**Tuesday, February 26, 2013**

**(Statewide Session)**

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## 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:

In Romans we read:

“Oh, the depth of the riches of the wisdom and knowledge of God!”

(Romans 11:33a)

Let us pray:

Dearest Lord, how very much should all of us value and seek Your gifts of wisdom and knowledge, assets to be coveted, indeed -- as they were by Mary McLeod Bethune, by Charles Bolden, by Marian Wright Edelman, and by so many others. We humbly ask, O God, that You freely grant these particular gifts to everyone serving in our state government, whatever their respective role. How desperately do the citizens of South Carolina need the sort of leadership which true wisdom and honest knowledge can help provide. And especially, may each person who serves You here in the Senate of South Carolina be blessed by those very riches as they guide us day by day. In Your wondrous name we pray, Lord.

Amen.

The ACTING PRESIDENT, Senator LARRY MARTIN, 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:

**Statewide Appointment**

Reappointment, Governing Board of Department of Natural Resources, with the term to commence July 1, 2012, and to expire July 1, 2016

4th Congressional District:

Norman F. Pulliam, Sr., 1150 Woodburn Road, Spartanburg, SC 29302

Referred to the Committee on Fish, Game and Forestry.

**Doctor of the Day**

Senator VERDIN introduced Dr. Wendell James of Greenville, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bills:

S. 115 Sens. Grooms, Shane Martin

S. 204 Sen. Verdin

S. 308 Sens. Campsen, Fair

S. 382 Sens. Jackson, Sheheen

S. 413 Sen. Massey

**CO-SPONSORS REMOVED**

The following co-sponsors were removed from the following Bills:

S. 365 Sen. Cromer

S. 404 Sen. Davis

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 422 -- Senator Lourie: A BILL TO AMEND SECTION 38-71-145, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO REQUIRED COVERAGE FOR MAMMOGRAMS BY INDIVIDUAL AND GROUP HEALTH INSURANCE POLICIES AND HEALTH MAINTENANCE ORGANIZATION POLICES, SO AS TO REQUIRE SUPPLEMENTAL COVERAGE FOR BREAST ULTRASOUND SCREENING WHEN A MAMMOGRAM DEMONSTRATES HETEROGENEOUS OR DENSE BREAST TISSUE, AND TO REQUIRE A MAMMOGRAPHY REPORT INCLUDING SPECIFIC INFORMATION BE PROVIDED TO A PATIENT WHO RECEIVES THIS ULTRASOUND SCREENING.

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Read the first time and referred to the Committee on Banking and Insurance.

S. 423 -- Senators Campbell, Bennett and Hembree: A BILL TO AMEND SECTION 61-4-1515, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SAMPLES AND SALES OF BEER AT BREWERIES, SO AS TO SPECIFY THAT FOURTEEN PERCENT ALCOHOL BY WEIGHT IS THE MAXIMUM THAT MAY BE OFFERED FOR ON-PREMISES CONSUMPTION, TO ALLOW FOR THE SALE OF SIXTY-FOUR OUNCES OF BEER TO A CONSUMER EVERY TWENTY-FOUR HOURS, TO PROVIDE THE BEER MUST BE SOLD AT THE APPROXIMATE RETAIL PRICE, TO PROVIDE THAT APPROPRIATE TAXES MUST BE REMITTED, AND TO CLARIFY THAT A CERTAIN PROVISION APPLIES TO OFF-PREMISES CONSUMPTION.

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Read the first time and referred to the Committee on Judiciary.

S. 424 -- Senators L. Martin, Leatherman, Hutto, Malloy, Campbell, Massey and Lourie: A BILL TO AMEND SECTION 42-5-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX ON SELF-INSURERS, SO AS TO PROVIDE THAT THE WORKERS’ COMPENSATION COMMISSION SHALL RETAIN A PORTION OF ALL ASSESSMENTS PAID BY SELF-INSURERS WITH THE REMAINDER TO BE DEPOSITED WITH THE STATE TREASURER AND TO PROVIDE THAT THE WORKERS’ COMPENSATION COMMISSION SHALL RETAIN A PORTION OF ANY PENALTIES ASSESSED WITH THE REMAINDER TO BE REMITTED TO THE GENERAL FUND.

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Read the first time and referred to the Committee on Judiciary.

