**Wednesday, February 6, 2013**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

We remember that Solomon implored God to:

“ ‘Give me wisdom and knowledge, that I may lead this people’.”

(I Chronicles 1:10a)

Friends, let us pray:

Holy God, how grateful we are in South Carolina for our institutions of higher learning, for the many fine colleges and universities that exist within our borders, and for all of the dedicated and devoted professors and administrators who strive to touch the lives of our citizens. May wisdom and knowledge increasingly flourish within our State, as well as in this Senate Chamber. Allow every Senator to be active and vocal in his and her support of our state’s educational efforts. And grant that they may each serve as unabashedly wise and knowledgeable leaders. In Your loving name we pray this, O Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Nikki Randhawa Haley:

**Statewide Appointment**

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

Seat: Fifth Congressional District

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

Referred to the Committee on Fish, Game and Forestry.

**Local Appointments**

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2012, and to expire April 30, 2016

Sheridan L. Lynn, Jr., Post Office Box 6493, North Augusta, SC 29681

Reappointment, Aiken County Master-in-Equity, with the term to commence June 30, 2013, and to expire June 30, 2019

Maurice A. Griffith, 1397 Woodbine Rd., Aiken, SC 29803

**REGULATIONS RECEIVED**

The following were received and referred to the appropriate committees for consideration:

Document No. 4314

Agency: Department of Transportation

Chapter: 63

Statutory Authority: 1976 Code Sections 57-25-800 through 57-25-830

SUBJECT: Agritourism and Tourism-Oriented Directional Signing

Received by Lieutenant Governor January 31, 2013

Referred to Transportation Committee

Legislative Review Expiration May 31, 2013

Document No. 4317

Agency: Department of Employment and Workforce

Chapter: 47

Statutory Authority: 1976 Code Section 41-29-110

SUBJECT: Unemployment Insurance

Received by Lieutenant Governor February 6, 2013

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration June 6, 2013

**REGULATION WITHDRAWN**

The following was received:

Document No. 4290

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas

Received by Lieutenant Governor January 8, 2013

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration: Permanently Withdrawn

120 Day Period Tolled

Permanently Withdrawn February 5, 2013

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4297

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

SUBJECT: Seasons, Limits, Methods of Take and Special Use Restrictions on Wildlife Management Areas

Received by Lieutenant Governor January 8, 2013

Referred to Fish, Game and Forestry Committee

Legislative Review Expiration May 8, 2013

Senate Committee Requested Withdrawal

120 Day Period Tolled

Withdrawn and Resubmitted February 5, 2013

**Doctor of the Day**

Senator LARRY MARTIN introduced Dr. Lori Carnsew, MD (Family Practice) of Liberty, S.C., Doctor of the Day, along with Jessie Rivera, a nurse practioner student.

**Leave of Absence**

On motion of Senator CAMPBELL, at 2:05 P.M., Senator CLEARY was granted a leave of absence for today.

**Expression of Personal Interest**

Senator HUTTO rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Remarks by Senator SCOTT**

Mr. PRESIDENT and members of the Senate, I’m always reminded with my 23 years in the General Assembly, “Not all the time I get what I want. Not all the time what I want in legislation comes easy.” But I’m always reminded, no matter how that process comes out as Bob Sheheen would say, “There’s nothing bigger than this institution.”

Yesterday I experienced something coming out of Judiciary that troubled me greatly. A member of this body made a statement to me that I can’t consider as anything but offensive. I don’t have to be on a tape or anything. I do it. I follow the rules and the numbers of my colleagues who heard a person say such as that is embarrassing to the institution and I don’t think it should occur. I would never offend another member, simply because I did not get my way on a piece of legislation.

When I worked years ago in the early 90’s on getting the state-run lottery, there were many occasions where I said, “No,” but I continued to work until that became a reality. I’ve been working on this early voting Bill for a long time. In time, all things happen. Things become popular. There are a lot of issues out there that we gravitate toward and I respect you and I respect your interests. I just simply ask that you respect me as a member of the Senate and be careful what you say to me if, in fact, you don’t have background information to support that when you make those types of statements.

I would say to any member that hard work and dedication get you what you want. Creating that kind of environment with me doesn’t help me support where you want to go. And I would hope that this puts an end to it and we are able to move forward. But I will not nor shall not accept this kind of behavior as long as I’m a member of the Senate.

Thank you, Mr. PRESIDENT.

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

**Expression of Personal Interest**

Senator COURSON rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator CAMPSEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator COLEMAN 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 MASSEY rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 7 Sen. Ford

S. 12 Sen. Ford

S. 15 Sen. Ford

S. 118 Sen. Ford

S. 125 Sen. Ford

S. 151 Sen. Campbell

S. 191 Sens. Sheheen, Lourie

S. 261 Sen. Ford

S. 262 Sen. Ford

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 330 -- Senators Courson, Jackson, Hutto and Rankin: A BILL TO AMEND SECTION 2-1-180 OF THE 1976 CODE, RELATING TO THE DATE FOR SINE DIE ADJOURNMENT OF THE GENERAL ASSEMBLY, TO PROVIDE THAT THAT THE REGULAR ANNUAL SESSION OF THE GENERAL ASSEMBLY ADJOURNS THE FIRST THURSDAY IN MAY, AND TO PROVIDE THAT THE DATE FOR SINE DIE ADJOURNMENT IS EXTENDED ONE DAY FOR EACH DAY AFTER MARCH FIRST THAT THE HOUSE OF REPRESENTATIVES FAILS TO GIVE THE ANNUAL APPROPRIATIONS BILL THIRD READING.

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

S. 331 -- Senator Nicholson: A SENATE RESOLUTION TO HONOR AND REMEMBER THE LIFE OF MRS. MACIE L. GRIFFIN WATSON AND TO EXTEND SYMPATHY TO HER FAMILY AND MANY FRIENDS UPON HER DEATH.

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The Senate Resolution was adopted.

S. 332 -- 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE DEATH OF JONATHAN MCCRAY OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

S. 333 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE STROM THURMOND HIGH SCHOOL MARCHING BAND FOR A SPECTACULAR PERFORMING SEASON, AND TO CONGRATULATE THE BAND AND ITS DIRECTORS FOR CAPTURING THE 2012 SOUTH CAROLINA BAND DIRECTORS ASSOCIATION (SCBDA) CLASS AA STATE CHAMPIONSHIP TITLE.

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The Senate Resolution was adopted.

