district. West Florence will be removed from the county unified district once the bill is signed.

"You guys are now special, thanks to my two friends over here," Lowe said, referencing Leatherman and Crawford. "What the bill does is it sets up five commissioners you get to vote on. I presume most of you live in the West Florence Fire District. You vote on those folks. They get to set the millage."

And therein lies a "bit of a wrinkle," as Lowe put it.

That commission is not elected until early September in a special election. That was the concern of one audience member who asked how the department will be funded until then.

"We may be forced to live off a meager budget for three months while we elect these people," Lowe said. "That's kind of in the hands of County Council. ... But if they got people over there that say they want to starve West Florence Fire Department, we'll have to deal with that."

At a press conference earlier, Florence County Council Chairman James Schofield resoundingly said that is not and has never been his or council's intention.

In fact, WFFD Fire Chief Larue Hendrix asked him the same thing.

"I told him I didn't know, but I assured him somehow Florence County Council is going to see to it that you have funds to operate your fire district," Schofield said. "We have a responsibility to the citizens of Florence County. This bill, H. 5225 that just got third reading in the Senate, makes no provision for that. It ignores the fact that we've abolished these fire districts."

Therein lies another wrinkle: fund the former WFFD at its current 8 mills for the next few months or at the unified fire protection district's 20.5 mills, knowing it could be 13 mills — the maximum allowed in H. 5225 — come September.

"We have one tax district now with three readings on it," Schofield said. "That's the law of Florence County. We can only set one millage, and we're going to set it at 20.5."

Another question was if west Florence residents contiguous to the city could annex into the city.

"This doesn't affect annexation law. It's its own body of law" Crawford said. "You're still governed by the same exact requirements."

The bill's language states, "Notwithstanding any other provisions of law, no other millage levy or uniform service fee may be imposed in the district by any other political subdivision or entity for the provision of fire services."

Schofield believes since the bill never went to any committee, it wasn't properly vetted and just "rammed through" the Statehouse.

Schofield let it be known the county is suiting up for another legal challenge. Unlike the penny tax sparring of last fall, this time the county will be suing the state, if council so chooses.

"This is about Home Rule, and whether you can cram another political district on top of one that's already providing services for fire in this county," Schofield said. "There is a Supreme Court decision that says you can not do that. We intend to pursue this because unless the governor vetoes it and the veto is sustained in the House. We don't have much choice."

Leatherman commended Lowe on the legal work that received approval from Columbia lawyers.

"Phillip had to maneuver through the Supreme Court decision to make sure that whatever he was doing does not violate the constitution of this state," Leatherman said. "And I think Phillip you did a great job on that."

Schofield requested to speak with the governor or her staff before the bill gets signed. Lowe plans to send a cell phone video recording of the crowd's reaction to both plans — a dead silent crowd for the unified district plan and a roar for the special district plan.



West Florence

State Sen. Hugh K. Leatherman, Sr., (R-Florence) speaks to the crowd during a chicken bog at the West Florence Fire Station One on May 22, 2014. The crowd of some 300 people came out to listen to Florence County legislators discuss the passage of a bill through the statehouse that turns that district, which is now under the county's plan, into its own special purpose tax district.

Exhibit 14D - Exhibit 32 to
Lowe Deposition



West Florence fire district bill slowed in Senate

BY GAVIN JACKSON Morning News gjackson@florencenews.com | Posted: Sunday, May 24, 2015 3:00 am

FLORENCE, S.C. – With just six days left in the legislative session this year, county officials are criticizing state lawmakers for slowing legislation on the West Florence Fire District that has delayed a lawsuit filed by the county last September.

Rep. Phillip Lowe (R-Florence) introduced a bill in February to address several concerns that a lawsuit filed by Florence County outlined. The bill was sent to the Ways and Means Committee in an unrelated political move by Rep. Jerry Govan (D-Orangeburg) and was later recalled, by Lowe, in early March.

The House approved it on March 24 and sent it to the Senate, where it has sat in the Judiciary Committee.

"I think the bill would strengthen the fire service," Lowe said. "I don't think it's critical for the bill to pass to prevail in the lawsuit."

Lowe checked on the bill in the Senate last week and was told that a meeting was scheduled with several officials in Darlington County on the bill. His bill takes about 90 parcels from Darlington County fire district, right on the other side of the county line on Hoffmeyer Road, and adds them to the original three parcels in the West Florence Fire special purpose district.

Lowe said unifying that area into just the West Florence Fire District will limit confusion and it will be closer to a fire station when the new Hoffmeyer Road station is built. The land grab will remove fire tax base from Darlington County, something that Lowe believes could be offset, but is causing some heartburn, he said.

Sen. Gerald Malloy (D-Darlington), who sits on the Judiciary Committee, is waiting to hear from others in the area on the issue, after which he could ask Judiciary Chairman Larry Martin to move the bill before the committee.

"At this level in the session the priorities are the budget, roads and matters in special order," Malloy said. "Every bill has opportunity to come before the body, especially with House bills. I'm very familiar with legislation and I anticipate reviewing it with some other interested parties."

The West Florence Fire special purpose district isn't in Malloy's district, but it is in his home county. Senate President Pro Tem Hugh K. Leatherman Sr. (R-Florence) says that's why he has deferred to Malloy and the Judiciary Committee to handle the bill.

"I suggested he (Chairman Martin) recall it at one time," Leatherman said. "That was probably three or four weeks ago. Senators don't give reasons why they run their committees like they do; I don't, they don't."

The bill hasn't been assigned to a subcommittee. But if a majority of committee members support pulling it out, the bill could go to the Senate floor before adjournment on June 4 or after, if the legislature goes into extra innings.

Florence County attorney Malloy McEachin said Tuesday that if the bill doesn't move by then, the county will not wait for session to start again next January to pursue a hearing.

"The attorney general raised the issue of not going forward with the hearing until they find out if they (the legislature) pass it or anything," McEachin said. "I don't think the county is going to be interested in waiting to see what they do next year. If they don't do something this year we'll try and get the court to hear the case."

Deputy Solicitor General J. Emory Smith Jr., representing the state, declined to comment at this time.

One month vs. three months

Last year Lowe and others were scrambling to get the special purpose district signed into law after the County Council created the Florence County Fire Protection District in May.

The bill was on the fast-track from the start.

Lowe sponsored the bill along with then Rep. Kris Crawford (R-Florence), Rep. Robert Williams (D-Darlington) and now Speaker Jay Lucas (R-Darlington).

But Florence Democrats Rep. Terry Alexander and former Rep. Lester Branham Jr. got the votes to force debate on the bill. Days later on May 13 the second reading vote was 69-33 for the special purpose district. Two days later a 50-38 third reading vote sent the bill to the Senate.

In the Senate, Leatherman got it through in two days.

Gov. Nikki Haley signed it into law on May 28 and the residents of the unincorporated section of west Florence were spared from a tax increase that would be "redistributed" to strengthen fire protection in other parts of the county.

"I think we heard a lot last (Tuesday) night, how members of council who live in essentially unaffected districts are in favor of taxing the West Florence district more," Crawford said last year. "And other areas will be subsidized and redistributed."

Fast forward to present day when, three months into H. 3670's life, it's still just a bill.

"It seems to be languishing in the Judiciary Committee of the Senate," said County Council Vice Chairman James Schofield. "I think that may be by design. It may not be. It certainly moved through the legislature real quick last year and this year it's gotten slowed down for some reason."

Debt repayment delay

By creating the fire district, Florence County agreed to take on the \$3.5 million in outstanding debt from several of the fire districts. Since many of the rural departments don't have dense tax bases like the West Florence Fire District, for example, they were hamstrung by state law governing how much millage they could raise. Therefore, many used bonds to replace small portions of their still outdated fire apparatus.

When Gov. Haley signed the bill into law last May, West Florence was immediately pulled out of the fire district, leaving a substantial revenue hole in the unified fire district's budget that would help pay off that old \$3.5 million debt.

The council stabilized the \$4 million budget by increasing millage from 22.4 mills to 27.5 mills. The council issued a bond anticipation note to prevent millage from going into the 30s at the time and to buy time for a soon-to-be-filed lawsuit to shake out.

"We expected the lawsuit with West Florence to be over by this time. That's why it was a bond anticipation note," Schofield said. "It's not over...we will deal with that."

The county's 2016 fiscal year budget, starting July 1, had a 3.9-mill increase in it to cover the \$3.5 million fire debt. The council amended the budget Thursday to eliminate that increase, and a 3.5-mill increase for \$8.1 million in fire equipment replacements, in favor of lowering district millage to 19.5 mills and a \$25 fee per land parcel in the district.

"If West Florence comes back into the fire district by the courts, I think the millage will be something like 15 mills. That's about a two mill increase from where they are today and a \$25 fee," Schofield said. "I want to get the mills down. I wasn't comfortable with 27 mills; I wasn't comfortable with it last year, but we had to because they (West Florence) were not in."

Rep. Jay Jordan (R-Florence) who is representing the West Florence special purpose district in the lawsuit, said the Senate may make moves in the next two weeks, despite a slog of last-minute legislation and filibusters.

"Given that the calendar is passing quickly I'm guessing the Senate will have some resolution with it in the next couple weeks," Jordan said. "Everyone's understanding is to be patient with the process."

Exhibit 14E - Exhibit 35 to
Lowe Deposition

STATE OF SOUTH CAROLINA

ISSUED BY THE CIRCUIT COURT IN THE COUNTY OF FLORENCE

County of Florence and Florence County Council,
Plaintiff,

v.

SUBPOENA IN A CIVIL CASE

West Florence Fire District, purported to have been
created by S.C. Act No. 183 of 2014; the West
Florence Fire District Commission, purported to have
been created by S.C. Act No. 183 of 2014; David
Brown, Dustin Fails, Linda Lang Gipco, Richard
Hewitt, and C. Allen Matthews, each in his or her
purported official capacity as a member of the West
Florence Fire District Commission; and the State of
South Carolina, Defendants.

Case Number: 2014-CP-21-2626

Pending in Florence County

TO: **Phillip D. Lowe**
507 West Cheves Street
Florence, SC 29501

☐ YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the
above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a
deposition in the above case.

PLACE OF DEPOSITION Haynsworth Sinkler Boyd, P.A. 135 S. Dargan Street, Suite 300 Florence, SC 29506	DATE AND TIME: November 24, 2015, 2:00 PM
---	---

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or
objects in your possession, custody or control at the place, date and time specified below (list documents of objects):

**All non-privileged documents in your possession, custody or control that are related to the subject matter
of the Letter to the Editor, printed on Sunday, May 11, 2014, attached hereto as Exhibit A.**

PLACE: Haynsworth Sinkler Boyd, P.A. 135 S. Dargan Street, Suite 300 Florence, SC 29506	DATE AND TIME: November 24, 2015, 2:00 PM
--	---

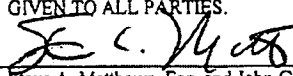
☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM
----------	--------------------

ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF
CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING
AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED,
THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO
MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION



I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.



Steve A. Matthews, Esq. and John G. Tamasitis, Esq.
Haynsworth Sinkler Boyd, PA, P.O. Box 11889, Columbia SC
29211-1889
(803) 779-3080

11/3/2015
Date

Steve A. Matthews
Print Name

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Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

EXHIBIT A

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LETTER TO THE EDITOR: Special purpose West Florence Fire District will keep taxes low

[Story](#) [Comments](#)

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Posted: Sunday, May 11, 2014 4:45 am

DEAR EDITOR

County Council Chairman Schofield is pushing a 66 percent tax increase for fire protection in Florence County. Areas will see as much as a doubling of property tax millage, but nearly all of the county residents will have a new tax on automobiles.

While most of the county will pay more tax, the voters in Schofield's council district are conveniently exempt from the tax increases.

When the new annual property tax on cars is combined with the millage adjustment, West Florence, Timmonsville and Howe Spring districts will all pay more taxes.

I support our brave firefighters and insist they have modern equipment. These heroes risk their lives for us. Thank you for volunteering and keeping our taxes low.

Schofield's plan puts the entire volunteer fire system at risk. He entices the fire districts with the promise of

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money. Unfortunately, when the shine wears off the new truck, volunteers will realize they have lost their independence. They will be under the control of central government.

Volunteer morale will decline as policies change. Full-time employees will replace them, and everyone's taxes will skyrocket.

The legislature has proposed a bill that preserves the volunteer spirit of the firefighter. It allows them to continue the proud American tradition of neighbors helping each other. The bill allows local people set millage and keeps the revenue their fire district as we currently do.

The bill creates a special purpose district making West Florence responsible for a portion of interstate in Darlington that is not served by Darlington Fire Department. This district would be set up like South

Lynch District in Florence County, which is exempt from his tax increases.

Please contact your legislators and county councilmen and ask them to support the special purpose district.

S.C. Rep. Phillip Lowe

Florence

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Print

Posted in Opinion, Letters on Sunday, May 11, 2014 4:45 am.

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Comments have been disabled.

Exhibit 17 - Map of Act 1817 (sub-district)

**Florence County
Fire District
Subdistricts From
State Legislation
& West Florence
Fire District
Fire District
& Current Municipalities**

Legend

-  Fire Stations
-  DarlingtonParcelsInWFSpecialPurpose
-  WFFireDistrictWithCorrectionsFromOrdinance
-  Municipalities-Current
-  Subdistrict From Acts 1817/658

