**Tuesday, March 5, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

We read in Genesis that:

“Some time later God tested Abraham.” (Genesis 22:1a)

Please join me in prayer:

Holy God, hardly any of us can imagine being tested as was Your servant, Abraham, when You directed him to take his only son, Isaac, to be sacrificed. Still, Lord, these faithful servants of Yours in the Senate of South Carolina are indeed “tested,” time and again. The issues before them, the age in which we live -- the very limits of energy and effort which often confound them -- all of these matters and more demand so very much of these Senators and their staff members. Gracious God, grant them all Your gifts of perseverance and faithfulness so that they unfailingly serve the citizens of South Carolina.

Moreover, Lord, we ask Your special blessings upon Senator ALLEN in the death of his mother and upon Kathie Marsh in the death of her husband. In Your wondrous name we pray, dear Lord.

Amen.

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

**Point of Quorum**

At 12:04 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointment was transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointment**

Reappointment, State Forestry Commission, with the term to commence June 30, 2012, and to expire June 30, 2018

Seat: Public

James Bradford Thompson, 1416 Briarwood Road, Greenwood, SC 29646

Referred to the Committee on Fish, Game and Forestry

**Leave of Absence**

On motion of Senator MATTHEWS, at 12:05 P.M., Senator PINCKNEY was granted a leave of absence beginning today for the balance of the week.

**Leave of Absence**

On motion of Senator BRIGHT, at 12:05 P.M., Senator DAVIS was granted a leave of absence until 12:30 P.M.

**Leave of Absence**

On motion of Senator MATTHEWS, at 12:05 P.M., Senator ALLEN was granted a leave of absence for the week.

**Doctor of the Day**

Senator COURSON introduced Dr. March Seabrook of West Columbia, S.C., Doctor of the Day

**CO-SPONSORS ADDED**

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

S. 163 Sen. Ford

S. 260 Sen. Ford

S. 294 Sen. Ford

S. 303 Sen. Ford

S. 382 Sen. McElveen

S. 457 Sen. Cromer

S. 468 Sen. Bryant

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 473 -- Senators Nicholson and O'Dell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE ROTARY CLUB OF ABBEVILLE FOR ITS SIGNIFICANT IMPACT ON THE COMMUNITY AND TO CONGRATULATE THE MEMBERS UPON THE FIFTIETH ANNIVERSARY CELEBRATION OF THE ROTARY CLUB IN ABBEVILLE.

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The Senate Resolution was adopted.

S. 474 -- Senator Setzler: A BILL TO AMEND SECTION 12-21-2420, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM THE ADMISSIONS LICENSE TAX, SO AS TO EXEMPT ADMISSIONS CHARGED BY THE STATE MUSEUM.

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

S. 475 -- Senator Setzler: A BILL TO AMEND SECTION 40-18-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 18, TITLE 40 PROVIDING FOR THE LICENSURE AND REGULATION OF PRIVATE SECURITY AND INVESTIGATION AGENCIES, SO AS TO PROVIDE THAT THE CHAPTER MUST NOT APPLY TO A PERSON BASED SOLELY ON HIS BEING ENGAGED IN COMPUTER FORENSIC SERVICES OR DIGITAL FORENSIC SERVICES, THE ACQUISITION, REVIEW, OR ANALYSIS OF DIGITAL-BASED INFORMATION OR COMPUTER-BASED INFORMATION, OR NETWORK VULNERABILITY TESTING.

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

S. 476 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF FUNERAL SERVICE, RELATING TO FEES, DESIGNATED AS REGULATION DOCUMENT NUMBER 4268, 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. 477 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE BOARD OF FUNERAL SERVICE, RELATING TO REQUIREMENTS OF LICENSURE FOR FUNERAL SERVICE PROVIDERS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4318, 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. 478 -- Senator Malloy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-515 SO AS TO PROVIDE THAT THE OWNER OF A “MOTORSPORTS ENTERTAINMENT COMPLEX” LOCATED IN THIS STATE OR HIS DESIGNEE MAY APPLY FOR AND BE ISSUED AN ANNUAL LICENSE WHICH AUTHORIZES THE PURCHASE, SALE, AND CONSUMPTION OF BEER AND WINE AT ANY OCCASION HELD ON THE GROUNDS OF THE COMPLEX YEAR ROUND ON ANY DAY OF THE WEEK, TO PROVIDE FOR THE TERMS AND CONDITIONS FOR THIS ANNUAL LICENSE, INCLUDING THE FEE, AND TO PROVIDE FOR OTHER MATTERS RELATING TO THE ADMINISTRATION OF THIS LICENSE AND APPLICABLE ALCOHOLIC BEVERAGE CONTROL LAWS IN CONNECTION WITH THE USE OF THIS LICENSE; AND BY ADDING SECTION 61-6-2016 SO AS TO PROVIDE THAT THE OWNER OF A “MOTORSPORTS ENTERTAINMENT COMPLEX”, OR HIS DESIGNEE, ALSO MAY BE ISSUED, UPON APPLICATION, AN ANNUAL LICENSE THAT AUTHORIZES THE PURCHASE, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK AT ANY OCCASION HELD ON THE GROUNDS OF THE COMPLEX UNDER THE SAME SPECIFIED TERMS AND CONDITIONS AS PROVIDED FOR BEER AND WINE PERMITS.

