**Tuesday, February 15, 2011**

**(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:

The Gospel of Matthew declares:

“ ‘So in everything, do to others what you would have them do to you; for this sums up the Law and the Prophets.’ ”

(Matthew 7:12)

Please join me as we bow in prayer:

Holy God, it is an eternally valuable lesson: to do to others as we would have them do to us. Such a challenge it is, however, to live always by such a principle. Yet we implore You, O Lord, to continue leading each of these Senators to do just that: to be always caring for the people they serve, to put the interests of others above their own, and to seek ever more meaningful ways to bless this State we love. Today we also offer our heartfelt sympathy to the family of the late Senator EARLE MORRIS, JR. O God, be with each one of us as we seek to honor You through all that we say and do. In Your loving name we pray, dear Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointment**

Initial Appointment, Director of Department of Probation, Parole and Pardon Services, with term coterminous with Governor

Kela Evans Thomas, 22 Sunturf Circle, Columbia, SC 29223 *VICE* Samuel Glover

Referred to the Committee on Corrections and Penology.

**Doctor of the Day**

Senators O’DELL and NICHOLSON introduced Drs. Brian Reinhardt and Chris Oxendine of Greenwood, S.C., Doctors of the Day.

**Leave of Absence**

At 12:15 P.M., Senator LAND requested a leave of absence for Wednesday and Thursday of this week.

**CO-SPONSORS ADDED**

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

Sen. Knotts S. 503

Sen. Campsen S. 431

Sen. Campsen S. 372

Sen. Verdin S. 195

Sen. Massey S. 4, 8, 9, 92, 100, 117, 157, 171, 235, 274, 304, 347,

372, 531

**Expression of Personal Interest**

Senator LARRY MARTIN rose for an Expression of Personal Interest.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 549 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE MR. JAMES M. MILES ON HIS NEW PRIVATE SECTOR ENDEAVORS AND TO THANK HIM FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 550 -- Senator Courson: A SENATE RESOLUTION TO THANK MR. JOHN R. LEGARE FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 551 -- Senator Courson: A SENATE RESOLUTION TO CONGRATULATE MR. FRANK ADAMS ON HIS NEW PRIVATE SECTOR ENDEAVORS AND TO THANK HIM FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 552 -- Senator Knotts: A SENATE RESOLUTION TO THANK MR. TOM LAIN FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA AND TO WISH HIM WELL IN HIS NEW ENDEAVORS.

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The Senate Resolution was adopted.

S. 553 -- Senator Leatherman: A SENATE RESOLUTION TO THANK MR. MATTHEW JAMES ROBINSON FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA AND TO WISH HIM WELL IN HIS NEW ENDEAVORS.

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The Senate Resolution was adopted.

S. 554 -- Senator Rankin: A SENATE RESOLUTION TO THANK MR. MARK HENDRICK FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA AND TO WISH HIM WELL IN ALL HIS FUTURE CAREER ENDEAVORS.

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The Senate Resolution was adopted.

S. 555 -- Senator Setzler: A SENATE RESOLUTION TO CONGRATULATE MS. BONNIE HEDDY ON HER NEW ENDEAVORS AND TO THANK HER FOR HER DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 556 -- Senators Verdin and Campsen: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE LIFE AND CONTRIBUTIONS OF CHARLES FISHBURNE “DUSTY” RHODES, JR. FOR HIS COMPASSION IN FOUNDING AND DIRECTING SOUTH CAROLINA STORM BASEBALL IN THE CHARLESTON COMMUNITY.

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The Senate Resolution was adopted.

S. 557 -- Senator Williams: A SENATE RESOLUTION TO CONGRATULATE MR. HENRY MARK PAGE II ON HIS NEW ENDEAVORS AND TO THANK HIM FOR HIS DISTINGUISHED AND EXEMPLARY SERVICE TO THE PEOPLE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 558 -- Senator Cleary: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2011 AS NATIONAL CHILDREN’S DENTAL HEALTH MONTH, AND TO THANK SOUTH CAROLINA DENTAL-HEALTH-CARE PROVIDERS FOR MAKING FEBRUARY 4, 2011, “GIVE KIDS A SMILE DAY” THAT PROMOTED ORAL HEALTH AND JOINED IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

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

S. 559 -- Senator Cromer: A CONCURRENT RESOLUTION TO MEMORIALIZE CONGRESS TO ENACT LEGISLATION SIMILAR TO THE MAIN STREET FAIRNESS ACT SO AS TO ALLOW STATES TO CHOOSE WHETHER TO REQUIRE ONLINE RETAILERS TO COLLECT AND REMIT SALES TAX, THEREBY NOT PLACING MAIN STREET VENDORS AT A COMPETITIVE DISADVANTAGE.

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Senator CROMER spoke on the Resolution.

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

S. 560 -- Senator Fair: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO INCLUDE SPECIAL PURPOSE DISTRICTS PROVIDING SANITATION SERVICES.