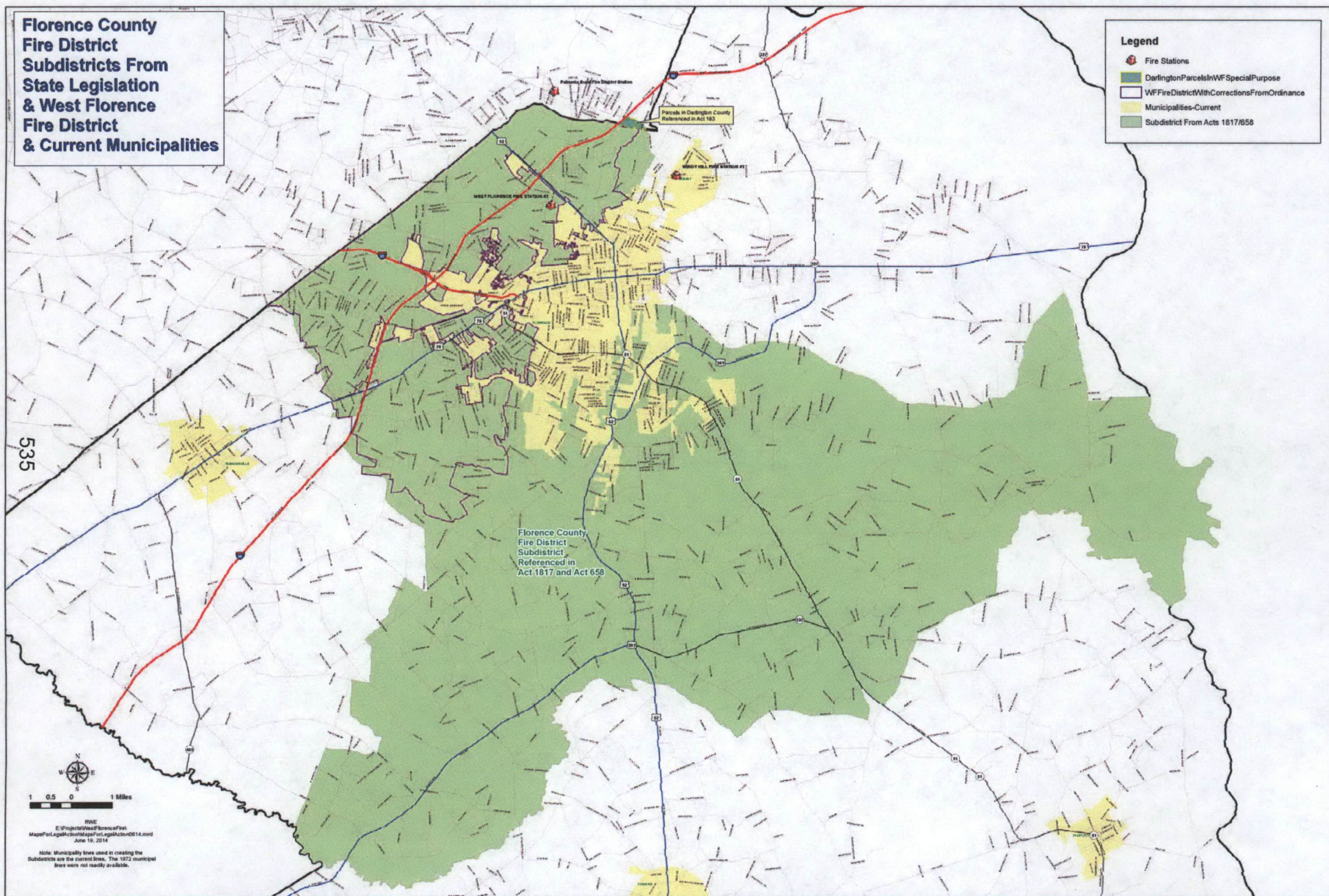


Exhibit 18 - Aerial of E. McIver Road



Exhibit 19 - Map of Shortest Routes E. McIver Road

**DISTANCE FROM
CLOSEST WEST FLORENCE
& WINDY HILL STATIONS TO
DARLINGTON CO. PARCELS IN
PROPOSED DISTRICT**

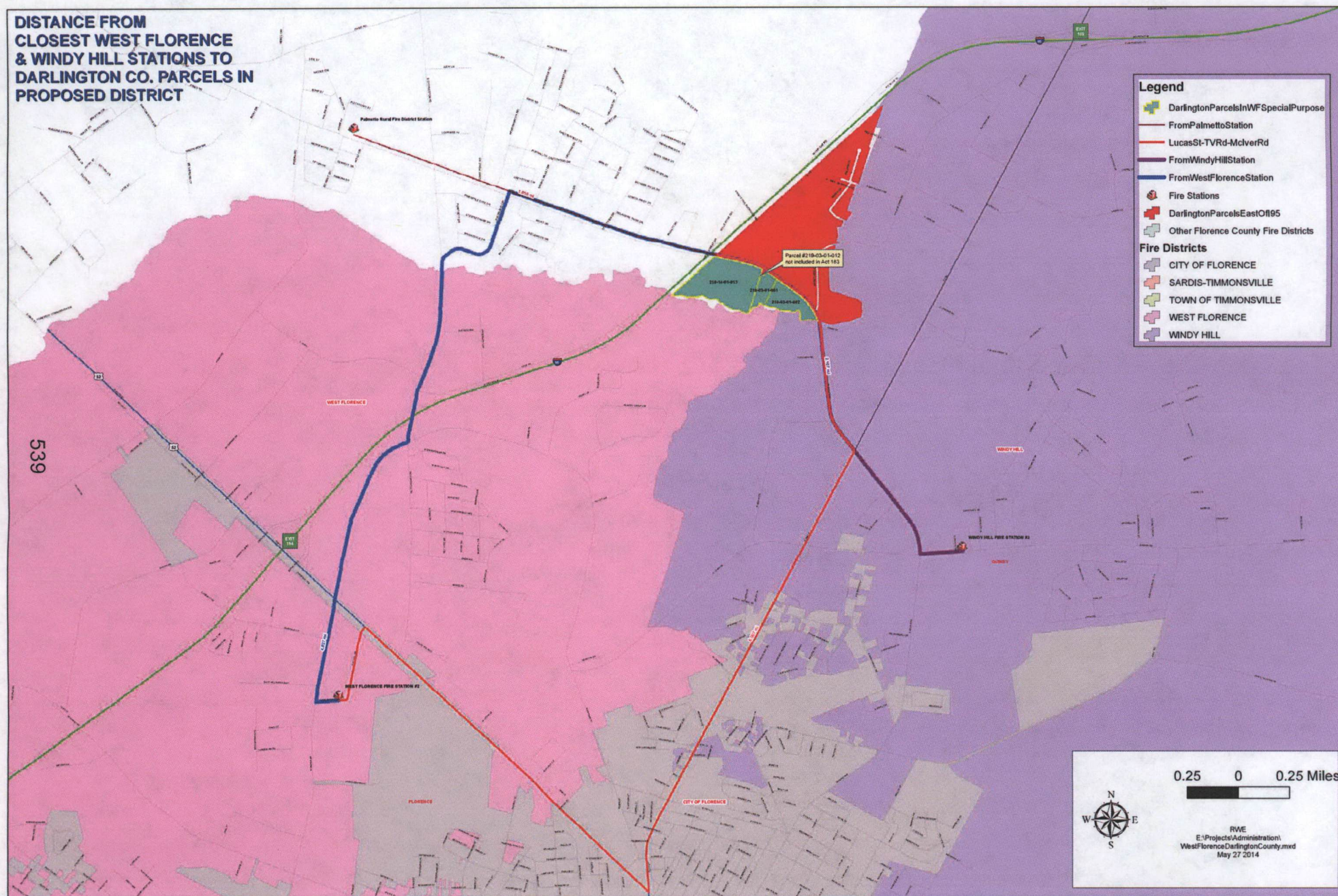


Exhibit 25 - Aerial of New Area
Added by ACT 89 of 2015

Exhibit 26 - Aerial Showing Geographic Proximity - New SPD



Exhibit 27 - Map Distance Between Areas - New SPD



mapquest

Trip to

3745 Hoffmeyer Rd

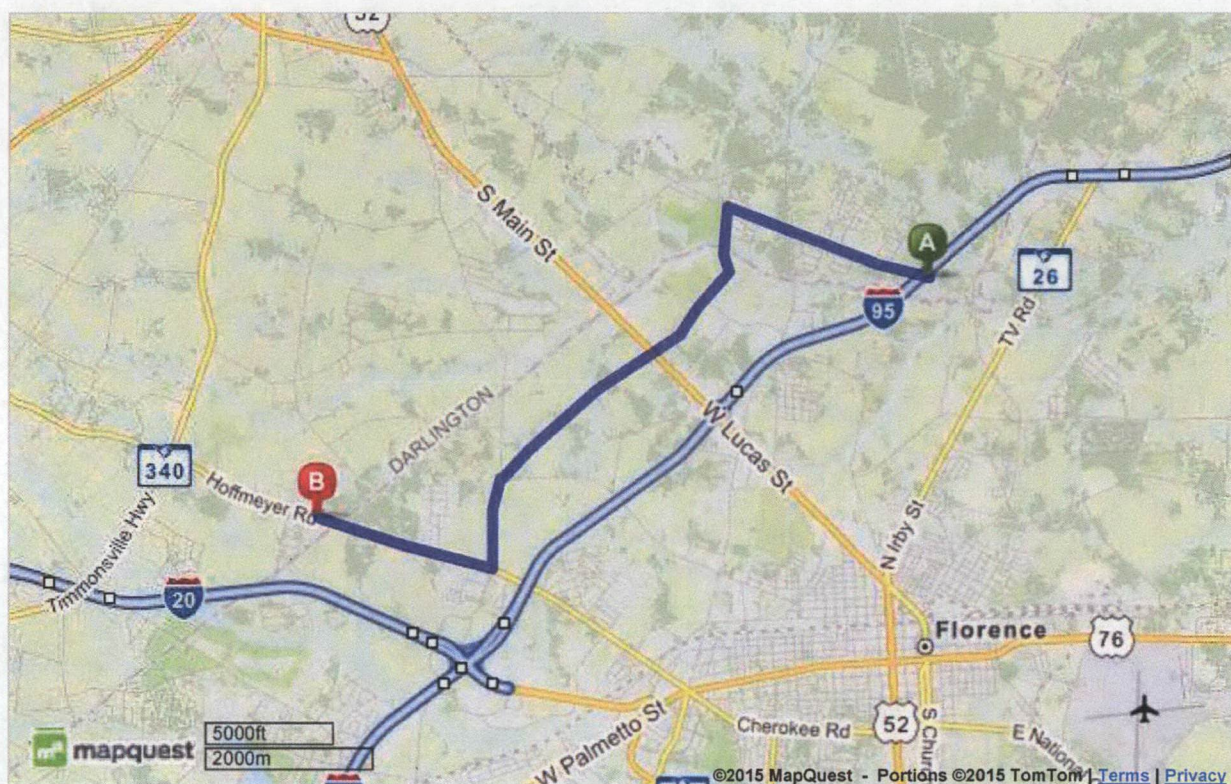
Florence, SC 29501-9019

8.82 miles / 15 minutes

Notes

	2313 E Mciver Rd, Florence, SC 29501-9701	Download Free App
●	1 Start out going west on E Mciver Rd toward Ninety Five Frontage Rd Map	2.2 Mi 2.2 Mi Total
↩	2 Turn left onto Pisgah Rd Map	3.8 Mi 6.0 Mi Total
↗	3 Turn slight right onto W Sumter St Map	0.02 Mi 6.1 Mi Total
↩	4 Turn left onto N Ebenezer Rd Map	0.9 Mi 7.0 Mi Total
↘	5 Turn right onto Hoffmeyer Rd Map	1.8 Mi 8.8 Mi Total
■	6 3745 HOFFMEYER RD is on the right Map	
	3745 Hoffmeyer Rd, Florence, SC 29501-9019	

Total Travel Estimate: **8.82 miles - about 15 minutes**



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Exhibit 28 - Map Distance Darlington to Hoffmeyer

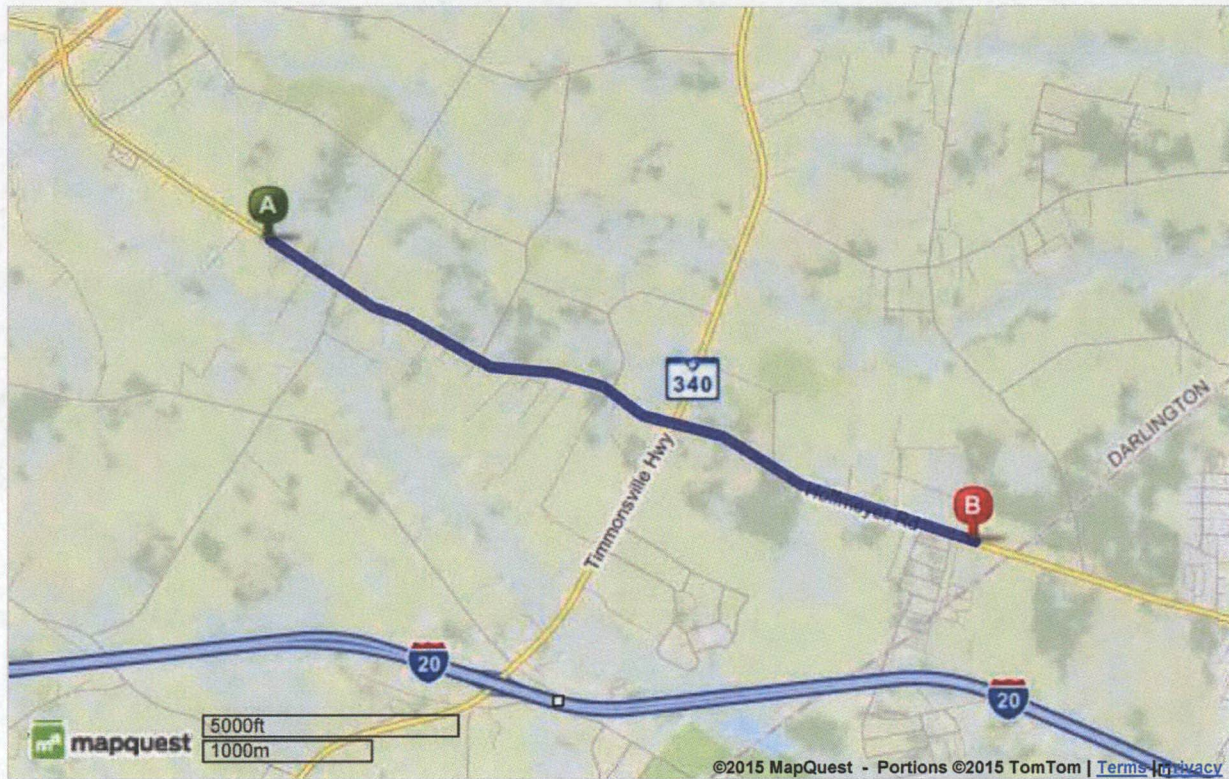


Trip to:
3745 Hoffmeyer Rd
Florence, SC 29501-9019
3.98 miles / 4 minutes

Notes

	4973 Hoffmeyer Rd , Darlington, SC 29532-6848	Download Free App
	1. Start out going southeast on Hoffmeyer Rd toward Wateree Rd . Map	4.0 Mi 4.0 Mi Total
	2. 3745 HOFFMEYER RD is on the left . Map	
	3745 Hoffmeyer Rd , Florence, SC 29501-9019	

Total Travel Estimate: **3.98 miles - about 4 minutes**



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Exhibit 29 - Map Distance New SPD to Hoffmeyer



mapquest

Trip to

3745 Hoffmeyer Rd

Florence, SC 29501-9019

5.06 miles / 7 minutes

Notes



3379 Pine Needles Rd, Florence, SC 29501-7912

**Download
Free App**



1 Start out going **east** on **Pine Needles Rd** toward **S Ebenezer Rd** [Map](#)

0.5 Mi

0.5 Mi Total



2 Take the 1st **left** onto **S Ebenezer Rd** [Map](#)

1.1 Mi

1.5 Mi Total



3 Turn **left** to stay on **S Ebenezer Rd** [Map](#)

1.7 Mi

3.2 Mi Total



4 Turn **left** onto **Hoffmeyer Rd** [Map](#)

1.8 Mi

5.1 Mi Total

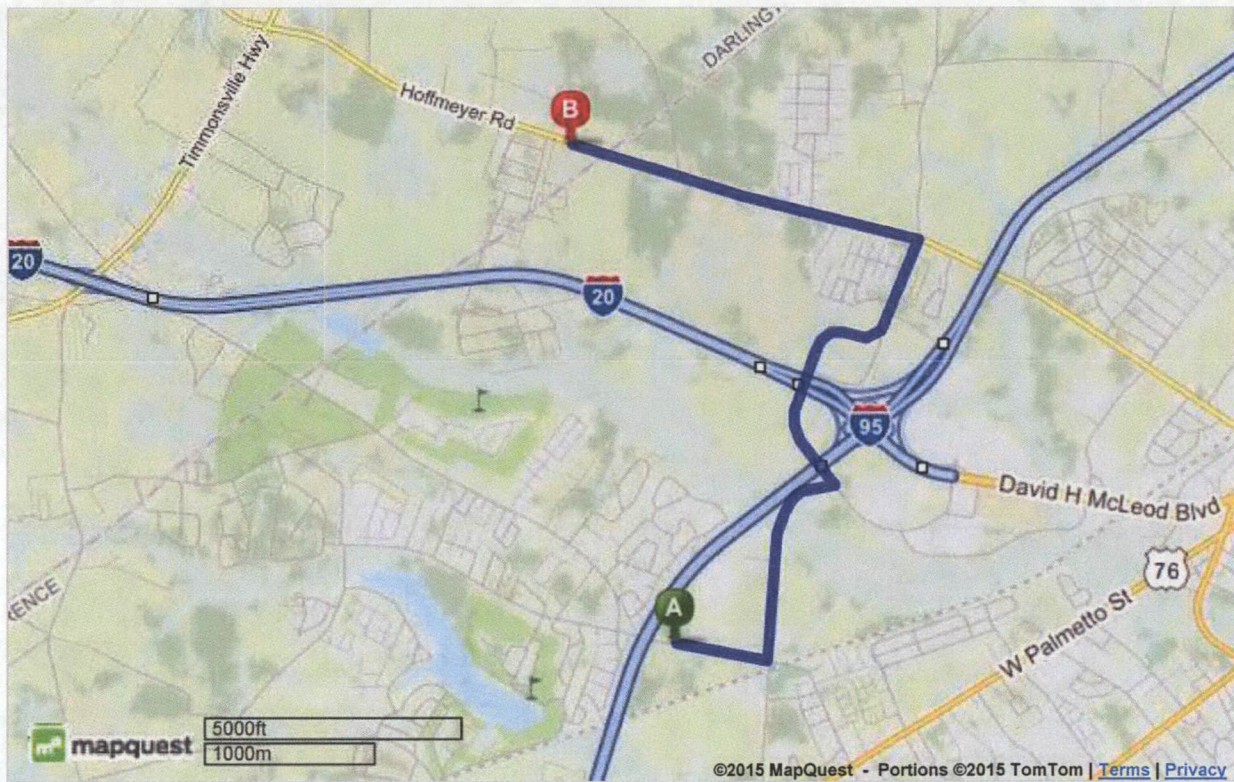


5 **3745 HOFFMEYER RD** is on the **right** [Map](#)



3745 Hoffmeyer Rd, Florence, SC 29501-9019

Total Travel Estimate: **5.06 miles - about 7 minutes**



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Exhibit 30A-BB

South Carolina General Assembly
120th Session, 2013-2014
Journal of the House of Representatives

Wednesday, May 7, 2014
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Jeremiah 10:12: "It is He who made the earth by His power, who established the world by His wisdom, and by His understanding stretched out the heavens."

