**Thursday, January 31, 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:

In the writings of Joel, the Lord declares:

“I will pour out my Spirit on all people. Your sons and daughters will prophesy, your old men will dream dreams, your young men will see visions.” (Joel 2:28)

Bow with me, please:

Ever-loving and glorious God, we praise You for the dreams many of these leaders cherish: dreams of a better life for the children of our State, visions of wise growth and meaningful development for our counties, hope for a bright and successful future for all of our citizens. Yet such dreams make great demands upon those who lead. Therefore, O Lord, grant to each Senator and every staff member the fortitude and the astuteness to guide our State and her people in ways that make “hope” real. In Your wondrous name we pray, dear Lord.

Amen.

The PRESIDENT called for Petitions, Memorials, Presentments of Grand Juries and such like papers.

**Presentation**

On motion of Senator FAIR, with unanimous consent, the Chaplain was recognized to present Bibles to the newest members of the Senate ‑‑ Senators ALLEN, BENNETT, CORBIN, HEMBREE, JOHNSON, McELVEEN, SHEALY, THURMOND, TURNER and YOUNG.

**Doctor of the Day**

    Senator CAMPBELL introduced Dr. Marc New of North Charleston, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Remarks by Senator MALLOY**

Thank you Mr. PRESIDENT, gentlemen and lady of the Senate.

I rise to talk a minute and make a suggestion. At this point in time, we are four weeks into the Session. I want to thank all of you for what you do, in leaving your families, jobs, work, constituents and coming down here to do the peoples’ work. You are to be congratulated for that and admired.

But, this is our fourth week. And as I look at this Calendar there is one Bill on the Calendar to be considered and it will be considered in another two and a half weeks from now. Yesterday, we came in and went over to the House and elected judges and then we went home. So what are we doing? Considering one Bill in a committee at a time after four weeks of being here?

I, like all of you, enjoy being here. It is a great, august body. We look at this history around us, and they are looking at us, and we look back at them. We say, “What work are we doing?” And so, I studied last night, and I said, “How can we change this?” And you know, I do not want to shock the Senate. I was entertaining to make a Motion to Recede until a certain period of time. That would not be necessarily right or fair. Because I am not in the position to end up doing that I think that if we did it right, we could actually be in perfunctory session for a week. I am for taking a furlough. I think we need to sit down in committee and do some work and get some things done here in this body.

And so, obviously, when we did not have a committee meeting last week, it had not metastasized yet. It had not percolated yet. We have one Bill on the Calendar and one Bill that we are not going to even consider today. We are going to do something in Executive Session. Maybe we have too many laws, maybe Cicero was right -- “*The greatest law is the good of the people*.” And we are waiting on the good of the people to end up doing well. And maybe we have gotten to the point, where we do not need it. But, I would just encourage us to think. I realize we are doing some work. I hope we consider and look at this, and see could we do some work in perfunctory session and have some committee meetings, and meet. That is my reason for not making a motion outright to recede until a certain time.

I realize that this maybe something in the works and that we may be talking about taking a furlough at some point in time. It is not soon enough. Okay. I am here every day. I never miss a day. And what I plan on doing is being here every day that we convene. But what we need to do is committee work and place Bills on this Calendar for consideration. Because, candidly today, you can call it what you want, but we are not going to take up legislation. We are going to take up an appointment -- I would assume. And then we are going to go home. And so, I would hope that either we would consider that under Rule 1B, we could end up actually going into a perfunctory session at some point and come in to conduct committee work. And start doing the people’s work. And let the other folks that are not involved spend a day back in their districts, if we do not -- that we get to a point in time where we can move to recede this Senate and give the people a break, and get a chance to end up working so we make certain that we do the peoples’ work. We want to utilize the time, energy, effort, and money to the best that we can.

Thank you.

On motion of Senator BRYANT, with unanimous consent, the remarks of Senator MALLOY were ordered printed in the Journal.

**Leave of Absence**

On motion of Senator VERDIN, at 11:45 A.M., Senator GROOMS was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator RANKIN, at 11:45 A.M., Senator LOURIE was granted a leave of absence for today.

