**Thursday, February 28, 2013**

**(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 prophet, Hosea, tells us about love that will not quit, and he concludes saying: “Those who are wise understand these things; those who are discerning know them.” (Hosea 14:9a)

Bow with me as we pray, if you will:

We are ever grateful, Blessed God, for Your unfailing love, even when, like Hosea of old, we are undeserving of it. We thank You, in particular, that You grant these Senators and staff members a full measure of that same love, dear Lord. What a difference it can make in the life of each one of Your servants here in this place. Continue to help them all to abide in Your care and to be sustained and encouraged as they wrestle with issues that can bring about major advances for all South Carolinians. In our Lord’s name we pray.

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:

**Statewide Appointment**

Reappointment, South Carolina State Ethics Commission, with the term to commence June 30, 2013, and to expire June 30, 2018

5th Congressional District:

Twana N. Burris-Alcide, 591 Lakeside Dr., Rock Hill, SC 29730

Referred to the Committee on Judiciary.

**Motion Adopted**

On motion of Senator COURSON, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**Doctor of the Day**

Senator TURNER introduced Dr. Robert Morgan, Jr. of Greenville, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator CLEARY, at 11:05 A.M., Senator CAMPBELL was granted a leave of absence for today.

**CO-SPONSORS ADDED**

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

S. 446 Sen. Larry Martin

S. 256 Sen. Corbin

S. 247 Sens. Cromer, Turner

S. 234 Sens. Johnson, McElveen

S. 137 Sen. Alexander

S. 308 Sen. Cromer

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 456 -- Senators Cleary and McGill: A SENATE RESOLUTION TO HONOR AND RECOGNIZE ALAN S. ALTMAN OF GEORGETOWN COUNTY FOR HIS MANY YEARS OF OUTSTANDING WORK IN HIS BELOVED PAWLEY’S ISLAND COMMUNITY.

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The Senate Resolution was adopted.

S. 457 -- Senators Bright, Grooms, Bryant, Williams, Reese, Shealy, Turner, S. Martin, Jackson, Bennett, Hayes, Gregory, Corbin, Hembree, Young, McGill, Massey, Fair and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 5 TO CHAPTER 1, TITLE 1, TO ENACT THE “PERSONHOOD ACT OF SOUTH CAROLINA” WHICH ESTABLISHES THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION, AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN BEING.

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Senator BRIGHT spoke on the Bill.

**Objection**

Senator SHANE MARTIN asked unanimous consent to make a motion that the Bill be placed on the Calendar without reference.

Senator PEELER objected.

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

S. 458 -- Senators Bright and Bryant: A JOINT RESOLUTION TO CREATE THE SELECT COMMITTEE ON BUDGET DEPENDENCE ON FEDERAL FUNDING TO EVALUATE THE EFFECTS OF REDUCTION IN OR ELIMINATION OF FEDERAL FUNDING ON THE STATE BUDGET DUE TO FEDERAL FISCAL POLICY.

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Senator BRIGHT spoke on the Resolution.

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

S. 459 -- Senator Sheheen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-55, SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON WHO HOLDS A BEGINNER’S PERMIT OR A RESTRICTED DRIVER’S LICENSE TO DRIVE A MOTOR VEHICLE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE; AND TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO DRIVE A MOTOR VEHICLE THROUGH A SCHOOL ZONE WHILE USING A CELLULAR TELEPHONE OR TEXT MESSAGING DEVICE WHEN THE SCHOOL ZONE’S WARNING LIGHTS HAVE BEEN ACTIVATED.

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

S. 460 -- Senator Hayes: A BILL TO AMEND SECTION 38-45-90, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DUTY OF DUE CARE THAT A SURPLUS LINES INSURANCE BROKER MUST EXERCISE WHEN PLACING BUSINESS WITH NONADMITTED INSURERS, SO AS TO EXEMPT THOSE BROKERS FROM THIS REQUIREMENT WHEN SEEKING TO PROCURE OR PLACE NONADMITTED INSURANCE FOR AN EXEMPT COMMERCIAL PURCHASER IN CERTAIN CIRCUMSTANCES.

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

S. 461 -- Senator Fair: A BILL TO AMEND SECTION 38-77-720, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATION AND FEES CONCERNING AUTOMOBILE INSURANCE PROPERTY DAMAGE LIABILITY CLAIMS ARBITRATION, SO AS TO INCREASE THE MAXIMUM AMOUNT OF COMPENSATION AND TO INCREASE CERTAIN FEES.

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

S. 462 -- Senator Hayes: A BILL TO AMEND SECTION 38-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OR SUSPENSION OF A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE BY AN INSURER, SO AS TO REVISE PROVISIONS CONCERNING A REVOCATION OF THE LICENSEE OF A HAZARDOUS INSURER; AND TO AMEND SECTION 38-90-160, AS AMENDED, RELATING TO THE EXEMPTION OF CAPTIVE INSURANCE COMPANIES FROM CERTAIN PROVISIONS OF TITLE 38, SO AS TO PROVIDE AN INDUSTRIAL INSURED CAPTIVE INSURANCE COMPANY IS SUBJECT TO CERTAIN REQUIREMENTS CONCERNING REPORTS FOR RISK-BASED CAPITAL, ACQUISITIONS DISCLOSURE, ASSET DISPOSITION, AND CEDED REINSURANCE AGREEMENTS, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY ELECT NOT TO TAKE REGULATORY ACTION CONCERNING RISK-BASED CAPITAL IN CERTAIN CIRCUMSTANCES.

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

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

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

S. 464 -- Senator Hayes: A BILL TO AMEND SECTION 38-77-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MANDATORY UNINSURED MOTORIST PROVISION FOR AUTOMOBILE INSURANCE POLICIES, SO AS TO INCREASE THE MINIMUM COVERAGE TO TWENTY-FIVE THOUSAND DOLLARS.