Let us pray. Everlasting God, we give thanks for Your creation and for all the good You have provided for these people. Now, help them acknowledge Your presence as they discuss, debate, and pass bills that will be for the betterment of Your creation. Care for these Representatives and staff as they work together. For our leaders of both Nation and State, we implore You to guide them in the right way. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

MOTION ADOPTED

Rep. HARRELL moved that when the House adjourns, it adjourn in memory of Helene M. Adams of Greenville, mother-in-law of Representative Bruce Bannister, which was agreed to.

SILENT PRAYER

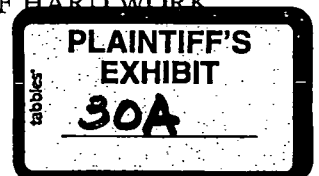
The House stood in silent prayer for Lois Rhame West, wife of the late Governor John C. West.

REPORTS OF STANDING COMMITTEES

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

H. 5207 (Word version) -- Rep. Bannister: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF AUGUSTA STREET IN THE CITY OF GREENVILLE FROM ITS INTERSECTION WITH MAULDIN ROAD TO ITS INTERSECTION WITH SOUTH CHURCH STREET "DAVID H. WILKINS BOULEVARD" AND INSTALL APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY INDICATING THIS DESIGNATION IN RECOGNITION OF FORMER SPEAKER OF THE HOUSE OF REPRESENTATIVES AND UNITED STATES AMBASSADOR TO CANADA DAVID H. WILKINS' YEARS OF HARD WORK AND SERVICE TO HIS COMMUNITY, STATE, AND COUNTRY.

Ordered for consideration tomorrow.



CLUB OF CHARLESTON COUNTY WITH THE TEAM COACHES AND STAFF, AT A DATE AND TIME TO BE DETERMINED BY THE SPEAKER, FOR THE PURPOSE OF BEING RECOGNIZED AND COMMENDED FOR CAPTURING THE 2014 RUGBY SOUTH CAROLINA STATE CHAMPIONSHIP TITLE.

Be it resolved by the House of Representatives:

That the privilege of the floor of the South Carolina House of Representatives be extended to the Wando Rugby Club of Charleston County with the team coaches and staff, at a date and time to be determined by the Speaker, for the purpose of being recognized and commended for capturing the 2014 Rugby South Carolina State Championship title.

The Resolution was adopted.

CONCURRENT RESOLUTION

The following was introduced:

H. 5224 (Word version) -- Reps. Hardwick, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Burns, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Kennedy, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, Neal, Newton, Norman, Norrell, R. L. Ott, Owens, Parks, Patrick, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Vick, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Wood: A CONCURRENT RESOLUTION TO EXPRESS SINCERE APPRECIATION FOR THE COOPERATIVE EXTENSION SERVICE UPON THE OBSERVANCE OF THE ONE HUNDREDTH ANNIVERSARY OF THE SMITH-LEVER ACT.

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

INTRODUCTION OF BILLS

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

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

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

S. 1136 (Word version) -- Senators Shealy, Hembree, Bennett, Johnson, Campbell, Cleary, Turner, Cromer and McElveen: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, BY

ADDING SECTION 1-1-720, RELATING TO STATE EMBLEMS, TO DESIGNATE BARBECUE AS THE OFFICIAL STATE PICNIC CUISINE.

Referred to Committee on Invitations and Memorial Resolutions

S. 1256 (Word version) -- Senator Hutto: A BILL TO AMEND ACT 581 OF 1992, RELATING TO BAMBERG-EHRHARDT SCHOOL DISTRICT ONE, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE BAMBERG-EHRHARDT SCHOOL DISTRICT ONE MUST BE ELECTED, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

S. 1257 (Word version) -- Senator Hutto: A BILL TO AMEND ACT 581 OF 1992, RELATING TO DENMARK-OLAR SCHOOL DISTRICT TWO, SO AS TO REAPPORTION THE SPECIFIC ELECTION DISTRICTS FROM WHICH MEMBERS OF THE DENMARK-OLAR SCHOOL DISTRICT TWO MUST BE ELECTED, AND TO PROVIDE FOR DEMOGRAPHIC INFORMATION IN REGARD TO THESE NEWLY DRAWN ELECTION DISTRICTS.

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

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

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4382 (Word version) -- Rep. Gilliard: A CONCURRENT RESOLUTION TO URGE OUR FEDERAL, STATE, AND LOCAL GOVERNMENTS, ALONG WITH CHURCHES AND NEIGHBORHOOD ASSOCIATIONS, TO ACCELERATE THEIR EFFORTS TO ASSIST THE HOMELESS IN LIGHT OF THE NATION'S ECONOMY AND ADVERSE WEATHER CONDITIONS.

ADJOURNMENT

At 12:04 p.m. the House, in accordance with the motion of Rep. HARRELL, adjourned in memory of Helene M. Adams of Greenville, mother-in-law of Representative Bruce Bannister, to meet at 10:00 a.m. tomorrow.

This web page was last updated on Wednesday, November 5, 2014 at 11:03 A.M.

South Carolina General Assembly
120th Session, 2013-2014
Journal of the House of Representatives

Thursday, May 8, 2014
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Isaiah 43:19: "Behold, I will do a new thing, now it shall spring forth; shall you not know it?"

Let us pray. Almighty God, You have promised to do new and wonderful things for Your people. Make Your presence known as these men and women go about the duties of the day. As You have promised, bring forth new ideas and let them know of Your message. Protect these Representatives and staff and their families. Bless our great Nation, President, State, Governor, Speaker, and staff as they lead and give aid to those in need. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

MOTION ADOPTED

Rep. ANDERSON moved that when the House adjourns, it adjourn in memory of Walker "Perkins" Johnson of Georgetown, which was agreed to.

REPORT RECEIVED

The following was received:

Judicial Merit Selection Commission
Report of Candidate Qualifications
for Spring 2014

Date Draft Report Issued: Thursday, May 8, 2014

Date and Time: 12:00 Noon

Final Report Issued: Tuesday, May 13, 2014

Judicial candidates are not free to seek or accept commitments until Tuesday, May 13, 2014 at Noon.

Judicial Merit Selection Commission

May 8, 2014

Dear Members of the General Assembly:



The following Bill was taken up:

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

Rep. LOWE moved to waive Rule 5.15, which was agreed to by a division vote of 55 to 22.

Reps. ALEXANDER, ANTHONY, BRANHAM, G. A. BROWN, KING and NEAL requested debate on the Bill.

H. 4482--CONFERENCE REPORT ADOPTED

CONFERENCE REPORT

H. 4482

The General Assembly, Columbia, S.C., May 8, 2014

The COMMITTEE OF CONFERENCE, to whom was referred:

H. 4482 (Word version) -- Rep. Ridgeway: A BILL TO AMEND ARTICLE 9, CHAPTER 1, TITLE 1 OF THE 1976 CODE, RELATING TO STATE EMBLEMS, BY ADDING SECTION 1-1-712A, SO AS TO DESIGNATE THE COLUMBIAN MAMMOTH AS THE OFFICIAL STATE FOSSIL.

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

That the same do pass with the following amendments:

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

/ Whereas, giant mammoths used to roam South Carolina; and Whereas, scientists have identified the fossils of about six hundred and fifty species of vertebrates in South Carolina to date; and

Whereas, it has been recognized that fossilized mammoth teeth were discovered in a swamp in South Carolina in 1725; and

Whereas, this discovery has been credited as the first scientific identification of a North American vertebrate fossil. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

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

South Carolina General Assembly
120th Session, 2013-2014
Journal of the House of Representatives

Tuesday, May 13, 2014
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Psalm 31:3: "You are indeed my rock and my fortress."

Let us pray. God, You are a safe dwelling place in life's storms. Guide these Representatives through the many areas of interest that will benefit this State. Keep them safe and bless them with courage, strength, wisdom, and integrity in their life and work. Continue Your blessings on our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls. Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

After corrections to the Journal of the proceedings of Thursday, May 8, the SPEAKER ordered it confirmed.

MOTION ADOPTED

Rep. NEWTON moved that when the House adjourns, it adjourn in memory of Frances Reedy Buyck of Manning, mother-in-law of Representative Newton, which was agreed to.

REGULATION WITHDRAWN

Document No. 4386

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 48-39-10 et seq.

Coastal Division Regulations

Received by Speaker of the House of Representatives January 14, 2014

Referred to Agriculture, Natural Resources and Environmental Affairs Committee

Legislative Review Expiration: Permanently Withdrawn

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., May 13, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 4482:



TRANSFERRED OR ASSIGNED, AND TO PROVIDE THAT THE GOVERNING BODIES OF THE POLITICAL SUBDIVISIONS AFFECTED BY THIS PROVISION MUST BE NOTIFIED BY THEIR LAW ENFORCEMENT DIVISIONS OF ANY MULTIJURISDICTIONAL TASK FORCE AGREEMENT EXECUTION AND TERMINATION.

Rep. SANDIFER moved to adjourn debate on the Bill until Wednesday May 14, which was agreed to.

H. 5225--ORDERED TO THIRD READING

The following Bill was taken up:

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

Rep. BRANHAM moved to adjourn debate on the Bill.

Rep. LOWE moved to table the motion.

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

Yeas 67; Nays 35

Those who voted in the affirmative are:

Allison	Atwater	Bannister
Barfield	Bowen	Burns
Chumley	Clemmons	Cole
H. A. Crawford	K. R. Crawford	Crosby
Daning	Delleney	Felder
Finlay	Forrester	Gagnon
Goldfinch	Hamilton	Hardee
Hardwick	Harrell	Herbkersman
Hiott	Hixon	Horne
Huggins	Kennedy	Limehouse
Loftis	Long	Lowe
Lucas	McCoy	Merrill
D. C. Moss	V. S. Moss	Munnerlyn
Murphy	Nanney	Newton
Norman	Pitts	Pope
Putnam	Riley	Rivers
Ryhal	Sandifer	Simrill
Skelton	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Southard
Spires	Stringer	Tallon
Thayer	Toole	White
Whitmire	Williams	Willis
Wood		

Total--67

Those who voted in the negative are:

Alexander	Bales	Bernstein
Branham	G. A. Brown	R. L. Brown
Clyburn	Cobb-Hunter	Dillard
Funderburk	George	Gilliard
Hodges	Hosey	Howard
Jefferson	King	Knight
Mack	McEachern	M. S. McLeod
W. J. McLeod	Mitchell	Norrell
R. L. Ott	Parks	Ridgeway
Robinson-Simpson	Rutherford	Sabb
Sellers	Stavrinakis	Vick
Weeks	Whipper	

Total--35

So, the House refused to adjourn debate.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 69; Nays 33

Those who voted in the affirmative are:

Allison	Atwater	Bannister
Barfield	Bowen	Burns
Chumley	Clemmons	Cole
H. A. Crawford	K. R. Crawford	Crosby
Daning	Delleney	Felder
Finlay	Forrester	Gagnon
Gambrell	Goldfinch	Hamilton
Hardee	Hardwick	Harrell
Herbkersman	Hiott	Hixon
Horne	Huggins	Kennedy
Limehouse	Loftis	Long
Lowe	Lucas	McCoy
Merrill	D. C. Moss	V. S. Moss
Munnerlyn	Murphy	Nanney
Newton	Norman	Pitts
Pope	Putnam	Riley
Rivers	Ryhal	Sandifer
Simrill	Skelton	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Southard	Spires	Stringer
Tallon	Thayer	Toole
Vick	Wells	Whitmire
Williams	Willis	Wood

Total--69

Those who voted in the negative are:

Alexander	Bales	Branham
G. A. Brown	R. L. Brown	Clyburn
Cobb-Hunter	Dillard	Douglas
Funderburk	George	Gilliard
Govan	Hodges	Hosey
Howard	Jefferson	King
Knight	Mack	McEachern

M. S. McLeod
Norrell
Robinson-Simpson
Sellers

W. J. McLeod
Parks
Rutherford
Weeks

Mitchell
Ridgeway
Sabb
Whipper

Total--33

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

H. 5225--MOTION TO RECONSIDER TABLED

Rep. VICK moved to reconsider the vote whereby the following Bill was read second time:

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

Rep. BRANHAM spoke in favor of the motion to reconsider.

Rep. SELLERS moved that the House do now adjourn which was rejected by a division vote of 36 to 40.

Rep. BRANHAM continued speaking.

Rep. BRANHAM spoke in favor of the motion to reconsider.

Rep. K. R. CRAWFORD moved to table the motion to reconsider.

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

Yeas 55; Nays 47

Those who voted in the affirmative are:

Allison
Barfield
Clemmons
K. R. Crawford
Erickson
Gambrell
Hardwick
Hixon
Limehouse
Lowe
D. C. Moss
Newton
Putnam
Ryhal
G. R. Smith
Spires
Toole
Whitmire
Wood

Atwater
Bowen
Cole
Daning
Forrester
Goldfinch
Harrell
Horne
Loftis
Lucas
V. S. Moss
Owens
Riley
Sandifer
J. R. Smith
Stringer
Wells
Williams

Bannister
Burns
H. A. Crawford
Delleney
Gagnon
Hamilton
Herbkersman
Huggins
Long
Merrill
Nanney
Pitts
Rivers
G. M. Smith
Sottile
Thayer
White
Willis

Total--55
562

Those who voted in the negative are:

Alexander	Bales	Bernstein
Bingham	Branham	G. A. Brown
Chumley	Clyburn	Cobb-Hunter
Dillard	Douglas	Felder
Funderburk	George	Gilliard
Govan	Hardee	Hodges
Hosey	Howard	Jefferson
King	Knight	Mack
McEachern	M. S. McLeod	W. J. McLeod
Mitchell	Munnerlyn	Norman
Norrell	R. L. Ott	Parks
Pope	Quinn	Ridgeway
Robinson-Simpson	Rutherford	Sabb
Sellers	Skelton	Southard
Stavrinakis	Tallon	Taylor
Vick	Weeks	

Total--47

So, the motion to reconsider was tabled.

RECURRENCE TO THE MORNING HOUR

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

REPORTS OF STANDING COMMITTEE

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

H. 5228 (Word version) -- Rep. Daning: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF UNITED STATES HIGHWAYS 52 AND 78 IN CHARLESTON COUNTY "WILLIAM E. 'BILL' CROSBY INTERCHANGE" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE FOUR ENTRANCE POINTS TO THIS INTERCHANGE THAT CONTAIN THE WORDS "WILLIAM E. 'BILL' CROSBY INTERCHANGE".

Ordered for consideration tomorrow.

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

S. 1272 (Word version) -- Senators Cromer, Setzler, Courson, Massey and Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF UNITED STATES HIGHWAY 1 AND MORGAN DRIVE IN THE CITY OF LEXINGTON "ARMY SPECIALIST THOMAS DAY CAUGHMAN INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS THAT CONTAIN THIS DESIGNATION TO HONOR ARMY SPECIALIST THOMAS DAY CAUGHMAN WHO MADE THE ULTIMATE SACRIFICE IN DEFENSE OF HIS COUNTY WHILE ON PATROL IN BAGHDAD, IRAQ DURING OPERATION IRAQI FREEDOM.

Ordered for consideration tomorrow.

South Carolina General Assembly
120th Session, 2013-2014
Journal of the House of Representatives

Thursday, May 15, 2014
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Exodus 4:20: "Moses carried the staff of God in his hand."