S. 334 -- Senators Leatherman, O'Dell, Bryant, Matthews, Jackson, Malloy, McGill, Fair, Coleman, Ford, Johnson, McElveen, Pinckney, Scott, Setzler, Williams, Nicholson, Allen, Lourie and Reese: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-4-352 SO AS TO REQUIRE THE GOVERNOR TO DEVELOP A PROTECTION PLAN TO MINIMIZE THE ACTUAL AND POTENTIAL COSTS AND EFFECTS OF IDENTITY THEFT DUE TO THE CYBER SECURITY BREACH AT THE DEPARTMENT OF REVENUE BY PROVIDING IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES, TO REQUIRE THE GOVERNOR TO DEVELOP A POLICY THAT ENSURES THE SAFETY OF ALL PERSONALLY IDENTIFIABLE INFORMATION IN THE POSSESSION OF THE DEPARTMENT OF REVENUE, INCLUDING THE ENCRYPTION OF PERSONALLY IDENTIFIABLE INFORMATION, TO SET FORTH THE PROCESS BY WHICH IDENTITY THEFT PROTECTION AND RESOLUTION SERVICES ARE PROCURED, TO REQUIRE THE GOVERNOR AND THE DEPARTMENT OF REVENUE TO ATTEMPT TO MAKE ENROLLMENT IN THESE PROGRAMS AS EASY AS POSSIBLE, TO PROVIDE THAT THESE PROGRAMS MUST BE FREE OF CHARGE TO THE ELIGIBLE PERSONS, AND TO DEFINE TERMS; BY ADDING SECTION 12-6-1141, SO AS TO PROVIDE AN INDIVIDUAL INCOME TAX DEDUCTION FOR THE ACTUAL COSTS, BUT NOT EXCEEDING TWO HUNDRED DOLLARS FOR AN INDIVIDUAL TAXPAYER, AND NOT EXCEEDING THREE HUNDRED DOLLARS FOR A JOINT RETURN OR A RETURN CLAIMING DEPENDENTS, INCURRED BY A TAXPAYER IN THE TAXABLE YEAR TO PURCHASE IDENTITY THEFT PROTECTION AND IDENTITY THEFT RESOLUTION SERVICES; BY ADDING PART 7 TO CHAPTER 6, TITLE 37 SO AS TO ESTABLISH WITHIN THE DEPARTMENT OF CONSUMER AFFAIRS THE IDENTITY THEFT UNIT AND TO PROVIDE ITS DUTIES; BY ADDING CHAPTER 36 TO TITLE 1 SO AS TO ESTABLISH THE DEPARTMENT OF INFORMATION SECURITY, TO PROVIDE THAT THE MISSION OF THE DEPARTMENT OF INFORMATION SECURITY IS TO PROTECT THE STATE’S INFORMATION AND CYBER SECURITY INFRASTRUCTURE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INFORMATION SECURITY IS THE CHIEF INFORMATION SECURITY OFFICER OF THE STATE AND TO PROVIDE THE CHIEF INFORMATION SECURITY OFFICER IS APPOINTED BY THE GOVERNOR, AND TO DEFINE TERMS, TO ESTABLISH THE TECHNOLOGY INVESTMENT COUNCIL TO ADOPT AND ANNUALLY REVIEW A STATEWIDE TECHNOLOGY PLAN, TO PROVIDE FOR THE MEMBERSHIP OF THE COUNCIL, AND TO REQUIRE REPORTS; TO AMEND SECTION 1-3-240, AS AMENDED, RELATING TO OFFICERS THAT ONLY MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO ADD THE CHIEF INFORMATION SECURITY OFFICER; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS WITHIN THE EXECUTIVE BRANCH OF STATE GOVERNMENT, SO AS TO ADD THE DEPARTMENT OF INFORMATION SECURITY; AND BY ADDING CHAPTER 79 TO TITLE 2 SO AS TO CREATE THE JOINT INFORMATION SECURITY OVERSIGHT COMMITTEE TO CONDUCT A CONTINUING STUDY OF THE LAWS OF THIS STATE AFFECTING CYBER SECURITY, INCLUDING THE RECEIPT OF IMPEDIMENTS TO IMPROVED CYBER SECURITY, AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE.

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Senator BRYANT spoke on the Bill.

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

S. 335 -- Senator Massey: A BILL TO AMEND SECTION 7-7-10, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE LOCATION OF VOTING PLACES, TO ALLOW THAT IF A COUNTY ELECTION COMMISSION DETERMINES THAT A SUITABLE POLLING PLACE IS UNAVAILABLE WITHIN A VOTING PRECINCT, THAT THE COMMISSION MAY CHOOSE A LOCATION OUTSIDE THE PRECINCT IF THAT LOCATION IS WITHIN THREE MILES OF THE PRECINCT’S BOUNDARIES AND IS WITHIN THE COUNTY.

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

S. 336 -- Senator Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR BRIGADIER GENERAL CALVIN H. ELAM FOR HIS OUTSTANDING MILITARY SERVICE IN THE SOUTH CAROLINA AIR NATIONAL GUARD AND TO CONGRATULATE HIM UPON THE OCCASION OF HIS PROMOTION TO THE RANK OF BRIGADIER GENERAL.