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

S. 561 -- Senator Peeler: A BILL TO AMEND SECTION 8-13-1120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CONTENTS OF A PERSON’S STATEMENT OF ECONOMIC INTERESTS, SO AS TO PROVIDE FOR CERTAIN OTHER DISCLOSURES WHICH MUST BE MADE BY A FILER ON HIS STATEMENT OF ECONOMIC INTERESTS.

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

S. 562 -- Senator L. Martin: A BILL TO AMEND SECTION 56-1-176 OF THE 1976 CODE, RELATING TO SCHOOL ATTENDANCE CONDITIONS ASSOCIATED WITH THE ISSUANCE OF CONDITIONAL AND SPECIAL RESTRICTED DRIVER'S LICENSES, TO PROVIDE THAT THESE AND ADDITIONAL CONDITIONS SHALL APPLY TO THE ISSUANCE OR REINSTATEMENT OF A BEGINNER’S PERMIT, CONDITIONAL DRIVER'S LICENSE, SPECIAL RESTRICTED DRIVER'S LICENSE, AND A REGULAR DRIVER’S LICENSE ISSUED TO A PERSON LESS THAN SEVENTEEN YEARS OF AGE, TO PROVIDE FOR THE SUSPENSION OF A PERSON’S PERMIT OR LICENSE IF HE FAILS TO COMPLY WITH THESE CONDITIONS, AND TO REQUIRE THAT THE SUSPENSION REMAIN IN EFFECT UNTIL THE PERSON HAS DEMONSTRATED COMPLIANCE WITH THESE CONDITIONS FOR ONE FULL SEMESTER SUBSEQUENT TO THE SEMESTER DURING WHICH HIS PERMIT OR LICENSE WAS SUSPENDED.

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

S. 563 -- Senators Rose and Matthews: A BILL TO AMEND ACT 1627 OF 1972, AS AMENDED, RELATING TO THE DORCHESTER COUNTY CAREER AND TECHNOLOGY CENTER BOARD OF TRUSTEES, TO PROVIDE THAT THE DORCHESTER COUNTY COUNCIL SHALL APPOINT ALL MEMBERS OF THE BOARD OF TRUSTEES.

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Read the first time and ordered placed on the Local and Uncontested Calendar.

S. 564 -- Senators Verdin, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA’S FFA MEMBERS (FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA) AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 19-26, 2011.

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Senator VERDIN spoke on the Resolution.

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

S. 565 -- Senator Alexander: A SENATE RESOLUTION TO HONOR AND RECOGNIZE MR. SID L. SCRUGGS III UPON BEING NAMED PRESIDENT OF THE INTERNATIONAL ASSOCIATION OF LIONS CLUBS AND TO WELCOME HIM TO SOUTH CAROLINA AT THE 87TH STATE CONVENTION IN APRIL 2011.

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The Senate Resolution was adopted.

S. 566 -- Senators Leventis, Ford, Elliott, Reese, Ryberg, Setzler and Land: A BILL TO AMEND SECTION 59-63-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE SAFE SCHOOL CLIMATE ACT, SO AS TO AMEND THE DEFINITION OF HARASSMENT TO INCLUDE MOTIVATIONS; TO AMEND SECTION 59-63-140, RELATING TO LOCAL DISTRICT POLICIES PROHIBITING HARASSMENT, SO AS TO INCLUDE PROCEDURES AND REPORTING REQUIREMENTS FOR ACTS OF HARASSMENT, AND TO REQUIRE LOCAL DISTRICTS TO POST A LINK TO THE POLICY ON THEIR WEBSITES; TO AMEND SECTION 59-63-150, RELATING TO AVAILABILITY OF CIVIL OR CRIMINAL REDRESS, SO AS TO INCLUDE PROVISIONS REGARDING THE CONSTRUCTION OF THE ARTICLE; AND BY ADDING SECTION 59-63-160 SO AS TO PROVIDE PROCEDURES FOR THE FILING OF REPORTS, NOTIFICATION TO THE DISTRICT SUPERINTENDENT AND TO THE DISTRICT BOARD OF TRUSTEES, TO PROVIDE A PROCESS FOR GRADING SCHOOLS AND DISTRICTS WITH REGARD TO HARASSMENT, INTIMIDATION, AND BULLYING, AND TO PROVIDE FOR PUBLICATION OF THE SCHOOL AND DISTRICT GRADE ON ITS WEBSITE.

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Senator LEVENTIS spoke on the Bill.

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

S. 567 -- Senators Alexander, Hayes, O'Dell, Lourie, Pinckney and Land: A JOINT RESOLUTION TO CREATE THE TASK FORCE ON LONG TERM CARE ACCESSIBILITY IN SOUTH CAROLINA.