**CO-SPONSORS ADDED**

The following co-sponsor was added to the respective Bill:

S. 139 Sen. Campbell

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 247 Sen. Bright

**RECALLED AND COMMITTED**

S. 139 -- Senators Grooms, L. Martin and Campbell: A BILL TO AMEND SECTION 56‑5‑1535 OF THE 1976 CODE, RELATING TO SPEEDING IN WORK ZONES AND PENALTIES ASSOCIATED WITH SPEEDING IN WORK ZONES, TO DELETE THIS PROVISION AND PROVIDE A DEFINITION FOR THE TERMS “HIGHWAY WORK ZONE” AND “HIGHWAY WORKER”, TO CREATE THE OFFENSES OF “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER”, AND TO PROVIDE PENALTIES FOR BOTH OFFENSES; TO AMEND SECTION 56‑1‑720, RELATING TO THE POINT SYSTEM ESTABLISHED FOR THE EVALUATION OF THE DRIVING RECORD OF PERSONS OPERATING MOTOR VEHICLES, TO PROVIDE THAT “ENDANGERMENT OF A HIGHWAY WORKER” AND “AGGRAVATED ENDANGERMENT OF A HIGHWAY WORKER” ARE TWO POINT VIOLATIONS; AND TO REPEAL SECTION 56‑5‑1536 RELATING TO DRIVING IN TEMPORARY WORK ZONES AND PENALTIES FOR UNLAWFUL DRIVING IN TEMPORARY WORK ZONES.

Senator LARRY MARTIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

There was no objection and the Bill was recalled from the Committee on Judiciary.

On motion of Senator LARRY MARTIN, with unanimous consent, the Bill was committed to the Committee on Transportation.

**RECALLED AND COMMITTED**

S. 290 -- Senators Cleary, Hutto and Hembree: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA TELEMEDICINE INSURANCE REIMBURSEMENT ACT”; BY ADDING SECTION 38‑71‑300 SO AS TO PROVIDE DEFINITIONS AND TO REQUIRE COVERAGE OF TELEMEDICINE SERVICES BY INDIVIDUAL AND GROUP HEALTH MAINTENANCE ORGANIZATIONS.

Senator HAYES asked unanimous consent to make a motion to recall the Bill from the Committee on the Banking and Insurance.

There was no objection and the Bill was recalled from the Committee on Banking and Insurance.

On motion of Senator HAYES, with unanimous consent, the Bill was committed to the Committee on Medical Affairs.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 321 -- Senator Coleman: A SENATE RESOLUTION TO CONGRATULATE ETTA MAE WASHINGTON WILLIAMS OF FAIRFIELD COUNTY ON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND CONTINUED HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

S. 322 -- Senator O'Dell: A SENATE RESOLUTION TO RECOGNIZE SKILLSUSA FOR ITS CONTRIBUTION TOWARD BUILDING A QUALITY AMERICAN WORK FORCE, AND TO THANK THE ORGANIZATION FOR ITS FINE WORK AMONG THE YOUNG PEOPLE OF THE PALMETTO STATE.

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The Senate Resolution was adopted.

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 SECTION 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 SECTION 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.

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

S. 324 -- Senator L. Martin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE OVER HIGHWAY 123 AT THE INTERSECTION OF HIGHWAY 123 AND ROAD 37-18 AS THE SAMUEL MAVERICK BRIDGE AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THE WORDS “SAMUEL MAVERICK BRIDGE”.

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

S. 325 -- Senators Cleary and Alexander: A SENATE RESOLUTION TO COMMEND AND SUPPORT THE DEMOCRATIZATION EFFORTS OF TAIWAN AND THE NATION’S MEANINGFUL PARTICIPATION IN THE WORLD HEALTH ORGANIZATION, THE INTERNATIONAL CIVIL AVIATION ORGANIZATION, AND THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE, AS WELL AS OTHER INTERNATIONAL ORGANIZATIONS.

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The Senate Resolution was introduced and referred to the General Committee.