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

S. 337 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. HIRAM SPAIN, JR., PASTOR OF ST. MARK BAPTIST CHURCH IN COLUMBIA, UPON THE OCCASION OF HIS RETIREMENT AFTER FIFTEEN YEARS OF OUTSTANDING AND CARING MINISTRY, AND TO WISH HIM CONTINUED SUCCESS AND HAPPINESS IN ALL HIS FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 338 -- Senators Hayes, L. Martin, Cromer, Fair, Alexander, O'Dell, Peeler, Gregory, Courson, Malloy, Lourie and Rankin: A BILL TO ESTABLISH THE “2013 ETHICS REFORM ACT”, BY AMENDING CHAPTER 17, TITLE 2, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO LOBBYISTS AND LOBBYING, SO AS TO REQUIRE THAT A LOBBYIST AND LOBBYIST PRINCIPAL PAY A TWO HUNDRED DOLLAR REGISTRATION FEE, AND THAT LOBBYISTS’ AND LOBBYIST PRINCIPALS’ REPORTS ARE DUE BY JANUARY TENTH AND JULY TENTH; TO AMEND ARTICLE 1, CHAPTER 13, TITLE 8, RELATING TO GENERAL PROVISIONS CONCERNING ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM, BY AMENDING THE DEFINITION OF “ECONOMIC INTEREST”, ADDING A DEFINITION FOR “ELECTED OFFICIAL”; TO AMEND SECTION 8-13-130, RELATING TO AN ADMINISTRATIVE FEE FOR PERSONS VIOLATING THE ACT, SO AS TO PROVIDE FOR THE APPROPRIATE ETHICS COMMITTEE TO LEVY AN ENFORCEMENT OR ADMINISTRATIVE FEE; TO AMEND SECTION 8-13-320, RELATING TO THE DUTIES OF THE STATE ETHICS COMMISSION, SO AS TO PROVIDE WHICH DOCUMENTS MUST BE RELEASED FOLLOWING A FINDING OF PROBABLE CAUSE; TO AMEND SECTION 8-13-360, RELATING TO PUBLIC INSPECTION OF REPORTS FILED WITH THE COMMISSION, SO AS TO PROVIDE THAT THE COMMISSION MUST MAKE FILED STATEMENTS AND REPORTS ELECTRONICALLY ACCESSIBLE TO THE PUBLIC; TO AMEND SECTION 8-13-365, RELATING TO PUBLIC ACCESSIBILITY TO THE ELECTRONIC FILING SYSTEM, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 8-13-510, RELATING TO THE LEGISLATIVE ETHICS COMMITTEES, SO AS TO PROVIDE THAT THE RESPECTIVE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES WILL BE GOVERNED ACCORDING TO THE APPROPRIATE LEGISLATIVE BODY’S RULES AND STATUTES; TO AMEND SECTION 8-13-530, RELATING TO DUTIES OF THE HOUSE AND SENATE ETHICS COMMITTEES, TO PROVIDE THAT IF A PERSON ALLEGES MISCONDUCT OF CHAPTER 13, TITLE 8, RULE OR CHAPTER 27, TITLE 2 BY A CANDIDATE FOR THE HOUSE OR SENATE WITHIN FIFTY DAYS BEFORE AN ELECTION, THE PERSON MAY PETITION THE COURT OF COMMON PLEAS; TO ADD SECTION 8-13-535, SO AS TO PROVIDE THE LEGISLATIVE ETHICS COMMITTEES MAY COMPEL BY SUBPOENA; TO AMEND SECTION 8-13-540, RELATING TO CONDUCT OF ETHICS COMMITTEE INVESTIGATIONS AND HEARINGS, SO AS TO PROVIDE THAT INVESTIGATIONS ARE CONFIDENTIAL UNTIL A FINDING OF PROBABLE CAUSE; TO AMEND SECTION 8-13-550, RELATING TO CONSIDERATION OF A LEGISLATIVE ETHICS COMMITTEE REPORT, SO AS TO PROVIDE THE SPEAKER OR PRESIDENT PRO TEMPORE SHALL CALL OPEN SESSION UPON RECOMMENDATION OF EXPULSION OR AN APPEAL; TO AMEND SECTION 8-13-560, RELATING TO SUSPENSION, REMOVAL, OR REINSTATEMENT OF A MEMBER, SO AS TO PROVIDE THAT THE SPEAKER OR PRESIDENT PRO TEMPORE SHALL CONTINUE THE SUSPENSION OF A LEGISLATOR WHO WAS REELECTED WHILE SUSPENDED; TO AMEND SECTION 8-13-710, RELATING TO REPORTING OF PARTICULAR GIFTS RECEIVED BY PUBLIC EMPLOYEE, OFFICIAL, OR MEMBER ON STATEMENT OF ECONOMIC INTERESTS, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 8-13-750, RELATING TO EMPLOYMENT, PROMOTION, ADVANCEMENT, OR DISCIPLINE OF FAMILY MEMBER OF PUBLIC OFFICIAL, MEMBER, OR EMPLOYEE, SO AS TO PROVIDE THAT NO PUBLIC OFFICIAL, PUBLIC MEMBER, OR PUBLIC EMPLOYEE MAY CAUSE THE EMPLOYMENT, APPOINTMENT, PROMOTION, TRANSFER, OR ADVANCEMENT OF A FAMILY MEMBER TO A STATE OR LOCAL OFFICE OR POSITION WITHIN THE PUBLIC OFFICIAL’S, PUBLIC MEMBER’S OR PUBLIC EMPLOYEE’S OFFICIAL RESPONSIBILITY; TO AMEND SECTION 8-13-760, RELATING TO EMPLOYMENT BY A GOVERNMENT CONTRACTOR OF FORMER PUBLIC OFFICIAL, MEMBER, OR EMPLOYEE WHO WAS ENGAGED IN PROCUREMENT, SO AS TO PROVIDE A PUBLIC OFFICIAL, MEMBER, OR EMPLOYEE DIRECTLY PARTICIPATING IN PROCUREMENT MAY NOT ACCEPT EMPLOYMENT WITH A PERSON AWARDED THE CONTRACT FOR THE DURATION OF THE CONTRACT; TO AMEND SECTION 8-13-775, RELATING TO THE PROHIBITION OF ECONOMIC INTERESTS IN CONTRACT, SO AS TO PROVIDE A PUBLIC OFFICIAL, PUBLIC MEMBER, OR PUBLIC EMPLOYEE MAY NOT AWARD A CONTRACT NOR PARTICIPATE IN ANY DISCUSSION CONCERNING A BUSINESS OR INDIVIDUAL WITH WHICH HE OR A MEMBER OF HIS IMMEDIATE FAMILY IS ASSOCIATED; TO AMEND SECTION 8-13-780, RELATING TO REMEDIES FOR BREACHES OF ETHICAL STANDARDS BY PUBLIC OFFICIALS, MEMBERS, OR EMPLOYEES, SO AS TO PERMIT ETHICS COMMITTEES TO ISSUE WRITTEN WARNINGS AND DELETE THE OPTION OF ISSUING AN ORAL WARNING; TO AMEND SECTION 8-13-790, SO AS TO REQUIRE THE RECOVERY OF THE VALUE