**Thursday, February 24, 2011**

**(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:

The prophet, Isaiah, declared:

“Comfort, comfort my people, says your God.” (Isaiah 40:1)

Let us pray:

O God of Truth and Mercy, we thank You for each dedicated Senator serving You in this State House, for every staff person who labors diligently, and for all others who also strive to honor You through their service to South Carolinians from the foothills to the sea. Apart from the huge problems which confront the citizens of our State, help each of these servants of Yours to hold fast to the hope that You promise to all who serve You faithfully. And, Lord, comfort the people. In Your loving name we pray, dear Savior.

Amen.

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

**Doctor of the Day**

Senator CLEARY introduced Dr. Preston Wendell of Mt. Pleasant, S.C., Doctor of the Day.

**Leave of Absence**

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

**Leave of Absence**

On motion of Senator HUTTO, at 1:00 P.M., Senator RYBERG was granted a leave of absence for the balance of the day.

**CO-SPONSORS ADDED**

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

S. 138 Sen. McConnell

S. 139 Sen. McConnell

S. 434 Sen. Campsen

**RECALLED AND ADOPTED**

H. 3514 -- Rep. Harrison: A CONCURRENT RESOLUTION TO INVITE THE CHIEF JUSTICE OF THE SOUTH CAROLINA SUPREME COURT, THE HONORABLE JEAN HOEFER TOAL, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION ON THE STATE OF THE JUDICIARY AT 12:00 NOON ON WEDNESDAY, MARCH 2, 2011.

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

The Concurrent Resolution was recalled from the Committee on Judiciary.

On motion of Senator McCONNELL, with unanimous consent, the Concurrent Resolution was adopted, ordered returned to the House of Representatives.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 613 -- Senators Coleman, S. Martin, Rose, Grooms, Ryberg, McConnell, Knotts, Ford, McGill, Pinckney, Land, Setzler, Anderson, O'Dell, Jackson, Campbell, Leventis, Sheheen, Williams, Davis, Lourie, Courson, Cleary, Bright, Campsen, Hayes, Leatherman, Verdin, Bryant and L. Martin: A SENATE RESOLUTION TO CONGRATULATE THE CITADEL REGIMENTAL BAND AND PIPES ON ITS RECENT APPEARANCE AT THE 2010 DIAMOND JUBILEE OF THE EDINBURGH MILITARY TATTOO IN SCOTLAND, AUGUST 6 THROUGH 28, 2010, AND TO HONOR AND COMMEND THE BAND FOR ITS FINE MUSICIANSHIP AND OUTSTANDING CULTURAL AMBASSADORSHIP ON BEHALF OF THE CITADEL AND THIS GREAT STATE AND NATION.

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The Senate Resolution was adopted.

S. 614 -- Senator Rose: A SENATE RESOLUTION TO AMEND THE RULES OF THE SENATE BY ADDING RULE 54 RELATING TO EARMARKS, TO PROVIDE FOR THE DISCLOSURE OF INFORMATION SURROUNDING EARMARKS REQUESTED BY MEMBERS OF THE SENATE FOR INCLUSION IN AN APPROPRIATIONS BILL, TO PROVIDE DEFINITIONS APPLICABLE FOR THIS DISCLOSURE, AND TO PROVIDE FOR THE ENFORCEMENT OF THESE DISCLOSURE REQUIREMENTS.

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

S. 615 -- Senator Rose: A BILL TO AMEND THE 1976 CODE BY ADDING SECTION 2-7-67 ENACTING THE “APPROPRIATIONS BILL EARMARK DISCLOSURE ACT”, TO PROVIDE FOR THE DISCLOSURE OF INFORMATION SURROUNDING EARMARKS REQUESTED BY MEMBERS OF THE GENERAL ASSEMBLY FOR INCLUSION IN AN APPROPRIATIONS BILL, TO PROVIDE DEFINITIONS APPLICABLE FOR THIS DISCLOSURE, AND TO PROVIDE FOR THE ENFORCEMENT OF THESE DISCLOSURE REQUIREMENTS.

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

S. 616 -- Senators Bright, Thomas, Cromer, O'Dell, Davis, Jackson, Williams, McGill, S. Martin, Grooms, Reese, Bryant, Rose, Shoopman, Fair and Hayes: A BILL TO AMEND CHAPTER 1, TITLE 1 OF THE 1976 CODE, BY ADDING ARTICLE 5 TO ENACT THE “PERSONHOOD ACT OF SOUTH CAROLINA” WHICH ESTABLISHES THAT THE RIGHT TO LIFE FOR EACH BORN AND PREBORN HUMAN BEING VESTS AT FERTILIZATION, AND THAT THE RIGHTS OF DUE PROCESS AND EQUAL PROTECTION, GUARANTEED BY ARTICLE I, SECTION 3 OF THE CONSTITUTION OF THIS STATE, VEST AT FERTILIZATION FOR EACH BORN AND PREBORN HUMAN PERSON.

