**Thursday, March 7, 2013**

**(Statewide Session)**

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## 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 his song of praise Moses declared:

“ ‘The Lord is my strength and my song; he has become my salvation’.” (Exodus 15:2a)

Bow in prayer with me, if you will:

Glorious Lord, we bow before You today on behalf of all who are in various leadership roles in State Government, especially these who serve and honor You in the Senate of South Carolina. May all of these servants find strength in You appropriate to the tasks before them, O God. Fill their hearts with genuine compassion for the women and men and children of our State. Give them wisdom -- true wisdom -- which leads them to make decisions and to take actions that everyone can celebrate. Equally bless our women and men in the Armed Forces, Lord. May all who serve You find strength in Your care. In Your loving name we pray.

Amen.

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

**Doctor of the Day**

Senators CAMPBELL and BENNETT introduced Dr. Otis Engleman of Summerville, S.C., Doctor of the Day.

**Leave of Absence**

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

**Leave of Absence**

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

**CO-SPONSOR ADDED**

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

S. 143 Sen. Hayes

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 492 -- Senator Campbell: A BILL TO AMEND SECTION 12-10-88 OF THE 1976 CODE, RELATING TO THE REMISSION OF REDEVELOPMENT FEES TO A REDEVELOPMENT AUTHORITY, TO EXTEND THE END DATE FOR REMISSIONS FROM JANUARY 1, 2017, TO JANUARY 1, 2037.

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

S. 493 -- Senator Sheheen: A CONCURRENT RESOLUTION TO DECLARE THURSDAY, APRIL 11, 2013, AS “CITY OF CAMDEN DAY” IN SOUTH CAROLINA.

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

S. 494 -- Senator Sheheen: A BILL TO AMEND SECTION 61-6-2010, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TEMPORARY PERMITS FOR THE POSSESSION, SALE, AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK, SO AS TO REDUCE THE APPLICATION FEE FOR THE FIFTY-TWO WEEK TEMPORARY PERMIT.

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

S. 495 -- Senator Lourie: A BILL TO AMEND SECTION 23-3-115, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FEES FOR CRIMINAL RECORD SEARCHES, SO AS TO CLARIFY THE DEFINITION OF CHARITABLE ORGANIZATIONS WHICH PAY A REDUCED FEE TO INCLUDE LOCAL PARK AND RECREATION VOLUNTEERS THROUGH A COMMISSION, MUNICIPALITY, COUNTY, OR THE SOUTH CAROLINA DEPARTMENT OF PARKS, RECREATION AND TOURISM.

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

S. 496 -- Senator Campbell: A BILL TO AMEND SECTION 61-6-20 OF THE 1976 CODE, RELATING TO THE DEFINITIONS CONCERNING DEFINITIONS IN THE ABC ACT, TO PROVIDE THAT A BUSINESS THAT MEETS THE DEFINITION OF “FURNISHING LODGING” MUST OFFER AT LEAST EIGHTEEN ROOMS FOR ACCOMMODATION ON A REGULAR BASIS.