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

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

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

S. 466 -- Senator Setzler: A BILL TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REMOVAL OF OFFICERS BY THE GOVERNOR, SO AS TO ADD THE ADJUTANT GENERAL TO THE LIST OF OFFICERS OR ENTITIES THE GOVERNING BOARD OF WHICH MAY BE REMOVED BY THE GOVERNOR ONLY FOR CERTAIN REASONS CONSTITUTING CAUSE; TO AMEND SECTION 25-1-320, RELATING TO THE STATE ADJUTANT GENERAL, SO AS TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE 2014 GENERAL ELECTION, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY THAT FOLLOWS THE GENERAL ELECTION THAT MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS ACT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO ESTABLISH CERTAIN QUALIFICATIONS FOR THE OFFICE OF ADJUTANT GENERAL; TO AMEND SECTION 25-1-340, AS AMENDED, RELATING TO VACANCIES IN THE OFFICE OF ADJUTANT GENERAL, SO AS TO DELETE A REFERENCE TO THE ELIGIBILITY REQUIREMENTS OF CONSTITUTIONAL OFFICERS; AND TO PROVIDE THAT THE ABOVE PROVISIONS ARE EFFECTIVE UPON THE RATIFICATION OF AMENDMENTS TO SECTION 7, ARTICLE VI, AND SECTION 4, ARTICLE XIII OF THE CONSTITUTION OF THIS STATE DELETING THE REQUIREMENT THAT THE STATE ADJUTANT GENERAL BE ELECTED BY THE QUALIFIED ELECTORS OF THIS STATE.

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

S. 467 -- Senator Setzler: 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, SO AS TO DELETE THE ADJUTANT GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED; AND TO AMEND SECTION 4, ARTICLE XIII, RELATING TO THE ADJUTANT AND INSPECTOR GENERAL, SO AS TO DELETE AN OBSOLETE REFERENCE TO INSPECTOR GENERAL, TO MAKE A CONFORMING CHANGE TO THE RANK OF THE ADJUTANT GENERAL, TO PROVIDE THAT BEGINNING UPON THE EXPIRATION OF THE TERM OF THE ADJUTANT GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS AMENDMENT, THE ADJUTANT GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A FOUR-YEAR TERM COMMENCING ON THE FIRST WEDNESDAY FOLLOWING THE SECOND TUESDAY IN JANUARY FOLLOWING THE GENERAL ELECTION, WHICH MARKS THE MIDTERM OF THE GOVERNOR, EXCEPT THAT THE INITIAL TERM OF THE FIRST ADJUTANT GENERAL APPOINTED PURSUANT TO THIS AMENDMENT MUST BE FOR TWO YEARS SO AS TO ALLOW SUBSEQUENT TERMS TO BE STAGGERED WITH THAT OF THE GOVERNOR, AND TO PROVIDE THAT THE GENERAL ASSEMBLY SHALL PROVIDE BY LAW FOR THE DUTIES, COMPENSATION, AND QUALIFICATIONS FOR THE OFFICE, THE PROCEDURES BY WHICH THE APPOINTMENT IS MADE, AND THE PROCEDURES BY WHICH THE ADJUTANT GENERAL MAY BE REMOVED FROM OFFICE.

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

S. 468 -- Senator Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-3-700 SO AS TO DEFINE THE TERMS “FOREIGN DEFAMATION ACTION” AND “FOREIGN DEFAMATION JUDGMENT”, TO EXPAND PROTECTIONS FOR CITIZENS AGAINST FOREIGN DEFAMATION JUDGMENTS BY PROVIDING FOR DECLARATORY AND INJUNCTIVE RELIEF, AND TO FURTHER LIMIT THE RECOGNITION AFFORDED TO THESE FOREIGN JUDGMENTS.

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

S. 469 -- Senator Coleman: A BILL TO AMEND SECTION 58-17-4080, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OBSTRUCTION OF A HIGHWAY BY A RAILROAD CAR, LOCOMOTIVE, OR OTHER OBJECT, SO AS TO PROVIDE THAT THE OBSTRUCTION IS A MISDEMEANOR, TO INCREASE FINES, TO REMOVE CERTAIN NOTICE REQUIREMENTS, AND TO PROVIDE THAT EVERY TWO HOURS OF OBSTRUCTION IS DEEMED AN ADDITIONAL OFFENSE.

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

S. 470 -- Senator Peeler: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE THE GAFFNEY HIGH SCHOOL FOOTBALL TEAM ON ITS FINE SEASON AND IMPRESSIVE WIN OF THE 2012 CLASS AAAA DIVISION I STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 471 -- Senators L. Martin, Sheheen, Hembree, McGill, Reese, Cleary, Fair, Ford, Nicholson, Alexander, O'Dell, S. Martin, Campbell, Setzler, Bryant, Hayes, Williams, Cromer and Scott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-13-131 SO AS TO CREATE AN OFFENSE RELATING TO STEALING GOODS OR MERCHANDISE FROM A MERCHANT BY AFFIXING A PRODUCT CODE AND TO PROVIDE A PENALTY; BY ADDING SECTION 16-13-135 SO AS TO DEFINE NECESSARY TERMS, CREATE AN OFFENSE RELATING TO RETAIL THEFT, AND TO PROVIDE A PENALTY; TO AMEND SECTION 16-13-440, RELATING TO THE USE OF A FALSE OR FICTITIOUS NAME OR ADDRESS TO OBTAIN A REFUND FROM A BUSINESS ESTABLISHMENT FOR MERCHANDISE, SO AS TO INCLUDE USING A FALSE OR ALTERED IDENTIFICATION CARD TO COMMIT CERTAIN RETAIL THEFT OFFENSES; TO AMEND SECTION 16-13-180, AS AMENDED, RELATING TO RECEIVING STOLEN GOODS, SO AS TO INCLUDE RECEIVING OR POSSESSING STOLEN GOODS WHEN THE PERSON IS ON NOTICE BY LAW ENFORCEMENT THAT THE GOODS ARE STOLEN; TO AMEND SECTION 17-25-323, RELATING TO DEFAULT ON COURT-ORDERED PAYMENTS INCLUDING RESTITUTION BY PERSONS ON PROBATION OR PAROLE AND CIVIL JUDGMENTS AND LIENS, SO AS TO INCLUDE DEFENDANTS WHO DEFAULT ON THE VARIOUS MAGISTRATES COURT OR MUNICIPAL COURT-ORDERED PAYMENTS INCLUDING RESTITUTION IN THE PURVIEW OF THE STATUTE AND TO PROVIDE THAT A FILING FEE OR OTHER FEE MAY NOT BE REQUIRED WHEN SEEKING A CIVIL JUDGMENT; TO AMEND SECTION 14-25-65, AS AMENDED, RELATING TO PENALTIES THE MAGISTRATES COURT MAY IMPOSE, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT; AND TO AMEND SECTION 22-3-550, AS AMENDED, RELATING TO THE JURISDICTION OF THE MAGISTRATES COURT OVER MINOR OFFENSES, RESTITUTION, AND CONTEMPT, SO AS TO ALLOW A MAGISTRATE TO CONVERT CERTAIN UNPAID COURT-ORDERED PAYMENTS TO A CIVIL JUDGMENT AND TO INCLUDE VIOLATIONS OF SECTIONS 16-13-180 AND 16-13-440 IN THOSE OFFENSES FOR WHICH A MAGISTRATE HAS THE POWER TO SENTENCE A PERSON TO CONSECUTIVE TERMS OF IMPRISONMENT TOTALING MORE THAN NINETY DAYS.