S. 425 -- Senator Ford: A BILL TO AMEND SECTION 16-23-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR VIOLATIONS OF CERTAIN OFFENSES INVOLVING WEAPONS, SO AS TO INCLUDE ASSAULT WEAPONS IN THE PURVIEW OF THE STATUTE AND INCREASE THE PENALTIES FOR A VIOLATION AND CREATE A TWO-TIERED PENALTY SCHEME; TO AMEND SECTION 16-23-210, RELATING TO DEFINITIONS FOR PURPOSES OF THE ARTICLE, SO AS TO DEFINE THE TERM “ASSAULT WEAPON”; AND TO AMEND SECTIONS 16-23-220, 16-23-230, AND 16-23-240, RELATING TO THE UNLAWFUL TRANSPORTATION; STORING, KEEPING, OR POSSESSING; AND SALE, RENTAL, OR GIVING AWAY OF MACHINE GUNS, MILITARY FIREARMS, OR SAWED-OFF SHOTGUNS OR RIFLES, RESPECTIVELY, SO AS TO INCLUDE ASSAULT WEAPONS IN THE LIST OF WEAPONS BANNED BY THE PROVISIONS OF THE STATUTES.

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Read the first time and referred to the Committee on Judiciary.

S. 426 -- Senators Jackson, Matthews, Hutto and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-22-935 SO AS TO PROVIDE THAT CERTAIN NONVIOLENT OFFENSES MAY BE EXPUNGED AND TO ESTABLISH THE CIRCUMSTANCES UNDER WHICH THE EXPUNGEMENT MAY OCCUR.

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Read the first time and referred to the Committee on Judiciary.

S. 427 -- Senator L. Martin: A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION TO PROVIDE APPROPRIATE NOTICE TO LOCAL ZONING AUTHORITIES CONCERNING THE PROVISION OF VAN PARKING SPACES IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT AND THE SOUTH CAROLINA BUILDING CODE.

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Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 428 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO SOUTH CAROLINA IMMUNIZATION REGISTRY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4259, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 429 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - PANEL FOR DIETETICS, RELATING TO DEFINITIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4237, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 430 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE OUMAR DIABY UPON BECOMING A CITIZEN OF THE UNITED STATES AND TO WISH HIM CONTINUED SUCCESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 431 -- Senators Scott, Alexander, Allen, Bennett, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Corbin, Courson, Cromer, Davis, Fair, Ford, Gregory, Grooms, Hayes, Hembree, Hutto, Jackson, Johnson, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McElveen, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND LITTLE ZION BAPTIST CHURCH IN RICHLAND COUNTY ON THE OCCASION OF ITS ONE HUNDRED EIGHTIETH ANNIVERSARY AND TO HONOR THE CHURCH FOR DECADES OF OUTSTANDING SERVICE TO THE COMMUNITY.

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The Senate Resolution was adopted.

S. 432 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE NAVY JUNIOR ROTC PROGRAM OF CHAPIN HIGH SCHOOL FOR OUTSTANDING PERFORMANCE AND TO CONGRATULATE THE CADETS, INSTRUCTORS, AND SCHOOL OFFICIALS ON THE UNIT BEING NAMED 2013 NAVY LEAGUE MOST OUTSTANDING UNIT AT THE NATIONAL LEVEL.

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The Senate Resolution was adopted.

H. 3184 -- Reps. Pope, R. L. Brown, M. S. McLeod, Weeks, Bales, Gilliard, Whipper, W. J. McLeod and Mitchell: A BILL TO AMEND SECTION 22-5-910, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXPUNGEMENT OF CRIMINAL RECORDS, SO AS TO PROVIDE THAT A PERSON MAY BE ELIGIBLE FOR EXPUNGEMENT OF A FIRST OFFENSE CRIME WHICH CARRIES A FINE OF ONE THOUSAND DOLLARS RATHER THAN FIVE HUNDRED DOLLARS.

Read the first time and referred to the Committee on Judiciary.

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

Read the first time and referred to the Committee on Labor, Commerce and Industry.