Let us pray. Heavenly Father, we thank You for sending these people and giving them wisdom and courage to do the work of the people. Bless them with Your power, as You have given them the staff of leadership.

Continue Your blessings on our Nation, State, and her leaders. Give them Your power, and protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

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

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

MOTION ADOPTED

Rep. GEORGE moved that when the House adjourns, it adjourn in memory of Ronald A. Rogers of Mullins, which was agreed to.

REGULATION WITHDRAWN

Document No. 4433

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-70-10 et seq.

Standards for Licensing In-Home Care Providers

Received by Speaker of the House of Representatives January 17, 2014

Referred to Medical, Military, Public and Municipal Affairs Committee

Legislative Review Expiration May 17, 2014

Revised: May 22, 2014

Revised: June 4, 2014

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4389

Agency: Board of Examiners in Speech-Language Pathology and Audiology

Statutory Authority: 1976 Code Sections 40-1-70 and 40-67-70

Requirements of Licensure in the Field of Speech-Language Pathology and Audiology

Received by Speaker of the House of Representatives January 14, 2014

Referred to Medical, Military, Public and Municipal Affairs Committee



Yeas 100; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Bales	Ballentine	Barfield
Bernstein	Bingham	Bowen
Bowers	Branham	Brannon
R. L. Brown	Burns	Chumley
Clemmons	Clyburn	Cobb-Hunter
Cole	H. A. Crawford	K. R. Crawford
Crosby	Daning	Dillard
Edge	Erickson	Felder
Finlay	Forrester	Funderburk
Gagnon	George	Goldfinch
Hardee	Hardwick	Harrell
Hart	Hayes	Herbkersman
Hiott	Hixon	Hodges
Horne	Hosey	Howard
Huggins	Jefferson	Kennedy
King	Knight	Limehouse
Loftis	Long	Lowe
Mack	McCoy	McEachern
W. J. McLeod	Mitchell	D. C. Moss
Munnerlyn	Murphy	Nanney
Neal	Norman	Norrell
R. L. Ott	Pitts	Pope
Putnam	Quinn	Ridgeway
Riley	Rivers	Ryhal
Sabb	Sandifer	Simrill
Skelton	G. R. Smith	J. E. Smith
J. R. Smith	Sottile	Southard
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Toole	Vick	Weeks
Wells	Whipper	White
Whitmire	Williams	Willis
Wood		

Total--100

Those who voted in the negative are:

Total--0

The Senate Amendments were concurred in and a message was ordered sent to the Senate accordingly.

LEAVE OF ABSENCE

The SPEAKER granted Rep. LIMEHOUSE a leave of absence for the remainder of the day for medical reasons.

H. 5225--SENT TO THE SENATE

The following Bill was taken up:

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS

BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

Rep. LOWE spoke in favor of the Bill.

Rep. K. R. CRAWFORD spoke in favor of the Bill.

Rep. WILLIAMS spoke in favor of the Bill.

Rep. BRANHAM spoke against the Bill.

Rep. LOWE moved cloture on the entire matter.

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

Yeas 55; Nays 37

Those who voted in the affirmative are:

Bannister	Barfield	Bingham
Brannon	Burns	Chumley
Clemmons	Cole	H. A. Crawford
K. R. Crawford	Edge	Erickson
Felder	Finlay	Forrester
Gagnon	Gambrell	Goldfinch
Hardee	Hardwick	Harrell
Herbkersman	Hixon	Horne
Huggins	Kennedy	Loftis
Long	Lowe	McCoy
Murphy	Nanney	Norman
Pitts	Putnam	Quinn
Riley	Rivers	Ryhal
Sandifer	G. M. Smith	G. R. Smith
J. R. Smith	Sottile	Southard
Spires	Stringer	Tallon
Taylor	Thayer	Wells
Whitmire	Williams	Willis
Wood		

Total--55

Those who voted in the negative are:

Alexander	Anderson	Anthony
Bales	Bernstein	Bowers
Branham	R. L. Brown	Dillard
Douglas	Funderburk	George
Govan	Hayes	Hodges
Hosey	King	Knight
Mack	McEachern	M. S. McLeod
W. J. McLeod	Mitchell	D. C. Moss
Munnerlyn	Neal	Norrell
R. L. Ott	Parks	Ridgeway
Rutherford	Sabb	Skelton
J. E. Smith	Vick	Weeks
Whipper		

Total--37

So, cloture was ordered.

LEAVE OF ABSENCE

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

LEAVE OF ABSENCE

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

Rep. ALEXANDER spoke against the Bill.

Rep. SKELTON spoke against the Bill.

Rep. BRANHAM spoke against the Bill.

The question then recurred to the passage of the Bill.

The yeas and nays were taken resulting as follows:

Yeas 50; Nays 38

Those who voted in the affirmative are:

Allison	Bannister	Barfield
Bingham	Brannon	Burns
Chumley	Clemmons	Cole
H. A. Crawford	K. R. Crawford	Crosby
Danig	Felder	Finlay
Forrester	Gambrell	Goldfinch
Hardwick	Harrell	Hixon
Horne	Kennedy	Loftis
Lowe	McCoy	Murphy
Nanney	Pitts	Pope
Putnam	Quinn	Riley
Rivers	Sandifer	G. M. Smith
G. R. Smith	J. R. Smith	Sottile
Southard	Spires	Stringer
Tallon	Taylor	Thayer
Toole	Whitmire	Williams
Willis	Wood	

Total--50

Those who voted in the negative are:

Alexander	Anthony	Bales
Bernstein	Bowers	Branham
R. L. Brown	Cobb-Hunter	Dillard
Douglas	Edge	Funderburk
George	Govan	Hodges
Hosey	King	Knight
Mack	McEachern	M. S. McLeod
W. J. McLeod	Mitchell	D. C. Moss
Munnerlyn	Neal	Norman
Norrell	R. L. Ott	Parks
Ridgeway	Rutherford	Ryhal
Sabb	Skelton	J. E. Smith
Weeks	Whipper	

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

H. 5225--MOTION TO RECONSIDER TABLED

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

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

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

RECURRENCE TO THE MORNING HOUR

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

H. 3512--COMMITTEE OF CONFERENCE APPOINTED

The following was received from the Senate:

Columbia, S.C., May 15, 2014

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it nonconcurs in the amendments proposed by the House to H. 3512:

H. 3512 (Word version) -- Reps. Quinn and J. E. Smith: A BILL TO AMEND SECTION 61-6-1560, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DISCOUNTS ON ALCOHOLIC LIQUORS OR NONALCOHOLIC ITEMS, SO AS TO ALLOW A RETAIL DEALER TO OFFER DISCOUNTS AT THE REGISTER THROUGH THE USE OF PREMIUMS, COUPONS, OR STAMPS, SO LONG AS THE COST RELATED TO THE DISCOUNT IS PROVIDED ONLY BY THE RETAIL DEALER AND IS NOT PROHIBITED BY FEDERAL LAW; AND TO AMEND SECTION 61-6-1500, RELATING TO RESTRICTIONS ON RETAIL DEALERS OF CERTAIN ALCOHOLIC PRODUCTS, SO AS TO PROHIBIT CERTAIN TRANSACTIONS TO ANOTHER RETAIL DEALER IN CERTAIN SITUATIONS, TO PROHIBIT CERTAIN TRANSACTIONS BETWEEN LOCATIONS OWNED BY THE SAME RETAIL DEALER, AND TO PROVIDE ADDITIONAL PENALTIES.

Very respectfully,
President

On motion of Rep. COLE, the House insisted upon its amendments.

Whereupon, the Chair appointed Reps. COLE, MERRILL and RUTHERFORD to the Committee of Conference on the part of the House and a message was ordered sent to the Senate accordingly.

MESSAGE FROM THE SENATE

South Carolina General Assembly

120th Session, 2013-2014

Journal of the Senate

Tuesday, May 20, 2014

(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator LARRY MARTIN.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

As Paul reminds all of us quite pointedly,

"So then, each of us will give an account of himself to God."

(Romans 14:12)

Please bow as we pray:

Gracious Lord, we know that we all can be our own harshest critics. When we fail to examine ourselves and what we say and do critically and honestly, then there are always a zillion others more than happy to pass judgment upon us. But we pray, dear God, that these leaders themselves will always measure up in Your own eyes and that the accounting each Senator might offer to You more than meets Your standards of loving service, of commitment to caring for others, and of truly wanting the very best outcomes for South Carolina. Ultimately bestow upon each of these servants, Your rewards for faithfulness and for worthy accomplishments. In Your precious name we pray, Lord, Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Point of Quorum

At 12:03 P.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander
Bryant
Coleman
Davis
Leatherman
Martin, Shane
Nicholson
Setzler
Turner

Bennett
Campbell
Courson
Fair
Malloy
Massey
Peeler
Shealy
Young

Bright
Cleary
Cromer
Hayes
Martin, Larry
McGill
Scott
Thurmond



LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4443, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

l:\council\bill\dfs\31197ac14.docx

Read the first time and ordered placed on the Calendar without reference.

S. 1306 (Word version) -- Senators Campbell and Grooms: A CONCURRENT RESOLUTION TO URGE MEMBERS OF THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT LEGISLATION REAUTHORIZING THE EXPORT-IMPORT BANK FOR AN ADDITIONAL FOUR YEARS; FAILURE TO DO SO WOULD CREATE AN ADVERSE IMPACT ON THE FUTURE ECONOMIC GROWTH OF SOUTH CAROLINA AND THE UNITED STATES OF AMERICA.

l:\s-res\pgc\019ex-i.mrh.pgc.docx

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

S. 1307 (Word version) -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LAURENS COUNTY, SO AS TO REVISE BOUNDARIES OF EXISTING PRECINCTS AND TO DESIGNATE THE MAP NUMBER ON WHICH THE BOUNDARIES OF LAURENS COUNTY VOTING PRECINCTS AS REVISED BY THIS ACT MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD.

l:\council\bill\ggs\22646zw14.docx

Read the first time and referred to the Committee on Judiciary.

H. 5225 (Word version) -- Reps. Lowe, K. R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

Read the first time and ordered placed on the Calendar without reference.

H. 5253 (Word version) -- Reps. Murphy, Horne, Harrell, Mack and Knight: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59-1-425, THE GOVERNING BODY OF DORCHESTER SCHOOL DISTRICT TWO MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013-2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT HAS EXHAUSTED ALL STATUTORILY REQUIRED MAKE-UP DAYS REMAINING ON THE 2013-2014 SCHOOL CALENDAR.

Read the first time and ordered placed on the Calendar without reference.

H. 5270 (Word version) -- Reps. Barfield, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G. A. Brown,

South Carolina General Assembly
120th Session, 2013-2014
Journal of the Senate

Wednesday, May 21, 2014
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator LARRY MARTIN.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

We recall how Moses, overwhelmed by God's command to him, replied: " 'Who am I that I should go to Pharaoh and bring the Israelites out of Egypt?' " (Exodus 3:11)

Let us pray:

Holy and Everloving God, each of these leaders has been selected by the people of our State to serve in this Body. We are grateful for the diverse gifts, for the dedication, and for the clear commitment each Senator brings to the work he or she undertakes. During session the work can often be overwhelming, the demands enormous, the rewards frequently minimal. May the lady and the gentlemen who serve in this Body remember that You are constantly at their side, Lord, just as You were present with Moses. Enable them to lead our people wisely and well. Bring great blessings to South Carolina. We pray this in Your glorious name, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

Local Appointment

Initial Appointment, York County Natural Gas Authority, with the term to commence March 1, 2014, and to expire March 1, 2017

York:

Albert Hanlon, 22 Wright Avenue, York, SC 29745 *VICE* Mr. Barre Mitchell

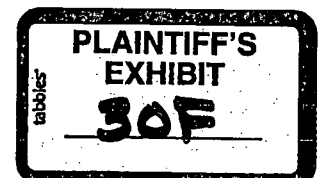
Leave of Absence

At 4:30 P.M., Senator FAIR requested a leave of absence for Thursday, May 22.

Expression of Personal Interest

Senator CLEARY rose for an Expression of Personal Interest.

CO-SPONSOR ADDED
571



Total--1

The Joint Resolution was read the second time and ordered placed on the Third Reading Calendar.

READ THE SECOND TIME

H. 5225 (Word version) -- Reps. Lowe, K.R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

The Senate proceeded to a consideration of the Bill, the question being the second reading of the Bill.

On motion of Senator LEATHERMAN, with unanimous consent, the Bill was read the second time and ordered placed on the Third Reading Calendar.

H. 5225--Ordered to a Third Reading

On motion of Senator LEATHERMAN, H. 5225 was ordered to receive a third reading on Thursday, May 22, 2014.

AMENDED, READ THE SECOND TIME

H. 5253 (Word version) -- Reps. Murphy, Horne, Harrell, Mack and Knight: A JOINT RESOLUTION TO PROVIDE THAT NOTWITHSTANDING THE PROVISIONS OF A JOINT RESOLUTION OF 2014 BEARING RATIFICATION NUMBER 150 AND THE PROVISIONS OF SECTION 59-1-425, THE GOVERNING BODY OF DORCHESTER SCHOOL DISTRICT TWO MAY WAIVE THE REQUIREMENT THAT SCHOOLS MAKE UP FULL DAYS MISSED DUE TO INCLEMENT WEATHER FOR FIVE OR FEWER FULL SCHOOL DAYS THAT STUDENTS WHO ATTEND SCHOOLS OR CHARTER SCHOOLS IN THE DISTRICT MISSED DUE TO INCLEMENT WEATHER DURING THE 2013-2014 SCHOOL YEAR REGARDLESS OF WHETHER THE DISTRICT HAS EXHAUSTED ALL STATUTORILY REQUIRED MAKE-UP DAYS REMAINING ON THE 2013-2014 SCHOOL CALENDAR.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Joint Resolution.

Senator CAMPBELL proposed the following amendment (5253R001.PGC), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking line 32 and inserting:

/ District Two and the governing body of the Berkeley County School District may waive the requirement that schools make up full /

Renumber sections to conform.

Amend title to conform.

South Carolina General Assembly
120th Session, 2013-2014
Journal of the Senate

Thursday, May 22, 2014
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

The Psalmist declares:

"Your word is a lamp to my feet and a light for my path."

(Psalm 119:105)

Join me as we pray:

Eternal and loving Lord, we pray this morning that You will continue guiding this Senate as it strives to complete much of its work during this Legislative Session. May each of these Senators and every staff person clearly feel Your presence, Lord, as they labor to accomplish good for the people of South Carolina. Direct them all not only by Your blessed Word, O God, but also by Your Spirit's grace. Equally bless and lead the many other elected officials who also serve in our State, Lord. May all of these individuals follow Your wisdom and Your way as they together provide sound leadership for us all. On this approaching Memorial Day Weekend help every one of us to have a thankful heart for the sacrifices so many have made to preserve our freedoms. In Your blessed name we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

Motion Adopted

On motion of Senator COURSON, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

Point of Quorum

At 11:06 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

Senator PEELER moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander
Bright
Campsen

Allen
Bryant
Cleary

Bennett
Campbell
Coleman



POLICIES WRITTEN OUTSIDE OF THE COASTAL AREA TO REDUCE THE INSURANCE PREMIUM TAX LEVIED TO ONE PERCENT OF THE TOTAL PREMIUMS WRITTEN ON FULL COVERAGE POLICIES OUTSIDE OF THE COASTAL AREA, AND THE DIRECTOR OR HIS DESIGNEE SHALL DEVELOP PROCEDURES TO BE USED IN IMPLEMENTING THIS TAX CREDIT; TO AMEND SECTION 38-75-485, RELATING TO THE IMPLEMENTATION OF THE SOUTH CAROLINA HURRICANE DAMAGE MITIGATION PROGRAM BY THE DEPARTMENT, TO PROVIDE THAT ONE PERCENT OF THE PREMIUM TAXES DUE TO THIS STATE BY BROKERS PLACING PROPERTY INSURANCE WITHIN THE ELIGIBLE SURPLUS LINES MARKET AND TWO PERCENT OF THE PREMIUM TAXES COLLECTED ANNUALLY AND REMITTED TO THE DEPARTMENT BY INSURERS LICENSED TO DO BUSINESS IN THIS STATE; AND TO AMEND SECTION 38-75-755, RELATING TO NOTIFICATION OF APPLICANTS OR RENEWING POLICYHOLDERS OF AVAILABLE CREDITS, DISCOUNTS, AND DEDUCTIONS, TO PROVIDE THAT ALL INSURERS, AT THE ISSUANCE OF A NEW POLICY AND AT EACH RENEWAL SHALL NOTIFY THE APPLICANT OR POLICYHOLDER OF A PERSONAL LINES RESIDENTIAL PROPERTY INSURANCE POLICY OF CERTAIN DISCLOSURES, AND THE DIRECTOR OR HIS DESIGNEE SHALL PRESCRIBE THE FORM AND MANNER FOR INSURER NOTICES OR DISCLOSURES, AND ANY DISCLOSURE SHALL BE FOR INFORMATIONAL PURPOSES ONLY AND SHALL NOT AMEND, EXTEND, OR ALTER COVERAGE PROVIDED IN A POLICY.

