**Wednesday, February 16, 2011**

**(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:

In the Book of Proverbs we read:

“The wise in heart are called discerning, and pleasant words promote instruction.” (Proverbs 16:21)

Let us pray:

Gracious Lord, we praise You for the wisdom of these servants. May each Senator always seek to honor You through his discernment of what is best for the people of South Carolina and may pleasant words always be the hallmark of debate in this Chamber. Guide these leaders in ways that enrich our State and in a manner that serves as a model for others who serve in public office. May each Senator and every staff member always sense Your Spirit’s leading as they wrestle with significant issues throughout this Session.

This we pray in Your holy and loving name, dear Lord.

Amen.

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

**Leave of Absence**

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

**Leave of Absence**

At 5:40 P.M., Senator BRYANT requested a leave of absence until 6:30 P.M.

**CO-SPONSORS ADDED**

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

S. 5 Sen. Cromer

S. 277 Sen. Alexander

S. 431 Sen. Ford

S. 501 Sen. Coleman

**Expression of Personal Interest**

Senator SHEHEEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator BRYANT rose for an Expression of Personal Interest.

**RECALLED**

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.

Senator CLEARY asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Medical Affairs.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 569 -- Senator Matthews: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. CAESAR ROLAND RICHBURG FOR THIRTY YEARS OF DEDICATED MINISTRY TO HIS COMMUNITY AND CONGREGATIONS AND TO HIS CALLING AS A MINISTER OF THE GOSPEL.

l:\council\bills\gm\24659sd11.docx

The Senate Resolution was adopted.

S. 570 -- Senators Rankin, 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, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO RECOGNIZE AND CONGRATULATE OLIVIA JOAN OLVERA ON BEING CROWNED MISS SUN FUN 2011 AND WISH HER MUCH SUCCESS IN HER REIGN AND IN ALL HER FUTURE ENDEAVORS.

l:\council\bills\gm\24656ac11.docx

The Senate Resolution was adopted.

S. 571 -- Senator Knotts: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND THE SECOND ANNUAL SOUTH CAROLINA EMERGENCY MEDICAL MEMORIAL BIKE RIDE FOR HONORING THOSE WHO HAVE GIVEN OF THEMSELVES WHILE RENDERING AID TO THE CITIZENS OF THE GREAT STATE OF SOUTH CAROLINA.

l:\council\bills\rm\1075ab11.docx

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

S. 572 -- Senators Leventis, Alexander, Anderson, Bright, Bryant, Campbell, Campsen, Cleary, Coleman, Courson, Cromer, Davis, Elliott, Fair, Ford, Grooms, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Lourie, Malloy, L. Martin, S. Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A SENATE RESOLUTION TO COMMEND UNIVERSITY OF SOUTH CAROLINA SUMTER FOR ITS MANY YEARS OF SERVICE TO THE STATE OF SOUTH CAROLINA, AND TO HONOR AND CONGRATULATE THE UNIVERSITY ON THE OCCASION OF ITS FORTY-FIFTH ANNIVERSARY.

l:\council\bills\rm\1076cm11.docx

Senator LEVENTIS spoke on the Resolution.

The Senate Resolution was adopted.

S. 573 -- Senators Fair, Ford, Campsen, Land, Shoopman, Williams, Rose, Bryant, Davis and Ryberg: A BILL TO AMEND SECTION 63-19-610, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JUVENILE PAROLE BOARD, SO AS TO DELETE THE REFERENCE TO THE DEPARTMENT OF JUVENILE JUSTICE TO CLARIFY THAT THE BOARD IS NOT UNDER THE DEPARTMENT, DECREASE ITS MEMBERSHIP FROM TEN MEMBERS TO FIVE MEMBERS, TO PROVIDE THAT IN MAKING THESE APPOINTMENTS, THE GOVERNOR SHALL SELECT MEMBERS REPRESENTATIVE OF THE RACIAL, GENDER, AND GEOGRAPHICAL DIVERSITY OF THE STATE, AND TO PROVIDE THAT THE DECREASE IN MEMBERSHIP WILL OCCUR BY ATTRITION.

l:\council\bills\nbd\11278ac11.docx

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

S. 574 -- Senator Courson: A CONCURRENT RESOLUTION TO DECLARE MARCH 2011 AS “HOME SCHOOL RECOGNITION MONTH” IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOME SCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL-BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

l:\s-res\jec\002home.mrh.jec.docx

On motion of Senator COURSON, with unanimous consent, the Concurrent Resolution was introduced and ordered placed on the Calendar without reference.