S. 326 -- Senator Hutto: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 27 TO TITLE 50 SO AS TO ENACT THE “SOUTH CAROLINA RECREATIONAL OFF-HIGHWAY VEHICLE ACT” SO AS TO PROVIDE FOR THE REGULATION OF THE OPERATION OF RECREATIONAL OFF-HIGHWAY VEHICLES, TO PROVIDE THAT THESE VEHICLES ARE EXEMPT FROM AD VALOREM TAXES, AND TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS; BY ADDING ARTICLE 10 TO CHAPTER 19, TITLE 56 SO AS TO PROVIDE A PROCEDURE FOR THE TITLING OF RECREATIONAL OFF-HIGHWAY VEHICLES; BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO DEFINE THE TERMS “RECREATIONAL OFF-HIGHWAY VEHICLE” AND “ALL-TERRAIN VEHICLE”; AND TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS, SO AS TO DELETE THE TERM “ALL-TERRAIN VEHICLE” AND ITS DEFINITION.

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

S. 327 -- Senators Grooms and Campbell: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE GOOSE CREEK HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN UNDEFEATED SEASON, TO CONGRATULATE THEM ON TWENTY-SIX CONSECUTIVE VICTORIES, AND TO DESIGNATE THEM AS 2012 “SOUTH CAROLINA ATHLETES OF DISTINCTION.”

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

H. 3021 -- Reps. Clemmons, Sellers, R. L. Brown, Putnam, Kennedy, Gilliard, Toole, Branham, Rutherford, King and Cobb-Hunter: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 55 TO TITLE 11 SO AS TO ENACT THE IRAN DIVESTMENT ACT OF 2013 AND TO PROHIBIT CERTAIN INVESTMENTS AND CONTRACTS WITH PERSONS DEEMED TO BE ENGAGING IN INVESTMENT ACTIVITIES IN IRAN.

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

H. 3290 -- Reps. Bingham, Bannister, Harrell, Simrill, Merrill, Rutherford, Norman, K. R. Crawford, Sottile, Herbkersman, Barfield, Clemmons, V. S. Moss, Hixon, D. C. Moss, Gambrell, Horne, Erickson, G. R. Smith, Sandifer, Forrester, Cole, Allison, Crosby, Murphy, Spires, Patrick, Hardwick, Putnam, H. A. Crawford, Southard, Henderson, Chumley, Bedingfield, Atwater, Goldfinch, Bowen, Funderburk, Gagnon, Long, Owens, Tallon, Thayer, Vick, Whitmire, Branham, Rivers, Bales and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “BUSINESS FREEDOM TO CHOOSE ACT”, BY AMENDING SECTION 44-96-80, RELATING TO COUNTY SOLID WASTE PROGRAMS, INCLUDING A COUNTY'S AUTHORITY TO ENACT ORDINANCES CONSISTENT WITH THE STATE PLAN, LAW, AND REGULATIONS, SO AS TO MAKE TECHNICAL CORRECTIONS, TO DELETE OBSOLETE LANGUAGE, AND TO PROVIDE THAT AN ORDINANCE THAT RESTRICTS SOLID WASTE DISPOSAL AT A PERMITTED FACILITY OR IMPEDES THE DEVELOPMENT OR IMPLEMENTATION OF A RECYCLING PROGRAM IS INCONSISTENT WITH THE PROVISIONS OF CHAPTER 96 OF TITLE 44; AND TO AMEND SECTION 44-55-1210, RELATING TO A COUNTY’S AUTHORITY TO REQUIRE THE COLLECTION AND DISPOSAL OF SOLID WASTE, SO AS TO PROVIDE THAT A COUNTY ORDINANCE IS VOID TO THE EXTENT THAT THE ORDINANCE RESTRICTS OR PROHIBITS SOLID WASTE DISPOSAL AT A PERMITTED FACILITY OR IMPEDES THE DEVELOPMENT OR IMPLEMENTATION OF A RECYCLING PROGRAM.

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

H. 3421 -- Rep. G. A. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 527 IN LEE COUNTY FROM MOUNT PLEASANT HIGH SCHOOL TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 76 “ISAAC C. JOE HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “ISAAC C. JOE HIGHWAY”.

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

H. 3426 -- Reps. Thayer, Bowen and Putnam: A JOINT RESOLUTION TO AUTHORIZE THE STATE BUDGET AND CONTROL BOARD TO TRANSFER OWNERSHIP OF THE WILLIAMSTON NATIONAL GUARD ARMORY TO THE TOWN OF WILLIAMSTON.