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

S. 472 -- Senators Campsen, Gregory, S. Martin, Shealy, Massey, Thurmond, Bright, Bryant, Davis, Turner, Young, Alexander, Grooms, Verdin, Hayes, Corbin, Bennett, Hembree and Fair: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, TO ENACT THE “STUDENT ASSOCIATION FREEDOM OF RELIGION ACT”, BY ADDING SECTION 59-1-436 TO PROVIDE FOR DEFINITIONS RELATED TO THE ACT, AND THAT NO PUBLIC INSTITUTION OF HIGHER LEARNING SHALL TAKE ANY ACTION OR ENFORCE ANY POLICY THAT WOULD DENY A RELIGIOUS STUDENT ASSOCIATION ANY BENEFIT AVAILABLE TO ANY OTHER STUDENT ASSOCIATION BASED ON THE RELIGIOUS STUDENT ASSOCIATION’S REQUIREMENT THAT ITS LEADERS OR MEMBERS ADHERE TO ITS SINCERELY HELD RELIGIOUS BELIEFS OR STANDARDS OF CONDUCT.

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Read the first time and, on motion of Senator CAMPSEN, with unanimous consent, the Bill was referred to the Committee on Judiciary.

H. 3011 -- Reps. Whitmire, Long, Gilliard and Williams: A BILL TO AMEND SECTION 53-3-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF PURPLE HEART DAY IN SOUTH CAROLINA, SO AS TO MOVE THE DAY FROM THE THIRD SATURDAY IN FEBRUARY TO THE SEVENTH DAY OF AUGUST IN ORDER TO COINCIDE WITH THE DATE GENERAL GEORGE WASHINGTON ORIGINALLY AUTHORIZED THE AWARD.

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

H. 3161 -- Reps. Spires and Toole: A BILL TO AMEND SECTION 40-43-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN THE SOUTH CAROLINA PHARMACY PRACTICE ACT, SO AS TO DEFINE ADDITIONAL TERMS; TO AMEND SECTION 40-43-86, RELATING TO COMPOUNDING PHARMACIES, SO AS TO REVISE MINIMUM GOOD COMPOUNDING PRACTICES, TO PROVIDE A PHARMACIST MUST PERFORM A FINAL CHECK ON A PRODUCT COMPOUNDED BY A PHARMACY TECHNICIAN, TO MODIFY REQUIREMENTS FOR AN AREA USED FOR COMPOUNDING IN A PHARMACY, TO PROVIDE PHARMACISTS SHALL ENSURE CERTAIN EXPECTED FEATURES OF INGREDIENTS USED IN A FORMULATION, TO PROVIDE A MEANS FOR DETERMINING THE MAXIMUM BEYOND-USE DATE OF AN EXCESS AMOUNT OF A SPECIFIC COMPOUND IN CERTAIN CIRCUMSTANCES, TO REQUIRE CERTAIN WRITTEN POLICIES AND PROCEDURES APPLICABLE TO A COMPOUNDING AREA, AND TO PROVIDE THAT MATERIAL DATA SAFETY MUST BE READILY ACCESSIBLE TO PHARMACY PERSONNEL WHO WORK WITH DRUG SUBSTANCES OR BULK CHEMICALS, AND TO DELETE OBSOLETE LANGUAGE; AND TO AMEND SECTION 40-43-88, RELATING TO THE HANDLING OF STERILE PRODUCTS BY PHARMACIES, SO AS TO REVISE ASSOCIATED STANDARDS AND TO BROADEN THE APPLICATION OF THESE STANDARDS TO INCLUDE OTHER FACILITIES PERMITTED BY THE BOARD, AMONG OTHER THINGS.

Read the first time and referred to the Committee on Medical Affairs.