S. 575 -- Senator Massey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-101-35 SO AS TO PROVIDE THAT A SOUTH CAROLINA RESIDENT WHO OTHERWISE QUALIFIES FOR THE LIFE, HOPE, OR PALMETTO FELLOWS SCHOLARSHIP BUT WHO ATTENDS SCHOOL IN ANOTHER STATE BECAUSE NO PUBLIC COLLEGE OR UNIVERSITY OFFERS HIS CHOSEN MAJOR SHALL RECEIVE THE SCHOLARSHIP FOR WHICH HE QUALIFIES TO BE USED FOR PAYMENT OF TUITION AT THE OUT-OF-STATE INSTITUTION.

l:\council\bills\agm\18701bh11.docx

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

S. 576 -- Senator Massey: A BILL TO AMEND SECTION 50-11-310, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OPEN SEASON FOR ANTLERED DEER, SO AS TO DELETE THE PROHIBITION OF BAITING FOR DEER IN GAMES ZONES 1 AND 2.

l:\council\bills\swb\5123cm11.docx

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

S. 577 -- Senator Massey: A BILL TO AMEND SECTION 56-5-6540, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PENALTIES FOR SAFETY BELT VIOLATIONS, SO AS TO PROVIDE THAT A VIOLATION OF ANY SAFETY BELT PROVISION IS ADMISSIBLE AS EVIDENCE IN A CIVIL ACTION TO ESTABLISH COMPARATIVE NEGLIGENCE UNDER CERTAIN CIRCUMSTANCES.

l:\council\bills\swb\5124cm11.docx

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

S. 578 -- Senators Malloy, McConnell, Knotts and Campsen: A BILL TO REPEAL SECTION 56-1-745, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DRIVER'S LICENSE SUSPENSION OF A PERSON CONVICTED OF A CONTROLLED SUBSTANCE VIOLATION.

l:\s-jud\bills\malloy\jud0077.jjg.docx

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

S. 579 -- Senator Cromer: A BILL TO AMEND SECTION 13-1-1710, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT, SO AS TO ADD THE STATE FORESTER OF THE SOUTH CAROLINA FORESTRY COMMISSION TO THE MEMBERSHIP OF THE COUNCIL.

l:\council\bills\agm\18702ab11.docx

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

S. 580 -- Senator Setzler: A BILL TO AMEND SECTION 40-18-140, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXEMPTIONS FROM CHAPTER 18 OF TITLE 40 PROVIDING FOR THE LICENSURE AND REGULATION OF PRIVATE SECURITY AND INVESTIGATION AGENCIES, SO AS TO PROVIDE THAT THE CHAPTER MUST NOT APPLY TO A PERSON BASED SOLELY ON HIS BEING ENGAGED IN COMPUTER OR DIGITAL FORENSIC SERVICES, THE ACQUISITION, REVIEW, OR ANALYSIS OF DIGITAL OR COMPUTER-BASED INFORMATION, OR SYSTEM VULNERABILITY TESTING.

l:\council\bills\agm\18717ab11.docx

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

S. 581 -- Senator Massey: A BILL TO AMEND SECTION 40-43-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATE BOARD OF PHARMACY SO AS TO INCREASE THE MEMBERSHIP OF THE BOARD TO NINE WITH THE ADDITIONAL MEMBER BEING A PHARMACY TECHNICIAN FROM THE STATE AT LARGE.

l:\council\bills\agm\18700ab11.docx

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

S. 582 -- Senator Massey: A BILL TO AMEND SECTION 56-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF A BEGINNER’S PERMIT, SO AS TO DELETE THE DEPARTMENT OF MOTOR VEHICLES' AUTHORITY TO RENEW A BEGINNER’S PERMIT OR ISSUE A NEW PERMIT FOR ADDITIONAL PERIODS OF TWELVE MONTHS, AND ITS AUTHORITY TO REFUSE TO RENEW OR ISSUE A NEW PERMIT WHERE THE EXAMINING OFFICER HAS REASON TO BELIEVE THE APPLICANT HAS NOT MADE AN EFFORT TO PASS THE ROAD TEST OR DOES NOT HAVE THE APTITUDE TO PASS THE ROAD TEST.