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

H. 3429 -- Rep. Bingham: A BILL TO AMEND SECTION 8-13-510, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE HOUSE AND SENATE LEGISLATIVE ETHICS COMMITTEES, SO AS TO PROVIDE THAT UNLESS OTHERWISE PROVIDED BY THE RULES OF THE RESPECTIVE BODIES, THE HOUSE AND SENATE ETHICS COMMITTEES SHALL CONSIST OF TEN MEMBERS SELECTED BY THEIR PARTICULAR HOUSE, AND TO FURTHER PROVIDE FOR THE TERMS OF MEMBERS AND THE OFFICERS OF THESE COMMITTEES.

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

H. 3440 -- Reps. J. R. Smith, Clyburn, Hixon, Taylor and Wells: A BILL TO AMEND SECTION 7-27-215, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AIKEN COUNTY VOTER REGISTRATION AND ELECTIONS COMMISSION, SO AS TO DEVOLVE APPOINTMENT AUTHORITY FOR THE EXECUTIVE DIRECTOR FROM THE AIKEN COUNTY LEGISLATIVE DELEGATION TO THE GOVERNING BODY OF AIKEN COUNTY.

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

H. 3460 -- Reps. Ballentine, Govan, Huggins, Funderburk, Bowen, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowers, Branham, Brannon, G. A. Brown, R. L. Brown, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, H. A. Crawford, K. R. Crawford, Crosby, Daning, Delleney, Dillard, Douglas, Edge, Erickson, Felder, Finlay, Forrester, Gagnon, Gambrell, George, Gilliard, Goldfinch, Hamilton, Hardee, Hardwick, Harrell, Hart, Hayes, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, 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, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, 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 RECOGNIZE AND COMMEND THE SCHOOL IMPROVEMENT COUNCILS OF SOUTH CAROLINA FOR THIRTY-FIVE YEARS OF FOSTERING DIRECT CIVIC ENGAGEMENT IN PUBLIC EDUCATION.

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

**REPORTS OF STANDING COMMITTEES**

**Invitations Accepted**

On motion of Senator BRYANT, with unanimous consent, the following invitations were polled favorably from the Committee on Invitations and ordered placed on the Calendar:

**Poll of the Invitations Committee**

**Polled 11; Ayes 11; Nays 0; Not Voting 0**

**AYES**

Bryant                                 Alexander                          McGill

Reese                                  Ford                                   Verdin

Campsen                             Cromer                              Malloy

Cleary                                 Johnson

**Total--11**

**NAYS**

**Total--0**

Tuesday, February 5, 2013, 12:00 - 2:00 p.m.

Members of the Senate, Luncheon, Capital City Club, by the SC ARTS ALLICANCE

Tuesday, February 5, 2013, 6:00 - 8:00 p.m.

Members of the Senate, Reception, The Clarion, by the JUDGES OF SOUTH CAROLINA

Tuesday, February 5, 2013, 7:00 - 9:00 p.m.

Members of the Senate and Staff, Reception, The Palmetto Club, by the SOUTH CAROLINA FUNERAL DIRECTORS ASSOCIATION

Wednesday, February 6, 2013, 8:00 - 10:00 a.m.

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the SC ASSOCIATION OF SCHOOL PSYCHOLOGISTS

Wednesday, February 6, 2013, 12:00 - 2:00 p.m.

Members of the Senate and Staff, Luncheon, State House Grounds, by the SC BAPTIST CONVENTION

Wednesday, February 6, 2013, 6:00 - 8:00 p.m.

Members of the Senate and Staff, Reception, 701 Whaley, by the CITY OF COLUMBIA, RICHLAND COUNTY, AND GREATER COLUMIBA CHAMBER OF COMMERCE

Wednesday, February 6, 2013, 7:00 - 9:00 p.m.

Members of the Senate and Staff, Reception, The Clarion, by the SC CREDIT UNION LEAGUE

Thursday, February 7, 2013, 8:00 - 10:00 a.m.

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the SC CHILDREN’S HOSPITAL COLLABORATIVE

Wednesday, February 13, 2013 - 6:00 - 8:00 p.m.

Members of the Senate, Reception, The Marriott, by the MUNICIPAL ASSOCIATION OF SOUTH CAROLINA

Tuesday, February 19, 2013, 12:00 - 2:00 p.m.