H. 3298 -- Reps. Lucas, Delleney, Ballentine, Brannon, Clemmons, Hixon, Huggins, Long, McCoy, Murphy, Nanney, Pitts, Sottile, Thayer, Harrell, Bales, Loftis and Kennedy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7-13-46 SO AS TO IMPOSE REQUIREMENTS REGARDING THE ACKNOWLEDGMENT OF STATEMENTS OF CANDIDACY AND PUBLICATION OF FILING PERIODS; BY ADDING SECTION 8-13-1115 SO AS TO REQUIRE STATEMENTS OF ECONOMIC INTERESTS TO BE FILED ONLINE NO LATER THAN APRIL FIFTEENTH FOR ALL CANDIDATES; TO AMEND SECTION 7-11-10, AS AMENDED, RELATING TO METHODS OF NOMINATING CANDIDATES, SO AS TO DELETE REFERENCES TO POLITICAL PARTY CONVENTION; TO AMEND SECTION 7-11-15, AS AMENDED, RELATING TO QUALIFICATIONS TO RUN AS A CANDIDATE IN A GENERAL ELECTION, SO AS TO REVISE THE PROCEDURES FOR FILING STATEMENTS OF INTENTION OF CANDIDACY TO BE FILED WITH THE COUNTY BOARDS OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-11-210, AS AMENDED, RELATING TO THE NOTICE OF CANDIDACY AND PLEDGE, SO AS TO REVISE THE PROCEDURES FOR NOTICE SUBMISSIONS, CANDIDATE SIGNATURES, AND OFFICER ACKNOWLEDGMENTS; TO AMEND SECTION 7-13-40, AS AMENDED, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES’ QUALIFICATIONS, AND THE FILING FEE, SO AS TO REVISE THE PROCEDURES FOR CERTIFYING AND COMPILING THE NAMES OF CANDIDATES TO BE PLACED ON PRIMARY BALLOTS; TO AMEND SECTION 7-27-110, RELATING TO THE APPOINTMENT OF MEMBERS OF BOARDS AND COMMISSIONS, SO AS TO PROVIDE THAT ALL COUNTIES MUST HAVE A SINGLE BOARD OF REGISTRATION AND ELECTIONS; TO AMEND SECTION 7-27-260, RELATING TO THE CHEROKEE COUNTY ELECTION COMMISSION AND THE CHEROKEE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-290, RELATING TO THE DILLON COUNTY ELECTION COMMISSION AND THE DILLON COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-320, RELATING TO THE GREENVILLE COUNTY ELECTION COMMISSION AND THE GREENVILLE COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-325, RELATING TO THE GREENWOOD COUNTY ELECTION COMMISSION AND THE GREENWOOD COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-335, RELATING TO THE HORRY COUNTY ELECTION COMMISSION AND THE HORRY COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-415, RELATING TO THE SPARTANBURG COUNTY ELECTION COMMISSION AND THE SPARTANBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 7-27-430, RELATING TO THE WILLIAMSBURG COUNTY ELECTION COMMISSION AND THE WILLIAMSBURG COUNTY BOARD OF REGISTRATION, SO AS TO COMBINE THE BODIES INTO A SINGLE ENTITY; TO AMEND SECTION 8-13-365, AS AMENDED, RELATING TO ELECTRONIC FILING OF CAMPAIGN DISCLOSURES AND REPORTS, SO AS TO PROVIDE THAT A DISCLOSURE FORM FILED PURSUANT TO THIS SECTION IS DEEMED TO SATISFY ANY OTHER FILING REQUIREMENT MANDATED BY LAW; TO AMEND SECTION 8-13-1110, AS AMENDED, RELATING TO PERSONS REQUIRED TO FILE STATEMENTS OF ECONOMIC INTERESTS, SO AS TO REQUIRE THE STATE ETHICS COMMISSION TO FURNISH A WEBSITE ON WHICH ALL STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE AND TO DESIGNATE AN ANNUAL DEADLINE BY WHICH STATEMENTS OF ECONOMIC INTERESTS ARE TO BE FILED ONLINE; TO REPEAL SECTION 7-11-30, RELATING TO CONVENTION NOMINATION OF CANDIDATES; AND TO REPEAL SECTION 7-11-220, RELATING TO NOTICE OR PLEDGE BY CANDIDATES FOR STATE SENATOR.

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

H. 3356 -- Reps. Williams, J. E. Smith, Dillard, Robinson-Simpson, Wood, Gilliard and Anderson: A BILL TO AMEND SECTION 25-1-350, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL POWERS AND DUTIES OF THE ADJUTANT GENERAL, SO AS TO REQUIRE THE ADJUTANT GENERAL TO SUBMIT AN ANNUAL REPORT TO THE GENERAL ASSEMBLY.

Read the first time and referred to the General Committee.

H. 3411 -- Reps. R. L. Brown, G. A. Brown, Cobb-Hunter, Mitchell, Neal, Weeks, Whipper, Williams and Gilliard: A BILL TO AMEND SECTION 40-7-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “HAIR BRAIDING” ASSOCIATED WITH THE LICENSURE AND REGULATION OF BARBERS, SO AS TO PERMIT THE USE OF HAIR EXTENSIONS IN HAIR BRAIDING, EXCEPT IN PUBLIC PLACES.

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

H. 3412 -- Reps. Harrell, Lucas, Clemmons, Herbkersman, Loftis, Barfield, Huggins, Bowen, K. R. Crawford, Allison, Merrill, Ballentine, McCoy, Wood, Erickson, Putnam, Bannister, Branham, Taylor, Limehouse, Southard, Atwater, Bingham, Brannon, Chumley, Cole, Crosby, Daning, Delleney, Gagnon, Gambrell, Goldfinch, Henderson, Hiott, Hixon, Kennedy, Lowe, D. C. Moss, V. S. Moss, Murphy, Newton, Owens, Patrick, Pitts, Pope, Rivers, Ryhal, Sandifer, G. M. Smith, G. R. Smith, J. R. Smith, Sottile, Spires, Stringer, Tallon, Thayer, Toole, White, Whitmire, Willis, Hardwick, Quinn, Hamilton, Forrester and Edge: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2647 SO AS TO PROVIDE THAT THE SALES, USE, AND CASUAL EXCISE TAX REVENUES IN A FISCAL YEAR FROM THE SALE, USE, OR TITLING OF A VEHICLE REQUIRED TO BE REGISTERED AND LICENSED BY THE SOUTH CAROLINA DEPARTMENT OF MOTOR VEHICLES MUST BE CREDITED TO THE STATE NON-FEDERAL AID HIGHWAY FUND, AND TO PROVIDE FOR THE USE OF THESE REVENUES.

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

H. 3472 -- Reps. Owens, Harrell, Patrick, Gambrell, Taylor, Wells, Anthony, Mitchell, Cobb-Hunter, Allison, Pitts, Daning, Wood and Southard: A BILL TO AMEND SECTION 59-40-210, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONVERSION OF A PRIVATE SCHOOL TO A CHARTER SCHOOL AND THE REQUIREMENT THAT THE CONVERTED PRIVATE SCHOOL NOT BE ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS, SO AS TO PROVIDE THAT THE PROHIBITION AGAINST THE CONVERTED PRIVATE SCHOOL BEING ALLOWED TO OPEN AS A CHARTER SCHOOL FOR A PERIOD OF TWELVE MONTHS DOES NOT APPLY UNDER SPECIFIED CONDITIONS IF THE ENROLLMENT OF THE CONVERTED PRIVATE SCHOOL FOR THE MOST RECENTLY COMPLETED SCHOOL TERM BEFORE THE DATE OF THE PROPOSED CONVERSION REFLECTS THE RACIAL COMPOSITION OF THE LOCAL SCHOOL DISTRICT IN WHICH THE CONVERTED PRIVATE SCHOOL IS LOCATED.