OF ANYTHING TRANSFERRED IN VIOLATION OF ETHICAL STANDARDS; TO AMEND ARTICLE 11, CHAPTER 13, TITLE 8, RELATING TO DISCLOSURE OF ECONOMIC INTERESTS; TO AMEND SECTION 8-13-1110, RELATING TO PERSONS REQUIRED TO FILE STATEMENT OF ECONOMIC INTERESTS, SO AS TO REQUIRE THAT A FILING CONFORM WITH THE PROVISIONS OF SECTION 8-13-365; BY AMENDING SECTION 8-13-1120, SO AS TO REQUIRE ADDITIONAL INCOME DISCLOSURE; TO AMEND SECTION 8-13-1130, RELATING TO REPORT ON NAMES OF, AND PURCHASES BY, LOBBYISTS, SO AS TO REQUIRE REPORTING ON EMPLOYMENT; TO AMEND SECTION 8-13-1140, RELATING TO FILING OF AN UPDATED STATEMENT, SO AS TO REQUIRE A STATEMENT OF ECONOMIC INTERESTS TO BE FILED BY MARCH THIRTIETH; BY ADDING SECTION 8-13-1145, SO AS TO REQUIRE THE APPROPRIATE SUPERVISORY OFFICE TO SEND ELECTRONIC NOTICE OF OBLIGATION TO REPORT; TO AMEND SECTION 8-13-1150, REGARDING A CONSULTANT FILING A STATEMENT; TO AMEND SECTION 8-13-1170, RELATING TO TECHNICAL VIOLATIONS OF DISCLOSURE REQUIREMENTS AND EXTENSIONS OF TIME FOR FILING STATEMENTS, SO AS TO ELIMINATE THE CONFIDENTIALITY OF TECHNICAL VIOLATIONS; TO AMEND ARTICLE 13, CHAPTER 13, TITLE 8, RELATING TO CAMPAIGN PRACTICES DEFINITIONS, SO AS TO MAKE CONFORMING CHANGES IN THE DEFINITIONS OF “BUSINESS”, “COMMITTEE”, “CONTRIBUTION”, “INDEPENDENT EXPENDITURE”, “NONCANDIDATE COMMITTEE”, “INFLUENCE THE OUTCOME OF AN ELECTIVE OFFICE”, “BALLOT MEASURE COMMITTEE”, AND TO ADD “PUBLIC MEMBER”, “ELECTIONEERING COMMUNICATION”, AND “INDEPENDENT EXPENDITURE-ONLY COMMITTEE”; TO AMEND SECTIONS 8-13-1308 AND 8-13-1309, RELATING TO FILING OF CERTIFIED CAMPAIGN REPORTS, SO AS TO REQUIRE THAT FILING CONFORM WITH THE PROVISIONS OF SECTION 8-13-365; TO ADD SECTION 8-13-1311 REGARDING FILINGS BY AN INDEPENDENT EXPENDITURE-ONLY COMMITTEE; TO AMEND SECTION 8-13-1312, RELATING TO CAMPAIGN BANK ACCOUNTS, SO AS TO MAKE A TECHNICAL CHANGE; TO ADD SECTION 8-13-1313 REGARDING A FILING FOR A PERSON WHO IS NOT A COMMITTEE AND MAKES AN INDEPENDENT EXPENDITURE OF FIVE HUNDRED DOLLARS IN A YEAR OR AN ELECTIONEERING COMMUNICATION; TO AMEND SECTION 8-13-1318, RELATING TO ACCEPTANCE OF CONTRIBUTIONS TO RETIRE CAMPAIGN DEBT, LIMITS, REPORTING REQUIREMENTS, SO AS TO REQUIRE A CONTRIBUTION TO RETIRE CAMPAIGN DEBT TO BE UTILIZED FOR THAT PURPOSE; TO AMEND SECTION 8-13-1320, RELATING TO CONTRIBUTIONS WITHIN SPECIFIED PERIOD AFTER PRIMARY, SPECIAL, OR GENERAL ELECTION ATTRIBUTED TO THAT PRIMARY OR ELECTION, SO AS TO ATTRIBUTE CONTRIBUTIONS AFTER A PRIMARY; TO AMEND SECTION 8-13-1322 RELATING TO CONTRIBUTION LIMITS, TO EXCLUDE INDEPENDENT EXPENDITURE-ONLY COMMITTEES REGISTERED WITH THE STATE ETHICS COMMISSION; TO AMEND SECTION 8-13-1328, RELATING TO LIMITS ON REPAYMENT OF LOANS FROM CANDIDATE OR FAMILY MEMBERS TO CAMPAIGN, SO AS TO DELETE THE REFERENCE TO A CANDIDATE’S FAMILY MEMBER; TO ADD SECTION 8-13-1337, SO AS TO PROVIDE AN ELECTIVE OFFICIAL OR THE ELECTIVE OFFICIAL’S AGENT MAY NOT KNOWINGLY SOLICIT A CONTRIBUTION FROM AN EMPLOYEE IN THE ELECTIVE OFFICIAL’S AREA OF OFFICIAL RESPONSIBILITY; TO ADD SECTION 8-13-1339 TO PROHIBIT A POLITICAL ACTION COMMITTEE ORGANIZED ON OR BEHALF OF THE GOVERNOR, LIEUTENANT GOVERNOR, ANY STATEWIDE CONSTITUTIONAL OFFICER, A MEMBER OF THE GENERAL ASSEMBLY, PUBLIC OFFICIAL OF A COUNTY OR MUNICIPALITY, OR A DIRECTOR OR DEPUTY DIRECTOR OF A STATE DEPARTMENT APPOINTED BY THE GOVERNOR; TO AMEND SECTION 8-13-1340, RELATING TO RESTRICTIONS ON CONTRIBUTIONS BY ONE CANDIDATE TO ANOTHER, SO AS TO INCLUDE FEDERAL CANDIDATES AND TO MAKE CONFORMING CHANGES; TO AMEND SECTION 8-13-1344, RELATING TO CONTRIBUTIONS BY PUBLIC UTILITIES, SO AS TO PROHIBIT A CANDIDATE, COMMITTEE, OR POLITICAL PARTY FROM OFFERING CONSIDERATION FOR AN ENDORSEMENT; TO AMEND SECTION 8-13-1352, RELATING TO CONTRIBUTIONS, SO AS TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 8-13-1356 RELATING TO THE FILING OF STATEMENT OF ECONOMIC INTERESTS BY CANDIDATES, SO AS TO PROVIDE FOR ELECTRONIC FILING AND THE TIME IN WHICH CANDIDATES MUST FILE; TO AMEND SECTION 8-13-1360, RELATING TO CONTRIBUTION AND EXPENDITURE REPORTING, SO AS TO CONFORM WITH THE PROVISIONS OF SECTION 8-13-365; TO AMEND SECTION 8-13-1364, RELATING TO NOTIFICATION, SO AS TO PROVIDE THAT AN ELECTRONIC NOTICE OF OBLIGATION TO REPORT NO LESS THAN THIRTY DAYS BEFORE THE FILING DATE FOR EACH REPORTING PERIOD TO THE EMAIL ADDRESS PROVIDED BY THE CANDIDATE OR COMMITTEE; TO AMEND SECTION 8-13-1372, RELATING TO ERRORS AND OMISSIONS, SO AS TO DELETE THE PROVISION THAT TECHNICAL VIOLATIONS MUST REMAIN CONFIDENTIAL UNLESS REQUESTED TO BE MADE PUBLIC BY THE CANDIDATE FILING THE REPORT; AND TO REPEAL SECTIONS 8-13-520, 8-13-1160, 8-13-1180, 8-13-1310, 8-13-1350, 8-13-1358, 8-13-1362, AND 8-13-1366.