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

S. 568 -- Senator L. Martin: A BILL TO AMEND SECTION 16-3-740, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TESTING OF CERTAIN OFFENDERS FOR HEPATITIS B AND HUMAN IMMUNODEFICIENCY VIRUS (HIV), SO AS TO FURTHER CLARIFY OFFENDERS WHO MUST BE TESTED AND THE TIME FRAME THAT TESTING MUST BE CONDUCTED AND PROVIDE FOR FOLLOW-UP TESTING FOR HIV WHEN MEDICALLY APPROPRIATE.

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

H. 3104 -- Rep. Nanney: A BILL TO AMEND SECTION 29-3-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTERING A SATISFACTION OF MORTGAGE IN THE PUBLIC RECORD, SO AS TO INCLUDE A PROBATE AND ACKNOWLEDGEMENT FORM IN THE SATISFACTION AFFIDAVIT.

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

H. 3246 -- Reps. Funderburk, Viers, Agnew, Gambrell, Barfield, Jefferson, Williams, Alexander, Loftis, Willis and Murphy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 61-4-280 SO AS TO PROHIBIT THE IMPORTATION, PRODUCTION, MANUFACTURE, DISTRIBUTION, OR SALE OF ALCOHOLIC ENERGY DRINKS AND CAFFEINATED MALT BEVERAGES AND TO PROVIDE PENALTIES.

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

H. 3287 -- Reps. Hardwick and Hodges: A BILL TO AMEND SECTION 50-21-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ABANDONMENT OF WATERCRAFT AND OUTBOARD MOTORS, SO AS TO PROVIDE THAT AN ABANDONED WATERCRAFT MAY BE REMOVED AND DISPOSED OF BY ANY GOVERNMENT AGENCY THAT HAS JURISDICTION OVER THE AREA WHERE THE ABANDONED WATERCRAFT IS LOCATED, AND TO PROVIDE THAT A WATERCRAFT ABANDONED FOR AT LEAST NINETY DAYS MAY BE CLAIMED BY ANY PERSON OR ENTITY AS ABANDONED PROPERTY.

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

H. 3332 -- Reps. Sandifer, McLeod, Bowers, Bales, Anderson, Pinson and Clemmons: A BILL TO AMEND SECTION 38-73-736, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN REDUCTIONS IN PREMIUM CHARGES, SO AS TO PROVIDE CERTAIN DEFINITIONS, SUBJECT PREMIUM RATES CHARGED FOR LIABILITY AND COLLISION COVERAGE TO CERTAIN DRIVER TRAINING COURSE CREDITS FOR A DRIVER WHO IS NOT A YOUTHFUL OPERATOR, AND PROVIDE OTHER CONDITIONS CONCERNING THE CREDITS; TO AMEND SECTION 38-73-737, RELATING TO DRIVER TRAINING COURSE CREDIT TOWARD LIABILITY AND COLLISION INSURANCE COVERAGE, SO AS TO PROVIDE CERTAIN DEFINITIONS, SUBJECT PREMIUM RATES CHARGED FOR LIABILITY AND COLLISION COVERAGE TO CERTAIN DRIVER TRAINING COURSE CREDITS FOR A DRIVER WHO IS A YOUTHFUL OPERATOR, AND PROVIDE OTHER CONDITIONS CONCERNING THE CREDITS.

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

H. 3372 -- Reps. Hixon, D. C. Moss, Ott, Frye, J. R. Smith, Brannon, Thayer, Murphy, McCoy, Corbin, Pinson, Crosby, Atwater, G. R. Smith, Chumley, Butler Garrick, Clemmons, Clyburn, Govan, Hardwick, Hearn, V. S. Moss, Munnerlyn, Pope, Pitts, Ryan, Tallon, Taylor, Vick, Hodges and Toole: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 14 TO CHAPTER 3, TITLE 47 SO AS TO PROVIDE THAT IT IS UNLAWFUL TO REMOVE OR DESTROY AN ELECTRONIC COLLAR OR OTHER ELECTRONIC DEVICE PLACED ON A DOG BY ITS OWNER TO MAINTAIN CONTROL OF THE DOG.

Read the first time and referred to the Committee on Agriculture and Natural Resources.

H. 3373 -- Reps. Sandifer, Bowers, Bales, Anderson and Pinson: A BILL TO AMEND SECTION 38-77-112, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EXEMPTION OF AN AUTOMOBILE INSURER FROM THE REQUIREMENT TO WRITE AUTOMOBILE INSURANCE COVERAGE FOR AN APPLICANT OR EXISTING POLICYHOLDER, SO AS TO REMOVE CERTAIN EXEMPTIONS FROM THE APPLICABILITY OF THIS SECTION.