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

H. 3501 -- Reps. White, Simrill, Merrill, Limehouse, J. R. Smith, Bingham and Pitts: A JOINT RESOLUTION TO PROVIDE THAT THE PROVISIONS OF SECTION 6-27-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON AMENDING OR REPEALING PROVISIONS IN THE STATE AID TO SUBDIVISIONS ACT ARE SUSPENDED FOR FISCAL YEARS 2013-2014 AND 2014-2015, AND TO PROVIDE THAT FOR THOSE FISCAL YEARS COUNTIES MAY TRANSFER AMONG APPROPRIATED STATE REVENUES AS NEEDED TO ENSURE THE DELIVERY OF SERVICES.

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

H. 3578 -- Reps. Gilliard, Anderson, Williams, Mitchell, Dillard, Hodges, King, Govan, Robinson-Simpson, Jefferson, M. S. McLeod, Howard and Mack: A CONCURRENT RESOLUTION MEMORIALIZING THE UNITED STATES DEPARTMENT OF TRANSPORTATION AND ITS COMPONENT FEDERAL HIGHWAY ADMINISTRATION TO TAKE A LEADING ROLE IN ORGANIZING AND PROVIDING REGULAR PUBLIC FERRY SERVICE TO SANDY ISLAND IN GEORGETOWN COUNTY.

The Concurrent Resolution was introduced and referred to the Committee on Transportation.

H. 3583 -- Reps. Putnam and Gagnon: A CONCURRENT RESOLUTION TO EXPRESS THE WILL OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA NOT TO PURSUE ANY INCENTIVES THAT MAY BE PROVIDED BY FEDERAL LAW OR THROUGH AN EXECUTIVE ORDER BY THE PRESIDENT OF THE UNITED STATES WHICH MAY INFRINGE UPON THE SECOND AMENDMENT’S RIGHT TO BEAR ARMS OF SOUTH CAROLINA CITIZENS THROUGH PARTICIPATION IN PROPOSED UNIVERSAL BACKGROUND CHECKS TO FURTHER RESTRICT THE PURCHASE OR OWNERSHIP OF GUNS OR OTHER FIREARMS BEYOND THAT WHICH IS ALREADY PROVIDED BY STATE LAW.

The Concurrent Resolution was introduced and referred to the Committee on Judiciary.

H. 3586 -- Rep. George: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE MULLINS NATIONAL GUARD ARMORY TO THE CITY OF MULLINS.

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

H. 3603 -- Reps. Goldfinch, Anderson and H. A. Crawford: A CONCURRENT RESOLUTION TO MEMORIALIZE THE SOUTH CAROLINA CONGRESSIONAL DELEGATION TO SUPPORT H.R. 355 AND S. 218 TO ENSURE THAT HARBOR MAINTENANCE TRUST FUND REVENUES ARE APPROPRIATED IN AN AMOUNT EQUAL TO REVENUE COLLECTED, AND USED FOR ITS INTENDED PURPOSE OF DREDGING AND MAINTAINING OUR NATION’S WATERWAYS.

The Concurrent Resolution was introduced and referred to the Committee on Finance.

H. 3615 -- Reps. Goldfinch and Hardwick: A CONCURRENT RESOLUTION TO MEMORIALIZE THE UNITED STATES CONGRESS TO ENACT LEGISLATION THAT GIVES THE STATE OF SOUTH CAROLINA AUTHORITY TO MANAGE ITS STOCK OF BLACK SEA BASS (CENTROPRISTIS STRIATA) IN BOTH STATE AND FEDERAL WATERS.

The Concurrent Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 3637 -- Rep. Barfield: A CONCURRENT RESOLUTION TO HONOR THE COASTAL CAROLINA UNIVERSITY WOMEN'S INDOOR TRACK AND FIELD TEAM ON WINNING THE 2013 BIG SOUTH TOURNAMENT CHAMPIONSHIP TITLE AND TO SALUTE THE TEAM’S OUTSTANDING PLAYERS AND COACHES.

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

H. 3714 -- Rep. Delleney: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO BOYS STATE TO USE THE CHAMBERS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON FRIDAY, JUNE 14, 2013, FROM 11:30 A.M. TO 1:00 P.M. FOR ITS ANNUAL STATE HOUSE MEETING.

The Concurrent Resolution was introduced and referred to the Committee on Invitations.

H. 3720 -- Reps. Gagnon and Gambrell: A CONCURRENT RESOLUTION TO CONGRATULATE THE SAGE AUTOMOTIVE INTERIORS SHARON PLANT IN ABBEVILLE ON RECEIVING THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION'S “MILLIONS SAFE WORKED HOURS” AWARD.

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

**HOUSE CONCURRENCE**

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”.

Returned with concurrence.

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. 127 -- Senators Alexander and Ford: A BILL TO AMEND 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.

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.

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.

S. 352 -- Senators Massey and Nicholson: A BILL TO AMEND SECTION 7‑7‑390, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN MCCORMICK COUNTY, SO AS TO ADD THE “MONTICELLO” PRECINCT, TO DESIGNATE A MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE OFFICE OF RESEARCH AND STATISTICS OF THE STATE BUDGET AND CONTROL BOARD, AND TO CORRECT ARCHAIC LANGUAGE.

**READ THE SECOND TIME**

S. 449 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEASONS, LIMITS, METHODS OF TAKE AND SPECIAL USE RESTRICTIONS ON WILDLIFE MANAGEMENT AREAS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4297, 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 CAMPSEN explained the Joint Resolution.

The question then was second reading of the Joint Resolution.

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

**Ayes 41; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Ford Gregory

Grooms Hayes Hembree

Jackson Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Reese Scott

Setzler Shealy Sheheen

Thurmond Turner Verdin

Williams Young

**Total--41**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 303 -- Senator Campsen: A BILL TO AMEND SECTION 12‑37‑220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCLUDE CERTAIN TRUSTS IN EXEMPTING PROPERTY USED FOR THE HOLDING OF ITS MEETINGS WHEN NO PROFIT OR BENEFIT INURES TO THE BENEFIT OF ANY STOCKHOLDER OR INDIVIDUAL; AND TO AMEND SECTION 12‑24‑40, AS AMENDED, RELATING TO EXEMPTIONS FROM DEED RECORDING FEES, SO AS TO EXEMPT TRANSFERS FROM A TRUST ESTABLISHED FOR THE BENEFIT OF A RELIGIOUS ORGANIZATION TO THE RELIGIOUS ORGANIZATION.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Finance.