H. 3598 -- Rep. Barfield: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR ANTHONY EUGENE “T. J.” JOHNSON FOR A STELLAR CAREER AT THE UNIVERSITY OF SOUTH CAROLINA BOTH AS AN OUTSTANDING ATHLETE ON THE GAMECOCK FOOTBALL TEAM AND AS AN EXEMPLARY STUDENT.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 3599 -- Reps. Hiott, Owens and Skelton: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RODDEY E. GETTYS III, THE FORMER CEO OF BAPTIST EASLEY HOSPITAL, UPON THE OCCASION OF HIS RETIREMENT AFTER FORTY-THREE YEARS OF OUTSTANDING SERVICE, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

The Concurrent Resolution was adopted, ordered returned to the House.

H. 3600 -- Rep. Allison: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND RACHEL BRYSON FOR HER OUTSTANDING COMMUNITY SERVICE AND TO CONGRATULATE HER UPON BEING NAMED A 2013 PRUDENTIAL SPIRIT OF COMMUNITY AWARD DISTINGUISHED FINALIST AND EXTEND BEST WISHES FOR HER CONTINUED SUCCESS AND HAPPINESS.

The Concurrent Resolution was adopted, ordered returned to the House.

**REPORTS OF STANDING COMMITTEES**

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

S. 64 -- Senator Scott: A CONCURRENT RESOLUTION TO CONGRATULATE HARRISON REARDEN FOR HIS MANY YEARS OF PUBLIC SERVICE AND REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF SOUTH CAROLINA HIGHWAY 277 AND FONTAINE ROAD IN RICHLAND COUNTY “HARRISON REARDEN INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “HARRISON REARDEN INTERCHANGE”.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Medical Affairs submitted a favorable with amendment report on:

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

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., February 21, 2013

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

LOCAL APPOINTMENT

Reappointment, Lexington County Master-in-Equity, with term to commence January 1, 2013, and to expire January 1, 2019:

James O. Spence, 6521 Edmund Highway, Lexington, SC 29073

Very respectfully,

Speaker of the House

Received as information.

**THE SENATE PROCEEDED TO A CALL OF THE UNCONTESTED LOCAL AND STATEWIDE CALENDAR.**

**THIRD READING BILLS**

The following Bills and Joint Resolutions were read the third time and ordered sent to the House of Representatives:

S. 223 -- Senator Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑108 TO PROVIDE THAT A PERSON MAY USE A FIREARM TO KILL OR ATTEMPT TO KILL ANY ANIMAL DURING ANY SEASON IN SELF‑DEFENSE, DEFENSE OF ANOTHER, OR DEFENSE OF DOMESTIC ANIMALS, TO PROVIDE THAT A PERSON WHO USES DEADLY FORCE AGAINST A BIG GAME ANIMAL OR ALLIGATOR MUST REPORT THE INCIDENT TO THE DEPARTMENT OF NATURAL RESOURCES, TO PROVIDE THAT CERTAIN ANIMAL CARCASSES TAKEN PURSUANT TO THIS SECTION MAY NOT BE RETAINED, AND TO PROVIDE A PENALTY FOR FAILURE TO REPORT THE INCIDENT OR SURRENDER THE CARCASS TO THE DEPARTMENT OF NATURAL RESOURCES.

**Recorded Vote**

Senator CLEARY desired to be recorded as voting in favor of the third reading of the Bill.

**Recorded Vote**

Senator SHANE MARTIN desired to be recorded as voting against the third reading of the Bill.

**S. 223--Recorded Vote**

Senator YOUNG desired to be recorded as voting in favor of the third reading of the Bill.

**Statement by Senator YOUNG**

I was out of the Chamber on a Leave of Absence at the time the vote was taken on this Bill on Thursday, February 21, 2013, and would have voted in favor of second reading of the Bill.

S. 221 -- Senator Hayes: A BILL TO AMEND SECTION 36‑4A‑108, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMMERCIAL CODE‑FUNDS TRANSFERS, SO AS TO MAKE THE CHAPTER APPLICABLE TO REMITTANCE TRANSFERS, UNLESS THE REMITTANCE TRANSFER IS AN ELECTRONIC FUND TRANSFER, AND TO PROVIDE THAT, IN THE EVENT THERE IS AN INCONSISTENCY BETWEEN THE APPLICABLE PROVISION OF THE CHAPTER AND THE APPLICABLE PROVISION OF THE ELECTRONIC FUND TRANSFER ACT, THE PROVISION OF THE ELECTRONIC FUND TRANSFER ACT GOVERNS.

**Recorded Vote**

Senator CLEARY desired to be recorded as voting in favor of the third reading of the Bill.