Members of the Senate, Luncheon, Epworth Children’s Home, by the SC CONFERENCE UNITED METHODIST WOMEN

Tuesday, February 19, 2013, 6:00 - 8:00 p.m.

Members of the Senate and Staff, Reception, Columbia Convention Center, by LEXINGTON COUNTY

Wednesday, February 20, 2013, 8:00 - 10:00 a.m.

Members of the Senate and Staff, Breakfast, Room 112, Blatt Building, by the ASSOCIATION OF COSMETOLOGISTS & SALON PROFESSIONALS

Wednesday, February 20, 2013, 12:00 - 2:00 p.m.

Members of the Senate, Luncheon, Room 112, Blatt Building, by the SC RECYCLING COUNCIL

Wednesday, February 20, 2013, 6:00 - 8:00 p.m.

Members of the Senate and Staff, Reception, The Embassy Suites Hotel, by the SOUTH CAROLINA ASSOCIATION OF COUNTIES

Wednesday, February 20, 2013, 7:00 - 9:00 p.m.

Members of the Senate, Reception, The Clarion, by the SC COALITION AGAINST DOMESTIC VIOLENCE AND SEXUAL ASSAULT

Thursday, February 21, 2013, 8:00 - 10:00 p.m.

Members of the Senate, Breakfast, Room 112, Blatt Building, by the SC NURSERY AND LANDSCAPE ASSOCIATION

Tuesday, February 26, 2013, 6:00 - 8:00 p.m.

Members of the Senate, Reception, Seawell’s, by the SC ASSOCIATION OF CONSERVATION DISTRICTS

Tuesday, February 26, 2013, 7:00 - 9:00 pm

Members of the Senate, Reception, The Clarion, by the SC ASSOCIATION OF TECHNICAL COLLEGE COMMISSIONERS

Wednesday, February 27, 2013, 8:00 - 10:00 a.m.

Members of the Senate, Breakfast, Room 112, Blatt Building, by the SC ASSOCIATION OF SCHOOL ADMINISTRATORS

Wednesday, February 27, 2013, 12:00 - 2:00 p.m.

Members of the Senate and Staff, Luncheon, Room 112, Blatt Building, by the SC ATHLETIC TRAINERS ASSOCIATION

Wednesday, February 27, 2013 - 6:00 - 8:00 p.m.

Members of the Senate and Staff, Reception, The Palmetto Club, by the SC HOSPITAL ASSOCIATION

Wednesday, February 27, 2013, 6:00 - 8:00 p.m.

Members of the Senate and Staff, Reception, Hilton Columbia Center, by the ASSOCIATED BUILDERS AND CONTRACTORS OF THE CAROLINAS

Thursday, February 28, 2013, 8:00 - 10:00 a.m.

Members of the Senate, Breakfast, Room 112, Blatt Building, by the ALPHA KAPPA ALPHA SORORITY, INC.

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

S. 116 -- Senator Setzler: A CONCURRENT RESOLUTION TO MEMORIALIZE THE CONGRESS OF THE UNITED STATES TO SEEK THE WITHDRAWAL OF THE UNITED STATES PREVENTIVE SERVICES TASK FORCE RECOMMENDATION AGAINST PROSTATE‑SPECIFIC ANTIGEN‑BASED SCREENING FOR PROSTATE CANCER FOR MEN IN ALL AGE GROUPS.

Ordered for consideration tomorrow.

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

S. 182 -- Senator Hutto: A CONCURRENT RESOLUTION DECLARING MARCH 2013 AS ENDOMETRIOSIS AWARENESS MONTH AND URGE THE GENERAL PUBLIC AND THE MEDICAL COMMUNITY TO TAKE THIS OPPORTUNITY TO RAISE THEIR AWARENESS ABOUT THIS WIDESPREAD AND OFTEN DEBILITATING DISEASE.

Ordered for consideration tomorrow.