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

H. 3374 -- Reps. Hixon, D. C. Moss, Frye, Ott, J. R. Smith, Atwater, Tallon, Brannon, Thayer, McCoy, Corbin, Crosby, Murphy, V. S. Moss, Pinson, G. R. Smith, Chumley, Butler Garrick, Clemmons, Clyburn, Govan, Hardwick, Munnerlyn, Pitts, Pope, Ryan, Taylor, Young, Vick and Hodges: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 50 SO AS TO ENACT THE “INTERSTATE WILDLIFE VIOLATOR COMPACT”, TO PROVIDE THAT THE GOVERNOR SHALL EXECUTE THE COMPACT WITH OTHER COMPACT STATES, AND TO PROVIDE THAT THE CHAIRMAN OF THE BOARD OF THE DEPARTMENT OF NATURAL RESOURCES SHALL APPOINT THE COMPACT ADMINISTRATOR FOR THIS STATE.

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

H. 3375 -- Reps. Harrell, Lucas, Cooper, Hardwick, Harrison, Owens, Sandifer, White, Bingham, Atwater, Parker, Crawford, Loftis, Bowen, G. R. Smith, Bedingfield, Toole, Sottile, V. S. Moss, Forrester, Bikas, Huggins, Brady, Allison, Pinson, Frye, Whitmire, Skelton, Nanney, Henderson, Limehouse, Corbin, Barfield, Battle, Clemmons, Cole, Crosby, Daning, Gambrell, Hamilton, Hiott, Hixon, Horne, Lowe, D. C. Moss, Murphy, Norman, Patrick, Simrill, G. M. Smith, J. R. Smith, Spires, Taylor, Willis, Young, Herbkersman, Ballentine, Thayer, Bannister, McCoy, Tallon, Stringer, Long, Hayes, Ott, J. M. Neal, Vick, G. A. Brown, Branham, Anthony, Bowers, Sellers, Quinn, Hearn, Edge, Anderson, Erickson, Knight, Chumley, Butler Garrick and Bales: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA FAIRNESS IN CIVIL JUSTICE ACT OF 2011” BY AMENDING ARTICLE 5, CHAPTER 32, TITLE 15, RELATING TO PUNITIVE DAMAGES, SO AS TO PROVIDE LIMITS ON THE AWARD OF PUNITIVE DAMAGES AND TO PROVIDE FOR CERTAIN PROCEDURES AND REQUIREMENTS RELATING TO THE AWARD OF THESE DAMAGES; BY ADDING SECTIONS 1-7-750 AND 1-7-760 SO AS TO ENACT THE “PRIVATE ATTORNEY RETENTION SUNSHINE ACT” TO GOVERN THE RETENTION OF PRIVATE ATTORNEYS BY THE ATTORNEY GENERAL OR A SOLICITOR AND TO PROVIDE TERMS AND CONDITIONS GOVERNING THE RETAINER AGREEMENT INCLUDING LIMITS ON THE COMPENSATION OF OUTSIDE COUNSEL IN CONTINGENCY FEE CASES, AND TO PROVIDE FOR THE SUSPENSION OF THE LIMITATIONS UNDER CERTAIN EXCEPTIONAL CIRCUMSTANCES; TO AMEND SECTION 15-3-670, RELATING TO LIMITATIONS ON ACTIONS BASED ON UNSAFE OR DEFECTIVE IMPROVEMENTS TO REAL PROPERTY, SO AS TO PROVIDE THAT THE VIOLATION OF A BUILDING CODE DOES NOT CONSTITUTE PER SE FRAUD, GROSS NEGLIGENCE, OR RECKLESSNESS BUT MAY BE ADMISSIBLE AS EVIDENCE; TO AMEND SECTION 18-9-130, AS AMENDED, RELATING TO THE EFFECT OF A NOTICE OF APPEAL ON THE EXECUTION OF JUDGMENT, SO AS TO PROVIDE LIMITS FOR APPEAL BONDS; AND TO AMEND SECTION 56-5-6540, AS AMENDED, RELATING TO THE PENALTIES FOR THE MANDATORY USE OF SEATBELTS, SO AS TO DELETE THE PROVISION THAT PROVIDED THAT A VIOLATION FOR FAILURE TO WEAR A SEATBELT IS NOT NEGLIGENCE PER SE OR COMPARATIVE NEGLIGENCE AND IS NOT ADMISSIBLE IN A CIVIL ACTION.

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

H. 3382 -- Reps. R. L. Brown, Bowers and Hodges: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE HIGHWAY 95 FROM ITS INTERSECTION WITH THE COLLETON/HAMPTON COUNTY LINE TO ITS INTERSECTION WITH THE COLLETON/DORCHESTER COUNTY LINE "TUSKEGEE AIRMEN MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “TUSKEGEE AIRMEN MEMORIAL HIGHWAY”.

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

H. 3397 -- Reps. Lowe and Crawford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1-1-674 SO AS TO DESIGNATE THE SOUTH CAROLINA PECAN FESTIVAL IN FLORENCE COUNTY AS THE OFFICIAL STATE PECAN FESTIVAL.