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

S. 497 -- Senator Campbell: A BILL TO AMEND SECTION 40-22-2 OF THE 1976 CODE, RELATING TO THE REGULATION OF ENGINEERS AND SURVEYORS, TO PROVIDE THAT THE PRACTICE OF THE PROFESSION OF ENGINEERING AND SURVEYING IN THIS STATE IS SUBJECT TO REGULATION; TO AMEND SECTION 40-22-10, RELATING TO THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, TO PROVIDE FOR QUALIFICATIONS AND COMPOSITION FOR THE MEMBERS OF THE BOARD; TO AMEND SECTION 40-22-20, RELATING TO DEFINITIONS REGULATING THE PRACTICE OF ENGINEERING AND LAND SURVEYING, TO ADD THE TERMS “ENGAGED IN PRACTICE”, “PERSON”, AND “ETHICS” AND TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 40-22-30, RELATING TO PRACTICING WITHOUT A LICENSE AND PENALTIES, TO PROVIDE THAT BROKERING OR COORDINATING OF ENGINEERING OR SURVEYING SERVICES FOR A FEE IS PROHIBITED; TO ADD SECTION 40-22-35, TO PROVIDE THAT A REGISTERED ENGINEER OR SURVEYOR MAY NOT ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES ON PUBLIC WORK ON ANY BASIS OTHER THAN DIRECT NEGOTIATION, THEREBY PRECLUDING PARTICIPATION IN ANY SYSTEM REQUIRING A COMPARISON OF COMPENSATION, AND A REGISTERED ENGINEER OR SURVEYOR MAY STATE COMPENSATION TO A PROSPECTIVE CLIENT AS PART OF DIRECT NEGOTIATION AFTER THEIR SELECTION AS THE MOST QUALIFIED PROVIDER AND WHERE ENGINEERING AND SURVEYING SERVICES NECESSARY TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE HAVE BEEN DEFINED; TO AMEND SECTION 40-22-50, RELATING TO DUTIES OF THE BOARD, TO PROVIDE THAT THE BOARD SHALL MAINTAIN AN UPDATED ROSTER OR SUPPLEMENTS TO THE ROSTER CONTAINING THE CURRENT NAMES AND PLACES OF BUSINESS OF ALL PROFESSIONAL ENGINEERS AND ALL PROFESSIONAL SURVEYORS, AS WELL AS A LISTING OF BUSINESS ENTITIES HOLDING A VALID CERTIFICATE OF AUTHORIZATION TO PRACTICE ENGINEERING OR SURVEYING, OR BOTH, IN THIS STATE; TO AMEND SECTION 40-22-60 TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 40-22-75, RELATING TO THE WAIVER OF LICENSING REQUIREMENTS DURING EMERGENCIES, TO PROVIDE THAT THE BOARD MAY WAIVE ALL LICENSING AND CREDENTIALING REQUIREMENTS UNDER STATE LAW FOR THE PERIOD OF A DECLARED NATIONAL OR STATE PUBLIC EMERGENCY, NOT TO EXCEED NINETY DAYS; TO AMEND SECTION 40-22-110, RELATING TO PENALTIES, TO PROVIDE THAT THE LICENSE OF A PERSON ADJUDGED MENTALLY INCOMPETENT IS DEEMED AUTOMATICALLY SUSPENDED UNTIL THE PERSON IS ADJUDGED AS BEING RESTORED TO MENTAL COMPETENCY BY A COURT OF COMPETENT JURISDICTION OR IN ANY OTHER MANNER PROVIDED BY LAW; TO AMEND SECTION 40-22-220, RELATING TO ELIGIBILITY REQUIREMENTS FOR LICENSURE AS AN ENGINEER, TO PROVIDE FOR THE EDUCATIONAL REQUIREMENTS AND EXPERIENCE REQUIREMENTS FOR ENGINEERS; TO AMEND SECTION 40-22-222, RELATING TO LICENSING OF EXISTING ENGINEERS, TO ADD THE ETAC/ABET ACCREDITED CURRICULUM; TO AMEND SECTION 40-22-225, RELATING TO ELIGIBILITY REQUIREMENTS FOR LICENSURE AS A SURVEYOR, TO REMOVE A SPECIFIC RECORD OF ONE OR MORE YEARS OF PROGRESSIVE PRACTICAL EXPERIENCE OF A CHARACTER SATISFACTORY TO THE BOARD AND PERFORMED UNDER A PRACTICING REGISTERED PROFESSIONAL SURVEYOR AS MINIMUM EVIDENCE AS QUALIFICATION OF A SURVEYOR-IN-TRAINING, AND TO PROVIDE THAT THE APPLICANT IS REQUIRED TO TAKE SUCH STATE SPECIFIC EXAMINATIONS AS THE BOARD CONSIDERS NECESSARY TO ESTABLISH THAT HIS QUALIFICATIONS