l:\council\bills\swb\5122cm11.docx

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

S. 583 -- Senator Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 2, TITLE 56 SO AS TO CREATE PROVISIONS THAT GOVERN THE OPERATION, REGISTRATION, TITLING, AND LICENSING OF MOPEDS; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO THE DEFINITION OF CERTAIN TERMS THAT RELATE TO THE OPERATION OF MOTOR VEHICLES, SO AS TO REVISE THE DEFINITION OF THE TERMS “OWNER”, “MOTORCYCLE”, “LOW SPEED VEHICLE”, AND TO PROVIDE DEFINITIONS FOR THE TERMS “MOPED”, “DAYLIGHT HOURS”, AND “VEHICLE”; TO AMEND SECTIONS 56-1-40, 56-1-50, AS AMENDED, 56-1-130, AS AMENDED, 56-1-175, 56-1-180, 56-1-185, AND 56-1-187, RELATING TO THE ISSUANCE AND RENEWAL OF A DRIVER’S LICENSE, BEGINNER’S PERMIT, CONDITIONAL DRIVER’S LICENSE, AND SPECIAL RESTRICTED DRIVER’S LICENSE BY THE DEPARTMENT OF MOTOR VEHICLES, ALL SO AS TO PROVIDE FOR THE ISSUANCE OF A MOPED CLASSIFIED DRIVER'S LICENSE, TO ALLOW A HOLDER OF A BEGINNER'S PERMIT TO OPERATE A MOPED, TO DELETE CERTAIN OBSOLETE PROVISIONS AND TERMS, TO ALLOW A HOLDER OF A CLASSIFIED DRIVER'S LICENSE TO OPERATE A MOPED, TO PROVIDE FOR THE SUSPENSION OF A CLASSIFIED DRIVER’S LICENSE UNDER CERTAIN CIRCUMSTANCES, TO PROVIDE THAT A BEGINNER’S PERMIT OR A SPECIAL RESTRICTED LICENSE MAY NOT BE ISSUED TO CERTAIN MINORS UNTIL THEY REACH THE AGE OF AT LEAST FIFTEEN AND ONE-HALF YEARS, AND TO PROVIDE A PENALTY FOR A PARENT OR GUARDIAN WHO KNOWINGLY AND WILFULY PERMITS HIS DEPENDENT TO OPERATE A MOPED IN VIOLATION OF A RESTRICTION IMPOSED UPON A MOPED CLASSIFIED DRIVER’S LICENSE; TO AMEND SECTION 56-2-2740, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES’ REFUSAL TO RENEW A DRIVER’S LICENSE AND VEHICLE REGISTRATION FOR NONPAYMENT OF PROPERTY TAXES, AND THE ISSUANCE OF LICENSE PLATES AND VALIDATION DECALS, SO AS TO PROVIDE THAT VALIDATION DECALS SHALL NOT BE ISSUED FOR VEHICLES THAT DO NOT REQUIRE THE PAYMENT OF PROPERTY TAXES; TO AMEND SECTION 56-3-20, RELATING TO THE DEFINITION OF TERMS REGARDING MOTOR VEHICLE REGISTRATION AND LICENSING, SO AS TO DELETE THE TERMS “VEHICLE”, “MOTOR VEHICLE”, “MOTORCYCLE”, “MOTOR DRIVEN CYCLE”, “NONRESIDENT”, “MOPED”, AND “MOTORCYCLE THREE-WHEEL VEHICLE” AND THEIR DEFINITIONS; TO AMEND SECTION 56-3-200, RELATING TO REQUIRING A CERTIFICATE OF TITLE TO BE ISSUED BEFORE A VEHICLE MAY BE REGISTERED OR REREGISTERED, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO MOPEDS; TO AMEND SECTION 56-3-250, RELATING TO THE PAYMENT OF LOCAL TAXES BEFORE A VEHICLE MAY BE REGISTERED, SO AS TO PROVIDE THAT THIS PROVISION DOES NOT APPLY TO MOPEDS AND TO SUBSTITUTE THE TERM “DEPARTMENT OF REVENUE” FOR THE TERM “STATE TAX COMMISSION”; TO AMEND SECTION 56-3-630, AS AMENDED, RELATING TO VEHICLES CLASSIFIED AS PASSENGER MOTOR VEHICLES, SO AS TO SUBSTITUTE THE TERM “MOPED” FOR THE TERM “MOTOR DRIVEN CYCLE”, AND TO MAKE A TECHNICAL CHANGE; TO AMEND SECTION 56-3-760, RELATING TO