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

S. 479 -- Senator Courson: A CONCURRENT RESOLUTION TO AUTHORIZE PALMETTO GIRLS STATE TO USE THE CHAMBERS OF THE SENATE AND THE HOUSE OF REPRESENTATIVES ON FRIDAY, JUNE 14, 2013.

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

S. 480 -- Senators Alexander and Hutto: A CONCURRENT RESOLUTION TO FIX NOON ON WEDNESDAY, MAY 1, 2013, AS THE TIME TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FIRST DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2016; TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE THIRD DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2016; TO ELECT A SUCCESSOR TO THE MEMBER OF THE PUBLIC SERVICE COMMISSION FOR THE FIFTH DISTRICT FOR A TERM EXPIRING ON JUNE 30, 2016; AND TO ELECT A PUBLIC SERVICE COMMISSIONER FOR THE SEVENTH DISTRICT, AS A SUCCESSOR TO THE PUBLIC SERVICE COMMISSIONER FOR THE AT-LARGE SEAT, FOR A TERM EXPIRING ON JUNE 30, 2016.

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

**S. 480--Recalled**

Senator ALEXANDER asked unanimous consent to make a motion to recall the Resolution from the Committee on Judiciary.

The Resolution was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

S. 481 -- Senators Malloy, McGill, Leatherman and Setzler: A BILL TO AMEND SECTION 12-21-2425, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ADMISSIONS LICENSE TAX EXEMPTION FOR A MOTORSPORTS ENTERTAINMENT COMPLEX, SO AS TO REQUIRE THE COMPLEX TO BE A NASCAR SANCTIONED SPEEDWAY THAT HOSTS AT LEAST ONE RACE EACH YEAR FEATURING THE PREEMINENT NASCAR CUP SERIES, INSTEAD OF REQUIRING THE SPEEDWAY TO HAVE AT LEAST SIXTY THOUSAND SEATS FOR RACE PATRONS.

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Senator MALLOY spoke on the Bill.

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

S. 482 -- 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 CONCURRENT RESOLUTION TO HONOR PASTOR EDDIE W. DAVIS OF LITTLE ZION BAPTIST CHURCH IN BLYTHEWOOD ON THE OCCASION OF HIS THIRTIETH ANNIVERSARY OF GOSPEL MINISTRY AT LITTLE ZION AND TO WISH HIM GOD’S RICHEST BLESSINGS AS HE CONTINUES TO SERVE THE LORD.

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

**REPORTS OF STANDING COMMITTEES**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 214 -- Senator Fair: A BILL TO AMEND SECTION 40‑30‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS CONCERNING THE MASSAGE/BODYWORK PRACTICE ACT, SO AS TO DELETE THE DEFINITION OF THE DISCIPLINARY PANEL; TO AMEND SECTION 40‑30‑40, RELATING TO THE ADVISORY PANEL FOR MASSAGE/BODYWORK THERAPY UNDER THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, SO AS TO REDESIGNATE THE ADVISORY PANEL TO BE KNOWN AS THE PANEL, TO DELETE CERTAIN QUALIFICATIONS FOR PANEL MEMBERS, TO REDUCE THE TERM OF A PANEL MEMBER TO TWO YEARS, AND TO PROVIDE COMPENSATION FOR MEMBERS; TO AMEND SECTION 40‑30‑50, RELATING TO DUTIES OF THE PANEL, SO AS TO PROVIDE ADDITIONAL DUTIES AND POWERS; TO AMEND SECTIONS 40‑30‑220, RELATING TO EQUITABLE REMEDIES AVAILABLE TO THE PANEL, 40‑30‑230, RELATING TO GROUNDS OF MISCONDUCT, 40‑30‑240, RELATING TO INVESTIGATIONS OF MISCONDUCT RELATED TO SUBSTANCE ABUSE, 40‑30‑250, RELATING TO DISCIPLINARY ACTIONS, 40‑30‑260, RELATING TO VOLUNTARY SURRENDER OF A LICENSE, 40‑30‑270, RELATING TO APPEALS FROM DISCIPLINARY PANEL DECISIONS, 40‑30‑300, RELATING TO SERVICE OF PROCESS ON NONRESIDENTS, AND 40‑30‑310, RELATING TO CIVIL PENALTIES, ALL SO AS TO MAKE CONFORMING CHANGES; TO AMEND SECTION 40‑30‑60, RELATING TO USE OF EMPLOYEES OF THE DEPARTMENT AND PROMULGATION OF REGULATIONS BY THE BOARD, SO AS TO REMOVE OBSOLETE REFERENCES; TO AMEND SECTION 40‑30‑90, RELATING TO REPORTING REQUIREMENTS, SO AS TO REMOVE AN OBSOLETE REFERENCE; AND TO AMEND SECTION 40‑30‑110, RELATING TO QUALIFICATIONS FOR LICENSURE, SO AS TO REQUIRE CLASSROOM STUDY INSTEAD OF SUPERVISED STUDY, AND TO SPECIFY PROFESSIONAL EXAMINATIONS CONSIDERED ACCEPTABLE FOR LICENSURE; AND TO REPEAL SECTION 40‑30‑65, RELATING TO THE CREATION AND STRUCTURE OF THE DISCIPLINARY PANEL, SECTION 40‑30‑70, RELATING TO DUTIES OF THE DISCIPLINARY PANEL, AND SECTION 40‑30‑210, RELATING TO PROCEDURES BEFORE THE DISCIPLINARY PANEL.