**S. 221--Recorded Vote**

Senator YOUNG desired to be recorded as voting in favor of the third reading of the Bill.

**Statement by Senator YOUNG**

I was out of the Chamber on a Leave of Absence at the time the vote was taken on this Bill on Thursday, February 21, 2013, and would have voted in favor of second reading of the Bill.

S. 323 -- Senator Hayes: A BILL TO AMEND THE OFFICIAL COMMENT TO SECTION 36‑9‑101, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CHAPTER TITLE “UNIFORM COMMERCIAL CODE ‑ SECURED TRANSACTIONS”, SO AS TO, INTER ALIA, IDENTIFY THE SPECIFIC VERSION OF THE UNITED STATES BANKRUPTCY CODE REFERENCED THROUGHOUT THE COMMENTS TO CHAPTER 9, TITLE 36; TO AMEND SECTION 36‑9‑102, RELATING TO THE DEFINITIONS APPLICABLE TO CHAPTER 9, TITLE 36, SO AS TO REVISE EXISTING OR PROVIDE NEW DEFINITIONS FOR CERTAIN TERMS, AND TO MAKE TECHNICAL CORRECTIONS; TO AMEND SECTION 36‑9‑105, RELATING TO THE CONTROL OF ELECTRONIC CHATTEL PAPER, SO AS TO CLARIFY THE CONDITIONS UNDER WHICH A SECURED PARTY IS DEEMED TO HAVE CONTROL OF ELECTRONIC CHATTEL PAPER; TO AMEND SECTION 36‑9‑307, RELATING TO THE DEBTOR’S LOCATION, SO AS TO INCLUDE PROVISIONS FOR DESIGNATING A MAIN OFFICE, HOME OFFICE, OR OTHER COMPATIBLE OFFICE; TO AMEND 36‑9‑311, RELATING TO THE PERFECTION OF SECURITY INTERESTS IN PROPERTY SUBJECT TO CERTAIN STATUTES, REGULATIONS, AND TREATIES, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 36‑9‑316, RELATING TO THE CONTINUED PERFECTION OF A SECURITY INTEREST FOLLOWING A CHANGE IN THE GOVERNING LAW, SO AS TO PROVIDE RULES THAT APPLY TO COLLATERAL TO WHICH A SECURITY INTEREST ATTACHES WITHIN FOUR MONTHS AFTER A DEBTOR CHANGES LOCATION; TO AMEND SECTION 36‑9‑317, RELATING TO THE PRIORITY OF INTERESTS, SO AS REVISE THE TERMINOLOGY OF CERTAIN TYPES OF INTERESTS AND PRIORITIES; TO AMEND SECTION 36‑9‑326, RELATING TO THE PRIORITY OF SECURITY INTERESTS CREATED BY A NEW DEBTOR, SO AS TO CLARIFY PROVISIONS REGARDING THE PERFECTION OF A SECURITY INTEREST; TO AMEND SECTION 36‑9‑406, RELATING TO THE DISCHARGE OF AN ACCOUNT DEBTOR, SO AS TO CLARIFY PROVISIONS REGARDING A SALE UNDER A DISPOSITION PURSUANT TO SECTION 36‑9‑610, OR AN ACCEPTANCE OF COLLATERAL PURSUANT TO SECTION 36‑9‑620; TO AMEND SECTION 36‑9‑408, RELATING TO RESTRICTIONS ON ASSIGNMENT OF PROMISSORY NOTES, SO AS TO CLARIFY PROVISIONS REGARDING A SALE UNDER A DISPOSITION PURSUANT TO SECTION 36‑9‑610, OR AN ACCEPTANCE OF COLLATERAL PURSUANT TO SECTION 36‑9‑620; TO AMEND SECTION 36‑9‑502, RELATING TO THE CONTENTS OF A FINANCING STATEMENT AND A RECORD OF MORTGAGE AS A FINANCING STATEMENT, SO AS TO CLARIFY PROVISIONS REGARDING THE NAME OF A DEBTOR ON A RECORD OF MORTGAGE AS A FINANCING STATEMENT; TO AMEND SECTION 36‑9‑503, RELATING TO THE NAME OF A DEBTOR AND SECURED PARTY, SO AS TO REVISE PROVISIONS REGARDING THE PROPER NAME OF A DEBTOR ON A FINANCING STATEMENT; TO AMEND SECTION 36‑9‑507, RELATING TO THE EFFECT OF CERTAIN EVENTS ON THE EFFECTIVENESS OF A FINANCING STATEMENT, SO AS TO REVISE PROVISIONS REGARDING THE SUFFICIENCY OF THE DEBTOR’S NAME; TO AMEND SECTION 36‑9‑515, RELATING TO THE DURATION AND EFFECTIVENESS OF A FINANCING STATEMENT, SO AS TO CLARIFY THE EFFECTIVENESS OF CERTAIN INITIALLY FILED FINANCING STATEMENTS; TO AMEND SECTION 36‑9‑516, AS AMENDED, RELATING TO WHAT CONSTITUTES FILING AND THE EFFECTIVENESS OF FILING, SO AS TO CLARIFY WHEN A DEBTOR IS AN INDIVIDUAL OR AN ORGANIZATION; TO AMEND 36‑9‑518, AS AMENDED, RELATING TO A CLAIM CONCERNING AN INACCURATE OR WRONGFULLY FILED RECORD, SO AS TO INCLUDE PROVISIONS REGARDING THE FILING OF AN INFORMATION STATEMENT; TO AMEND SECTION 36‑9‑521, REGARDING THE UNIFORM FORM OF A WRITTEN FINANCING STATEMENT AND AMENDMENT, SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 36‑9‑607, RELATING TO COLLECTION AND ENFORCEMENT BY A SECURED PARTY, SO AS TO REVISE PROVISIONS REGARDING THE SECURED PARTY’S SWORN AFFIDAVIT; BY ADDING PART 8 TO CHAPTER 9, TITLE 36, SO AS TO ENTITLE PART 8 AS “TRANSITION”; AND TO MAKE CORRESPONDING CHANGES TO APPROPRIATE OFFICIAL COMMENTS AS NECESSARY TO REFLECT THE CHANGES TO CHAPTER 9, TITLE 36.