BIENNIAL REGISTRATION FEES FOR CERTAIN VEHICLES, SO AS TO SUBSTITUTE THE TERM “MOPED” FOR THE TERM “MOTOR DRIVEN CYCLE”; TO AMEND SECTION 56-5-50, RELATING TO THE INAPPLICABILITY OF CERTAIN PROVISIONS TO THE OPERATION OF MOPEDS, SO AS TO MAKE THESE PROVISIONS APPLICABLE TO THE OPERATION OF MOPEDS; TO AMEND SECTION 56-5-361, RELATING TO VEHICLES THAT ARE DEFINED AS PASSENGER CARS, SO AS TO SUBSTITUTE THE TERM “MOPEDS” FOR THE TERM “MOTOR DRIVEN CYCLES”; TO AMEND SECTION 56-5-1555, RELATING TO THE MAXIMUM OPERATION SPEED OF A MOPED, SO AS TO INCREASE THE MAXIMUM OPERATING SPEED; TO AMEND SECTION 56-9-20, RELATING TO TERMS AND THEIR DEFINITIONS CONCERNING THE ISSUANCE OF LICENSE PLATES AND REGISTRATION CARDS, SO AS TO DELETE THE TERMS “NONRESIDENT”, “NONRESIDENT OPERATING PRIVILEGE”, AND “OPERATOR” AND THEIR DEFINITIONS, AND TO REVISE THE DEFINITION OF THE TERM “OWNER”; TO AMEND SECTION 56-10-520, RELATING TO THE OPERATION OF AN UNINSURED MOTOR VEHICLE, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO A PERSON OPERATING A MOPED WHO IS NOT THE REGISTERED OWNER; TO AMEND SECTION 56-10-535, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES REQUIRING A PERSON TO SHOW PROOF OF FINANCIAL RESPONSIBILITY AFTER A CONVICTION OF CERTAIN TRAFFIC OFFENSES, SO AS TO PROVIDE THAT THIS PROVISION APPLIES TO THE REGISTERED OWNER OF A MOPED; TO AMEND SECTIONS 56-15-10 AND 56-16-10, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONCERNING THE REGULATION OF MOTOR VEHICLE AND MOTORCYCLE MANUFACTURERS, DISTRIBUTORS AND DEALERS, SO AS TO REVISE THE DEFINITION OF THE TERMS “MOTOR VEHICLE” AND “MOTORCYCLE”; TO AMEND SECTION 56-19-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONCERNING THE ISSUANCE OF CERTIFICATES OF TITLE, SO AS TO DELETE THE TERMS “DRIVER”, “MOTOR VEHICLE”, “MOTORCYCLE”, “MOTOR DRIVEN CYCLE”, “NONRESIDENT”, “OPERATOR”, “OWNER”, “VEHICLE”, “MOPED”, “AUTOMOTIVE THREE-WHEEL VEHICLE”, AND “MOTORCYCLE” AND THEIR DEFINITIONS; TO AMEND SECTION 56-19-220, RELATING TO CERTAIN VEHICLES THAT DO NOT NEED A CERTIFICATE OF TITLE, SO AS TO MAKE A TECHNICAL CHANGE, AND TO PROVIDE THAT THIS PROVISION APPLIES TO MOPEDS; AND TO REPEAL SECTIONS 56-1-1710, 56-1-1720, 56-1-1730, 56-1-1740, 56-1-1760, 56-1-1770, 56-1-1780, 56-5-120, 56-5-130, 56-5-140, 56-5-150, 56-5-155, 56-5-165, 56-5-410, 56-5-1550, 56-5-1555, 56-5-3710, 56-5-3720, 56-5-3730, 56-5-3740, 56-5-3750, 56-5-3760, AND 56-9-110 RELATING TO THE DEFINITION OF THE TERM “MOPED”, THE MOPED OPERATOR’S LICENSE AND ITS ISSUANCE, SUSPENSION, REVOCATION, AND CANCELLATION, AND THE OPERATION OF A MOPED, THE TERMS “VEHICLE”, “MOTOR VEHICLE”, “MOTORCYCLE”, “MOTOR-DRIVEN CYCLE”, “MOTORCYCLE THREE-WHEEL VEHICLE”, AND “OWNER” AND THEIR DEFINITIONS, SPEED LIMITATIONS ON MOTOR-DRIVEN CYCLES, LIMITATIONS ON RIDING POSITIONS ON A MOPED AND THE NUMBER OF PASSENGERS THAT MAY RIDE ON A MOPED, THE REGULATION OF A BUSINESS THAT SELLS MOPEDS, AND AN OBSOLETE PROVISION.