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Senator HAYES spoke on the Bill.

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

S. 339 -- Senators McElveen and Johnson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 85 TO TITLE 40 SO AS TO ENACT THE “REGISTERED INTERIOR DESIGNER PRACTICE ACT”, TO PROVIDE FOR THE APPLICABILITY AND PURPOSE OF THE CHAPTER, TO DEFINE NECESSARY TERMS, TO CREATE THE SOUTH CAROLINA REGISTERED INTERIOR DESIGNERS BOARD, TO PROVIDE FOR THE COMPOSITION, TERMS, DUTIES, AND POWERS OF THE BOARD, TO PROVIDE REQUIREMENTS FOR REGISTRATION AND RENEWAL OF REGISTRATION OF A REGISTERED INTERIOR DESIGNER, TO PROVIDE CONTINUING EDUCATION REQUIREMENTS, TO PROVIDE EXCLUSIONS, AND TO REQUIRE THE OBTAINING AND USE OF A SEAL.

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

S. 340 -- Senator Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE FOURTH ANNUAL SOUTH CAROLINA EMS MEMORIAL BIKE RIDE FOR HONORING THOSE WHO HAVE GIVEN OF THEMSELVES WHILE RENDERING AID TO THE CITIZENS OF SOUTH CAROLINA.

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

S. 341 -- Senators Alexander, Reese and Fair, Lourie, Cromer, L. Martin, Campbell and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “EMERSON ROSE ACT” BY ADDING SECTION 44-37-70 SO AS TO REQUIRE EACH BIRTHING FACILITY LICENSED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PERFORM A PULSE OXIMETRY SCREENING ON EVERY NEWBORN IN ITS CARE, WHEN THE BABY IS TWENTY-FOUR TO FORTY-EIGHT HOURS OF AGE, OR AS LATE AS POSSIBLE IF THE BABY IS DISCHARGED FROM THE HOSPITAL BEFORE REACHING TWENTY-FOUR HOURS OF AGE.

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Senator ALEXANDER spoke on the Bill.

**Remarks by Senator ALEXANDER**

Thank you, Mr. PRESIDENT and members of the Senate.

February is heart month and I don’t know of a more appropriate way to begin this month than to introduce the “Emerson Rose Act” in the South Carolina Senate. We’re honored today to have her parents with us. I’m going to ask that Jason and Susan Smith -- if you will please stand as I make these introductory remarks about this legislation.

Being passed out to you is some information about Emerson Rose Smith and some information from the Heart Association. Emerson Rose Smith spent only 76 days on earth. During that brief time, she touched countless lives and her experience will likely save other babies in the future. The introduction of this Act is the next step in having the opportunity to save the lives of other babies. In the article that you have before you, the Smiths said that, I think, “Through our mourning, we felt better able to help others. This whole experience has completely changed us.” Within six weeks after the death of Emerson Rose Smith, they began the Emerson Rose Smith Foundation. This foundation provides support for families of babies with heart defects and to fund research with heart defects and to purchase life-saving equipment. This legislation that’s being introduced today is the pulse ox legislation for early detection that leads to early prevention.

It is the “Emerson Rose Act.” What is it? Congenital heart defects are the leading cause of infant deaths due to birth defects. This disease affects seven to nine out of every thousand live births. This pulse oximetry procedure measures the blood oxygen saturation of newborns that can lead to that early diagnosis and detection of these heart defects. The American Academy of Pediatrics, American College of Cardiology Foundation and the American Heart Association recommend pulse ox screening for all newborns. This screening measures the blood oxygen saturation levels. It is a low cost, non-invasive and painless bedside diagnosis test that can be completed by a technician in as little as 45 seconds. A number of states have already implemented the pulse ox screening for all newborns. Those include Maryland, Indiana, Tennessee, West Virginia, New Hampshire and Connecticut. Legislation is currently pending in many other states including Oklahoma, Texas, Georgia, and now in South Carolina. Newborn screening as we all know is a well-established state-based public health program that tests infants for genetic and developmental disorders. I firmly believe that the screening for these heart defects is equally important and this Bill that’s being introduced today -- and I encourage any of you that would like to go on as cosponsors -- requires the birthing facilities to administer the pulse ox screening to every newborn. Over 90% of newborns with this disease will be detected with this screening. This will allow children with heart defects to live longer and fuller lives. The Emerson Rose Smith Foundation that is in existence has funded already these machines in hospitals across South Carolina. Twelve facilities are using these machines today and the foundation has paid for these machines.

We thank you, Jason and Susan, for your leadership and what you’re doing in making a difference and knowing that Emerson Rose continues to make a difference on the impact of lives -- and will have that opportunity of your compassion and your care for others. I do want to share with you that since Emerson Rose’s death, they have adopted a 3-month-old baby girl, Rowan. And, Susan is also expecting this April. We’re very pleased for that.

So, I just make these remarks and encourage anyone that would like to go on this legislation and also, Mr. PRESIDENT, I would ask unanimous consent that the Senate would adjourn today in memory of Emerson Rose Smith.

Thank you, Mr. PRESIDENT.

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

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

S. 342 -- Senator Allen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ISRAEL METROPOLITAN CHRISTIAN METHODIST EPISCOPAL CHURCH FOR MORE THAN A CENTURY OF MINISTRY, AND TO WELCOME THE PARTICIPANTS OF THE CAROLINA REGION CONFERENCE OF THE SEVENTH EPISCOPAL DISTRICT OF THE CHRISTIAN METHODIST CHURCH.

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The Senate Resolution was adopted.

S. 343 -- Senator Hayes: A BILL TO AMEND CHAPTER 7, TITLE 36, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ARTICLE 7 OF THE UNIFORM COMMERCIAL CODE, SO AS TO REVISE THE CHAPTER IN ITS ENTIRETY IN ORDER TO PROVIDE FOR THE USE OF ELECTRONIC DOCUMENTS OF TITLE AND TO MAKE CONFORMING CHANGES.

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

S. 344 -- Senator Ford: A JOINT RESOLUTION TO PROVIDE THAT ON OR BEFORE JULY 1, 2013, THE STATE BUDGET AND CONTROL BOARD AND THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION SHALL INITIATE A JOINT FEASIBILITY STUDY INTO THE ADVANTAGES OF CONVEYING THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO DUKE ENERGY OR TO ANOTHER SUITABLE ELECTRICAL UTILITY, TO STIPULATE MANDATORY CRITERIA OF A REQUEST FOR PROPOSALS TO BE CONSIDERED IN THE STUDY; AND TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION TO CONDUCT AND PUBLISH A COMPREHENSIVE STUDY THAT EXAMINES AND FORECASTS SOUTH CAROLINA’S RESIDENTIAL AND COMMERCIAL ELECTRIC ENERGY CONSUMPTION AND HOW IT WILL RELATE TO THE STATE’S ELECTRIC POWER PRODUCTION AND DISTRIBUTION CAPACITIES FOR THE NEXT TEN, TWENTY-FIVE, AND FIFTY YEARS.

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

S. 345 -- Senator Campsen: A BILL TO AMEND SECTION 63-3-530, AS AMENDED, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO THE JURISDICTION OF THE FAMILY COURT, SO AS TO PROVIDE THAT THE FAMILY COURT CAN ESTABLISH A RECOVERY COURT PROGRAM IN EACH JUDICIAL CIRCUIT; AND TO AMEND SECTION 63-7-1690, AS AMENDED, SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO PLACEMENT PLANS IN CASES IN WHICH THERE ARE SUBSTANCE ABUSE ISSUES, SO AS TO PROVIDE THAT THE FAMILY COURT IS ALLOWED TO PERMIT A PARENT TO PARTICIPATE IN A RECOVERY COURT PROGRAM OPERATED BY THE DEPARTMENT OF SOCIAL SERVICES.