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

H. 3526 -- Reps. Hart, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, Bales, Ballentine, Bannister, Barfield, Battle, Bedingfield, Bikas, Bingham, Bowen, Bowers, Brady, Branham, Brannon, Brantley, G. A. Brown, H. B. Brown, R. L. Brown, Butler Garrick, Chumley, Clemmons, Clyburn, Cobb-Hunter, Cole, Cooper, Corbin, Crawford, Crosby, Daning, Delleney, Dillard, Edge, Erickson, Forrester, Frye, Funderburk, Gambrell, Gilliard, Govan, Hamilton, Hardwick, Harrell, Harrison, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, King, Knight, Limehouse, Loftis, Long, Lowe, Lucas, Mack, McCoy, McEachern, McLeod, Merrill, Mitchell, D. C. Moss, V. S. Moss, Munnerlyn, Murphy, Nanney, J. H. Neal, J. M. Neal, Neilson, Norman, Ott, Owens, Parker, Parks, Patrick, Pinson, Pitts, Pope, Quinn, Rutherford, Ryan, Sabb, Sandifer, Sellers, Simrill, Skelton, G. M. Smith, G. R. Smith, J. E. Smith, J. R. Smith, Sottile, Spires, Stavrinakis, Stringer, Tallon, Taylor, Thayer, Toole, Tribble, Umphlett, Vick, Viers, Weeks, Whipper, White, Whitmire, Williams, Willis and Young: A CONCURRENT RESOLUTION TO MEMORIALIZE THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) TO CHOOSE COLUMBIA AS A HOST CITY FOR AN NCAA BASKETBALL TOURNAMENT REGIONAL GAME OR THE FINAL FOUR.

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

H. 3556 -- Rep. Allen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE AND BRIDGE LOCATED AT THE INTERSECTION OF INTERSTATE HIGHWAY 385 AND NEW HARRISON BRIDGE ROAD IN GREENVILLE COUNTY IN HONOR OF DR. ROBERT E. DENNIS, AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERCHANGE AND BRIDGE LOCATED AT THIS INTERSECTION THAT CONTAIN THE WORDS “DR. ROBERT E. DENNIS INTERCHANGE” AND “DR. ROBERT E. DENNIS BRIDGE”.

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

H. 3618 -- Reps. J. M. Neal and Long: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 11, 12, 13, AND 14, 2011, BY THE STUDENTS OF LANCASTER COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3619 -- Reps. Huggins, Ballentine, Quinn, McLeod and Bingham: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, AND 12, 2011, BY THE STUDENTS OF SCHOOL DISTRICT 5 OF LEXINGTON AND RICHLAND COUNTIES WHEN THE SCHOOLS OF THE DISTRICT WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3622 -- Reps. J. E. Smith, Pitts and Sottile: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE VETERANS' ISSUES STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM SEPTEMBER 1, 2010 TO JANUARY 31, 2012.

Read the first time and referred to the General Committee.

H. 3625 -- Reps. J. R. Smith, Hixon and Taylor: A BILL TO AMEND SECTION 8-13-735, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROHIBITION AGAINST A PERSON, WHO AT THE SAME TIME SERVES ON THE GOVERNING BODY OF A STATE OR LOCAL POLITICAL SUBDIVISION BOARD OR COMMISSION AND AS AN EMPLOYEE OF THE SAME BOARD OR COMMISSION OR IN A POSITION WHICH IS SUBJECT TO THE CONTROL OF THE BOARD OR COMMISSION, MAKING OR PARTICIPATING IN A DECISION AFFECTING HIS ECONOMIC INTERESTS, SO AS TO PROHIBIT A PERSON FROM SERVING IN BOTH POSITIONS AT THE SAME TIME.

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

**REPORT OF STANDING COMMITTEE**

Senator THOMAS from the Committee on Banking and Insurance submitted a favorable with amendment report on:

S. 431 -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, L. Martin, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O’Dell and Campsen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑61‑70 SO AS TO PROVIDE THAT A LIABILITY INSURANCE POLICY ISSUED BY AN INSURER AND COVERING A CONSTRUCTION PROFESSIONAL IN THIS STATE MUST BE BROADLY CONSTRUED IN FAVOR OF COVERAGE, AND TO PROVIDE THAT WORK OF A CONSTRUCTION PROFESSIONAL RESULTING IN PROPERTY DAMAGE IN CERTAIN CIRCUMSTANCES CONSTITUTES AN OCCURRENCE AS COMMONLY DEFINED IN LIABILITY INSURANCE AND IS NOT THE INTENDED OR EXPECTED CONSEQUENCE OF THE WORK OF THE CONSTRUCTION PROFESSIONAL.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

S. 471 -- Senators Grooms, Campsen, Davis, Shoopman, Alexander, Anderson, Bright, Bryant, Campbell, Cleary, Coleman, Courson, Cromer, Elliott, Fair, Ford, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO OPPOSE ANY PLAN TO EXPAND THE SAVANNAH RIVER THAT DOES NOT PROVIDE MUTUAL ECONOMIC BENEFITS TO THE PEOPLE OF SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 548 -- Senator Lourie: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DR. SELDEN SMITH FOR HIS YEARS OF OUTSTANDING SERVICE TO THE SOUTH CAROLINA COUNCIL ON THE HOLOCAUST IN EDUCATING THOUSANDS OF SOUTH CAROLINIANS ABOUT THE HISTORY AND LESSONS OF THE HOLOCAUST.