l:\council\bills\swb\5102cm11.docx

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

S. 584 -- Senators Knotts, Setzler, Courson, Cromer and Leatherman: A BILL TO EXTEND THE ONE CENT SALES TAX IMPOSED BY ACT 378 OF 2004, THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT, FOR AN ADDITIONAL SEVEN YEARS.

l:\s-jud\bills\knotts\jud0086.ssp.docx

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

S. 585 -- Senator Elliott: A CONCURRENT RESOLUTION TO HONOR AND RECOGNIZE MARY ELLEN GREENE OF HORRY COUNTY FOR TWELVE YEARS OF DEDICATED SERVICE TO THE HORRY COUNTY SCHOOL BOARD AND FOR HER SERVICE TO THE SOUTH CAROLINA SCHOOL BOARD ASSOCIATION.

l:\council\bills\gm\24666ac11.docx

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

H. 3276 -- Reps. White, Owens, Bikas, Sellers, Ott and Clemmons: A BILL TO RATIFY AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE DECLARATION OF RIGHTS UNDER THE STATE'S CONSTITUTION, BY ADDING SECTION 25 SO AS TO PROVIDE THAT HUNTING AND FISHING ARE VALUABLE PARTS OF THE STATE’S HERITAGE, IMPORTANT FOR CONSERVATION, AND A PROTECTED MEANS OF MANAGING NONTHREATENED WILDLIFE; TO PROVIDE THAT THE CITIZENS OF SOUTH CAROLINA SHALL HAVE THE RIGHT TO HUNT, FISH, AND HARVEST WILDLIFE TRADITIONALLY PURSUED, SUBJECT TO LAWS AND REGULATIONS PROMOTING SOUND WILDLIFE CONSERVATION AND MANAGEMENT AS PRESCRIBED BY THE GENERAL ASSEMBLY; AND TO SPECIFY THAT THIS SECTION MUST NOT BE CONSTRUED TO ABROGATE ANY PRIVATE PROPERTY RIGHTS, EXISTING STATE LAWS OR REGULATIONS, OR THE STATE;S SOVEREIGNTY OVER ITS NATURAL RESOURCES.

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

H. 3393 -- Rep. Sandifer: A BILL TO AMEND SECTION 32-8-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONS WHO MAY SERVE AS A DECEDENT’S AGENT TO AUTHORIZE CREMATION, SO AS TO FURTHER PROVIDE FOR THOSE PERSONS WHO IN ORDER OF PRIORITY MAY AUTHORIZE CREMATION.

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

H. 3507 -- Reps. Harrell, Cooper, Bingham, Clemmons, Allison, Atwater, Barfield, Bikas, Bowen, Brannon, Corbin, Crosby, Daning, Forrester, Hamilton, Harrison, Henderson, Herbkersman, Hiott, Hixon, Horne, Long, McCoy, D. C. Moss, V. S. Moss, Murphy, Parker, Patrick, Quinn, Ryan, Skelton, G. R. Smith, Sottile, Tallon, Taylor, Toole, Whitmire, G. M. Smith, Young, Chumley, Viers, White, Huggins, Owens, Simrill, Pope, Norman and Ballentine: A CONCURRENT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONSTITUTIONAL CONVENTION PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION FOR THE PURPOSE OF PROPOSING A CONSTITUTIONAL AMENDMENT THAT PERMITS THE REPEAL OF ANY FEDERAL LAW OR REGULATION BY VOTE OF TWO-THIRDS OF THE STATE LEGISLATURES.

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

H. 3601 -- Rep. H. B. Brown: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF INTERSTATE HIGHWAY 77 FROM ITS INTERSECTION WITH FAIRFIELD/RICHLAND COUNTY LINE TO ITS INTERSECTION WITH THE FAIRFIELD/CHESTER COUNTY LINE “JOHN M. SPRATT, JR., FREEWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY THAT CONTAIN THE WORDS “JOHN M. SPRATT, JR., FREEWAY”.

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

H. 3648 -- Rep. Brantley: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF HAMPTON COUNTY SCHOOL DISTRICT TWO 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. 3656 -- Rep. Bowers: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF HAMPTON COUNTY SCHOOL DISTRICT ONE 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. 3661 -- Reps. Clyburn and Hixon: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 11 AND 12, 2011, BY THE STUDENTS OF EDGEFIELD 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. 3662 -- Rep. Munnerlyn: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF THE MARLBORO 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. 3693 -- Reps. Huggins, 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, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, 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 DECLARE TUESDAY, FEBRUARY 22, 2011, SOUTH CAROLINA REALTOR DAY IN ORDER TO RECOGNIZE AND HONOR THE MANY OUTSTANDING REALTORS AND REAL ESTATE PROFESSIONALS IN OUR STATE.

The Concurrent Resolution was introduced and referred to the Committee on Labor, Commerce and Industry.