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

S. 346 -- Senators Hayes, L. Martin, Cromer, Fair, Alexander, Peeler, Gregory, Courson and Lourie: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 12, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO PUNISHMENT OF MEMBERS OF THE GENERAL ASSEMBLY, SO AS TO PROVIDE THAT THE SUPERVISION OF ETHICAL CONDUCT BY MEMBERS OF THE GENERAL ASSEMBLY, INCLUDING THE AUTHORITY TO DISCIPLINE OR PUNISH MEMBERS, EXCEPT FOR THE PUNISHMENT OF EXPULSION, IS VESTED IN THE STATE AGENCY CHARGED BY LAW WITH INVESTIGATING, ENFORCING, AND ADJUDICATING ALLEGATIONS OF ETHICAL MISCONDUCT FOR ALL OTHER PUBLIC OFFICIALS.

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

S. 347 -- Senators Hayes, L. Martin, Cromer, Fair, Alexander, Peeler, Gregory, Courson and Lourie: A BILL TO AMEND SECTION 8-13-100, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS APPLICABLE TO THE GENERAL PROVISIONS OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, SO AS TO ELIMINATE THE DEFINITION OF “APPROPRIATE SUPERVISORY OFFICE”; TO AMEND SECTION 8-13-320, AS AMENDED, RELATING TO THE DUTIES AND POWERS OF THE STATE ETHICS COMMISSION, SO AS TO INCLUDE THE MEMBERS, STAFF, AND CANDIDATES FOR THE GENERAL ASSEMBLY WITHIN THE JURISDICTION OF THE STATE ETHICS COMMISSION; TO AMEND SECTION 8-13-1300, AS AMENDED, RELATING TO THE DEFINITIONS APPLICABLE TO THE CAMPAIGN PRACTICES PROVISIONS OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT, SO AS TO ELIMINATE THE DEFINITION OF “APPROPRIATE SUPERVISORY OFFICE”; AND TO REPEAL SECTIONS 8-13-530, 8-13-540, AND 8-13-550 ALL RELATING TO THE HOUSE OF REPRESENTATIVES AND SENATE ETHICS COMMITTEES.

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

S. 348 -- Senator L. Martin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6-10-35 SO AS TO PROVIDE FOR REQUIREMENTS FOR FIREPLACES IN LIEU OF REQUIREMENTS OF THE 2009 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE.

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

S. 349 -- Senator O'Dell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 60, TITLE 40 SO AS TO ENACT THE “APPRAISAL MANAGEMENT COMPANY REGISTRATION ACT”, TO PROVIDE A CITATION, TO PROVIDE CERTAIN DEFINITIONS, TO REQUIRE REGISTRATION FOR AN ENTITY ACTING AS AN APPRAISAL MANAGEMENT COMPANY, TO SPECIFY REGISTRATION REQUIREMENTS, TO PROVIDE EXEMPTIONS FROM REGISTRATION, TO SPECIFY THE TERM FOR WHICH REGISTRATION IS VALID AND FOR RENEWAL AND CANCELLATION OF REGISTRATIONS, TO PROVIDE FOR REGISTRATION FEES, TO LIMIT OWNERSHIP OF AN APPRAISAL MANAGEMENT COMPANY, TO REQUIRE AN APPLICANT FOR REGISTRATION TO DESIGNATE ONE CONTROLLING PERSON AS THE MAIN CONTACT BETWEEN THE COMPANY AND THE BOARD, TO PROVIDE REQUIREMENTS FOR A CONTROLLING PERSON ACTING AS A MAIN CONTACT BETWEEN A COMPANY AND THE BOARD, TO PROVIDE REQUIREMENTS RELATING TO THE USE AND PAYMENT OF INDEPENDENT APPRAISERS, TO SPECIFY CERTAIN REPORTING REQUIREMENTS OF AN APPRAISAL MANAGEMENT COMPANY, TO MAKE ATTEMPTS BY CERTAIN APPRAISAL MANAGEMENT COMPANY PERSONNEL TO INFLUENCE OR ATTEMPT TO INFLUENCE AN APPRAISAL IN A CERTAIN MANNER, TO PROHIBIT AN APPRAISAL MANAGEMENT COMPANY FROM CHANGING A COMPLETED APPRAISAL OR USING AN APPRAISAL REPORT OR ITS CONTENT PROVIDED BY AN INDEPENDENT APPRAISER IN ANOTHER TRANSACTION, TO PROVIDE RESTRICTIONS ON THE REMOVAL OF AN INDEPENDENT APPRAISER FROM THE APPRAISER PANEL BY AN APPRAISAL MANAGEMENT COMPANY, TO PROVIDE CERTAIN PENALTIES AND REMEDIES THE BOARD MAY IMPOSE FOR A VIOLATION OF THE ARTICLE, TO PROVIDE SURETY BOND REQUIREMENTS FOR AN APPRAISAL MANAGEMENT COMPANY, AND TO PROVIDE THE BOARD MAY PROVIDE ADJUDICATORY PROCEEDINGS PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT; TO AMEND SECTION 40-60-10, RELATING TO THE REAL ESTATE APPRAISERS BOARD, SO AS TO INCREASE THE MEMBERSHIP OF THE BOARD BY TWO MEMBERS; AND TO DESIGNATE SECTIONS 40-60-5 THROUGH 40-60-230 AS ARTICLE 1 OF CHAPTER 60, TITLE 40, ENTITLED “REAL ESTATE APPRAISERS”, AND TO RETITLE CHAPTER 60, TITLE 40 AS THE “REAL ESTATE APPRAISAL PROFESSIONALS ACT”.

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

S. 350 -- Senator Rankin: A BILL TO AMEND SECTION 38-3-10 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF INSURANCE, TO PROVIDE THAT THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MUST BE SCREENED BY THE DEPARTMENT OF INSURANCE DIRECTOR JOINT SCREENING COMMITTEE BEFORE BEING CONFIRMED BY THE SENATE; AND TO AMEND CHAPTER 3, TITLE 38, BY ADDING ARTICLE 5, TO ESTABLISH THE DEPARTMENT OF INSURANCE DIRECTOR JOINT SCREENING COMMITTEE, TO PROVIDE FOR THE SCREENING COMMITTEE’S MEMBERSHIP, POWERS, DUTIES, AND AUTHORITY, AND TO DEFINE NECESSARY TERMS.

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Senator RANKIN spoke on the Bill.

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

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.

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

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.

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

S. 353 -- Senator Massey: A BILL TO AMEND SECTION 7-7-710, SOUTH CAROLINA CODE OF LAWS, 1976, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL REPORT THE NAMES OF ALL POLLING PRECINCTS BY COUNTY THAT HAVE MORE THAN TWO THOUSAND FIVE HUNDRED REGISTERED ELECTORS AND FOR THE COUNTY REGISTRATION BOARDS TO MAKE ALTERATIONS IF THE GENERAL ASSEMBLY FAILED TO ALTER THE PRECINCTS, SO THAT NO PRECINCT HAS MORE THAN TWO THOUSAND FIVE HUNDRED REGISTERED ELECTORS; TO AMEND SECTION 7-7-1000 SO AS TO PROVIDE THAT MUNICIPALITY POOLED PRECINCTS CANNOT EXCEED TWO THOUSAND FIVE HUNDRED REGISTERED ELECTORS.