Returned with concurrence.

Received as information

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

**ORDERED ENROLLED FOR RATIFICATION**

The following Joint Resolution was read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 3551 -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 4A AND 14 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2011.

**THIRD READING BILLS**

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

S. 38 -- Senators McConnell, L. Martin and Campsen: A BILL TO AMEND SECTION 56‑19‑240 OF THE 1976 CODE, RELATING TO THE FORM AND CONTENT OF APPLICATIONS FOR VEHICLE TITLES, TO PROVIDE THAT THE APPLICANT MUST PROVIDE WITH THE APPLICATION A VALID DRIVER’S LICENSE OR IDENTIFICATION CARD IF THE APPLICANT IS AN INDIVIDUAL, TO PROVIDE THAT THE APPLICANT MUST PROVIDE A SOCIAL SECURITY NUMBER FOR A SOLE PROPRIETOR OR FEDERAL EMPLOYER IDENTIFICATION NUMBER AND THE PHYSICAL ADDRESS OF THE BONA FIDE PLACE OF BUSINESS IF THE APPLICANT IS A BUSINESS, AND TO PROHIBIT TITLING VEHICLES PURCHASED FOR OPERATION IN A FOREIGN JURISDICTION.

S. 358 -- Senator Grooms: A BILL TO AMEND SECTION 56‑3‑2335 OF THE 1976 CODE, RELATING TO RESEARCH AND DEVELOPMENT LICENSE PLATES, TO PROVIDE THAT RESEARCH AND DEVELOPMENT LICENSE PLATES MAY ALSO BE ISSUED TO VEHICLES OWNED BY THE RESEARCH AND DEVELOPMENT BUSINESS AND BY A FLEET OWNER UNDER CONTRACT WITH THE RESEARCH AND DEVELOPMENT BUSINESS, TO INCREASE THE MAXIMUM NUMBER OF RESEARCH AND DEVELOPMENT LICENSE PLATES THAT MAY BE ISSUED, AND TO PROVIDE FOR OPERATION OF RESEARCH AND DEVELOPMENT LICENSED VEHICLES IN OTHER STATES.

**READ THE SECOND TIME**

H. 3436 -- Reps. D.C. Moss and V.S. Moss: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING ACT 606 OF 1973 RELATING TO THE CREATION AND DUTIES OF THE CHEROKEE COUNTY HISTORICAL COMMISSION.

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 1; Nays 0**

**AYES**

Peeler

**Total--1**

**NAYS**

**Total--0**

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

**AMENDED, READ THE SECOND TIME**

S. 345 -- Senators Setzler, McGill, Land, Reese, Elliott, Williams, Nicholson, Lourie, Coleman, Sheheen, Matthews, Leventis, Alexander, Pinckney, Malloy, O’Dell, S. Martin, Peeler and L. Martin: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED DURING THE PERIOD OF JANUARY 10, 2011, THROUGH JANUARY 14, 2011, BY THE STUDENTS OF ANY SCHOOL DISTRICT OF THIS STATE WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW OR INCLEMENT WEATHER ARE EXEMPT FROM THE MAKE-UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

**Amendment No. 1**

Senators SETZLER, COURSON and SHANE MARTIN proposed the following amendment (DKA\3504SD11), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Notwithstanding the provisions of Section 59‑1‑425 of the 1976 Code, the governing body of any school district of this State may waive up to five school days missed due to inclement weather during the 2010-2011 school year from the make‑up requirement that full school days missed due to inclement weather, or other disruptions be made up. /

Amend title to read:

/TO PROVIDE THAT THE GOVERNING BODY OF ANY SCHOOL DISTRICT OF THIS STATE MAY WAIVE UP TO FIVE DAYS SCHOOL DAYS MISSED DUE TO INCLEMENT WEATHER DURING THE 2010-2011 SCHOOL YEAR FROM THE MAKE‑UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO INCLEMENT WEATHER, OR OTHER DISRUPTIONS BE MADE UP. /

Renumber sections to conform.

Amend title to conform.

Senator SETZLER explained the amendment.

Senator RYBERG spoke on the amendment.

Senator LEVENTIS spoke on the amendment.

The question then was adoption of the amendment.

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

**Ayes 37; Nays 7**

**AYES**

Alexander Anderson Bright

Campbell Campsen Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Knotts Land Leatherman

Leventis Lourie *Martin, Larry*

*Martin, Shane* Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

Bryant Hutto Malloy

Massey Rose Ryberg

Sheheen

**Total--7**

The amendment was adopted.