**REPORTS OF STANDING COMMITTEES**

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

S. 51 -- Senator McConnell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS IN NORTH CHARLESTON IDENTIFIED AS THE “SEVEN MILE VIADUCT” THE “P. H. LIVINGSTON OVERPASS” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS OVERPASS THAT CONTAIN THE WORDS “P. H. LIVINGSTON OVERPASS”.

Ordered for consideration tomorrow.

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

S. 231 -- Senators Campsen, Davis and Rose: A BILL TO AMEND SECTION 61‑4‑550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS.

Ordered for consideration tomorrow.

Senator CAMPSEN from the Committee on Judiciary submitted a favorable report on:

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7‑13‑35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7‑13‑40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES’ QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7‑13‑190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7‑13‑350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

Ordered for consideration tomorrow.

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

S. 404 -- Senators Campsen, McConnell, Land, Peeler, Alexander, Bryant, Campbell, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Grooms, Hayes, Hutto, Jackson, Knotts, Leventis, Matthews, L. Martin, Massey, McGill, O’Dell, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Thomas, Verdin, Williams, Lourie, Scott and Leatherman: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE “SOUTH CAROLINA UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT”; TO AMEND SECTION 7‑15‑400, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS AND ISSUANCE OF WRITE‑IN ABSENTEE BALLOTS, SO AS TO ALLOW A VOTER TO MAKE A STATEMENT ON A FEDERAL WRITE‑IN ABSENTEE BALLOT THAT HE IS UNABLE TO VOTE BY REGULAR ABSENTEE BALLOT OR IN PERSON DUE TO THE REQUIREMENTS OF MILITARY SERVICE, LIVING IN AN ISOLATED AREA, OR AN EXTREMELY REMOTE AREA OF THE WORLD, AND TO ADD THAT A QUALIFIED ABSENTEE ELECTOR MAY ALTERNATIVELY SUBMIT A FEDERAL WRITE‑IN ABSENTEE BALLOT FOR ANY FEDERAL, STATE, OR LOCAL OFFICE OR BALLOT INITIATIVE; TO ADD SECTION 7‑15‑406 TO ARTICLE 5, CHAPTER 13, TITLE 7, SO AS TO REQUIRE ALL ABSENTEE BALLOTS MUST BE MAILED TO THE ELECTOR AT LEAST FORTY‑FIVE DAYS PRIOR TO ANY ELECTION; TO AMEND SECTION 7‑15‑460, RELATING TO ABSENTEE BALLOTS AS PROVIDED BY THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT, SO AS TO MAKE THE PROVISIONS APPLICABLE TO FEDERAL, STATE, AND LOCAL OFFICES, AND TO REQUIRE THAT AN ELECTRONIC FREE ACCESS BALLOT TRACKING SYSTEM IS AVAILABLE TO ELECTORS; AND TO AMEND SECTION 7‑15‑220, RELATING TO THE SIGNING AND WITNESSING OF THE OATH BY THE ABSENTEE BALLOT APPLICANT, SO AS TO PROVIDE AN EXCEPTION FOR WITNESS REQUIREMENTS FOR VOTERS QUALIFIED UNDER THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT.

Ordered for consideration tomorrow.

Senator CROMER from the Committee on Fish, Game and Forestry submitted a favorable report on:

S. 501 -- Senators Cromer, Peeler, Leatherman, L. Martin, McGill, Courson, Thomas, Grooms, Verdin, O’Dell, Campsen, Matthews, Campbell, Hutto, Alexander, Williams, Fair, Scott, Cleary, Reese, Davis, Leventis, Shoopman, Elliott, Anderson, S. Martin, Nicholson and Coleman: A BILL TO AMEND SECTION 48‑34‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR CONDUCTING A PRESCRIBED FIRE, SO AS TO PROVIDE THAT A FIRE MANAGER WHO SUPERVISES A PRESCRIBED FIRE MUST CONSIDER BOTH FIRE BEHAVIOR AND SMOKE MANAGEMENT AND TO PROVIDE CITATIONS TO OTHER SPECIFIC STATUTORY AND REGULATORY REQUIREMENTS; AND TO AMEND SECTION 48‑34‑50, RELATING TO LIABILITY FOR DAMAGES CAUSED BY A PRESCRIBED FIRE, SO AS TO PROVIDE THAT NO PROPERTY OWNER, LESSEE, AGENT, OR EMPLOYEE MAY BE HELD LIABLE FOR DAMAGES CAUSED BY THE RESULTING SMOKE OF A PRESCRIBED FIRE UNLESS GROSS NEGLIGENCE IS PROVEN.

Ordered for consideration tomorrow.