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

S. 354 -- Transportation Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION, RELATING TO SIGN REQUIREMENTS FOR PETITIONS TO CLOSE ROAD, DESIGNATED AS REGULATION DOCUMENT NUMBER 4311, 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. 355 -- Senator Hutto: A BILL TO AMEND SECTION 63-11-1930, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE CHILD FATALITY ADVISORY COMMITTEE, SO AS TO ADD TWO MEMBERS TO THE COMMITTEE; TO AMEND SECTION 63-11-1940, RELATING TO THE DUTIES OF STATE LAW ENFORCEMENT DIVISION’S DEPARTMENT OF CHILD FATALITIES, SO AS TO DELETE CERTAIN PROVISIONS REQUIRING THE DEPARTMENT TO PROCEED WITH AN INVESTIGATION OR TO CLOSE A CASE; AND TO MAKE TECHNICAL CORRECTIONS.

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

H. 3033 -- Rep. G. M. Smith: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 132 TO CHAPTER 3 OF TITLE 56 SO AS TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE SPECIAL LICENSE PLATES TO RECIPIENTS OF THE DISTINGUISHED FLYING CROSS.

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

H. 3191 -- Reps. Cole and Tallon: A BILL TO AMEND SECTIONS 56-5-130 AND 56-5-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”, SO AS TO PROVIDE THAT MOPEDS ARE MOTOR VEHICLES AND NOT MOTORCYCLES.

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

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.

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

H. 3458 -- Reps. Hosey, Clyburn and Sellers: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 278 IN ALLENDALE COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 301 TO FEED LOT ROAD “LIEUTENANT WINSTON ROBINSON, JR. HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “LIEUTENANT WINSTON ROBINSON, JR. HIGHWAY”.

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

H. 3483 -- Reps. Allison, Alexander, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Bedingfield, Bernstein, Bingham, Bowen, 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, 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 EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE DEATH OF DR. TRUMAN MICHAEL RALEY OF COLUMBIA AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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

**REPORTS OF STANDING COMMITTEES**

Senator CAMPSEN from the Committee on Judiciary submitted a majority favorable with amendment and Senator SHANE MARTIN a minority unfavorable report on:

S. 4 -- Senators Scott, Malloy, Setzler, Matthews, Allen, Coleman, Ford, Hutto, Jackson, Johnson, Lourie, McElveen, McGill, Nicholson, Pinckney, Reese, Sheheen and Williams: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑13‑25 SO AS TO ESTABLISH EARLY VOTING PROCEDURES; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO DUTIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO FURTHER DEFINE HIS DUTIES; AND TO AMEND SECTION 7‑15‑320, RELATING TO PERSONS QUALIFIED TO VOTE BY ABSENTEE BALLOT, SO AS TO INCLUDE VOTING DURING THE EARLY VOTING PERIOD.

Ordered for consideration tomorrow.

Senator MALLOY from the Committee on Judiciary submitted a favorable with amendment report on:

S. 142 -- Senator Malloy: A BILL TO AMEND THE “OMNIBUS CRIME REDUCTION AND SENTENCING REFORM ACT OF 2010”, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY AMENDING SECTION 16‑11‑110, RELATING TO ARSON, SO AS TO RESTRUCTURE THE DEGREES OF ARSON; BY AMENDING SECTION 16‑23‑500, RELATING TO THE UNLAWFUL POSSESSION OF A FIREARM OR AMMUNITION BY A PERSON CONVICTED OF A VIOLENT CRIME CLASSIFIED AS A FELONY, SO AS TO PROVIDE THAT IT IS A VIOLATION OF PROBATION, PAROLE, COMMUNITY SUPERVISION, OR ANY OTHER SUPERVISION PROGRAM OPERATED BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES FOR AN OFFENDER TO PURCHASE OR POSSESS A FIREARM, AMMUNITION, OR ANY OTHER DANGEROUS WEAPON; BY AMENDING SECTION 22‑3‑560, RELATING TO THE ABILITY OF MAGISTRATES TO PUNISH BREACHES OF THE PEACE, SO AS TO PROVIDE THAT MAGISTRATES MAY PUNISH BREACHES OF THE PEACE BY A FINE NOT EXCEEDING FIVE HUNDRED DOLLARS OR IMPRISONMENT FOR A TERM NOT EXCEEDING THIRTY DAYS, OR BOTH; BY AMENDING SECTION 22‑5‑920, RELATING TO THE EXPUNGEMENT OF YOUTHFUL OFFENDERS’ RECORDS, SO AS TO PROVIDE THAT EXPUNGEMENT DOES NOT APPLY TO OFFENSES IN WHICH REGISTRATION ON THE SEXUAL OFFENDER REGISTRY IS REQUIRED, EXCEPT IN CASES IN WHICH A DETERMINATION IS MADE BY THE SENTENCING COURT THAT THE SEXUAL CONDUCT WITH A VICTIM OF AT LEAST FOURTEEN YEARS OF AGE WAS CONSENSUAL; BY AMENDING SECTION 24‑19‑10, RELATING TO THE DEFINITION OF A “YOUTHFUL OFFENDER”, SO AS TO PROVIDE THAT IF THE OFFENDER COMMITTED BURGLARY IN THE SECOND DEGREE PURSUANT TO SECTION 16‑11‑312(B), THE OFFENDER MUST RECEIVE AND SERVE A MINIMUM SENTENCE OF AT LEAST THREE YEARS, NO PART OF WHICH MAY BE SUSPENDED, AND THE PERSON IS NOT ELIGIBLE FOR CONDITIONAL RELEASE UNTIL THE PERSON HAS SERVED THE THREE‑YEAR MINIMUM SENTENCE; BY AMENDING SECTION 24‑21‑5 AND SECTION 24‑21‑100, RELATING TO ADMINISTRATIVE MONITORING BY THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THE PROCEDURES THE DEPARTMENT SHALL FOLLOW WHEN NOTIFYING PERSONS UNDER ADMINISTRATIVE MONITORING; BY AMENDING SECTION 24‑21‑280, RELATING TO COMPLIANCE CREDITS OF PERSONS UNDER THE SUPERVISION OF THE DEPARTMENT OF PROBATION, PAROLE AND PARDON SERVICES, SO AS TO PROVIDE THAT AN INDIVIDUAL MAY EARN UP TO TWENTY DAYS OF COMPLIANCE CREDITS FOR EACH THIRTY‑DAY PERIOD IN WHICH THE DEPARTMENT DETERMINES THAT THE INDIVIDUAL HAS SUBSTANTIALLY FULFILLED ALL OF THE CONDITIONS OF SUPERVISION; BY AMENDING SECTION 44‑53‑370 AND SECTION 44‑53‑375, RELATING TO CONTROLLED SUBSTANCE OFFENSES, SO AS TO REMOVE CERTAIN PROVISIONS PERTAINING TO PRIOR AND SUBSEQUENT CONTROLLED SUBSTANCE CONVICTIONS; BY AMENDING SECTION 44‑53‑470, RELATING TO WHEN A CONTROLLED SUBSTANCE OFFENSE IS CONSIDERED A SECOND OR SUBSEQUENT OFFENSE, SO AS TO PROVIDE THAT A CONVICTION FOR TRAFFICKING IN CONTROLLED SUBSTANCES MUST BE CONSIDERED A PRIOR OFFENSE FOR PURPOSES OF ANY CONTROLLED SUBSTANCE PROSECUTION; BY AMENDING SECTION 56‑1‑396, RELATING TO THE DRIVER’S LICENSE SUSPENSION AMNESTY PERIOD, SO AS TO PROVIDE THAT QUALIFYING SUSPENSIONS DO NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56‑5‑2990 OR SECTION 56‑5‑2945, AND DO NOT INCLUDE SUSPENSIONS PURSUANT TO SECTION 56‑1‑460, IF THE PERSON DRIVES A MOTOR VEHICLE WHEN THE PERSON’S LICENSE HAS BEEN SUSPENDED OR REVOKED PURSUANT TO SECTION 56‑5‑2990 OR SECTION 56‑5‑2945; AND BY AMENDING SECTION 56‑1‑460, RELATING TO THE OFFENSE OF DRIVING UNDER SUSPENSION, SO AS TO PROVIDE THAT FOR A THIRD OR SUBSEQUENT OFFENSE, THE PERSON MUST BE FINED ONE THOUSAND DOLLARS, AND IMPRISONED FOR UP TO NINETY DAYS OR CONFINED TO THE PERSON’S PLACE OF RESIDENCE PURSUANT TO THE HOME DETENTION ACT FOR UP TO NINETY DAYS.