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Senator BRIGHT spoke on the Bill.

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

S. 617 -- Senator Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 15-3-645 SO AS TO PROVIDE THAT A PROVISION IN AN INSURANCE POLICY IS VOID AND UNENFORCEABLE IF IT SHIELDS A CONSTRUCTION PROFESSIONAL FROM LIABILITY FOR DAMAGE TO REAL PROPERTY RESULTING FROM A DEFECTIVE OR UNSAFE CONDITION CAUSED BY AN IMPROVEMENT TO THE PROPERTY EVEN IF THAT DAMAGE OCCURS PRIOR TO THE INCEPTION DATE OF THE POLICY AND CONTINUES TO WORSEN WHILE COVERAGE UNDER THE POLICY WAS IN EFFECT, TO PROVIDE EXCEPTIONS, AND TO PROVIDE CERTAIN DEFINITIONS, AMONG OTHER THINGS; AND BY ADDING SECTION 38-61-70 SO AS TO PROVIDE CERTAIN DEFINITIONS RELATED TO LIABILITY INSURANCE, AND TO PROVIDE FOR THE INTERPRETATION OF A LIABILITY INSURANCE POLICY ISSUED TO A CONSTRUCTION PROFESSIONAL IN CERTAIN CIRCUMSTANCES.

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

S. 618 -- Senators Cleary, Knotts, Bright, O'Dell, Grooms, Campsen, Williams, Ryberg, McConnell, Rose, Verdin, Alexander, Land, Anderson, Bryant, L. Martin, Leventis, Rankin and Campbell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 9 TO CHAPTER 31, TITLE 23 SO AS TO PROVIDE THAT A FIREARM USED IN THE COMMISSION OF AN ALLEGED MURDER MUST BE RETURNED TO ITS OWNER UNDER CERTAIN CIRCUMSTANCES.

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

S. 619 -- Senator Sheheen: A BILL TO AMEND ARTICLE 1, CHAPTER 59, TITLE 40 OF THE 1976 CODE, BY ADDING SECTION 40-59-35 TO DEFINE CERTAIN TERMS, PROHIBIT THE SALE OF HEATING, VENTILATION, OR AIR CONDITIONING EQUIPMENT BY CERTAIN PARTIES EXCEPT UNDER CERTAIN CONDITIONS, TO EXEMPT HOMEOWNERS FROM THIS SECTION, TO IMPOSE RECORD KEEPING REQUIREMENTS ON A SUPPLIER OR DISTRIBUTOR OF HEATING, VENTILATION, OR AIR CONDITIONING EQUIPMENT, TO PROVIDE THESE RECORDS MUST BE OPEN TO INSPECTION BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION OR A DESIGNEE OF THE DEPARTMENT, TO PROVIDE THE SERVICE OF INSTALLING HEATING, VENTILATION, OR AIR CONDITIONING EQUIPMENT MUST BE PERFORMED IN COMPLIANCE WITH APPLICABLE BUILDING CODES AND OTHER SPECIFIC REQUIREMENTS, AND TO PROVIDE PENALTIES FOR A VIOLATION.

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

S. 620 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO PALMETTO FELLOWS SCHOLARSHIP AND PALMETTO FELLOWS SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4149, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 621 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA NEED-BASED GRANTS PROGRAM, DESIGNATED AS REGULATION DOCUMENT NUMBER 4148, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 622 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LIFE SCHOLARSHIP & LIFE SCHOLARSHIP ENHANCEMENT, DESIGNATED AS REGULATION DOCUMENT NUMBER 4146, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 623 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO LOTTERY TUITION ASSISTANCE PROGRAM FOR TWO-YEAR PUBLIC AND INDEPENDENT INSTITUTIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4147, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 624 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION ON HIGHER EDUCATION, RELATING TO SOUTH CAROLINA HOPE SCHOLARSHIP, DESIGNATED AS REGULATION DOCUMENT NUMBER 4145, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 625 -- Senators Nicholson and Courson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR JEROME PHILLIP SINGLETON, JR. FOR HIS ATHLETIC, ACADEMIC, AND CAREER ACHIEVEMENTS, AND TO CONGRATULATE HIM FOR CAPTURING THE GOLD MEDAL IN THE 100-METER RACE AT THE INTERNATIONAL PARALYMPIC COMMITTEE TRACK AND FIELD WORLD CHAMPIONSHIPS.

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The Senate Resolution was adopted.

S. 626 -- Senator Alexander: A SENATE RESOLUTION TO DECLARE SATURDAY, MARCH 26, 2011, AS “VIETNAM-ERA VETERANS APPRECIATION DAY” IN OCONEE COUNTY AND TO OFFER OUR GRATITUDE FOR THE MILITARY SERVICE OF THESE HEROES.