**Recorded Vote**

Senator CLEARY desired to be recorded as voting in favor of the third reading of the Bill.

**S. 323--Recorded Vote**

Senator YOUNG desired to be recorded as voting in favor of the third reading of the Bill.

**Statement by Senator YOUNG**

I was out of the Chamber on a Leave of Absence at the time the vote was taken on this Bill on Thursday, February 21, 2013, and would have voted in favor of second reading of the Bill.

S. 397 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BUILDING CODES COUNCIL, RELATING TO DUTIES AND RESPONSIBILITIES OF DEPARTMENT AND MODULAR BUILDINGS CONSTRUCTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4226, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Recorded Vote**

Senator CLEARY desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**S. 397--Recorded Vote**

Senator YOUNG desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**Statement by Senator YOUNG**

I was out of the Chamber on a Leave of Absence at the time the vote was taken on this Joint Resolution on Thursday, February 21, 2013, and would have voted in favor of second reading of the Joint Resolution.

S. 398 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE MANUFACTURED HOUSING BOARD, RELATING TO BOARD AUTHORIZED TO MAKE INVESTIGATIONS AND DENY, SUSPEND, OR REVOKE LICENSES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4243, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Recorded Vote**

Senator CLEARY desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**S. 398--Recorded Vote**

Senator YOUNG desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**Statement by Senator YOUNG**

I was out of the Chamber on a Leave of Absence at the time the vote was taken on this Joint Resolutionon Thursday, February 21, 2013, and would have voted in favor of second reading of the Joint Resolution.

S. 399 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF EXAMINERS FOR THE LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, RELATING TO REQUIREMENTS OF LICENSURE FOR PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4231, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Recorded Vote**

Senator CLEARY desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**S. 399--Recorded Vote**

Senator YOUNG desired to be recorded as voting in favor of the third reading of the Joint Resolution.

**Statement by Senator YOUNG**

I was out of the Chamber on a Leave of Absence at the time the vote was taken on this Joint Resolutionon Thursday, February 21, 2013, and would have voted in favor of second reading of the Joint Resolution.

**READ THE SECOND TIME**

S. 418 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO SPECIFIC INFORMATION SERVICE SIGNING, DESIGNATED AS REGULATION DOCUMENT NUMBER 4312, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

The Senate proceeded to a consideration of the Resolution, the question being the second reading of the Joint Resolution.