MEET THE REQUIREMENTS OF THIS CHAPTER AND THE REGULATIONS PROMULGATED BY THE BOARD; TO AMEND SECTION 40-22-230, RELATING TO REFERENCES AND EXAMINATIONS, TO PROVIDE THAT THE APPLICATION FOR ENGINEERING LICENSURE AND FOR SURVEYING LICENSURE MAY INCLUDE OTHER REFERENCES APPROVED BY THE BOARD, AND A CANDIDATE WHO HAS FAILED AN EXAMINATION MAY APPLY FOR RE-EXAMINATION AFTER A PERIOD OF TIME DETERMINED BY THE BOARD, BUT NOT EARLIER THAN THREE MONTHS FOLLOWING THE DATE OF THE FAILED EXAMINATION, AND NOT MORE THAN THREE TIMES IN ONE CALENDAR YEAR, AND MUST PAY ALL APPLICABLE EXAMINATION FEES, AND A CANDIDATE FOR LICENSURE WHO HAS FAILED THE SAME TOPICAL EXAMINATION TWO TIMES SHALL PROVIDE EVIDENCE SATISFACTORY TO THE BOARD THAT THE CANDIDATE HAS TAKEN ADDITIONAL STEPS, AND THE BOARD MAY REFUSE FURTHER EXAMINATION UNTIL THE CANDIDATE PROVIDES ACCEPTABLE EVIDENCE, AND A CANDIDATE WHO HAS FAILED AN EXAMINATION THREE TIMES MUST SUBMIT A NEW APPLICATION, AND A CERTIFICATE OF REGISTRATION MUST STATE THE FULL NAME OF THE LICENSEE AND LICENSE NUMBER; TO AMEND SECTION 40-22-250, RELATING TO CERTIFICATE OF AUTHORIZATION TO PRACTICE AS A FIRM, TO PROVIDE THAT ONE OR MORE OF THE CORPORATE OFFICERS, OR ONE OR MORE OF THE PRINCIPAL OWNERS, OR A FULL-TIME LICENSED EMPLOYEE, ARE DESIGNATED AS BEING RESPONSIBLE FOR THE PROFESSIONAL SERVICES REGULATED BY THIS BOARD AND ARE LICENSED UNDER THIS CHAPTER, AND PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS ENGAGED IN THE PRACTICE THROUGH FIRMS MAY MAINTAIN BRANCH OFFICES IN ADDITION TO THE PRINCIPAL PLACE OF BUSINESS, AND EACH PRINCIPAL PLACE OF BUSINESS, AS WELL AS EACH BRANCH OFFICE PROVIDING SERVICES IN THIS STATE, MUST HAVE A RESIDENT PROFESSIONAL ENGINEER IN RESPONSIBLE CHARGE OF ENGINEERING WORK OR A RESIDENT PROFESSIONAL SURVEYOR IN RESPONSIBLE CHARGE OF THE FIELD AND OFFICE SURVEYING WORK PROVIDED, AND A PROFESSIONAL ENGINEER MUST SUPERVISE THE ENGINEERING ACTIVITIES OF EACH BRANCH OFFICE AND A PROFESSIONAL SURVEYOR MUST SUPERVISE THE SURVEYING ACTIVITIES OF EACH BRANCH OFFICE, AND THE RESIDENT PROFESSIONAL ENGINEER OR RESIDENT PROFESSIONAL SURVEYOR IS CONSIDERED IN RESIDENCE IN ONLY ONE PLACE OF BUSINESS AT A GIVEN TIME; TO AMEND SECTION 40-22-260, RELATING TO TEMPORARY LICENSES AND CERTIFICATES OF AUTHORIZATION, TO PROVIDE THAT UPON APPLICATION TO AND APPROVAL BY THE BOARD AND PAYMENT OF THE FEE PROVIDED IN REGULATION, THE BOARD SHALL GRANT A TEMPORARY CERTIFICATE OF AUTHORIZATION TO A FIRM SUBJECT TO CERTAIN RESTRICTIONS AND TO STRIKE PROVISIONS RELATING TO BRANCH OFFICES; TO AMEND SECTION 40-22-270, RELATING TO INDIVIDUAL SEALS, BY ADDING THAT THE SEAL AND SIGNATURE OF A LICENSEE CERTIFIES THAT THE DOCUMENT WAS PREPARED BY THE LICENSEE OR HIS AGENT, AND FOR PROTOTYPICAL DOCUMENTS, THE SEAL AND SIGNATURE OF A LICENSEE INDICATES HE HAS SUFFICIENTLY REVIEWED THE DOCUMENT AND IS ABLE TO FULLY COORDINATE AND ASSUME RESPONSIBILITY FOR APPLICATION OF THE PLANS; TO AMEND SECTION 40-22-280, RELATING TO CERTAIN EXCEPTIONS, TO PROVIDE THAT THIS CHAPTER MAY NOT BE CONSTRUED TO PREVENT OR TO AFFECT FULL-TIME, NON-TEMPORARY EMPLOYEES; AND TO AMEND SECTION 40-22-290, RELATING TO TIER A SURVEYING, TO PROVIDE THAT THE PRACTICE OF TIER A SURVEYING DOES NOT INCLUDE THE CREATION OF NON-TECHNICAL MAPS, AND TO MAKE TECHNICAL CHANGES.