Very respectfully,
Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the titles be changed to that of Acts and enrolled for Ratification:

H. 5225 (Word version) -- Reps. Lowe, K.R. Crawford, Williams and Lucas: A BILL TO AMEND CHAPTER 23, TITLE 4, CODE OF LAWS OF 1976, RELATING TO JOINT COUNTY FIRE DISTRICTS BY ADDING ARTICLE 10 SO AS TO ESTABLISH THE WEST FLORENCE FIRE DISTRICT TO BE COMPOSED OF AREAS IN FLORENCE AND DARLINGTON COUNTIES, TO PROVIDE FOR A GOVERNING COMMISSION FOR THE DISTRICT AND ITS DUTIES, POWERS, AND FUNCTIONS, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS.

By prior motion of Senator LEATHERMAN, with unanimous consent.

H. 4775 (Word version) -- Reps. Gambrell, Bowen, Gagnon, Putnam, Thayer and White: A BILL TO AMEND ACT 509 OF 1982, AS AMENDED, RELATING TO THE BOARDS OF TRUSTEES OF THE SCHOOL DISTRICTS OF ANDERSON COUNTY BY DELETING PROVISIONS ALTERING THE MEMBERSHIP OF DISTRICT BOARDS BASED ON DISTRICT ENROLLMENT AND TO DELETE PROVISIONS RELATING TO THE ROLE OF THE ANDERSON COUNTY BOARD OF EDUCATION IN REDISTRICTING SINGLE-MEMBER DISTRICTS AND TO PROVIDE THE NUMBER OF THE OFFICIAL MAP DEFINING THE ELECTION DISTRICTS OF ANDERSON COUNTY SCHOOL

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Tuesday, February 17, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 2:00 p.m.

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

Our thought for today is from Isaiah 65:24: "Before they call I will answer, while they are yet speaking I will hear."

Let us pray. All seeing God, help us to see others the way You see us, as treasures to love and neighbors to serve. Almighty God, we lift before You all who govern this State and Nation. May those who hold power understand that it is a trust from You to be used, not for personal glory or profit, but for the service of the people. Grant us mercy and honest government. We ask for Your protection of those who protect us. Heal the wounds, seen and unseen, of those who have sacrificed and suffered for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. SIMRILL moved that when the House adjourns, it adjourn in memory of Mary Johnson Norman, mother of Representative Ralph Norman, which was agreed to.

MESSAGE FROM THE SENATE

The following was received:

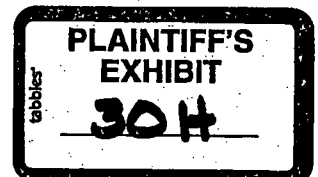
Columbia, S.C., February 12, 2015

Mr. Speaker and Members of the House of Representatives:

The Senate respectfully informs your Honorable Body that it has confirmed the Governor's appointment of:

Initial Statewide Appointment
State Ethics Commission
Term Commencing: June 30, 2013
Term Expiring: June 30, 2018
Seat: 2nd Congressional District
Vice: James Burns

Mr. Thomas M. Galardi



S. 449 (Word version) -- Senator Lourie: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE REMARKABLE MEMBERS OF THE SOUTH CAROLINA BLACK BELT HALL OF FAME FOR FORTY YEARS OF OUTSTANDING COMMITMENT TO TEACHING THE CHILDREN OF OUR STATE THE SIGNIFICANT LIFE SKILLS LEARNED THROUGH THE DISCIPLINE OF MARTIAL ARTS.

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

CONCURRENT RESOLUTION

The Senate sent to the House the following:

S. 451 (Word version) -- Senator Peeler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR TOMMY E. MARTIN OF GAFFNEY FOR A HALF CENTURY OF DEDICATED SERVICE IN THE FIELD OF NEWSPAPER JOURNALISM, FOR NEARLY TWENTY-FOUR YEARS OF OUTSTANDING WORK AS PUBLISHER AND EDITOR OF THE CHEROKEE CHRONICLE, AND FOR HIS COMMITMENT TO THE GAFFNEY COMMUNITY.

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

INTRODUCTION OF BILLS

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

H. 3668 (Word version) -- Reps. Pitts and Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-365, SO AS TO PROVIDE THAT ALL PERSONS MUST WEAR A HAT, COAT, OR VEST OF SOLID VISIBLE INTERNATIONAL ORANGE WHILE ON WILDLIFE MANAGEMENT AREA LANDS DURING DEER HUNTING SEASON.
Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 3669 (Word version) -- Reps. Jefferson, Hosey, Gilliard, Williams, G. A. Brown, Dillard and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 2 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE FOR THE ISSUANCE OF A LICENSE FOR A PERSON ENGAGED IN THE CASUAL SALE OF A HANDGUN.
Referred to Committee on Judiciary

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF

PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

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

Rep. GOVAN objected.

Referred to Committee on Ways and Means

H. 3671 (Word version) -- Reps. Horne and M. S. McLeod: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2125 SO AS TO PROVIDE THAT THE SALES TAX EXEMPTION ON CERTAIN ITEMS NO LONGER APPLIES, AND TO CREDIT THE REVENUE ATTRIBUTABLE TO THE SALES TAX ON PREVIOUSLY EXEMPT ITEMS EQUALLY TO THE SOUTH CAROLINA PUBLIC EDUCATION PROGRAM FUND AND THE STATE HIGHWAY FUND.

Referred to Committee on Ways and Means

H. 3672 (Word version) -- Reps. Horne and M. S. McLeod: A BILL TO ENACT THE "SOUTH CAROLINA JOBS, EDUCATION, AND TAX ACT", INCLUDING PROVISIONS TO AMEND CHAPTER 20, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EDUCATION FINANCE ACT (EFA), SO AS TO REVISE THE MANNER IN WHICH AND REQUIREMENTS UNDER WHICH EFA FUNDING IS DETERMINED AND DISTRIBUTED TO SCHOOLS AND SCHOOL DISTRICTS INCLUDING THE CREATION OF THE SOUTH CAROLINA PUBLIC EDUCATION PROGRAM (SCPEP) FUND INTO WHICH CERTAIN MONIES ARE CREDITED AND OUT OF WHICH PAYMENTS ARE MADE, AND TO DELETE THE INDEX OF TAXPAYING ABILITY, THE FOUNDATION PROGRAM, AND THE DEFINED MINIMUM PROGRAM AMONG OTHER PROVISIONS WHILE MAINTAINING THE REPORTING REQUIREMENTS IN COMPUTING THE INDEX OF TAXPAYING ABILITY; TO AMEND SECTION 59-21-30, RELATING TO SCHOOLS TO WHICH THE APPROPRIATION OF TEACHER SALARIES BASED ON A TERM OF ONE HUNDRED NINETY DAYS DOES NOT APPLY, SO AS TO CONTINUE TO PROVIDE THAT NO SCHOOL IN ANY SCHOOL DISTRICT SHALL CONTINUE TO BE OPEN A LONGER PERIOD OF TIME THAN THAT FIXED BY THE BOARD OF TRUSTEES IN THE DISTRICT IN WHICH THE SCHOOL IS LOCATED, AND DELETE THE REMAINDER OF THE SECTION; TO REPEAL SECTIONS 59-21-40, 59-21-50, 59-21-60, 59-21-110, 59-21-120, 59-21-160, AND 59-21-1030 RELATING TO STATE AID FOR SCHOOLS, AND THE EDUCATION IMPROVEMENT ACT FUND AND THE EDUCATION IMPROVEMENT ACT (EIA) REQUIRED MINIMUM EFFORT; TO AMEND SECTION 59-21-1010, RELATING TO THE DISPOSITION AND ALLOCATION OF CERTAIN SCHOOL REVENUES UNDER THE EIA, SO AS TO REDIRECT THE DEPOSIT OF SPECIFIED FUNDS INTO THE SCPEP FUND; TO AMEND SECTION 59-29-170, RELATING TO PROGRAMS FOR TALENTED STUDENTS, SO AS TO REVISE HOW THE SPECIFIC FUNDING FOR CERTAIN STUDENTS IS DETERMINED; TO AMEND SECTION 59-35-10, RELATING TO THE PROVISION OF KINDERGARTEN CLASSES, SO AS TO REVISE PUPIL WEIGHTINGS, AND DELETE A REQUIREMENT FOR LOCAL MATCH FUNDING FOR EXTENDED DAY KINDERGARTEN; TO AMEND SECTION 59-40-140, AS AMENDED, RELATING TO DISTRIBUTION OF REVENUES AND RESOURCES IN REGARD TO CHARTER SCHOOL FUNDING, SO AS TO DELETE CERTAIN REFERENCES TO EFA PROVISIONS; TO AMEND SECTION 59-63-65, RELATING TO FUNDING FOR CLASS SIZE REDUCTIONS, SO AS TO

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Thursday, March 5, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 118:26: "We bless you from the house of the Lord."

Let us pray. Freshen us each morning, Heavenly Father, with the reality of Your unchanging love. Grant Your blessings upon these Representatives and staff as they continue to work in accomplishing those ideals which make this State great. Bless their efforts. Continue Your blessings upon those who lead our Nation and State. Provide for them every needful thing. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

MOTION ADOPTED

Rep. WILLIS moved that when the House adjourns, it adjourn in memory of Rodell Williams, which was agreed to.

SPEAKER *PRO TEMPORE* IN CHAIR

HOUSE RESOLUTION

The following was introduced:

H. 3777 (Word version) -- Rep. Allison: A HOUSE RESOLUTION TO RECOGNIZE AND HONOR HOPE HARVARD FOR HER EXCEPTIONAL POISE, TALENT, AND BEAUTY AND TO CONGRATULATE HER FOR BEING NAMED MISS SOUTH CAROLINA TEEN FOR 2014.

The Resolution was adopted.

HOUSE RESOLUTION

The following was introduced:

H. 3778 (Word version) -- Reps. Allison, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, R. L.



Hosey	Huggins	Jefferson
Johnson	Kennedy	King
Kirby	Knight	Limehouse
Loftis	Long	Lowe
Lucas	Mack	McCoy
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Murphy
Nanney	Newton	Norman
Norrell	Ott	Parks
Pitts	Pope	Quinn
Ridgeway	Riley	Rivers
Ryhal	Sandifer	Simrill
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Tallon	Taylor	Thayer
Tinkler	Toole	Wells
White	Whitmire	Willis
Yow		

Total--109

Those who voted in the negative are:

Total--0

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

S. 397--ORDERED TO BE READ THIRD TIME TOMORROW

On motion of Rep. WHITE, with unanimous consent, it was ordered that S. 397 (Word version) be read the third time tomorrow.

H. 3670--RECALLED FROM COMMITTEE ON WAYS AND MEANS

On motion of Rep. LOWE, with unanimous consent, the following Bill was ordered recalled from the Committee on Ways and Means:

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND

PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

**H. 3663--RECALLED FROM COMMITTEE ON
WAYS AND MEANS**

On motion of Rep. WHITE, with unanimous consent, the following Joint Resolution was ordered recalled from the Committee on Ways and Means:

H. 3663 (Word version) -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

H. 3341--RECALLED FROM THE CHARLESTON DELEGATION

On motion of Rep. MERRILL, with unanimous consent, the following Bill was ordered recalled from the Charleston Delegation:

H. 3341 (Word version) -- Reps. Merrill and Rivers: A BILL TO REPEAL ACT 130 OF 2007 RELATING TO THE INCREASE IN THE NUMBER OF MEMBERS OF THE CHARLESTON COUNTY AVIATION AUTHORITY BY TWO WHO SHALL BE THE CHAIRMAN AND VICE CHAIRMAN OF THE CHARLESTON COUNTY DELEGATION.

OBJECTION TO RECALL

Rep. BALES asked unanimous consent to recall H. 3008 (Word version) from the Committee on Judiciary.
Rep. DANING objected.

H. 3374--SENT TO THE SENATE

The following Bill was taken up:

H. 3374 (Word version) -- Reps. Merrill, White and G. R. Smith: A BILL TO AMEND CHAPTER 27, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE AID TO SUBDIVISIONS ACT, SO AS TO CHANGE THE NAME OF THE LOCAL GOVERNMENT FUND, TO DELETE THE REQUIREMENT THAT THE FUND RECEIVE NOT LESS THAN FOUR AND ONE-HALF PERCENT OF THE GENERAL FUND REVENUES OF THE LATEST COMPLETED FISCAL YEAR, TO DELETE A PROVISION REGARDING MIDYEAR CUTS, TO PROVIDE THAT THE FUND MUST BE INCREASED BY TWO PERCENT IF REVENUES ARE PROJECTED TO INCREASE BY AT LEAST FOUR PERCENT, TO PROVIDE THAT THE TWO PERCENT INCREASE, IF APPLICABLE, BE INCLUDED IN ALL STAGES OF THE BUDGET PROCESS, TO AMEND THE

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Wednesday, March 18, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Proverbs 17:24: "The discerning person looks to wisdom, but the eyes of a fool to the ends of the earth."

Let us pray. Almighty God, grant these Representatives and staff discernment in doing the work of the people. Give them wisdom, courage, strength, and integrity in all they do. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to the success of this great cause. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayer. Amen.

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

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

MOTION ADOPTED

Rep. FUNDERBURK moved that when the House adjourns, it adjourn in memory of John S. Rainey of Camden, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for Daejah Hough of Darlington, who was killed in a tragic accident.

INTRODUCTION OF BILL

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

H. 3854 (Word version) -- Reps. Limehouse, Brannon, Gilliard, Sottile and Taylor: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "REPORT-A-BULLY IN SCHOOL WEBSITE ACT"; BY ADDING SECTION 59-63-145 SO AS TO PROVIDE EACH SCHOOL DISTRICT SHALL DEVELOP A WEBSITE THROUGH WHICH A PERSON MAY ANONYMOUSLY REPORT ACTS OF HARASSMENT, INTIMIDATION, OR BULLYING OF A STUDENT AT SCHOOL; TO PROVIDE THE DISTRICT SHALL RESPOND TO COMPLAINTS RECEIVED BY MEANS OF THE WEBSITE IN A CERTAIN MANNER; TO IMPOSE RELATED REPORTING REQUIREMENTS ON THE DISTRICT; AND TO PROVIDE THAT INFORMATION RECEIVED THROUGH THE WEBSITE IS NOT SUBJECT TO THE FREEDOM OF INFORMATION ACT.

Referred to Committee on Judiciary



Environmental Affairs, which was agreed to.

H. 3670--DEBATE ADJOURNED

The following Bill was taken up:

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

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

H. 3663--AMENDED AND INTERRUPTED DEBATE

The following Joint Resolution was taken up:

H. 3663 (Word version) -- Reps. Bingham and Mitchell: A JOINT RESOLUTION TO REMOVE THE CURRENT MEMBERS OF THE BOARD OF TRUSTEES OF SOUTH CAROLINA STATE UNIVERSITY AND DEVOLVE THE BOARD'S POWERS UPON THE STATE BUDGET AND CONTROL BOARD AND DIRECT THE STATE BUDGET AND CONTROL BOARD TO REMOVE THE CURRENT PRESIDENT OF SOUTH CAROLINA STATE UNIVERSITY AND EMPLOY AN INTERIM CHIEF EXECUTIVE OFFICER WHO SHALL SERVE AT-WILL AT THE PLEASURE OF THE BOARD TO AID IN DIRECTING THE UNIVERSITY IN A NEW DIRECTION WITH AN EMPHASIS ON ADDRESSING AND CORRECTING THE ONGOING FINANCIAL DIFFICULTIES OF THE UNIVERSITY IN ORDER TO KEEP THE UNIVERSITY FUNCTIONAL AND MAINTAIN ITS ACCREDITATION.