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

H. 3338 -- Reps. Clemmons, Alexander, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, Bowers, Branham, Brannon, G.A. Brown, R.L. Brown, Chumley, 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, Hardwick, 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, Ott, Owens, Parks, Patrick, Pitts, Pope, Powers Norrell, 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 PROCLAIM THE WEEK OF FEBRUARY 7 - 14, 2013, AS CONGENITAL HEART DEFECT AWARENESS WEEK IN SOUTH CAROLINA FOR THE PURPOSE OF ENCOURAGING EARLY DETECTION AND TREATMENT OF THIS SERIOUS HEALTH ISSUE AFFECTING SO MANY CITIZENS.

Ordered for consideration tomorrow.

**Appointments Reported**

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

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2012, and to expire June 30, 2016

Eva Ravenel, 11 Gibbes Street, Charleston, SC 29401 *VICE* Nancy Banov

Initial Appointment, South Carolina State Board of Nursing, with the term to commence July 1, 2012, and to expire June 30, 2016

7th Congressional District:

Karen Racz Hazzard, 25 Deloach Trail, Pawley’s Island, SC 29585 *VICE* New Seat

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2011, and to expire December 31, 2015

3rd Congressional District:

Kay Swisher, 110 Cedar Court, Laurens, SC 29360 *VICE* C. Lynn Lewis

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 21, 2012, and to expire March 21, 2017

4th Congressional District:

Sharon L. Wilson, 120 South Forty Road, Piedmont, SC 29673 *VICE* vacant

Received as information.

**MOTION WITHDRAWN**

Senator MALLOY moved that the Senate adjourn pursuant to Article III, Section 9 to meet again in Statewide Session on Tuesday, February 12, 2013.

**Point of Order**

Senator LARRY MARTIN raised a Point of Order that the motion was out of order inasmuch as it was not made under the provisions of Rule 1B.

The PRESIDENT stated that pursuant to Article III, Section 9 the motion to adjourn was in order at any time and the Point of Order was overruled.

Senator LARRY MARTIN spoke on the motion.

Senator HUTTO asked unanimous consent to amend the motion to provide that, when the Senate adjourns today, it would stand adjourned to convene under the provisions of Rule 1B on Tuesday, February 5, 2013; Wednesday, February 6, 2013; and Thursday, February 7, 2013.

Senator LARRY MARTIN objected.

**RECESS**

At 11:46 A.M., on motion of Senator LARRY MARTIN, the Senate receded from business subject to the Call of the PRESIDENT.

At 12:09 P.M., the Senate resumed.

On motion of Senator MALLOY, with unanimous consent, the motion to adjourn was withdrawn.

**Motion Adopted**

On motion of Senator COURSON the Senate agreed that, when the Senate adjourns today, the Senate would stand 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 and; further, when the Senate adjourns on Friday, February 1, 2013, the Senate would stand adjourned to meet under the provisions of Rule 1B on Tuesday, February 5, 2013.

**Expression of Personal Interest**

Senator FORD rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**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 name was reported to the Senate in open session:

**STATEWIDE APPOINTMENT**

**Confirmation**

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

Initial Appointment, South Carolina Workers’ Compensation Commission, with the term to commence June 30, 2008, and to expire June 30, 2014

At-Large:

Aisha K. Taylor, 156 Seaton Ridge Drive, Blythewood, SC 29016 *VICE* Derrick L. Williams

On motion of Senator COURSON, the question was confirmation of Ms. Taylor.

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

**Ayes 28; Nays 0; Abstain 13**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Fair Ford

Jackson Johnson Leatherman

*Martin, Larry Martin, Shane* Matthews

McGill Nicholson Peeler

Reese Scott Shealy

Thurmond Turner Verdin

Williams

**Total--28**

**NAYS**

**Total--0**

**ABSTAIN**

Allen Coleman Davis

Hayes Hembree Hutto

Malloy Massey McElveen

Rankin Setzler Sheheen

Young

**Total--13**

The appointment of Ms. Taylor was confirmed.

**MOTION ADOPTED**

On motion of Senator LARRY MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Frank B. Halter, 83, of Greenville, S.C. Mr. Halter, a veteran, was a prominent businessman and very involved in his church and community activities. He was a loving husband to his widow, Shirley, a devoted father and doting grandfather and great‑grandfather.

and

**MOTION ADOPTED**

On motion of Senators McGILL and McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Dennie Davis, a lifelong resident of Sumter, S.C.

**ADJOURNMENT**

At 12:45 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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