The Committee on Finance proposed the following amendment (NL\303C001.NL.DG13), which was adopted:

Amend the bill, as and if amended, SECTION 1, page 2, by striking line 28 and inserting:

/ collection.

(d) To qualify for the exemption allowed by this item, a trust must be a trust that is established solely for the benefit of a religious organization.” /

Renumber sections to conform.

Amend title to conform.

Senator HAYES explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campsen Cleary

Coleman Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Young

**Total--38**

**NAYS**

**Total--0**

There being no further amendments, the Bill was read the second time, passed and ordered to a third reading.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 351 -- Senator O’Dell: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE BELTON NATIONAL GUARD ARMORY TO THE CITY OF BELTON.

The Senate proceeded to a consideration of the Joint Resolution, the question being the adoption of the amendment proposed by the Committee on Finance.

The Committee on Finance proposed the following amendment (NL\351C001.NL.DG13), which was adopted:

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

/ SECTION 2. This joint resolution takes effect October 1, 2013. /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted.

The question then was second reading of the Joint Resolution.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Johnson

Leatherman Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Young

**Total--38**

**NAYS**

**Total--0**

There being no further amendments, the Joint Resolution was read the second time, passed and ordered to a third reading.

**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 ALEXANDER, the Bill was carried over.

S. 10 -- Senators L. Martin and Fair: A JOINT RESOLUTION TO AUTHORIZE SCHOOL TRUSTEES OF A SCHOOL DISTRICT, IN FISCAL YEAR 2012‑2013, TO SELL OR LEASE SCHOOL PROPERTY, REAL OR PERSONAL, IN THE SCHOOL DISTRICT AT ANY TIME THEY DEEM IT EXPEDIENT TO DO SO AND APPLY THE PROCEEDS OF THE SALE OR LEASE TO THE SCHOOL FUND OF THE DISTRICT.

Senator HAYES explained the Joint Resolution.

On motion of Senator ALEXANDER, the Joint Resolution was carried over.

S. 146 -- Senator Fair: A BILL TO AMEND CHAPTER 1, TITLE 24, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF CORRECTIONS, SO AS TO DEVOLVE ITS DUTIES, FUNCTIONS, AND RESPONSIBILITIES UPON THE DEPARTMENT OF COMMUNITY AND INSTITUTIONAL CORRECTIONS; BY ADDING CHAPTER 2 TO TITLE 24 SO AS TO ESTABLISH THE SOUTH CAROLINA DEPARTMENT OF COMMUNITY AND INSTITUTIONAL CORRECTIONS; TO AMEND SECTION 24‑19‑10, AS AMENDED, 24‑19‑20, 24‑19‑30, 24‑19‑40, 24‑19‑50, 24‑19‑60, 24‑19‑110, AS AMENDED, AND 24‑19‑160, RELATING TO THE CORRECTION AND TREATMENT OF YOUTHFUL OFFENDERS, SO AS TO SUBSTITUTE THE TERM “DEPARTMENT OF CORRECTIONS” FOR THE TERM “DEPARTMENT OF COMMUNITY AND INSTITUTIONAL CORRECTIONS”, TO SUBSTITUTE THE TERM “YOUTHFUL OFFENDER DIVISION” FOR THE TERM “YOUTHFUL OFFENDER PAROLE AND REENTRY SERVICES DIVISION, TO DELETE THE TERM “TREATMENT” AND ITS DEFINITION, TO PROVIDE A DEFINITION FOR THE TERM “CRIMINOGENIC RISKS AND NEEDS”, TO PROVIDE THAT THE DIVISION OF YOUTHFUL OFFENDER PAROLE AND REENTRY SERVICES SHALL CONSIDER ITS CLIENTS CRIMINOGENIC RISKS AND TO REVISE THE PROVISIONS RELATING TO THE HOUSING AND TREATMENT OF YOUTHFUL OFFENDERS, TO SUBSTITUTE THE TERM “DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES” FOR THE TERM “DEPARTMENT OF COMMUNITY AND INSTITUTIONAL CORRECTIONS”, TO MAKE TECHNICAL CHANGES, AND TO SUBSTITUTE THE TERM “PROBATION, PAROLE, AND PARDON SERVICES BOARD” FOR THE TERM “PAROLE AND PARDON SERVICES BOARD”; AND TO AMEND CHAPTER 21, TITLE 24, RELATING TO THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO DEVOLVE ITS DUTIES, FUNCTIONS, AND RESPONSIBILITIES UPON THE DEPARTMENT OF COMMUNITY AND INSTITUTIONAL CORRECTIONS, TO REVISE THE DEFINITION OF THE TERM “HEARING OFFICER”, TO SUBSTITUTE THE TERM “BOARD OF PROBATION, PAROLE AND PARDON SERVICES” FOR THE TERM “BOARD OF PAROLE AND PARDON SERVICES”, TO REVISE THE BOARD’S DUTIES, AND TO PROVIDE THAT CERTAIN YOUTHFUL OFFENDERS SHALL NOT BE REQUIRED TO PAY SUPERVISION FEES.

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

S. 294 -- Senator Cleary: A BILL TO AMEND SECTION 6‑4‑10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXPENDITURE OF LOCAL ACCOMMODATION TAX REVENUES, SO AS TO CLARIFY THAT IN CERTAIN SITUATIONS, FUNDS MAY BE USED FOR BEACH RENOURISHMENT, AND TO ALLOW A MUNICIPALITY OR COUNTY, IN CERTAIN SITUATIONS, UPON A TWO‑THIRDS VOTE OF THE MEMBERSHIP OF THE LOCAL GOVERNING BODY, TO HOLD THE FUNDS FOR MORE THAN TWO YEARS IF THE FUNDS ARE DESIGNATED FOR THE CONTROL AND REPAIR OF WATERFRONT EROSION, INCLUDING BEACH RENOURISHMENT.