Reps. WHITE, MERRILL, COBB-HUNTER, BINGHAM and MITCHELL proposed the following Amendment No. 1 to H. 3663 (COUNCIL\BBM3663C005.BBM.AHB15), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the title and inserting:

/Whereas, the members of the General Assembly of the State of South Carolina recognize the rich and diverse history of South Carolina State University founded in 1896 in Orangeburg, South Carolina, and the significant contribution that the university has made to the higher education community as well as its current

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Thursday, March 19, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 119:76: "Let your steadfast love become my comfort according to your promise to your servant."

Let us pray. Our Gracious Lord, You have sometimes seen us hurting by the side of the road, and You tenderly cared for us. We give You thanks for this great gift of love and healing. Guard, guide, and keep these Representatives and staff in their work here and at home with their families. Bless our Nation, President, State, Governor, Speaker, staff, and all who labor in these Halls of Government. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, in Your mercy, hear our prayers. Amen.

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

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

ACTING SPEAKER RIDGEWAY IN CHAIR

MOTION ADOPTED

Rep. FINLAY moved that when the House adjourns, it adjourn in memory of Charles "Chuck" Terreni, Jr., which was agreed to.

SILENT PRAYER

The House stood in silent prayer for Charles "Chuck" Terreni, Jr.

REGULATION WITHDRAWN AND RESUBMITTED

Document No. 4555

Agency: Department of Labor, Licensing and Regulation - Office of State Fire Marshal

Statutory Authority: 1976 Code Sections 23-9-60, 23-9-550, 23-35-45, and 23-36-80

Article 8, Office of State Fire Marshal

Received by Speaker of the House of Representatives February 2, 2015

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration June 2, 2015

REGULATION WITHDRAWN AND RESUBMITTED



H. 3847 (Word version) -- Reps. G. R. Smith, Burns, Hamilton, Loftis, Robinson-Simpson, Putnam, Allison, Bannister, Chumley, Dillard, Nanney, Stringer and Willis: A JOINT RESOLUTION TO TEMPORARILY EXEMPT APPLICANTS FOR LICENSURE AS A SPEECH-LANGUAGE PATHOLOGIST ASSISTANT FROM THE REQUIREMENT OF HAVING A BACHELOR'S DEGREE FROM A REGIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION FOUND IN SECTION 49-67-220 OF THE 1976 CODE IF THE APPLICANT HOLDS A BACHELOR'S DEGREE IN SPEECH-LANGUAGE PATHOLOGY FROM A NATIONALLY ACCREDITED INSTITUTION OF HIGHER EDUCATION; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION LIBERALLY MUST BE CONSTRUED TO EFFECTUATE THE PURPOSES OF THIS JOINT RESOLUTION AND MUST BE APPLIED RETROACTIVELY; AND TO PROVIDE FOR THE EXPIRATION OF THIS JOINT RESOLUTION ON JULY 1, 2019.

H. 3849 (Word version) -- Rep. Bingham: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-26-45 SO AS TO EXEMPT PERSONALLY IDENTIFIABLE INFORMATION IN CERTAIN EVALUATIONS OF PUBLIC SCHOOL EDUCATORS AND STUDENT TEACHERS FROM PUBLIC DISCLOSURE.

H. 3099--DEBATE ADJOURNED

The following Bill was taken up:

H. 3099 (Word version) -- Reps. McCoy, Cobb-Hunter, Weeks, Rivers and Whipper: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-415 SO AS TO ELIMINATE THE TORT CLAIMS ACT EXCEPTION TO IMMUNITY FROM LIABILITY FOR PUBLIC SCHOOLS AND COLLEGES IF AN ADMINISTRATOR FAILS TO REPORT CHILD ABUSE OR NEGLECT IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 63-7-310; TO AMEND SECTION 63-7-310, AS AMENDED, RELATING TO PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO ADD SCHOOL AND COLLEGE ADMINISTRATORS, COACHES, FIREFIGHTERS, CAMP COUNSELORS, SCOUT LEADERS, AND OTHER PERSONS WHO HAVE DIRECT CONTACT WITH OR SUPERVISE CHILDREN AS MANDATED REPORTERS, TO REQUIRE REPORTING WHEN MANDATED REPORTERS ARE ACTING IN A VOLUNTEER CAPACITY, AND TO REQUIRE MANDATED REPORTERS TO COMPLY INDIVIDUALLY WITH THE STATUTORY REPORTING REQUIREMENTS REGARDLESS OF EMPLOYER INTERNAL REPORTING PROTOCOLS; TO AMEND SECTION 63-7-360, RELATING TO MANDATORY REPORTING TO CORONERS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 63-7-410, RELATING TO PENALTIES FOR THE FAILURE TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO INCREASE THE PENALTIES TO FIVE THOUSAND DOLLARS OR ONE YEAR IMPRISONMENT, OR BOTH; AND TO AMEND SECTION 63-7-450, RELATING TO INFORMATION THAT MUST BE PROVIDED BY THE DEPARTMENT OF SOCIAL SERVICES TO MANDATED REPORTERS, SO AS TO MAKE CONFORMING CHANGES.

Rep. MCCOY moved to adjourn debate on the Bill until Tuesday, March 24, which was agreed to.

H. 3670--DEBATE ADJOURNED

The following Bill was taken up:

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE

WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

Rep. LOWE moved to adjourn debate on the Bill, which was adopted.

S. 382--POINT OF ORDER

The following Joint Resolution was taken up:

S. 382 (Word version) -- Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson: A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO SEVEN DAYS IN FISCAL YEAR 2014-2015, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

POINT OF ORDER

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

The SPEAKER sustained the Point of Order.

H. 3772--POINT OF ORDER

The following Bill was taken up:

H. 3772 (Word version) -- Reps. Merrill and Delleney: A BILL TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

POINT OF ORDER

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Tuesday, March 24, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 12:00 noon.

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

Our thought for today is from Ezra 5:11: "We are the servants of the God of heaven and earth."

Let us pray. Almighty God, we give thanks to You for providing a government of the people and for the people, made up of women and men who desire to serve the people. We give thanks for public servants, the government of our Country and State, and for those who protect us and for those who work to bring justice, peace, healing, and protection to this and every place. Sustain them with Your mighty hand. 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 prayer. Amen.

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

After corrections to the Journal of the proceedings of Friday, the SPEAKER *PRO TEMPORE* ordered it confirmed.

MOTION ADOPTED

Rep. ANDERSON moved that when the House adjourns, it adjourn in memory of Eva Mae White Bromell of Georgetown, which was agreed to.

SILENT PRAYER

The House stood in silent prayer for the recovery of a three month old child, who was brutally beaten in Spartanburg.

INVITATIONS

On motion of Rep. BALES, with unanimous consent, the following were taken up for immediate consideration and accepted:

March 24, 2015
The Honorable Jimmy Bales
Chairman, House Invitations Committee
503-A Blatt Building
Columbia, South Carolina 29201

Dear Chairman Bales:



3

Total--72

Those who voted in the negative are:

Hardwick

Total--1

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

RECORD FOR VOTING

Due to a voting machine malfunction, I inadvertently voted 'nay' on H. 3877. I meant to have voted in favor of the Joint Resolution.

Rep. Nelson L. Hardwick

H. 3099--RECOMMITTED

The following Bill was taken up:

H. 3099 (Word version) -- Reps. McCoy, Cobb-Hunter, Weeks, Rivers, Whipper and Norrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 63-7-415 SO AS TO ELIMINATE THE TORT CLAIMS ACT EXCEPTION TO IMMUNITY FROM LIABILITY FOR PUBLIC SCHOOLS AND COLLEGES IF AN ADMINISTRATOR FAILS TO REPORT CHILD ABUSE OR NEGLECT IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 63-7-310; TO AMEND SECTION 63-7-310, AS AMENDED, RELATING TO PERSONS REQUIRED TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO ADD SCHOOL AND COLLEGE ADMINISTRATORS, COACHES, FIREFIGHTERS, CAMP COUNSELORS, SCOUT LEADERS, AND OTHER PERSONS WHO HAVE DIRECT CONTACT WITH OR SUPERVISE CHILDREN AS MANDATED REPORTERS, TO REQUIRE REPORTING WHEN MANDATED REPORTERS ARE ACTING IN A VOLUNTEER CAPACITY, AND TO REQUIRE MANDATED REPORTERS TO COMPLY INDIVIDUALLY WITH THE STATUTORY REPORTING REQUIREMENTS REGARDLESS OF EMPLOYER INTERNAL REPORTING PROTOCOLS; TO AMEND SECTION 63-7-360, RELATING TO MANDATORY REPORTING TO CORONERS, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 63-7-410, RELATING TO PENALTIES FOR THE FAILURE TO REPORT CHILD ABUSE OR NEGLECT, SO AS TO INCREASE THE PENALTIES TO FIVE THOUSAND DOLLARS OR ONE YEAR IMPRISONMENT, OR BOTH; AND TO AMEND SECTION 63-7-450, RELATING TO INFORMATION THAT MUST BE PROVIDED BY THE DEPARTMENT OF SOCIAL SERVICES TO MANDATED REPORTERS, SO AS TO MAKE CONFORMING CHANGES.

Rep. MCCOY moved to recommit the Bill to the Committee on Judiciary, which was agreed to.

H. 3670--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION

OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

Rep. LOWE explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 78; Nays 1

Those who voted in the affirmative are:

Allison	Anderson	Bales
Bannister	Bernstein	Bingham
Bradley	Brannon	G. A. Brown
Burns	Chumley	Cole
Corley	Daniny	Delleney
Dillard	Douglas	Duckworth
Felder	Finlay	Forrester
Gagnon	Gilliard	Goldfinch
Govan	Hamilton	Hardee
Hardwick	Hayes	Henderson
Henegan	Hicks	Hill
Hixon	Hodges	Jefferson
Johnson	Kennedy	Kirby
Knight	Long	Lowe
Lucas	McCoy	McEachern
M. S. McLeod	Merrill	Mitchell
D. C. Moss	V. S. Moss	Murphy
Nanney	Ott	Parks
Pitts	Putnam	Quinn
Riley	Rivers	Robinson-Simpson
Rutherford	Sandifer	Simrill
G. M. Smith	J. E. Smith	Sottile
Spires	Stavrinakis	Tallon
Taylor	Thayer	Tinkler
Weeks	Wells	White
Williams	Willis	Yow

Total--78

Those who voted in the negative are:

Total--1

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

S. 382--DEBATE ADJOURNED

The following Joint Resolution was taken up:

S. 382 (Word version) -- Senators Matthews, Hutto, Williams, Courson, Hayes, Nicholson, Malloy, Pinckney, Setzler and Jackson: A JOINT RESOLUTION TO AUTHORIZE THE AGENCY HEAD OF SOUTH CAROLINA STATE UNIVERSITY TO INSTITUTE A MANDATORY FURLOUGH PROGRAM OF UP TO SEVEN DAYS IN FISCAL YEAR 2014-2015, AND TO PROVIDE CERTAIN REQUIREMENTS FOR THE FURLOUGH PROGRAM.

Rep. WHITE moved to adjourn debate on the Joint Resolution, which was adopted.

H. 3772--ORDERED TO THIRD READING

The following Bill was taken up:

H. 3772 (Word version) -- Reps. Merrill and Delleney: A BILL TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT UNDERWRITING ASSOCIATION, SO AS TO PROVIDE FOR THE REAPPOINTMENT OF DIRECTORS TO SUCCESSIVE TERMS BY DELETING A RELATED PROHIBITION.

Rep. MERRILL explained the Bill.

The yeas and nays were taken resulting as follows:

Yeas 96; Nays 0

Those who voted in the affirmative are:

Allison	Anderson	Anthony
Bales	Ballentine	Bamberg
Bannister	Bedingfield	Bernstein
Bingham	Bowers	Bradley
Brannon	G. A. Brown	R. L. Brown
Burns	Chumley	Clary
Clyburn	Cobb-Hunter	Cole
Collins	Corley	Crosby
Danig	Delleney	Dillard
Douglas	Felder	Finlay
Forrester	Funderburk	Gagnon
George	Gilliard	Govan
Hardwick	Henderson	Henegan
Hicks	Hill	Hiott
Hixon	Hodges	Horne
Hosey	Huggins	Jefferson
Kennedy	Kirby	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Wednesday, March 25, 2015

(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Psalm 84:11: "For the Lord God is a sun and shield; He bestows favor and honor."

Let us pray. Almighty and merciful God, lend Your blessings upon these Representatives and staff as they strive to fulfill the pledge they gave to serve the people of this State. Continue to give them wisdom, courage, and integrity in making decisions. Bless our Nation, President, State, Governor, Speaker, staff, and all who contribute to the success of this body. Protect our defenders of freedom at home and abroad as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors 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 *PRO TEMPORE*.

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

MOTION ADOPTED

Rep. ROBINSON-SIMPSON moved that when the House adjourns, it adjourn in memory of Jason Matthew Jenkins of Greenville, which was agreed to.

REGULATIONS RECEIVED

The following were received and referred to the appropriate committee for consideration:

Document No. 4540

Agency: Department of Health and Environmental Control

Statutory Authority: 1976 Code Sections 44-61-30 and 44-78-65

Emergency Medical Services

Received by Speaker of the House of Representatives

March 24, 2015

Referred to Regulations and Administrative Procedures Committee

Legislative Review Expiration February 28, 2016

Document No. 4543

Agency: Department of Health and Environmental Control



BLUFFTON IS FIFTEEN MILES PER HOUR AND THAT ANGLE PARKING IS ALLOWED ALONG THIS STREET, AND TO PROVIDE THAT THIS PROVISION SHALL REMAIN IN EFFECT UNTIL THE STATE TRANSFERS DR. MELLICHAMP DRIVE FROM THE STATE HIGHWAY SYSTEM TO BEAUFORT COUNTY.

Rep. HERBKERSMAN moved to adjourn debate on the Joint Resolution, which was adopted.

H. 3879--DEBATE ADJOURNED

The following Bill was taken up:

H. 3879 (Word version) -- Reps. Herbkersman, Bowers, Bradley, Erickson, Hodges and Newton: A BILL TO PROVIDE THAT THE MAXIMUM SPEED LIMIT ALONG BOUNDARY STREET IN THE TOWN OF BLUFFTON FROM ITS INTERSECTION WITH MAY RIVER ROAD TO ITS INTERSECTION WITH BRIDGE STREET, IS FIFTEEN MILES PER HOUR AND TO DIRECT THE DEPARTMENT OF TRANSPORTATION TO ERECT APPROPRIATE SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN FIFTEEN MILES PER HOUR AS THE MAXIMUM SPEED LIMIT.

Rep. HERBKERSMAN moved to adjourn debate on the Bill, which was adopted.

SPEAKER *PRO TEMPORE* IN CHAIR

SENT TO THE SENATE

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

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

H. 3772 (Word version) -- Reps. Merrill and Delleney: A BILL TO AMEND SECTION 38-79-260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPOINTMENT OF DIRECTORS TO THE BOARD OF THE SOUTH CAROLINA MEDICAL MALPRACTICE INSURANCE JOINT

South Carolina General Assembly
121st Session, 2015-2016
Journal of the Senate

Wednesday, June 3, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

At the end of the book Deuteronomy we note:

"Then Moses climbed Mount Nebo from the plains of Moab to the top of Pisgah, across from Jericho." And the Lord God said, "...you will not cross over into it." (Deuteronomy 34:1a)

Pray with me, if you will:

We all recall, O God, how Moses was never able to experience absolute fulfillment of all that he dreamed of accomplishing. How difficult it always is, Lord, to stand on the brink of getting done what You truly believe in. How frustrating. How disappointing. How natural it is, God, for us to wonder what the final judgment upon the work of this Senate will be? A satisfying year? A year of brilliant accomplishments? A year of "if only"? Whatever, dear God, we ask You to embrace each of these leaders in your care. Lead them wisely and well even in these final days of this Legislative Session. In Your wondrous name do we pray, O Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

Local Appointment

Reappointment, Greenville County Master-in-Equity, with the term to commence April 30, 2015, and to expire April 30, 2021

Charles B. Simmons, Jr., 305 East North Street, Suite 313, Greenville, SC 29601

Motion Adopted

On motion of Senator KIMPSON, with unanimous consent, Senators MALLOY, HEMBREE and THURMOND were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

Doctor of the Day

Senator LOURIE introduced Dr. Helmut Albrecht of Columbia, S.C., Doctor of the Day.