Ordered for consideration tomorrow.

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

S. 151 -- Senators Grooms and Campbell: A BILL TO AMEND SECTION 56‑1‑2080 OF THE 1976 CODE, RELATING TO QUALIFICATIONS FOR A COMMERCIAL DRIVER’S LICENSE, TO ESTABLISH THE INTRASTATE VISION WAIVER PROGRAM, TO PROVIDE THAT CERTAIN VISUALLY IMPAIRED INDIVIDUALS MAY OBTAIN A WAIVER FROM THE SIGHT REQUIREMENTS ASSOCIATED WITH A COMMERCIAL DRIVER’S LICENSE, AND TO PROVIDE FOR THE WAIVER’S ELIGIBILITY REQUIREMENTS FOR THE WAIVER, THE CIRCUMSTANCES UNDER WHICH A WAIVER MAY GRANTED, AND THE PROCEDURES FOR OBTAINING A WAIVER.

Ordered for consideration tomorrow.

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

S. 251 -- Senators Scott, Massey, 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, Matthews, McElveen, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Setzler, Shealy, Sheheen, Thurmond, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF PLEASANT LANE ROAD IN EDGEFIELD COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 25 TO ITS INTERSECTION WITH UNITED STATES HIGHWAY 378 “MAMIE J. REARDEN HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “MAMIE J. REARDEN HIGHWAY”.

Ordered for consideration tomorrow.

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

S. 297 -- Senators Grooms and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑1‑222 TO EXPAND VISION STANDARDS AND TRAINING REQUIREMENTS TO ALLOW CERTAIN PERSONS WHO WEAR BIOPTIC TELESCOPIC LENSES FOR VISION ASSISTANCE TO OBTAIN A DRIVER’S LICENSE.

Ordered for consideration tomorrow.

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

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”.

Ordered for consideration tomorrow.

**Appointments Reported**

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

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2012, and to expire February 13, 2017

At-Large:

Robert Michael Sisk, 718 Charter Lane, Lexington, SC 29072 *VICE* Karen Floyd

Senator HAYES from the Committee on Banking and Insurance submitted a favorable report on:

Initial Appointment, South Carolina Commission on Consumer Affairs, with the term to commence September 20, 2011, and to expire September 20, 2015

At-Large:

W. Frederick Pennington, 209 Forestdale Dr., Taylors, SC 29687 *VICE* C. Wayne Powell

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2010, and to expire June 30, 2014

Consumer:

W. Donald Pennington, 650 Harrison Bridge Road, Simpsonville, SC 29680 *VICE* Naomi Dreher

Initial Appointment, Director of Department of Insurance, with term coterminous with Governor

Director:

Raymond G. Farmer, 100 Pulaski Street, Columbia, SC 29201

Received as information.

**HOUSE CONCURRENCES**

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.”

Returned with concurrence.

Received as information.

S. 328 -- Senators Courson, Lourie and Setzler: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR RAY TANNER, UNIVERSITY OF SOUTH CAROLINA ATHLETICS DIRECTOR, ON HIS IMPRESSIVE CAREER AS BOTH COACH AND MENTOR TO YOUNG ATHLETES, AND TO CONGRATULATE HIM ESPECIALLY ON HIS OUTSTANDING SUCCESS AT THE HELM OF THE FABULOUS CAROLINA GAMECOCK BASEBALL TEAM.

Returned with concurrence.

Received as information.

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

**ADOPTED**

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.

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

**ADOPTED**

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.

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

**ADOPTED**

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.

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

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Aiken County Master-in-Equity, with the term to commence June 30, 2013, and to expire June 30, 2019

Maurice A. Griffith, 1397 Woodbine Rd., Aiken, SC 29803

Reappointment, Aiken County Magistrate, with the term to commence April 30, 2012, and to expire April 30, 2016

Sheridan L. Lynn, Jr., Post Office Box 6493, North Augusta, SC 29681

**MOTION ADOPTED**

On motion of Senators LARRY MARTIN and ALLEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Luther Johnson, Jr. of Liberty, S.C., beloved husband, father and grandfather. Mr. Johnson was a highly respected and admired educator for many years, owner of Luther Johnson Funeral Home in Liberty and very active in the Liberty Community throughout his long and productive life.

and

**MOTION ADOPTED**

On motion of Senators THURMOND, 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, LARRY MARTIN, SHANE MARTIN, MASSEY, MATTHEWS, McELVEEN, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, RANKIN, REESE, SCOTT, SETZLER, SHEALY, SHEHEEN, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Essie Mae Washington-Williams, 87, of Columbia, S.C., daughter of the late United States Senator Strom Thurmond.

and

**MOTION ADOPTED**

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Miss Emerson Rose Smith of Clemson, S.C., who passed away 76 days after her birth as a result of a congenital heart defect.

**ADJOURNMENT**

At 3:41 P.M., on motion of Senator COURSON, the Senate adjourned to meet tomorrow at 11:00 A.M.

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