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

S. 498 -- Senators Bennett and Hutto: A SENATE RESOLUTION TO DECLARE MAY 2013 AS “BLADDER CANCER AWARENESS MONTH” IN SOUTH CAROLINA, TO PROMOTE UNDERSTANDING OF THE GROWING RISK OF BLADDER CANCER IN THE UNITED STATES, TO ENCOURAGE RESEARCH IN THE MEDICAL COMMUNITY TO IDENTIFY THE CAUSES AND DEVELOP A CURE FOR THE DISEASE, AND TO COMMEND BOY SCOUT TROOP 2 FROM SUMMERVILLE FOR ITS EFFORTS IN THIS ENDEAVOR.

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The Senate Resolution was introduced and referred to the Committee on Medical Affairs.

S. 499 -- Senator Shealy: A CONCURRENT RESOLUTION TO EXPRESS THE SOUTH CAROLINA GENERAL ASSEMBLY’S AND THE STATE OF SOUTH CAROLINA’S SUPPORT FOR ORGAN, EYE, AND TISSUE DONATION AND TO DESIGNATE THURSDAY, APRIL 4, 2013, AS “ORGAN DONOR REGISTRATION DAY” IN SOUTH CAROLINA.

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

S. 500 -- Senator Grooms: A BILL TO AMEND SECTION 55-1-80, RELATING TO THE GENERAL PROVISIONS CONCERNING AERONAUTICS, TO RESTORE THE PREVIOUS PROVISIONS OF THIS SECTION TO PROVIDE FOR THE INCREASE OF MEMBERSHIP ON AN AVIATION AUTHORITY, AND TO PROVIDE FOR WHOM THOSE PEOPLE MAY BE.

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

S. 501 -- Senator Young: A JOINT RESOLUTION TO AUTHORIZE THE CITY OF NORTH AUGUSTA TO RELOCATE THE WORLD WAR I AND WORLD WAR II MEMORIAL MONUMENT IN CALHOUN PARK TO THE VETERANS MEMORIAL AT WADE HAMPTON VETERANS PARK.

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Read the first time and, on motion of Senator YOUNG, S. 501 was ordered placed on the Local and Uncontested Calendar.

S. 502 -- Senator O'Dell: A BILL TO AUTHORIZE THE STARR-IVA WATER AND SEWER DISTRICT IN ANDERSON COUNTY TO PROVIDE WATER SERVICE TO A SPECIFIED AREA OF ABBEVILLE COUNTY, UPON THE CONSENT OF THE GOVERNING BODY OF ABBEVILLE COUNTY, TO SOLVE A CRITICAL WATER SERVICE PROBLEM.

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

S. 503 -- Senators Thurmond, Hembree, Campsen, Cleary, Davis and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 6 OF THE 1976 CODE, BY ADDING ARTICLE 6 TO ENACT THE “BEACH PRESERVATION ACT”, TO ALLOW A QUALIFIED COASTAL MUNICIPALITY TO IMPOSE A FEE NOT TO EXCEED ONE PERCENT ON THE GROSS PROCEEDS DERIVED FROM THE RENTAL OR CHARGES FOR ACCOMMODATIONS FURNISHED TO TRANSIENTS SUBJECT TO THE MUNICIPALITY'S LOCAL ACCOMMODATIONS TAX, TO PROVIDE THAT THE MUNICIPALITY MAY IMPOSE THE FEE ONLY AFTER ITS APPROVAL IN A REFERENDUM HELD IN THE MUNICIPALITY, TO PROVIDE THAT THE FEE IS IN ADDITION TO ALL OTHER LOCAL ACCOMMODATIONS TAXES IMPOSED AND MUST NOT BE DEEMED CUMULATIVE TO OTHER LOCAL ACCOMMODATIONS TAXES IMPOSED BY THE MUNICIPALITY, TO PROVIDE USES FOR WHICH THE FEE REVENUE MUST BE APPLIED, TO PROVIDE FOR REPORTING AND FOR REMITTANCE OF THESE FEES, AND TO PROVIDE DEFINITIONS.

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

S. 504 -- Senators Fair, Hutto and Jackson: A CONCURRENT RESOLUTION TO RECOGNIZE THAT ABUSE AND NEGLECT OF CHILDREN IS A SIGNIFICANT PROBLEM AND TO DECLARE TUESDAY, APRIL 9, 2013, AS “CHILDREN’S ADVOCACY DAY” IN SOUTH CAROLINA.

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On motion of Senator FAIR, with unanimous consent, the Concurrent Resolution was adopted and ordered sent to the House.