Leave of Absence

At 2:20 P.M., Senator CAMPBELL requested a leave of absence for Senator VERDIN until 2:45 P.M.

Leave of Absence

At 2:26 P.M., Senator FAIR requested a leave of absence beginning at 3:30 P.M. until tomorrow, Thursday, June 4, 2015, at 11:00 A.M.

CO-SPONSOR ADDED

The following co-sponsor was added to the respective Bill:

S. 845 (Word version) Sen. Cleary

RECALLED

H. 3896 (Word version) -- Reps. Jefferson, Daning, Crosby, Merrill, Southard and Rivers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 311 IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 176 TO MUDVILLE ROAD "CALDWELL PINCKNEY, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

READ THE SECOND TIME

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE

DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and was ordered placed on the Calendar for consideration tomorrow.

Motion Adopted

On motion of Senator LARRY MARTIN, with unanimous consent, the Bill was read the second time and ordered to a third reading.

Motion Under Rule 26B Waived

Senator LARRY MARTIN asked unanimous consent to make a motion to waive the provisions of Rule 26B in order to allow amendments to be considered on third reading.

There was no objection.

RECALLED

H. 3874 (Word version) -- Reps. Mitchell, Cobb-Hunter, Merrill, Loftis, Dillard and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-6-3770 SO AS TO PROVIDE FOR AN INCOME TAX CREDIT TO AN INDIVIDUAL OR BUSINESS THAT CONSTRUCTS, PURCHASES, OR LEASES RENEWABLE ENERGY PROPERTY AND PLACES IT IN SERVICE IN THIS STATE, AND TO PROVIDE A DEFINITION OF "RENEWABLE ENERGY PROPERTY".

Senator LEATHERMAN asked unanimous consent to make a motion to recall the Bill from the Committee on Finance.

The Bill was recalled from the Committee on Finance and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND COMMITTED

S. 72 (Word version) -- Senators Campsen and Grooms: A BILL TO AMEND SECTION 59-39-112 OF THE 1976 CODE, RELATING TO ELECTIVE CREDIT FOR RELEASED TIME CLASSES IN RELIGIOUS INSTRUCTION FOR HIGH SCHOOL STUDENTS, TO PROVIDE THAT THE SCHOOL DISTRICT BOARD OF TRUSTEES MAY, AS A MEANS TO ENSURE EVALUATION OF INSTRUCTION ON THE BASIS OF PURELY SECULAR CRITERIA, ACCEPT TIME RELEASED CREDITS AS TRANSFER CREDITS FROM AN ACCREDITED PRIVATE SCHOOL THAT HAS AWARDED PRIVATE SCHOOL CREDITS FOR A RELEASED TIME PROGRAM OPERATED BY AN UNACCREDITED ENTITY.

Senator CAMPSSEN asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

There was no objection and the Bill was recalled from the Committee on Education.

South Carolina General Assembly
121st Session, 2015-2016
Journal of the House of Representatives

Thursday, June 4, 2015
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 10:00 a.m.

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

Our thought for today is from Proverbs 29:11: "May the Lord give strength to His people! May the Lord bless his people with peace."

Let us pray. Gracious God, You have blessed these Representatives with wisdom, courage, and integrity in their duties during this part of the Session. We give You thanks for leading us through our leaders; the Governor, Speaker, committees and staff, the ladies on the desk, legal aides, legislative aides, security personnel, receptionists, pages, those who keep our facilities in good order and all those behind the scenes who labor in order that all things go well. Grant all of these people Your blessings, safe travel, and relaxation. Continue Your protection for our defenders of freedom. Heal the wounds, those seen and those hidden, of our brave warriors who suffer and sacrifice for our freedom. Lord, until we meet again, 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 *PRO TEMPORE*.

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

MOTION ADOPTED

Rep. COBB-HUNTER moved that when the House adjourns, it adjourn in memory of Laverne K. Neal, mother of Representative Joe Neal, which was agreed to.

ACTING SPEAKER CLARY IN CHAIR

ROLL CALL

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

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Bamberg	Bannister	Bedingfield
Bernstein	Bingham	Bowers
Bradley	Brannon	G. A. Brown
R. L. Brown	Burns	Chumley
Clary	Clemmons	Clyburn
Cobb-Hunter	Cole	Collins
Corley	Crosby	Delleney
Dillard	Douglas	Duckworth



Lucas	Mack	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	Nanney
Newton	Norman	Norrell
Ott	Parks	Pitts
Pope	Quinn	Ridgeway
Riley	Rivers	Rutherford
G. R. Smith	J. E. Smith	Southard
Spires	Stavrinakis	Stringer
Tallon	Tinkler	Weeks
Wells	Whipper	White
Williams	Willis	

Total--89

Those who voted in the negative are:

Total--0

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

MESSAGE FROM THE SENATE

The following was received:

Columbia, S.C., June 4, 2015

Mr. Speaker and Members of the House:

The Senate respectfully informs your Honorable Body that it has adopted the report of the Committee of Conference on H. 3154:

H. 3154 (Word version) -- Reps. J.E. Smith, G.M. Smith, Cobb-Hunter, M.S. McLeod, Toole, Weeks, Whipper, Robinson-Simpson, Quinn and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 15, TITLE 7 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM MILITARY AND OVERSEAS VOTERS ACT", TO DEFINE NECESSARY TERMS, AND PROVIDE REGISTRATION AND ABSENTEE VOTING ALTERNATIVES FOR CERTAIN MILITARY AND OVERSEAS VOTERS.

Very Respectfully,

President

Received as information.

H. 3154--ORDERED ENROLLED FOR RATIFICATION

The Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for ratification.

H. 3670--SENATE AMENDMENTS CONCURRED IN AND BILL ENROLLED

With unanimous consent, the Senate Amendments to the following Bill were taken up for consideration:

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE

WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

Rep. LOWE explained the Senate Amendments.

The yeas and nays were taken resulting as follows:

Yeas 60; Nays 0

Those who voted in the affirmative are:

Bales	Bannister	Bernstein
G. A. Brown	R. L. Brown	Burns
Chumley	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Erickson	Felder
Finlay	Funderburk	Govan
Hamilton	Henderson	Herbkersman
Hicks	Hixon	Hodges
Howard	Jefferson	Johnson
Kennedy	Kirby	Knight
Limehouse	Loftis	Lowe
McEachern	McKnight	M. S. McLeod
W. J. McLeod	Nanney	Norman
Norrell	Parks	Pitts
Pope	Ridgeway	Riley
Rivers	Rutherford	Sandifer
G. R. Smith	J. E. Smith	Southard
Spires	Stavrinakis	Tallon
Tinkler	Weeks	Wells
White	Williams	Willis

Total--60

Those who voted in the negative are:

Total--0

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

SPEAKER IN CHAIR

Rep. G. A. BROWN moved that the House do now adjourn.

The SPEAKER declared that pursuant to H. 4274, the Sine Die Resolution, the House stands adjourned to next meet at 12:00 noon on Tuesday, June 16.

RETURNED WITH CONCURRENCE

The Senate returned to the House with concurrence the following:

H. 4324 (Word version) -- Reps. Funderburk, Lucas, G. A. Brown, Bales, Alexander, Allison, Anderson, Anthony, Atwater, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, R. L. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Gagnon, Gambrell, George, Gilliard, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Mack, McCoy, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Rivers, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Sottile, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Tinkler, Toole, Weeks, Wells, Whipper, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR HOPE HOWELL BOYKIN COOPER OF CAMDEN, THE LINCHPIN BETWEEN THE CAMDEN EQUINE AND BUSINESS COMMUNITIES, FOR HER MANY YEARS OF VARIED AND VALUABLE SERVICE TO HER CITY, COUNTY, AND STATE.

H. 4323 (Word version) -- Reps. R. L. Brown, Whipper, Merrill, Gilliard, McCoy, Rivers, Sottile, Tinkler, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bamberg, Bannister, Bedingfield, Bernstein, Bingham, Bowers, Bradley, Brannon, G. A. Brown, Burns, Chumley, Clary, Clemmons, Clyburn, Cobb-Hunter, Cole, Collins, Corley, H. A. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Duckworth, Erickson, Felder, Finlay, Forrester, Funderburk, Gagnon, Gambrell, George, Goldfinch, Govan, Hamilton, Hardee, Hart, Hayes, Henderson, Henegan, Herbkersman, Hicks, Hill, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, Jordan, Kennedy, King, Kirby, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McEachern, McKnight, M. S. McLeod, W. J. McLeod, Mitchell, D. C. Moss, V. S. Moss, Murphy, Nanney, Neal, Newton, Norman, Norrell, Ott, Parks, Pitts, Pope, Putnam, Quinn, Ridgeway, Riley, Robinson-Simpson, Rutherford, Ryhal, Sandifer, Simrill, G. M. Smith, G. R. Smith, J. E. Smith, Southard, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Weeks, Wells, White, Whitmire, Williams, Willis and Yow: A CONCURRENT RESOLUTION TO ESTABLISH THE ST. PAUL'S PARISH ADVISORY COMMITTEE IN CHARLESTON COUNTY TO ACT AS A COMMUNITY FORUM FOR ADVICE AND DISCUSSION OF AND DIRECTION ON ISSUES AFFECTING THE PARISH, TO PROVIDE FOR THE MEMBERSHIP OF THE ADVISORY COMMITTEE, AND TO PROVIDE THAT THE ROLE OF THE ADVISORY COMMITTEE WILL BE TO ACT AS A SOUNDING BOARD FOR COMMUNITY ISSUES AND NOT TO EXERCISE ANY STATE OR LOCAL SOVEREIGNTY OR TO TAKE ANY TYPE OF EXECUTIVE ACTION.

South Carolina General Assembly
121st Session, 2015-2016
Journal of the Senate

Thursday, June 4, 2015
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

We read in Philippians that:

"I can do everything through him who gives me strength."

(Philippians 4:13)

Let us pray:

Today, O God, on the final day of this regular Legislative Session, we warmly thank You for leading and blessing our Senators and their aides. May these servants continue to walk closely with You, Lord, and may they consistently be strengthened and encouraged by Your loving support. As ever, allow the ultimate beneficiaries of all the good this Senate achieves to be -- as always -- the children, the women, and the men of South Carolina, here in this State we all love. Moreover, O Lord, continue also to be with those in uniform who strive to bring about peace, wherever in the world they happen to serve. In Your loving name we pray, dear Lord. Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

MESSAGE FROM THE GOVERNOR

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

Local Appointments

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019

Victor G. Stephens, 205 Bryant Street, St. George, SC 29477

Reappointment, York County Natural Gas Authority, with the term to commence March 1, 2015, and to expire March 1, 2018

City of Rock Hill:

Charles E. Alvis, 1500 Warrington Place, Rock Hill, SC 29732

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2015, and to expire April 30, 2019



Senator HUTTO proposed the following amendment (3305CBH1), which was tabled:

Amend the bill, as and if amended, page 1, by striking line 25 and inserting:

/ "(iii) insured worker provides a blood, ~~hair~~, oral fluid, or /

Renumber sections to conform.

Amend title to conform.

Senator BRYANT moved to lay the amendment on the table.

The "ayes" and "nays" were demanded and taken, resulting as follows:

Ayes 26; Nays 16

AYES

Alexander	Bennett	Bright
Bryant	Campbell	Campsen
Cleary	Corbin	Courson
Cromer	Davis	Fair
Gregory	Grooms	Hayes
Leatherman	Malloy	Martin, Larry
Martin, Shane	Massey	O'Dell
Peeler	Shealy	Thurmond
Verdin	Young	

Total--26

NAYS

Allen	Coleman	Hutto
Jackson	Johnson	Kimpson
Lourie	Matthews	McElveen
Nicholson	Pinckney	Reese
Sabb	Scott	Setzler
Sheheen		

Total--16

The amendment was laid on the table.

There being no further amendments, the Bill was read the third time and ordered that the title be changed to that of an Act and enrolled for Ratification.

**AMENDED, READ THE THIRD TIME
RETURNED TO THE HOUSE**

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS

CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

The Senate proceeded to a consideration of the Bill.

Senator MALLOY proposed the following amendment (3670R001.EB.GM), which was adopted:

Amend the bill, as and if amended, by adding a new SECTION at the end to read:

/ SECTION (). The provisions of this act shall expire five years from its effective date. /

Renumber sections to conform.

Amend title to conform.

Senator LEATHERMAN explained the Bill.

The amendment was adopted.

The question then was the third reading of the Bill, as amended.

There being no further amendments, the Bill was read third time, passed and ordered returned to the House of Representatives with amendments.

CARRIED OVER

H. 3145 (Word version) -- Reps. Sandifer, Lucas, Thayer, Yow, Long, G.R. Smith, Hixon, Henderson, G.M. Smith, Sottile, Forrester, Felder, Atwater, Toole, Huggins, Pope, Simrill, Bales, Anderson, Gilliard and Hicks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-3-700 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A PERSON IS IMMUNE FROM CIVIL LIABILITY FOR DAMAGE RESULTING FROM HIS FORCIBLE ENTRY INTO A MOTOR VEHICLE TO REMOVE A CHILD WHO HE REASONABLY BELIEVES IS IN IMMINENT DANGER OF SUFFERING HARM IF NOT REMOVED, AMONG OTHER THINGS, AND TO PROVIDE THAT THIS IMMUNITY DOES NOT AFFECT CERTAIN OTHER CIVIL LIABILITY.

On motion of Senator GROOMS, the Bill was carried over.

Senator BRYANT raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

ADOPTED

H. 3896 (Word version) -- Reps. Jefferson, Daning, Crosby, Merrill, Southard and Rivers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 311 IN BERKELEY COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 176 TO MUDVILLE ROAD "CALDWELL PINCKNEY, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THIS DESIGNATION.

The Concurrent Resolution was adopted and ordered returned to the House.

THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.

MOTION ADOPTED

On motion of Senator LEATHERMAN, the Senate agreed to dispense with the balance of the Motion Period.

HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF REPORTS OF COMMITTEES OF CONFERENCE AND FREE CONFERENCE.

Message from the House

Columbia, S.C., June 4, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

H. 3670 (Word version) -- Reps. Lowe, Williams and Kirby: A BILL TO AMEND SECTION 4-23-1005, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ORIGINAL AREA OF THE WEST FLORENCE FIRE DISTRICT IN FLORENCE AND DARLINGTON COUNTIES, SO AS TO FURTHER PROVIDE FOR THE DESCRIPTION OF THE ORIGINAL FLORENCE COUNTY PORTION OF THE DISTRICT WITHOUT CHANGING THE BOUNDARIES OF THE DISTRICT AT ITS CREATION; BY ADDING SECTION 4-23-1006 SO AS TO ADD ADDITIONAL AREAS IN EITHER FLORENCE OR DARLINGTON COUNTIES TO THE ORIGINAL AREA OF THE DISTRICT; TO AMEND SECTION 4-23-1015, RELATING IN PART TO THE MILLAGE LEVY OF THE DISTRICT, SO AS TO STIPULATE WHICH REFERENDUM PROVISIONS CONTROL IN REGARD TO MILLAGE RATE LIMITATIONS; TO AMEND SECTION 4-23-1025, RELATING IN PART TO RESTRICTIONS ON DIMINISHING THE AUTHORITY OF THE DISTRICT COMMISSION OR THE AREA OF THE DISTRICT, AND TO THE REAL AND PERSONAL PROPERTY OF THE DISTRICT, SO AS TO PROVIDE THAT CERTAIN PROVISIONS OF LAW IN REGARD TO MUNICIPAL ANNEXATION OF PARTS OF A SPECIAL PURPOSE DISTRICT CONTINUE TO APPLY TO THE WEST FLORENCE FIRE

DISTRICT, AND TO FURTHER PROVIDE FOR THE TRANSFER OF CERTAIN REAL AND PERSONAL PROPERTY TO THE DISTRICT; AND TO AMEND SECTION 4-23-1040, RELATING TO WHICH POLITICAL SUBDIVISION MAY IMPOSE MILLAGE LEVIES OR FIRE SERVICE FEES IN THE DISTRICT, SO AS TO CLARIFY THE BASIS FOR WHICH THE WEST FLORENCE FIRE DISTRICT ONLY MAY LEVY AD VALOREM PROPERTY TAXES IN THE DISTRICT FOR THE PROVISION OF FIRE OR FIRE PROTECTION SERVICES.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

Message from the House

Columbia, S.C., June 4, 2015

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has adopted the Report of the Committee of Conference on:

S. 47 (Word version) -- Senators Malloy, Kimpson, Johnson, Pinckney, Thurmond, Setzler, Grooms, Lourie, McElveen, Allen, Shealy, Coleman, Campsen, Scott and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240, SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY-WORN CAMERAS.