Ordered for consideration tomorrow.

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

S. 310 -- Senators Alexander and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑29‑95 SO AS TO PROVIDE THE MANUFACTURED HOUSING BOARD SHALL ADOPT CERTAIN FINANCIAL RESPONSIBILITY GUIDELINES FOR ITS LICENSEES; BY ADDING SECTION 40‑29‑225 SO AS TO PROVIDE CONTINUING EDUCATION REQUIREMENTS FOR RENEWAL OF LICENSURE AS A MANUFACTURED HOME RETAIL DEALER, RETAIL SALESMAN, INSTALLER, CONTRACTOR, OR REPAIRER; BY ADDING SECTION 40‑29‑325 SO AS TO PROVIDE A DEALER SHALL INCLUDE HIS LICENSE NUMBER IN ADVERTISING, TO PROVIDE AN EXCEPTION, AND TO PROVIDE PENALTIES FOR A VIOLATION; BY ADDING SECTION 40‑29‑500 SO AS TO PROVIDE FAILURE TO OBTAIN AN APPROPRIATE BUILDING PERMIT BEFORE INSTALLING A MANUFACTURED HOME CONSTITUTES A VIOLATION; TO AMEND SECTION 40‑29‑80, RELATING TO BASES FOR SUSPENDING, REVOKING, RESTRICTING, OR DENYING A LICENSE BY THE BOARD, SO AS TO INCLUDE THE AIDING OR ABETTING AN UNLICENSED ENTITY TO EVADE THE PROVISIONS OF THE CHAPTER OR TO ALLOW USE OF A LICENSE BY AN UNLICENSED ENTITY; TO AMEND SECTION 40‑29‑200, RELATING TO APPLICATIONS FOR LICENSURE AND RENEWAL, SO AS TO PROVIDE AN APPLICANT FOR LICENSURE AS A RETAIL DEALER SHALL GIVE THE BOARD A FINANCIAL STATEMENT REVIEWED BY A CERTIFIED PUBLIC ACCOUNTANT, TO PROVIDE THE HOLDER OF A LIEN ON A MANUFACTURED HOME IS NOT SUBJECT TO THE PROVISIONS OF THIS CHAPTER FOR THE SALE, EXCHANGE, OR TRANSFER BY LEASE‑PURCHASE A REPOSSESSED MANUFACTURED HOME MADE THROUGH A LICENSED MANUFACTURED HOME RETAILER, AND TO PROVIDE A PERSON LICENSED BY ANOTHER BOARD OR COMMISSION IN THIS STATE MAY NOT INSTALL A MANUFACTURED HOME BUT MAY REPAIR, INSPECT, OR IMPROVE A MANUFACTURED HOME CONSISTENT WITH THE REQUIREMENTS OF HIS LICENSE; AND TO AMEND SECTION 40‑29‑230, RELATING TO VIOLATIONS OF SURETY BOND, CLAIM, AND RELEASE REQUIREMENTS FOR APPLICANTS FOR LICENSURE BY THE BOARD, SO AS TO INCLUDE THE INABILITY OF AN APPLICANT TO SATISFY REQUISITE FINANCIAL RESPONSIBILITY GUIDELINES AS A BASIS FOR INCREASING THE AMOUNT OF THE REQUIRED SURETY BOND OR OTHER APPROVED SECURITY.

Ordered for consideration tomorrow.

**Appointments Reported**

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2012, and to expire July 27, 2015

1st Congressional District:

Sean McLernon, 3941 Chisolm Road, John’s Island, SC 29455 *VICE* vacant

Received as information.

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 28, 2011, and to expire July 28, 2014

3rd Congressional District:

Michael W. Nix, 312 Hunting Road, Greenwood, SC 29646 *VICE* John Hamrick

Received as information.