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

**OBJECTION**

S. 237 -- Senators Shealy, Setzler, Courson, Turner, Cromer, Massey and Young: A BILL TO AMEND SECTION 10‑1‑161 OF THE 1976 CODE, RELATING TO STATE CAPITOL BUILDING FLAGS FLOWN AT HALF‑STAFF, TO PROVIDE THAT FLAGS ATOP THE STATE CAPITOL BUILDING MUST BE LOWERED TO HALF‑STAFF FOR MEMBERS OF THE UNITED STATES MILITARY SERVICES, WHO WERE RESIDENTS OF THIS STATE AND WHO LOST THEIR LIVES IN THE LINE OF DUTY, ON THE DAY WHEN THEIR NAMES ARE RELEASED TO THE GENERAL PUBLIC, AND THE FLAGS SHALL REMAIN AT HALF‑STAFF UNTIL AT LEAST DAWN THE SECOND DAY AFTER FUNERAL SERVICES ARE CONDUCTED.

Senator HUTTO objected to the Bill.

**POINT OF ORDER**

S. 234 -- Senators Coleman, Johnson and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 67 TO TITLE 12 SO AS TO ENACT THE “SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT” WHICH PROVIDES THAT A TAXPAYER MAKING INVESTMENTS OF A CERTAIN SIZE IN REHABILITATING AN ABANDONED BUILDING MAY AT HIS OPTION RECEIVE SPECIFIED INCOME TAX CREDITS OR CREDITS AGAINST THE PROPERTY TAX LIABILITY.

**Point of Order**

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.

**POINT OF ORDER**

H. 3453 -- Reps. Bingham, Allison, Anthony, Hayes and Atwater: A JOINT RESOLUTION TO REQUIRE LOCAL SCHOOL DISTRICTS TO DECIDE AND NOTIFY TEACHERS OF THEIR EMPLOYMENT FOR THE 2013‑2014 SCHOOL YEAR BY MAY 15, 2013; TO PROVIDE THAT A CONTINUING‑CONTRACT TEACHER WHO IS BEING RECOMMENDED FOR FORMAL EVALUATION THE FOLLOWING SCHOOL YEAR MUST BE NOTIFIED IN WRITING ON OR BEFORE THE DATE THE SCHOOL DISTRICT ISSUES THE WRITTEN OFFER OF EMPLOYMENT OR REEMPLOYMENT; TO REQUIRE TEACHERS WHO ARE REEMPLOYED BY WRITTEN NOTIFICATION TO NOTIFY THE DISTRICT BOARD OF THEIR ACCEPTANCE WITHIN TEN DAYS OF RECEIPT OF WRITTEN NOTIFICATION OF EMPLOYMENT; AND TO ALLOW DISTRICTS TO UNIFORMLY NEGOTIATE SALARIES OF CERTAIN RETIRED TEACHERS BELOW THE DISTRICT SALARY SCHEDULE.

**Point of Order**

Senator SHANE MARTIN raised a Point of Order under Rule 39 that the Joint Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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

**MOTION FOR SPECIAL ORDER FAILED**

S. 308 -- Senators Bennett, Shealy, Grooms, Hembree, L. Martin, Massey, Campbell, Turner, Thurmond, Bryant, Verdin, S. Martin, Davis, Bright, Corbin, Campsen, Fair and Cromer: A BILL TO AMEND SECTION 16‑23‑465 OF THE 1976 CODE, RELATING TO THE CARRYING OF A CONCEALED WEAPON IN A BUSINESS THAT SELLS ALCOHOL TO BE CONSUMED ON THE PREMISES, TO PERMIT THE POSSESSION OF A WEAPON UNLESS NOTICE OF A PROHIBITION IS PROVIDED BY THE BUSINESS, TO PROHIBIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A BUSINESS BY SOMEONE CARRYING A FIREARM, AND TO REDUCE THE PENALTIES FOR VIOLATIONS.

Senator PEELER moved that the Bill be made a Special Order.

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

**Ayes 26; Nays 15**

**AYES**

Alexander Bennett Bright

Bryant Campsen Cleary

Corbin Courson Cromer

Davis Fair Gregory

Grooms Hayes Hembree

Leatherman *Martin, Larry Martin, Shane*

Massey O'Dell Peeler

Shealy Thurmond Turner

Verdin Young

**Total--26**

**NAYS**

Allen Coleman Ford

Jackson Johnson Lourie

Malloy McElveen McGill

Nicholson Reese Scott

Setzler Sheheen Williams

**Total--15**

Having failed to receive the necessary vote, the motion to make the Bill a Special Order failed.

**MOTION ADOPTED**

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

**Expression of Personal Interest**

Senator CLEARY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator FORD rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator CAMPSEN rose for an Expression of Personal Interest.

**Point of Order**

Senator LEATHERMAN raised a Point of Order under Rule 13 that the time limitation for an Expression of Personal Interest was five minutes.

The PRESIDENT sustained the Point of Order.

**THE SENATE PROCEEDED TO THE SPECIAL ORDERS.**

**READ THE THIRD TIME, SENT TO THE HOUSE**

S. 137 -- Senators Lourie, L. Martin, Hayes, Fair, Davis, Ford, Cromer, Grooms and Alexander: A BILL TO AMEND SEVERAL SECTIONS OF TITLE 56, RELATING TO IGNITION INTERLOCK DEVICES, TO PROVIDE FOR THE ISSUANCE OF AN IGNITION INTERLOCK LICENSE AND ITS CONTENTS AND THE RESTRICTIONS RELATED TO THE LICENSE, TO PROVIDE FOR PENALTIES RELATED TO IGNITION INTERLOCK DEVICES, TO REVISE THE PENALTY IMPOSED UPON A PERSON WHO REFUSES TO BE SUBJECTED TO A CHEMICAL TEST, TO PROVIDE FOR ENROLLMENT IN THE IGNITION INTERLOCK DEVICE PROGRAM UNDER CERTAIN CIRCUMSTANCES, AND TO MAKE TECHNICAL CHANGES.

(Abbreviated Title)

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

Senator MALLOY moved to carry over the Bill.

Senator LARRY MARTIN moved to table the motion to carry over the Bill.

The motion to table was adopted and the Senate refused to carry over the Bill.

The question then was the third reading of the Bill.

Senator MALLOY spoke on the Bill.

**RECESS**

At 12:52 P.M., on motion of Senator MALLOY, the Senate receded from business not to exceed five minutes.

At 1:04 P.M., the Senate resumed.

Senator MALLOY resumed speaking on the Bill.