Very respectfully,

Speaker of the House

Received as information.

S. 47--REPORT OF THE COMMITTEE OF CONFERENCE ADOPTED

S. 47 (Word version) -- Senators Malloy, Kimpson, Johnson, Pinckney, Thurmond, Setzler, Grooms, Lourie, McElveen, Allen, Shealy, Coleman, Campsen, Scott and Nicholson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-1-240, SO AS TO PROVIDE THAT ALL STATE AND LOCAL LAW ENFORCEMENT OFFICERS MUST BE EQUIPPED WITH BODY-WORN CAMERAS.

On motion of Senator MALLOY, the Report of the Committee of Conference was taken up for immediate consideration.

Senator MALLOY spoke on the report.

Senator HEMBREE spoke on the report.

Senator THURMOND spoke on the report.

Senator KIMPSON spoke on the report.

South Carolina Legislature

House Roll Call Vote Number 776

Session: 121 (2015-2016)

06/16/2015 05:55 pm



Override the VETO by the Governor

RESULT: Passed

Yeas: 54; Nays: 23; Excused Absence: 12; Not Voting: 34

H 3670 West Florence Fire District

YEAS - 54

Anthony, Michael A.
Bernstein, Beth E.
Bradley, Jeffrey A.
Clary, Gary E.
Delleney, F. Gregory, Jr.
Funderburk, Laurie Slade
Goldfinch, Stephen L., Jr.
Hixon, William M.
Jefferson, Joseph H., Jr.
Loftis, Dwight A.
Mack, David J., III
Merrill, James H.
Neal, Joseph H.
Ryhal, Mike
Smith, G. Murrell, Jr.
Stavrinakis, Leonidas E.
Wells, Don L.
Williams, Robert Q.

Bales, Jimmy C., Ed.D.
Bingham, Kenneth A.
Brown, Grady A.
Clemmons, Alan D.
Duckworth, Gregory D.
Gagnon, Craig A.
Herbkersman, William G.
Hosey, Lonnie
Johnson, Jeffrey E.
Lowe, Phillip D.
McCoy, Peter M., Jr.
Moss, Dennis C.
Pitts, Michael A.
Sandifer, William E., III
Sottile, F. Michael
Taylor, Bill
White, W. Brian
Willis, Mark N.

Bannister, Bruce W.
Bowers, William K.
Burns, James Mikell
Cole, J. Derham, Jr.
Finlay, Kirkman, III
Gambrell, Michael W.
Hicks, Donna C.
Howard, Leon
Kirby, Roger K.
Lucas, James H.
McKnight, Cezar E.
Murphy, Christopher J.
Riley, R. Shannon
Simrill, J. Gary
Spires, L. Kit
Weeks, J. David
Whitmire, William R.
Yow, Richard L.

NAYS - 23

Alexander, Terry
Atwater, Todd K.
Bedingfield, Eric M.
Felder, Raye
Hill, Jonathon D.
McLeod, Mia S.
Ridgeway, Robert L., III
Stringer, Tommy M.

Allison, Merita A.
Ballentine, Nathan
Chumley, William M.
Forrester, P. Michael
Huggins, Chip
Norman, Ralph W.
Rivers, Samuel, Jr.
Toole, McLain R.

Anderson, Carl L.
Bamberg, Justin T.
Crosby, William E.
George, J. Wayne
McEachern, Joseph A.
Ott, Russell L.
Southard, Edward L.

EXCUSED ABSENCE - 12

Crawford, Heather Ammons
Horne, Jenny Anderson
Long, Deborah A.
Norrell, Mandy Powers

Erickson, Shannon S.
King, John Richard C.
Moss, V. Stephen
Pope, Thomas E.

Hamilton, Daniel P.
Knight, Patsy G.
Nanney, Wendy K.
Smith, James E., Jr.

NOT VOTING - 34

Brannon, Norman D.
Cobb-Hunter, Gilda
Daning, Joseph S.
Gilliard, Wendell G.

Brown, Robert L.
Collins, Neal A.
Dillard, Cha604 E.
Govan, Jerry N., Jr.

Clyburn, William
Corley, Christopher A.
Douglas, MaryGail K.
Hardee, Kevin

South Carolina Legislature

Hart, Christopher R.
Henegan, Patricia Moore
Jordan, Wallace H., Jr.
McLeod, Walton J.
Parks, J. Anne
Robinson-Simpson, Leola C.
Tallon, Edward R., Sr.
Whipper, J. Seth

Hayes, Jackie E.
Hiott, David R.
Kennedy, Ralph Shealy, Jr.
Mitchell, Harold, Jr.
Putnam, Joshua A.
Rutherford, J. Todd
Thayer, Anne J.

Henderson, Phyllis J.
Hodges, Kenneth F.
Limehouse, Harry B., III
Newton, Wm. Weston J.
Quinn, Rick
Smith, Garry R.
Tinkler, Mary E.

South Carolina Legislature

Senate Roll Call Vote Number 611

Session: 121 (2015-2016)

07/07/2015 04:08 pm

to override the veto

RESULT: Passed

Ayes: 28; Nays: 10; Excused Absence: 5

H 3670 West Florence Fire District

AYES - 28

Alexander, Thomas C.
Campsen, George E., III
Fair, Michael L.
Hembree, Greg
Kimpson, Marlon E.
Malloy, Gerald
McElveen, J. Thomas, III
Reese, Glenn G.
Setzler, Nikki G.
Williams, Kent M.

Allen, Karl B.
Courson, John E.
Grooms, Lawrence K.
Jackson, Darrell
Leatherman, Hugh K., Sr.
Martin, Larry A.
Nicholson, Floyd
Sabb, Ronnie A.
Sheheen, Vincent A.

Campbell, Paul G., Jr.
Cromer, Ronnie W.
Hayes, Robert W., Jr.
Johnson, Kevin L.
Lourie, Joel
Matthews, John W., Jr.
Rankin, Luke A.
Scott, John L., Jr.
Verdin, Daniel B., III

NAYS - 10

Bennett, Sean
Davis, Tom
Shealy, Katrina Frye
Young, Tom, Jr.

Bright, Lee
Martin, Shane R.
Thurmond, Paul

Bryant, Kevin L.
Peeler, Harvey S., Jr.
Turner, Ross

EXCUSED ABSENCE - 5

Cleary, Raymond E., III
Massey, A. Shane

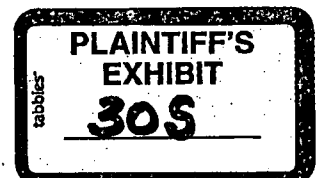
Corbin, Thomas D.
O'Dell, William Hamilton

Gregory, Chauncey K.



House of Representatives, February 17, 2015 2:00 pm (1:30:20)

Clerk	Mr. Lowe, Williams. Pertaining to Florence and Darlington County's millage rates for fire districts.
Speaker	Mr. Lowe. This bill affects only Florence and Darlington Counties? Does it affect any other counties? You're asking unanimous consent the bill go without reference. Alright, Mr. Lowe is asking unanimous consent that the bill go without reference affecting Florence and Darlington Counties only. Is that correct Mr. Lowe? Is there any objection? Mr. Govan objects. Referred to House Ways and Means Committee.



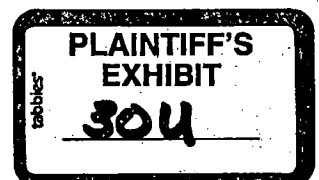
House of Representatives, Thursday March 5, 2015 at 10:00 am (1:37:18)

Speaker	Unanimous consent requests? Mr. Lowe.
Rep. Lowe	Thank you, Mr. Speaker. I ask unanimous consent to pull House Bill 3670 from Ways and Means, with the consent of the Chairman, and place on the House floor. It deals with the cleanup Bill of for the fire district only involves Florence and Darlington county and I have agreement of all of the delegation.
Speaker	Mr. Lowe asks, requests, that we recall House Bill 3670 from the Ways and Means committee and that it be placed on the calendar. Is there an objection? Hearing none, seeing none, so ordered



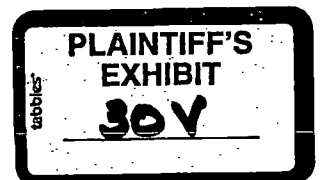
House of Representatives, March 18, 2015 (48:18)

Speaker	House bill 3670, clerk will read.
Clerk	3670 is a bill by Mr. Lowe. West Florence
Speaker	Mr. Lowe moves that we adjourn debate on House bill 3670. Simple adjourn debate motion. All in favor say "aye" oppose "no." The "ayes" have it. Debate is adjourned on House bill 3670.



House of Representatives, March 19, 2015 (1:04:01)

Speaker	That takes us to House bill 3670, clerk will read.
Clerk	3670. Mr. Lowe. Ways and Means from which it was recalled. Florence.
Speaker	Representative Lowe moves that the house adjourn debate on House bill 3670. All in favor say "aye." Oppose "no." The "ayes" have it.



House of Representatives, Tuesday March 24, 2015 at 12:00 pm (37:33)

Clerk	House Bill 3670 is a bill by Mr. Lowe. This bill was recalled from Ways and Means.
Speaker	Representative Lowe is recognized on the Bill.
Rep. Lowe	Thank you Mr. Speaker. What this does is add a neighborhood to an existing special purpose district. We're building a new fire station. It should lower the tax for the folks in that area. It should improve their service to 24 hours a day, seven day a week-type service. It's lower their ISO rating which should result in lower insurance. I'll be glad to answer any questions.
Speaker	Any questions. Second reading House Bill 3670. Roll call's required in order. We'll vote on the board. Mr. White. Polls will close. Clerk will tabulate. By a vote of 78 to 1, House Bill 3670 receives second reading.



House of Representatives, Wednesday March 25, 2015 at 10:00 am (01:42:40)

Speaker	Third Reading, we're on page 5, House Bill 3670. Clerk will read.
Clerk	3670 Lowe. Ways and Means from which it was recalled.
Speaker	Pending questions, third reading House Bill 3670 all in favor say "aye" all opposed. The "ayes" have it. House Bill 3670 receives third reading.



House of Representatives, June 4, 2015 (1:45:00)

Clerk	Mr. Lowe. We have Senate amendments to Mr. Lowe and Mr. Williams' bill 3670.
Speaker	We have before us 3670. Mr. Lowe asks unanimous consent for immediate consideration. He's going to explain briefly what this bill is and then we'll address unanimous consent. Mr. Lowe, if you'll just briefly explain so we can address unanimous consent.
Mr. Lowe	Thank you Mr. Speaker. This is a West Florence rural fire district bill that became a special purpose district and we added a neighborhood of about 90 homes. And the Senate put a small amendment on there, have a five year sunset on there. We are fine with that and we concur with this amendment. We would ask you to vote to concur.
Speaker	Mr. Lowe, now you asked unanimous consent to – for immediate consideration for House 3670. Is there any objection?
Mr. Lowe	It's a, Florence County and a little, tiny piece of Darlington County.
Speaker	Is there any objection? Hearing no objection, I, we will grant - unanimous consent is granted.
Mr. Lowe	I ask for concurrence.
Speaker	The question now before us is "concurrence on House 3670." Mr. Lowe asked you for concurrence. Roll call is required. Voting on the board is ordered. Time's expired. Polls will close. Clerk will tabulate. Vote is 60 to 0. House concurs on Senate amendment to House bill 3670.



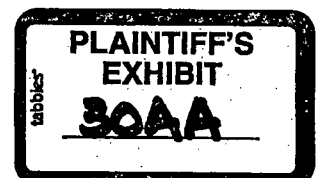
Senate, Wednesday March 25, 2015 at 2:00 pm (1:02:28)

Clerk	Introduction of H3670 Bill by Representative Lowe and others. It amends the code relating to the original area of the West Florence Fire District in Florence and Darlington counties.
President	Referred to the committee on Judiciary.



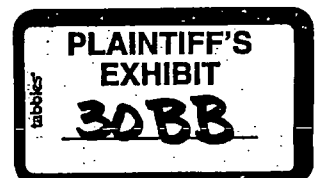
Senate, June 3, 2015 (part 1, 18:32:00)

President	Senator from Pickens. For what purpose do you rise sir?
Senator Martin	Mr. President, the West Florence Fire District bill. I've spoken with the two members involved and have been asked to, uh, ask unanimous consent to give House bill 3670 second reading with notice of amendments or waive the rule for amendments on the third.
President	That's 3670?
Senator Martin	Right.
President	Without objection?
Senator Martin	Right.
President	So ordered.
Senator Martin	Motion to amend on third.
President	To amend on third.



Senate, Wednesday June 4, 2015 at 10:00 am (part 2 01:42:32)

President	Senator from Florence.
Senator Leatherman	Mr. President...
President	A little order please.
Senator Leatherman	Mr. President, thank you. House bill 3670 is a local Florence County fire district bill. Senator Malloy of course has some interest. His interests have been cleared up and I would ask unanimous consent to give that third reading.
President	Unanimous consent to move to page 15, House bill 3670. Proceed to that bill. Is there objection? Hearing none, we're on House bill 3670 on page 15. There's an amendment on the desk. Senator from Darlington.
Darlington	Rising to speak to the amendment.
President	Please speak to the amendment. Senator from Darlington.
Senator Malloy	What we have is, is that we have an amendment that basically, the senator from Florence, our present <i>pro tempore</i> chairman, has worked out as it relates to Florence and Darlington only and the amendment just puts a sunset provision on it. And he and I both have agreed and we worked on it, so I move to the adoption of the amendment.
President	Question is: "Adoption of the amendment to House bill 3670." Those in favor signify by saying "aye."
Senator Malloy	Aye.
President	Those "nay." They "ayes" have it.
Senator Malloy	Mr. President. Move for third reading of the bill and I think we have to do a roll call because we didn't do one on second reading.
President	Correct. Roll call on House bill 3670. Clerk will please ring the bell.
Senator Malloy	Mr. President. Mr. President. If it's not too late, I would ask unanimous consent that we just apply the roll of the Senate or -- and for anyone that does not desire to vote on this issue they can approach the desk.
President	Is there objection? Approach the desk if you want to vote "no." All present or recorded. Third reading.



THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM FLORENCE COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

Case No. 2014-CP-21-2626
Appellate Case No. 2017-000693

County of Florence and Florence County Council,..... Respondents,

v.

West Florence Fire District, purported to have been created by
S.C. Act No. 183 of 2014; the West Florence Fire District Commission,
purported to have been created by S.C. Act No. 183 of 2014; David Brown,
Dustin Fails, Linda Lang Gipco, Richard Hewitt, and C. Allen Matthews,
each in his or her purported official capacity as a member of the West Florence
Fire District Commission; and the State of South Carolina..... Defendants,

of whom

West Florence Fire District, the West Florence Fire District Commission,
David Brown, Dustin Fails, Linda Lang Gipco, Richard Hewitt, and
C. Allen Matthews, each in his or her official capacity as a member
of the West Florence Fire District Commission are..... Appellants.

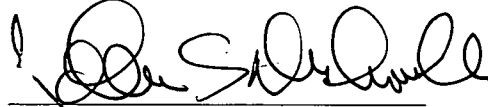
CERTIFICATE OF COUNSEL

The undersigned hereby certifies that this Record on Appeal contains all material
proposed to be included by any of the parties and not any other material.

/Signature page attached

September 15, 2017

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John S. Nichols", written over a horizontal line.

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Attorney for Appellants