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2012, and to expire July 27, 2015

2nd Congressional District:

Kenneth B. Wingate, 4936 Hillside Road, Columbia, SC 29206 *VICE* Roger Whaley

Received as information.

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2010, and to expire July 27, 2013

Chairman:

Donald R. Tomlin, Jr., 4618 Perry Court, Columbia, SC 29206 *VICE* Peter Brown

Received as information.

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

**THIRD READING BILLS**

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

S. 303 -- Senators Campsen and Ford: 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.

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.

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.

**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 MALLOY, 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.

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

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.

On motion of Senator SHANE MARTIN, the Bill was carried over.

S. 294 -- Senators Cleary and Ford: 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 MALLOY objected to the Bill.

**Objection**

Senator SHANE MARTIN asked unanimous consent to make a motion that the Senate remain in the second reading portion of the Calendar in order to return to that section after the Joint Assembly.

Senator HUTTO objected.

**Motion Adopted**

On motion of Senator COURSON, with unanimous consent, the Senate agreed that, at the conclusion of the Joint Assembly, the Senate would reconvene.

**Committee to Escort**

The PRESIDENT appointed Senators HAYES, NICHOLSON and CORBIN and Representatives Gagnon, Sottile and Dillard to escort the Honorable James E. Koutz, National Commander of the American Legion, and members of his party to the House of Representatives for the Joint Assembly.

**RECESS**

At 11:55 A.M., on motion of Senator COURSON, the Senate receded from business for the purpose of attending the Joint Assembly.

**Address by the National Commander of the American Legion**

The PRESIDENT of the Senate announced that it had convened under the terms of a Concurrent Resolution adopted by both Houses, S. 264.

The Honorable James E. Koutz and members of his party were escorted to the rostrum by Senators HAYES, NICHOLSON and CORBIN and Representatives Gagnon, Sottile and Dillard.

The PRESIDENT of the Senate introduced the Honorable James E. Koutz, National Commander of the American Legion.

Commander Koutz addressed the Joint Assembly.

The purposes of the Joint Assembly having been accomplished, the PRESIDENT declared it adjourned, whereupon the Senate returned to its Chamber and was called to order by the PRESIDENT.

At 12:46 P.M., the Senate resumed.

**CARRIED OVER**

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.

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

Senator SHANE MARTIN spoke on the Resolution.

On motion of Senator SHANE MARTIN, the Resolution was carried over.

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

**MOTION ADOPTED**

Senator PEELER moved to dispense with the Motion Period.

Senator SCOTT moved to table the motion to dispense with the Motion Period.

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

**Ayes 11; Nays 27**

**AYES**

Jackson Johnson Lourie

Malloy Matthews McElveen

McGill Nicholson Scott

Setzler Williams

**Total--11**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Cromer Davis Fair

Gregory Grooms Hayes

Hembree Hutto Leatherman

*Martin, Larry Martin, Shane* O'Dell

Peeler Shealy Thurmond

Turner Verdin Young

**Total--27**

The Senate refused to table the motion to dispense with the Motion Period.

The question then was the motion to dispense with the Motion Period.

The Senate dispensed with the Motion Period.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

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

**DEBATE INTERRUPTED**

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 CAMPSEN, subcommittee chairman, explained the Resolution and the committee amendment.

With Senator CAMPSEN retaining the floor, on motion of Senator COURSON, with unanimous consent, debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senators COURSON, ALEXANDER, ALLEN, BENNETT, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, CORBIN, CROMER, DAVIS, FAIR, FORD, GREGORY, GROOMS, HAYES, HEMBREE, HUTTO, JACKSON, JOHNSON, LEATHERMAN, LOURIE, MALLOY, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, RANKIN, REESE, SCOTT, SETZLER, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Maudie Elizabeth Allen of Simpsonville, S.C., beloved mother of our colleague and friend, Senator Karl B. Allen.

and

**MOTION ADOPTED**

On motion of Senators O’DELL, COURSON, ALEXANDER, ALLEN, BENNETT, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, CORBIN, CROMER, DAVIS, FAIR, FORD, GREGORY, GROOMS, HAYES, HEMBREE, HUTTO, JACKSON, JOHNSON, LEATHERMAN, LOURIE, MALLOY, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, McGILL, NICHOLSON, PEELER, PINCKNEY, RANKIN, REESE, SCOTT, SETZLER, SHEALY, SHEHEEN, THURMOND, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Tom Marsh of Columbia, S.C., beloved husband of Kathie, Administrative Assistant to Senator O’Dell, devoted father and grandfather. Mr. Marsh was in charge of security with the S.C. Lottery Commission and will be missed by family, friends and colleagues.

**ADJOURNMENT**

At 1:50 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 2:00 P.M.

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