Senator GROOMS explained the Joint Resolution.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 40; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campbell

Campsen Cleary Corbin

Courson Cromer Davis

Fair Ford Gregory

Grooms Hayes Hutto

Johnson Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

Matthews McElveen McGill

Nicholson O’Dell Peeler

Pinckney Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

The Joint Resolution was read the second time and ordered placed on the Third Reading Calendar.

**Statement by Senator MALLOY**

I was out of the Chamber at the time the vote was taken on S. 418. But, had I been here, I would have voted in favor of the second reading of the Bill.

**ADOPTED**

S. 369 -- Senators Lourie, Setzler and Cleary: A SENATE RESOLUTION TO DECLARE TUESDAY, APRIL 2, 2013, AS “AUTISM AWARENESS DAY” IN THE PALMETTO STATE AND TO ENCOURAGE ALL SOUTH CAROLINA CITIZENS TO SUPPORT INDIVIDUALS AND FAMILIES AFFECTED BY AUTISM.

The Senate Resolution was adopted.

**CARRIED OVER**

S. 261 -- Senators Leatherman, Setzler and Ford: A BILL TO AMEND SECTION 12‑6‑40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO JANUARY 2, 2013, AND TO DELETE AN INAPPLICABLE SUBITEM.

On motion of Senator HUTTO, the Bill was carried over.

**CARRIED OVER**

S. 6 -- Senator Peeler: A BILL TO AMEND SECTION 40‑11‑260, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FINANCIAL STATEMENTS AND NET WORTH REQUIREMENTS FOR GENERAL CONTRACTORS AND MECHANICAL CONTRACTORS, SO AS TO ADJUST THE NET WORTH REQUIREMENTS FOR LICENSURE AND LICENSE RENEWAL, AND TO DELETE OBSOLETE LANGUAGE.

On motion of Senator O’DELL, the Bill was carried over.

**CARRIED OVER**

S. 262 -- Senators Leatherman, Setzler and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 44 TO TITLE 11 SO AS TO ENACT THE “HIGH GROWTH SMALL BUSINESS JOB CREATION ACT OF 2013” BY PROVIDING FOR STATE NONREFUNDABLE INCOME TAX CREDITS FOR QUALIFIED INVESTMENTS IN BUSINESSES MEETING CERTAIN CRITERIA AND PRIMARILY ENGAGED IN MANUFACTURING, PROCESSING, WAREHOUSING, WHOLESALING, SOFTWARE DEVELOPMENT, INFORMATION TECHNOLOGY SERVICES, RESEARCH AND DEVELOPMENT, OR OTHER NONPROHIBITED SERVICES, TO ESTABLISH THE CRITERIA AND PROCEDURES FOR THE CREDIT, AND TO MAKE THE CREDIT TRANSFERABLE.

On motion of Senator O’DELL, the Bill was carried over.

**THE CALL OF THE UNCONTESTED CALENDAR HAVING BEEN COMPLETED, THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MADE SPECIAL ORDER**

S. 53 -- Senators Campsen, Hayes and Young: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, TO DELETE THE SUPERINTENDENT OF EDUCATION FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE SUPERINTENDENT OF EDUCATION MUST BE APPOINTED BY THE GOVERNOR, UPON THE ADVICE AND CONSENT OF THE SENATE, FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE SUPERINTENDENT OF EDUCATION SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION; AND PROPOSING AN AMENDMENT TO SECTION 1, ARTICLE XI, RELATING TO THE STATE BOARD OF EDUCATION, SO AS TO ABOLISH THE BOARD EFFECTIVE UPON THE STATE SUPERINTENDENT OF EDUCATION BEING APPOINTED BY THE GOVERNOR.

Senator PEELER moved that the Joint Resolution be made a Special Order.

The Joint Resolution was made a Special Order.

**MOTION ADOPTED**

On motion of Senator PEELER, the Senate agreed to dispense with the Motion Period.

Senator COURSON moved that the Senate stand adjourned.

The "ayes" and "nays" were demanded and taken, resulting as follows:

**Ayes 39; Nays 3**

**AYES**

Alexander Allen Bennett

Bryant Campbell Cleary

Coleman Courson Cromer

Davis Fair Ford

Gregory Hayes Hembree

Hutto Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Bright Corbin Grooms

**Total--3**

**ADJOURNMENT**

At 12:23 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

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