S. 505 -- Senators Hayes, L. Martin, Rankin and Thurmond: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 2 TO TITLE 23 SO AS TO ESTABLISH THE SOUTH CAROLINA PUBLIC INTEGRITY UNIT AND PROVIDE FOR ITS MEMBERSHIP, POWERS, DUTIES, AND FUNCTIONS, TO ESTABLISH A PROTOCOL FOR INFORMATION SHARING AMONG THE PARTNER ENTITIES, AND TO PROVIDE THAT THE UNIT SHALL COORDINATE INVESTIGATIONS OF SPECIFIED ACTIVITIES AFFECTING ETHICS AND PUBLIC INTEGRITY; TO AMEND SECTION 8-13-540, AS AMENDED, RELATING TO THE MANNER IN WHICH ETHICS COMMITTEES OF THE GENERAL ASSEMBLY INVESTIGATE ALLEGATIONS, SO AS TO AUTHORIZE FURTHER INVESTIGATION BY THE PUBLIC INTEGRITY UNIT WHEN THE COMMITTEE DEEMS IT APPROPRIATE; AND TO AMEND SECTION 12-54-240, AS AMENDED, RELATING TO THE DISCLOSURE OF RECORDS AND REPORTS BY THE DEPARTMENT OF REVENUE, SO AS TO PERMIT THE DEPARTMENT TO DISCLOSE INFORMATION FOR PURPOSES OF PUBLIC INTEGRITY UNIT INVESTIGATIONS.

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

S. 506 -- Senators Coleman and Scott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE DEATH OF BEAUDELL STEVENSON HENDRIX OF FAIRFIELD COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

H. 3057 -- Reps. Rutherford, Bales, Jefferson, Williams, Mitchell and King: A BILL TO AMEND SECTION 17-22-50, AS AMENDED, AND SECTION 17-22-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY NOT BE CONSIDERED FOR PARTICIPATION IN A PRETRIAL INTERVENTION PROGRAM AND PROGRAM ELIGIBILITY, RESPECTIVELY, BOTH SO AS TO ALLOW A PERSON TO PARTICIPATE IN A PROGRAM MORE THAN ONCE WITH THE SOLICITOR'S CONSENT.

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

H. 3074 -- Rep. Stavrinakis: A BILL TO AMEND SECTION 56-7-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO UNIFORM TRAFFIC TICKETS, SO AS TO AUTHORIZE LAW ENFORCEMENT OFFICERS AND OTHER PERSONS AUTHORIZED TO PROSECUTE THOSE OFFENSES TO REISSUE A UNIFORM TRAFFIC TICKET FOR ANOTHER OFFENSE INCIDENT TO A PLEA NEGOTIATION OR AGREEMENT.

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

H. 3097 -- Rep. Bales: A BILL TO AMEND CHAPTER 56, TITLE 44 OF THE 1976 CODE, RELATING TO THE DRYCLEANING FACILITY RESTORATION TRUST FUND, SO AS TO, AMONG OTHER THINGS, SPECIFY THE USE AND PURPOSE OF THE FUND, AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO EXPEND MONIES FROM THE FUND FOR ASSESSMENT OF POTENTIAL SITES PRIOR TO OBTAINING EVIDENCE OF CONTAMINATION AT THE SITE, AND CLARIFY WHAT FACILITIES ARE EXCLUDED FROM PARTICIPATING IN THE FUND AND THE EFFECT OF PARTICIPATING IN THE FUND IF A FACILITY IS SEEKING EXEMPTION FROM THE FUND; AND TO DELETE OBSOLETE PROVISIONS, REORGANIZE PROVISIONS, AND MAKE TECHNICAL CORRECTIONS.

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

H. 3193 -- Reps. Rutherford and King: A BILL TO AMEND SECTION 24-13-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COMPUTATION OF TIME SERVED BY A PRISONER, SO AS TO PROVIDE THAT ANY TIME SERVED UNDER HOUSE ARREST BY A PRISONER MUST BE USED IN COMPUTING TIME SERVED BY THE PRISONER.

Read the first time and referred to the Committee on Corrections and Penology.

H. 3342 -- Reps. Hart and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 17-15-175 SO AS TO PROVIDE THAT A JUDGE MAY NOT ISSUE A BENCH WARRANT FOR FAILURE TO APPEAR UNLESS THE SOLICITOR OR CLERK OF COURT HAS PROVIDED NOTICE TO THE ATTORNEY OF RECORD BEFORE ISSUING THE BENCH WARRANT.