Senator KNOTTS from the Committee on Judiciary submitted a majority favorable with amendment and Senator HUTTO a minority unfavorable report on:

H. 3004 -- Reps. Ballentine, Norman, Viers, Lucas, Simrill, Huggins, G.M. Smith, G.R. Smith, Loftis, Bedingfield, Hamilton, Stringer, Nanney, Lowe, Young, Willis, Bowen, D.C. Moss, Agnew, Pope, Daning, Thayer, Harrison, Allison, Taylor, Ryan, McCoy, Hixon, Bingham, Long, Whipper, R.L. Brown, Atwater, Henderson, Horne and Harrell: A BILL TO ENACT THE “SPENDING ACCOUNTABILITY ACT OF 2011”; AND TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 2‑7‑125 SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

Ordered for consideration tomorrow.

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

H. 3285 -- Reps. Ballentine, Young, Viers and Huggins: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE LEGISLATIVE DEPARTMENT, BY ADDING SECTION 22A SO AS TO REQUIRE CERTAIN BILLS AND JOINT RESOLUTIONS TO RECEIVE A RECORDED ROLL CALL VOTE AT VARIOUS STAGES OF THEIR PASSAGE BY THE HOUSE OF REPRESENTATIVES AND THE SENATE.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

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.

Returned with concurrence.

Received as information.

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

**READ THE THIRD TIME**

**ORDERED ENROLLED FOR RATIFICATION**

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 third reading of the Bill.

Senator PEELER explained 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 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.

**THIRD READING BILL**

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

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 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.

**Recorded Vote**

Senator RYBERG desired to be recorded as voting against the third reading of the Joint Resolution.

**READ THE SECOND TIME**

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.

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 3; Nays 0**

**AYES**

Grooms Matthews Rose

**Total--3**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**AMENDMENT PROPOSED**

**OBJECTION**

S. 122 -- Senators Campsen, McConnell, Rose and Fair: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50‑11‑108 SO AS TO PROVIDE THAT A PERSON MAY USE A FIREARM TO KILL OR ATTEMPT TO KILL ANY ANIMAL DURING ANY SEASON IN SELF‑DEFENSE, DEFENSE OF ANOTHER, OR DEFENSE OF DOMESTIC ANIMALS, AND TO PROVIDE THAT A PERSON WHO USES DEADLY FORCE AGAINST A BIG GAME ANIMAL OR ALLIGATOR MUST REPORT THE INCIDENT TO THE DEPARTMENT OF NATURAL RESOURCES, TO PROVIDE THAT CERTAIN ANIMAL CARCASSES TAKEN PURSUANT TO THIS SECTION MAY NOT BE RETAINED, AND TO PROVIDE A PENALTY FOR FAILURE TO REPORT THE INCIDENT OR SURRENDER THE CARCASS.

The Senate proceeded to a consideration of the Bill, the question being the adoption of the amendment proposed by the Committee on Fish, Game and Forestry.

The Committee on Fish, Game and Forestry proposed the following amendment (122R004.RWC), which was adopted:

Amend the bill, as and if amended, page 2, by striking lines 1-7 and inserting:

/ the Department of Natural Resources. No big game animal or alligator taken as provided for in this section may be retained, by the person or persons taking the big game animal or alligator. The big game animal or alligator carcass must be surrendered to the Department of Natural Resources. Failure to report the incident or surrender the carcass is a misdemeanor and, upon conviction, may be fined up to two thousand dollars or imprisoned for up to one year, or both. Notwithstanding this section, all other laws protecting and regulating taking of big game and alligators shall apply.” /

Renumber sections to conform.

Amend title to conform.

Senator CAMPSEN explained the committee amendment.

The committee amendment was adopted.

Senator SHEHEEN proposed the following amendment (122R005.VAS):

Amend the bill, as and if amended, page 1, by striking lines 37 - 41 and inserting:

/ (1) self‑defense; or

(2) defense of another person.

(B) Any person who uses deadly force against a big game animal or alligator in defense of persons as /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the amendment.

Senator KNOTTS objected to further consideration of the Bill.

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

Senator LARRY MARTIN moved to dispense with the Motion Period.

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

On motion of Senator SETZLER, with unanimous consent, the motion to table the motion to dispense with the Motion Period was withdrawn.