**Amendment No. 2A**

Senators SHANE MARTIN and COURSON proposed the following amendment (345R003.SRM), which was adopted:

Amend the joint resolution, as and if amended, page 1, by striking SECTION 1 in its entirety and inserting:

/ SECTION 1. Notwithstanding the provisions of Section 59-1-425 of the 1976 Code, the governing body of any school district of this State may waive up to five school days missed by students attending schools and charter schools in the district due to inclement weather during the 2010-2011 school year from the make-up requirement that full school days missed due to inclement weather, or other disruptions be made up. /

Amend the joint resolution further, as and if amended, page 1, by striking SECTION 2 in its entirety and inserting:

/ SECTION 2. Notwithstanding the provisions of Section 59-1-425 of the 1976 Code, for any district that waives days pursuant to this section, the days are also waived for students participating in home schooling programs approved by the district board of trustees of the district in which the students reside.

SECTION 3. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

The amendment was adopted.

**Recorded Vote**

Senators RYBERG and ROSE desired to be recorded as voting against the adoption of Amendment No. 2A.

The question then was second reading of the Resolution.

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

**Ayes 36; Nays 6**

**AYES**

Alexander Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

Bright Bryant Hutto

Massey Rose Ryberg

**Total--6**

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

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

**MOTION FOR SPECIAL ORDER FAILED**

S. 20 -- Senators Grooms, McConnell, Thomas, Alexander, Leatherman, Knotts, Bryant, Hayes, Rose, Verdin, S. Martin, Peeler, L. Martin, Fair, Ryberg, Cromer, Campsen, Davis, Shoopman and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, BY ADDING SECTION 23‑1‑250 TO PROVIDE THAT WHERE A LAW ENFORCEMENT OFFICER HAS REASONABLE SUSPICION THAT A PERSON STOPPED, DETAINED, OR ARRESTED BY LAW ENFORCEMENT IS AN ALIEN UNLAWFULLY IN THE UNITED STATES, THE OFFICER OR HIS AGENCY MUST FOLLOW CERTAIN PROCEDURES TO VERIFY HIS IMMIGRATION STATUS; AND TO AMEND ARTICLE 5, CHAPTER 9, TITLE 16, BY ADDING SECTION 16‑9‑480 TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON UNLAWFULLY IN THE UNITED STATES TO SOLICIT OR ATTEMPT TO SOLICIT WORK, AND TO PROVIDE PROCEDURES FOR VERIFYING IMMIGRATION STATUS.

Senator LARRY MARTIN moved to set the Bill for Special Order.

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

**Ayes 29; Nays 15**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill O'Dell Peeler

Rankin Rose Ryberg

Setzler Shoopman Thomas

Verdin Williams

**Total--29**

**NAYS**

Anderson Coleman Elliott

Ford Hutto Land

Leventis Lourie Malloy

Matthews Nicholson Pinckney

Reese Scott Sheheen

**Total--15**

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

**MOTION ADOPTED**

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

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

**READ THE SECOND TIME**

S. 277 -- Senators Peeler, Campsen, Rose, Ryberg, McConnell, Bright, Knotts, O’Dell and S. Martin: A BILL TO RATIFY AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF SUFFRAGE, BY ADDING SECTION 12 TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR ORGANIZATION.

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

Senator HUTTO argued contra to the second reading of the Bill.

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

**Ayes 32; Nays 10; Present 1**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman Lourie

*Martin, Larry Martin, Shane* Massey

McConnell McGill Nicholson

O'Dell Peeler Rankin

Reese Rose Ryberg

Setzler Shoopman Thomas

Verdin Williams

**Total--32**

**NAYS**

Anderson Coleman Elliott

Ford Hutto Land

Leventis Matthews Pinckney

Scott

**Total--10**

**PRESENT**

Malloy

**Total--1**

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

Senator MALLOY spoke on the Bill.

**Statement by Senator HUTTO**

At the time this issue was debated during the 2010 Legislative Session, before being placed on the ballot in November, the subcommittee of Judiciary considering the resolution asked the opinion of an independent expert on labor law from the USC Law School as to the constitutionality of adding such a provision to our Constitution.

The opinion delivered to the Senate was “There is only one conclusion to be drawn: the amendment proposed by the Joint Resolution is unconstitutional. The Supremacy Clause of the U.S. Constitution expressly makes federal law supreme when it conflicts with state law. Because the proposed state constitutional amendment directly contradicts current as well as proposed federal law, it would be unenforceable.”

Unfortunately, the General Assembly failed in its responsibility to insure that only constitutional propositions are submitted to the voters for possible amendments to South Carolina’s Constitution.

**Statement by Senator MALLOY**

At the time this issue was debated during the 2010 Legislative Session, before being placed on the ballot in November, the subcommittee of Judiciary considering the resolution asked the opinion of an independent expert on labor law from the USC Law School as to the constitutionality of adding such a provision to our Constitution.