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

H. 3409 -- Reps. Sandifer and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-25 SO AS TO PROHIBIT CERTAIN ACTS BY RESIDENTIAL BUILDERS OR CONTRACTORS RELATING TO ROOFING SYSTEMS; AND TO AMEND SECTION 40-59-110, RELATING TO REVOCATION, SUSPENSION, OR RESTRICTION OF THE LICENSE BY THE RESIDENTIAL HOME BUILDERS COMMISSION, SO AS TO PROVIDE A CONFORMING CHANGE.

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

H. 3451 -- Reps. Tallon, Cole, Forrester, Kennedy, Murphy, Pope, Rutherford and Weeks: A BILL TO AMEND SECTION 56-7-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE OFFENSES THAT A PERSON MAY BE CHARGED ON A UNIFORM TRAFFIC TICKET, SO AS TO PROVIDE THAT THE OFFENSES OF SHOPLIFTING AND CRIMINAL DOMESTIC VIOLENCE MUST BE CHARGED ON A UNIFORM TRAFFIC TICKET.

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

H. 3484 -- Reps. Sandifer, Clemmons, Erickson, Ballentine and Bedingfield: A BILL TO AMEND SECTION 58-3-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POWER OF THE PUBLIC SERVICE COMMISSION TO REGULATE PUBLIC UTILITIES, SO AS TO PROVIDE THAT PRIOR TO THE SUBMISSION OF A REGULATION BY THE COMMISSION FOR GENERAL ASSEMBLY REVIEW, THE COMMISSION SHALL OBTAIN A FISCAL IMPACT STATEMENT FROM THE STATE BUDGET OFFICE AND FILE THE STATEMENT WITH THE PROPOSED REGULATION.

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

H. 3571 -- Reps. Barfield and Hardee: A BILL TO AMEND SECTION 50-13-665, AS AMENDED, RELATING TO BAIT THAT MAY BE USED WITH TROTLINES, SET HOOKS, AND JUGS, SO AS TO REVISE THE SIZE OF HOOKS THAT MAY BE USED TO FISH ALONG CERTAIN RIVERS.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3579 -- Rep. Barfield: A BILL TO AMEND SECTION 50-13-325, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TAKING OF NONGAME FISH IN GILL NETS, SO AS TO REDUCE THE MINIMUM DISTANCE REQUIRED BETWEEN NETS PLACED ON THE LITTLE PEE DEE RIVER UPSTREAM OF PUNCH BOWL LANDING.

Read the first time and referred to the Committee on Fish, Game and Forestry.

H. 3620 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-90-160, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF CAPTIVE INSURANCE COMPANIES FROM CERTAIN PROVISIONS OF TITLE 38, SO AS TO PROVIDE AN INDUSTRIAL INSURED CAPTIVE INSURANCE COMPANY IS SUBJECT TO CERTAIN REQUIREMENTS CONCERNING REPORTS FOR RISK-BASED CAPITAL, ACQUISITIONS DISCLOSURE, AND ASSET DISPOSITION, AND CEDED REINSURANCE AGREEMENTS, AND TO PROVIDE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE MAY ELECT NOT TO TAKE REGULATORY ACTION CONCERNING RISK-BASED CAPITAL IN SPECIFIC CIRCUMSTANCES.

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

H. 3621 -- Reps. Sandifer and Gambrell: A BILL TO AMEND SECTION 38-5-120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REVOCATION OR SUSPENSION OF A CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS IN THIS STATE BY AN INSURER, SO AS TO REVISE PROVISIONS CONCERNING A REVOCATION OF THE LICENSEE OF A HAZARDOUS INSURER.