**MOTION ADOPTED**

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

**HAVING DISPENSED WITH THE MOTION PERIOD, THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.**

**CONCURRENCE**

S. 517 -- Senator Knotts: A CONCURRENT RESOLUTION TO FIX TUESDAY, FEBRUARY 22, 2011, AT NOON, AS THE DATE AND TIME FOR THE HOUSE OF REPRESENTATIVES AND THE SENATE TO MEET IN JOINT SESSION IN THE HALL OF THE HOUSE OF REPRESENTATIVES FOR THE PURPOSE OF ELECTING MEMBERS OF THE BOARDS OF TRUSTEES FOR THE CITADEL, COASTAL CAROLINA UNIVERSITY, SOUTH CAROLINA STATE UNIVERSITY, WIL LOU GRAY OPPORTUNITY SCHOOL, AND WINTHROP UNIVERSITY TO SUCCEED THOSE MEMBERS WHOSE TERMS EXPIRE IN 2011, OR WHOSE POSITIONS OTHERWISE MUST BE FILLED; AND TO ESTABLISH A PROCEDURE REGARDING NOMINATIONS AND SECONDING SPEECHES FOR THE CANDIDATES FOR THESE OFFICES DURING THE JOINT SESSION.

The House returned the Concurrent Resolution with amendments.

On motion of Senator KNOTTS, the Senate concurred in the House amendments and a message was sent to the House accordingly.

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

**AMENDMENT PROPOSED, 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.

Senator CAMPSEN, chairman of the subcommittee on H. 3003, was recognized to explain the Bill.

**Amendment No. P1**

Senator HUTTO proposed the following amendment (3003MW7), which was tabled:

Amend the committee report, as and if amended, Section 7-13-710, page [3003-3], line 12, by inserting the following:

/ ( ) Student identification from an institution of higher learning whose students are eligible to receive either Life or Palmetto Fellows scholarships. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

**Motion Under Rule 15A Adopted**

At 5:03 P.M., Senator LARRY MARTIN moved under the provisions of Rule 15A to vote on the entire matter of H. 3003.

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

**Ayes 24; Nays 17**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Leatherman *Martin, Larry Martin, Shane*

Massey McConnell O’Dell

Peeler Rose Ryberg

Shoopman Thomas Verdin

**Total--24**

**NAYS**

Coleman Elliott Ford

Hutto Knotts Leventis

Malloy Matthews McGill

Nicholson Pinckney Rankin

Reese Scott Setzler

Sheheen Williams

**Total--17**

Having received the necessary vote, the motion under Rule 15A was adopted.

The Senate resumed consideration of Amendment No. P1.

Senator HUTTO explained the amendment.

Senator LEVENTIS argued contra to the adoption of the amendment.

Senator LEVENTIS moved to lay the amendment on the table.

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

**Ayes 27; Nays 13**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman Leventis

*Martin, Larry Martin, Shane* Massey

McConnell O’Dell Peeler

Rankin Rose Ryberg

Shoopman Thomas Verdin

**Total--27**

**NAYS**

Coleman Elliott Ford

Hutto Malloy McGill

Nicholson Pinckney Reese

Scott Setzler Sheheen

Williams

**Total--13**

The amendment was laid on the table.

**Amendment No. P2**

Senator SCOTT proposed the following amendment (SWB\  
6045CM11):

Amend the report of the Committee on Judiciary, as and if amended, Section 7‑15‑385(A), as contained in SECTION 8, by inserting / which must be in color and / after the comma on line 16, page 3003‑11.

Renumber sections to conform.

Amend title to conform.

Senator SCOTT explained the amendment.

**RECESS**

At 5:48 P.M., on motion of Senator LARRY MARTIN, the Senate receded from business subject to the Call of the Chair.

At 5:58 P.M., the Senate resumed.

Senator LARRY MARTIN asked unanimous consent to make a motion that H. 3003 remain in the status of Interrupted Debate, with cloture status under Rule 15A still in effect until tomorrow.

There was no objection and the motion was adopted.

On motion of Senator LARRY MARTIN, debate was interrupted.

**READ THE THIRD TIME, SENT TO THE HOUSE**

S. 277 -- Senators Peeler, Campsen, Rose, Ryberg, McConnell, Bright, Knotts, O’Dell, S. Martin and Alexander: 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.

Senator PEELER 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 third reading of the Bill.

On motion of Senator PEELER, the Bill was read the third time, passed and ordered sent to the House of Representatives.

On motion of Senator McCONNELL, the Senate adjourned.

**MOTION ADOPTED**

On motion of Senators REESE, SHANE MARTIN, PEELER and BRIGHT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. John Belton White, Sr. Spartanburg, S.C. Mr. White was the owner and operator of the Beacon Drive-In from November 25, 1946, to May 1, 1998.

**ADJOURNMENT**

At 5:58 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*