The opinion delivered to the Senate was “There is only one conclusion to be drawn: the amendment proposed by the Joint Resolution is unconstitutional. The Supremacy Clause of the U.S. Constitution expressly makes federal law supreme when it conflicts with state law. Because the proposed state constitutional amendment directly contradicts current as well as proposed federal law, it would be unenforceable.”

Recognizing and acknowledging that voters in South Carolina overwhelmingly supported the constitutional amendment, I voted “present” as opposed to voting “no”, acknowledging my belief that the General Assembly should follow the advice given by the independent constitutional expert in this matter.

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

**DEBATE INTERRUPTED**

H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V.S. Moss, Norman, Parker, G.M. Smith, G.R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J.R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑3‑70 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS WHO ARE QUALIFIED TO VOTE, BUT DO NOT HAVE A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AS OF JANUARY 1, 2013, AND TO REQUIRE THE DEPARTMENT TO FURNISH A LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT AT NO CHARGE TO THE COMMISSION; BY ADDING SECTION 7‑5‑675 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO IMPLEMENT A SYSTEM IN ORDER TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR; TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT; TO AMEND SECTION 7‑1‑25, RELATING TO THE DEFINITION OF “DOMICILE”, SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON’S INTENTION REGARDING HIS DOMICILE; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO MAINTAIN IN A MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTING IN A GENERAL ELECTION; TO AMEND SECTION 7‑5‑125, RELATING TO THE ISSUANCE OF A WRITTEN NOTIFICATION OF REGISTRATION TO VOTE, SO AS TO PROVIDE FOR THE ISSUANCE OF A DUPLICATE NOTIFICATION IF THE ELECTOR TO WHOM IT WAS ORIGINALLY ISSUED LOSES OR DEFACES IT; TO AMEND SECTION 7‑5‑230, AS AMENDED, RELATING TO THE BOARDS OF REGISTRATION BEING THE JUDGES OF THE LEGAL QUALIFICATIONS OF ALL APPLICANTS FOR REGISTRATION, SO AS TO ADD A REFERENCE TO SECTION 7‑1‑25 AND DELETE CERTAIN CRITERIA USED WHEN CONSIDERING A CHALLENGE REGARDING THE RESIDENCE OF AN ELECTOR; TO AMEND SECTION 7‑13‑710, AS AMENDED, RELATING TO THE PRESENTATION OF A PERSON’S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PROVIDING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE FOR CERTAIN EXCEPTIONS, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE; TO AMEND SECTION 7‑15‑330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE REFERENCES TO AN AUTHORIZED REPRESENTATIVE REQUESTING AN APPLICATION FOR A QUALIFIED ELECTOR; TO AMEND SECTION 7‑15‑385, AS AMENDED, RELATING TO THE MARKING AND RETURNING OF THE ABSENTEE BALLOT, SO AS TO REQUIRE THE BOARD OF REGISTRATION TO RECORD, INSTEAD OF NOTE, CERTAIN PROCEDURES REGARDING THE RETURN OF THE ABSENTEE BALLOT; TO AMEND SECTION 56‑1‑3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTION 7‑15‑470 RELATING TO THE PROHIBITION OF VOTING ON A VOTING MACHINE FOR IN‑PERSON ABSENTEE VOTING.

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

On motion of Senator McCONNELL, debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senators LARRY MARTIN, ALEXANDER, ANDERSON, BRIGHT, BRYANT, CAMPBELL, CAMPSEN, CLEARY, COLEMAN, COURSON, CROMER, DAVIS, ELLIOTT, FAIR, FORD, GROOMS, HAYES, HUTTO, JACKSON, KNOTTS, LAND, LEATHERMAN, LEVENTIS, LOURIE, MALLOY, SHANE MARTIN, MASSEY, MATTHEWS, McCONNELL, McGILL, NICHOLSON, O’DELL, PEELER, PINCKNEY, RANKIN, REESE, ROSE, RYBERG, SCOTT, SETZLER, SHEHEEN, SHOOPMAN, THOMAS, VERDIN and WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of former Senator and former Lieutenant Governor EARLE E. MORRIS, JR. of Lexington, S.C. Mr. Morris had a varied career in state government having served in the House of Representatives (1951-1955), S.C. Senate (1955-1971), Lieutenant Governor (1971-1975), S.C. Mental Health Commission (1975-1976) and Comptroller General (1976, and re-elected in 1978, 1982, 1986, 1990 and 1994).

and

**MOTION ADOPTED**

On motion of Senator O’DELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas Blease O’Dell, Jr. of Lowndesboro, AL, beloved cousin of Senator O’DELL. Mr. O’Dell passed away on February 4, 2011.

**ADJOURNMENT**

At 1:43 P.M., on motion of Senator McCONNELL the Senate adjourned to meet tomorrow at 2:00 P.M.

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