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

H. 3624 -- Reps. Herbkersman, Bingham, Merrill, Harrell, Newton and White: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 9-4-15 SO AS TO PROVIDE THAT THE STATE SHALL DEFEND MEMBERS OF THE BOARD OF DIRECTORS OF THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY (PEBA) AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES, AND REQUIRE THAT THE STATE INDEMNIFY THESE DIRECTORS FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, TO PROVIDE THAT THE STATE SHALL DEFEND PEBA OFFICERS AND MANAGEMENT EMPLOYEES AGAINST CLAIMS AND SUITS ARISING OUT OF THE PERFORMANCE OF THEIR OFFICIAL DUTIES UNLESS THE OFFICER OR MANAGEMENT EMPLOYEE WAS ACTING IN BAD FAITH, AND REQUIRE THAT THE STATE INDEMNIFY PEBA OFFICERS AND MANAGEMENT EMPLOYEES FOR ANY LOSS OR JUDGMENT INCURRED BY THEM WITH RESPECT TO SUCH A CLAIM OR SUIT, AND TO EXTEND THE REQUIREMENT TO DEFEND AND INDEMNIFY MEMBERS OF THE BOARD OF DIRECTORS, OFFICERS, AND MANAGEMENT EMPLOYEES OF PEBA TO SUCH PERSONS AFTER LEAVING OFFICE OR EMPLOYMENT WITH PEBA FOR OFFICIAL DUTIES UNDERTAKEN BY THEM WHILE SERVING AS A DIRECTOR, OFFICER, OR MANAGEMENT EMPLOYEE OF PEBA.

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

H. 3638 -- Reps. Harrell, Stavrinakis, Limehouse and Gilliard: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 55-1-80 SO AS TO AUTHORIZE THE APPOINTMENT OF ADDITIONAL MEMBERS TO COUNTY AVIATION COMMISSIONS AND TO PROVIDE THAT IN COUNTIES WITH TWO MUNICIPALITIES WITH A POPULATION IN EXCESS OF FIFTY THOUSAND, THE MAYORS OF THESE MUNICIPALITIES SHALL SERVE, EX OFFICIO, AS MEMBERS OF THE COMMISSION.

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

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

**THIRD READING BILLS**

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

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.

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.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

S. 446 -- Senators Massey and L. Martin: A BILL TO RATIFY AN AMENDMENT TO SECTION 8, ARTICLE IV OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE ELECTION, QUALIFICATIONS, AND TERM OF THE LIEUTENANT GOVERNOR, TO PROVIDE THAT THE LIEUTENANT GOVERNOR MUST BE ELECTED JOINTLY WITH THE GOVERNOR IN A MANNER PRESCRIBED BY LAW; TO ADD SECTION 37 TO ARTICLE III OF THE CONSTITUTION OF THIS STATE, TO PROVIDE THAT THE SENATE SHALL ELECT FROM AMONG ITS MEMBERS A PRESIDENT TO PRESIDE OVER THE SENATE AND TO PERFORM OTHER DUTIES AS PROVIDED BY LAW; TO DELETE SECTIONS 9 AND 10 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE LIEUTENANT GOVERNOR BEING PRESIDENT OF THE SENATE AND, WHILE PRESIDING IN THE SENATE, HAVING NO VOTE, UNLESS THE SENATE IS EQUALLY DIVIDED, TO REMOVE INCONSISTENT PROVISIONS; TO AMEND SECTION 11 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE REMOVAL OF THE LIEUTENANT GOVERNOR FROM OFFICE BY IMPEACHMENT, DEATH, RESIGNATION, DISQUALIFICATION, DISABILITY OR REMOVAL FROM THE STATE, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT, WITH THE ADVICE AND CONSENT OF THE SENATE, A SUCCESSOR TO FULFILL THE UNEXPIRED TERM; AND TO AMEND SECTION 12 OF ARTICLE IV OF THE CONSTITUTION OF THIS STATE, RELATING TO THE DISABILITY OF THE GOVERNOR, TO CONFORM APPROPRIATE REFERENCES.

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

The Committee on Judiciary proposed the following amendment (JUD0446.002), which was adopted:

Amend the bill, as and if amended, page 2, by striking line 22 and inserting therein the following:

/Governor must be elected jointly in a manner prescribed by law so/

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the committee amendment.

The committee amendment was adopted.

The question then was second reading of the Bill.

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

**Ayes 39; Nays 1**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Corbin Courson

Davis Fair Ford

Gregory Hayes Hembree

Hutto Jackson Johnson

Leatherman Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O’Dell Peeler Rankin

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

Reese

**Total--1**

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

**READ THE SECOND TIME**

S. 230 -- Senator Johnson: A BILL TO AMEND SECTION 7‑27‑275, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLARENDON COUNTY BOARD OF ELECTIONS AND VOTER REGISTRATION, SO AS TO ADJUST THE MEMBERSHIP AND COMPOSITION OF THE BOARD.

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

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

**Ayes 40; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Davis Ford

Gregory Hayes Hembree

Hutto Johnson Leatherman

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McElveen McGill Nicholson

O’Dell Peeler Rankin

Reese Scott Setzler

Shealy Sheheen Thurmond

Turner Verdin Williams

Young

**Total--40**

**NAYS**

**Total--0**

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

**CARRIED OVER**

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.