The Bill was read the third time, passed and ordered sent to the House of Representatives with amendments.

**Statement by Senator MALLOY**

I believe the Ignition Interlock Device Bill, S. 137, is problematic and will have unintended consequences. While I endorse and believe any measure to inhibit drinking and driving can save lives, this Bill needed to have a provision that did not require first time offenders, including those who refused testing for impairment, to have the mandatory interlock.

In such cases, the legislation imposes a hardship on the offender’s entire family as anyone operating a vehicle that a first time offender may drive will have to blow in the device. The result is family members are treated like offenders under this legislation. And, the legislation, in general, offers no protection from the public perception of non-offenders, like family members, being cast as offenders. Family members, for instance, who operate an offender’s vehicle equipped with an ignition interlock device will have their pictures taken and stored electronically at a state agency. We should protect our innocent citizens from this invasion of privacy. The Department of Revenue fiasco proved that we do not protect information of our citizens.

Further, an arbitrary number was chosen for a high blood alcohol content (BAC) to trigger the use of a mandatory ignition interlock on the first offense. The BAC of .12 is lower than any other state in the country that uses high BAC levels to require ignition interlocks. All drivers will not be treated the same. For example, there is an employer’s exemption which allows offenders to drive without the device -- we know what happens there.

The Bill is troublesome because those that cannot afford a lawyer on the front end will be disproportionately impacted, and those that have means will hire a lawyer and negotiate to a level that will not require the device.

It was surprising the Senate refused to consider providing interlock for all convictions which is a tougher standard.

The enormity of this piece of law is such that it could have taken weeks to address many needed changes. I chose to shorten this debate to allow the will of the body, however inconsistent, to move forward.

I believe education, Medicaid and other matters will be affected, as there will have to be measures for funding the Administrative Law Court (ALC), which relies heavily on the fees. This will have to be taken from the general fund. My fiscal conservative friends will see the need for these funds during the budget debate, and my pro-education and healthcare friends will see funds used for the ALC -- that would otherwise be used for education and health care because a hole has to be plugged to fund the Court.

I am very concerned by the small number of vendors who provide and service these devices. We need to follow the money and make certain this measure is only about saving lives.

I voted for the measure on second reading to avoid the appearance of not supporting any measure against drinking and driving.

**CARRIED OVER**

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.

The Senate proceeded to a consideration of the Joint Resolution, the question being the adoption of the amendment proposed by the Committee on Judiciary.

Senator COURSON spoke on the Resolution.

Senator CAMPSEN moved to carry over the Resolution.

The Joint Resolution was carried over.

**EXECUTIVE SESSION**

On motion of Senator COURSON, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina State Ethics Commission, with the term to commence May 31, 2010, and to expire May 31, 2015

4th Congressional District:

James I. Warren, 119 Meyers Drive, Greenville, SC 29605 *VICE* J.B. Holeman

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. Warren.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Johnson

Leatherman *Martin, Larry Martin, Shane*

Massey McElveen McGill

Nicholson O'Dell Peeler

Pinckney Reese Scott

Setzler Shealy Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto Malloy

**Total--2**

The appointment of Mr. Warren was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence July 1, 2011, and to expire June 30, 2015

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607 *VICE* New Seat

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. Boyd.

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

**Ayes 36; Nays 0; Abstain 2**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Johnson Leatherman

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--36**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto Malloy

**Total--2**

The appointment of Mr. Boyd was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence July 1, 2010, and to expire June 30, 2014

At-Large:

Oscar L. Douglas, 3405 Fletton Way, Summerville, SC 29485 *VICE* New Seat

On motion of Senator LARRY MARTIN, the question was confirmation of Mr. Douglas.

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

**Ayes 36; Nays 0; Abstain 2**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Hayes

Hembree Johnson Leatherman

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--36**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto Malloy

**Total--2**

The appointment of Mr. Douglas was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2011, and to expire June 30, 2015

3rd Congressional District:

Charles M. Joye II, 1006 North Shore Drive, Anderson, SC 29625

On motion of Senator PEELER, the question was confirmation of Mr. Joye.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Johnson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Shealy Thurmond

Turner Verdin Williams

Young

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto Setzler

**Total--2**

The appointment of Mr. Joye was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2010, and to expire June 30, 2014

5th Congressional District:

Katherine Finley, 251 Shoreline Parkway, Tega Cay, SC 29708 *VICE* Vacant (due to redistricting)

On motion of Senator PEELER, the question was confirmation of Ms. Finley.

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

**Ayes 38; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Johnson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey McElveen

McGill Nicholson O'Dell

Peeler Pinckney Reese

Scott Setzler Shealy

Thurmond Turner Verdin

Williams Young

**Total--38**

**NAYS**

**Total--0**

The appointment of Ms. Finley was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was taken up for immediate consideration:

Initial Appointment, Governing Board of the Department of Natural Resources:

Seat: Fifth Congressional District:

D. Glenn McFadden, 787 McBrothers Drive, Fort Lawn, SC 29714

On motion of Senator PEELER, the question was confirmation of Mr. McFadden.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Allen Bennett

Bright Bryant Campsen

Cleary Coleman Corbin

Courson Cromer Davis

Fair Gregory Grooms

Hayes Hembree Hutto

Johnson Leatherman Malloy

*Martin, Larry Martin, Shane* Massey

McElveen McGill Nicholson

O'Dell Peeler Pinckney

Reese Scott Setzler

Shealy Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

The appointment of Mr. McFadden was confirmed.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. James E. Findley of Easley, S.C., who died Wednesday, February 27, 2012, at the age of 81. Dr. Findley was a longtime Easley pharmacist and businessman, past chairman of the Easley Combined Utility Commission, civic leader, devoted husband to Floride Agnew Findley, father of four, grandfather and grandfather of Senator Martin’s page, Anna Catherine Caldwell.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Dorothy Broadwell “Dot” Rumph who passed away February 27, 2013. She was the beloved wife of Scott Winfield Rumph, Jr. for 63 years, a devoted mother and doting grandmother. Ms. Rumph was active in her faith and in community affairs.

and

MOTION ADOPTED

On motion of Senator SHEHEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Martha Walsworth Hamilton of Pageland, S.C.

**ADJOURNMENT**

At 2:05 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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