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

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.

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

S. 295 -- Senators Fair, Cromer, Verdin and Allen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 6‑11‑2028 SO AS TO ALLOW THE GOVERNING BODY OF A SPECIAL PURPOSE DISTRICT CREATED BY ACT OF THE GENERAL ASSEMBLY, WHICH PROVIDES RECREATIONAL SERVICES AND HAS AS ITS BOUNDARY THE SAME AS THE COUNTY IN WHICH IT IS LOCATED, TO VOLUNTARILY DISSOLVE ITSELF AND TRANSFER ITS ASSETS AND LIABILITIES TO A COUNTY IF ACCEPTED BY RESOLUTION OF ITS GOVERNING BODY; TO REQUIRE A PUBLIC HEARING TO BE CONDUCTED BEFORE TAKING A SUPERMAJORITY VOTE OF ITS GOVERNING BODY AND THE GOVERNING BODY OF THE COUNTY; TO REQUIRE THE GOVERNING BODY OF THE COUNTY TO COMPLY WITH THE PROVISIONS OF SECTION 6‑11‑2140; TO PROVIDE FOR CALCULATING THE MILLAGE LIMITATION FOR A COUNTY WHEN A SPECIAL PURPOSE DISTRICT TRANSFERS ITS ASSETS AND LIABILITIES TO A COUNTY; AND TO PROVIDE THAT THIS SECTION DOES NOT APPLY TO A SPECIAL PURPOSE DISTRICT THAT PROVIDES BOTH RECREATIONAL AND AGING SERVICES.

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

**AMENDMENT PROPOSED, CARRIED OVER**

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

Senator O’DELL asked unanimous consent to take the Bill up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the previously proposed amendment.

Senator SHANE MARTIN asked unanimous consent to withdraw the proposed amendment (262R006.TD) and take up the following amendment.

Senators SHANE MARTIN and DAVIS proposed the following amendment (262R010.SRM):

Amend the bill, as and if amended, page 7, by striking line 30 and inserting:

/ State.

Section 11‑44‑90. (A) A qualified business, receiving an investment pursuant to this chapter, shall submit an annual report to the Department of Revenue that includes a summary of jobs created and lost, categorized by full‑time, part‑time, temporary positions, and hourly wage for each year for five years after an investment is made. The initial summary report must include a statement of how the investment was used and whether it was effective for the qualified business. The report must be made available to the public via the department’s website.

(B)(1) The Department of Revenue shall submit an annual report to the General Assembly and the Governor by January thirty‑first containing:

(a) the aggregate amount of all credits issued pursuant to this chapter during the previous tax year;

(b) the name of each qualified business receiving an investment; and

(c) a detailed summary of the report filed pursuant to subsection (B), including a cost‑benefit analysis of the amount of credit awarded and jobs created.

(2) The report must be made available to the public via the department’s website.”/

Renumber sections to conform.

Amend title to conform.

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

**READ THE SECOND TIME**

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.

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

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

**Ayes 39; Nays 0**

**AYES**

Alexander Bennett Bright

Bryant Campbell Campsen

Cleary Coleman Corbin

Courson Davis Fair

Ford Gregory Hayes

Hutto Johnson Leatherman

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McElveen

McGill Nicholson O’Dell

Peeler Rankin Reese

Scott Setzler Shealy

Sheheen Thurmond Turner

Verdin Williams Young

**Total--39**

**NAYS**

**Total--0**

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

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

**MOTION ADOPTED**

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

**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 O’DELL asked unanimous consent to take the Bill up for immediate consideration.

Senator MALLOY objected.

**THE SENATE PROCEEDED TO THE INTERRUPTED DEBATE.**

**READ THE SECOND TIME**

**RETURNED TO THE STATUS OF SPECIAL ORDER**

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

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 SCOTT spoke on the Resolution.

**Motion Adopted**

With Senator SCOTT retaining the floor, Senator COURSON asked unanimous consent to make a motion to carry over all amendments to third reading, to waive the requirements of the provisions of Rule 26B allowing further amendments on third reading, and give the Resolution a second reading without having a roll call vote provided this vote on second reading would not qualify for the requisite two-thirds vote of the membership on passage of a Constitutional amendment.

There was no objection and the motion was adopted.

The Joint Resolution was read the second time, passed and ordered to a third reading.

**ADJOURNMENT**

At 11:53 A.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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