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The Senate Resolution was adopted.

H. 3746 -- Reps. Bales, Agnew, Alexander, Allen, Allison, Anderson, Anthony, Atwater, 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, 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 EXPRESS THE PROFOUND SORROW OF THE SOUTH CAROLINA GENERAL ASSEMBLY UPON THE PASSING OF MARY L. SHIVERS OF RICHLAND COUNTY AND TO EXTEND THE DEEPEST SYMPATHY TO HER FAMILY AND MANY FRIENDS.

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

**REPORTS OF STANDING COMMITTEES**

Senator COURSON from the Committee on Education submitted a favorable report on:

S. 224 -- Senator Knotts: A BILL TO AMEND SECTION 59‑111‑20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO FREE TUITION FOR CERTAIN VETERANS’ CHILDREN, SO AS TO ALSO PROVIDE FREE TUITION TO CHILDREN OF CERTAIN ACTIVE DUTY SERVICEMEMBERS WITH HONORABLE WARTIME SERVICE.

Ordered for consideration tomorrow.

**S**enator COURSON from the Committee on Education submitted a favorable with amendment report on:

S. 473 -- Senators Lourie and Setzler: A BILL TO AMEND CHAPTER 102, TITLE 59, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ATHLETE AGENTS AND STUDENT AGENTS, SO AS TO REVISE DEFINITIONS, TO INCLUDE DEFINITIONS FOR “ADMINISTRATOR”, “DEPARTMENT”, AND “FINANCIAL SERVICES CONTRACT”, TO REVISE THE POWERS OF THE DEPARTMENT OF CONSUMER AFFAIRS WITH RESPECT TO ATHLETE AGENTS AND STUDENT ATHLETES, TO PROVIDE FOR INSPECTION OF OUT‑OF‑STATE RECORDS, TO REQUIRE AN APPLICANT TO UNDERGO A NATIONAL AND STATE CRIMINAL HISTORY RECORDS CHECK AND TO PROVIDE FINGERPRINTS, TO PROVIDE FOR REPORTING AND MAINTENANCE OF CRIMINAL HISTORY RECORDS CHECK RESULTS, TO REVISE CONSIDERATIONS THE DEPARTMENT MAY MAKE WHEN ISSUING A CERTIFICATE OF REGISTRATION, TO REVISE THE TIME IN WHICH A CERTIFICATE OF REGISTRATION IS VALID AND TO PROVIDE THAT THE CERTIFICATE IS NONTRANSFERABLE AND NONASSIGNABLE, TO PROVIDE THAT IF A PERSON AGGRIEVED BY DEPARTMENT ACTION FAILS TO REQUEST A CONTESTED CASE THE ADMINISTRATIVE ACTION IS FINAL, TO PROVIDE THAT FUNDS COLLECTED BY THE DEPARTMENT MUST BE USED TO IMPLEMENT THE PROVISIONS OF THIS CHAPTER, TO REQUIRE THAT THE ADDRESS OF THE ATHLETE AGENT BE INCLUDED IN AN AGENCY CONTRACT, TO REVISE WHAT THE CONTRACT MUST CONTAIN, TO PROVIDE ADDITIONAL PROHIBITED ACTS OF ATHLETE AGENTS, TO ALLOW THE DEPARTMENT TO ISSUE A CEASE AND DESIST ORDER AND IMPOSE A PENALTY UPON FINDING OF MISCONDUCT, TO PROVIDE REPORTING REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS, AND TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE REGULATIONS NECESSARY TO EFFECTUATE THE PROVISIONS OF THIS CHAPTER.

Ordered for consideration tomorrow.

Senator COURSON from the Committee on Education submitted a favorable report on:

H. 3185 -- Reps. Harrell, Cooper, Owens, Harrison, Hardwick, Sandifer, Bingham, Atwater, Bowen, Daning, Hamilton, Hiott, Parker, Bannister, J.R. Smith, Tallon, Limehouse, Brady, Willis, Taylor, Young, Spires, Thayer, Long, Pitts, D.C. Moss, Patrick, Edge, Hixon, Norman, Chumley, Huggins, Frye, Pope, Brannon, Umphlett, Delleney, Allison, Bedingfield, Loftis, Crosby, McCoy, Horne, Clemmons, Skelton, Quinn, White, G.R. Smith, Toole, Ballentine, G.M. Smith, Barfield, Sottile, Erickson, Hearn, Murphy, Pinson, Ryan, Stringer, Lucas, Bikas, Gambrell, Corbin, Simrill, Forrester, Henderson, Viers, Weeks, Whitmire, Vick, McLeod, McEachern and Knight: A BILL TO ENACT THE “SOUTH CAROLINA HIGHER EDUCATION TRANSPARENCY ACT OF 2011” INCLUDING THE PROVISIONS TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑101‑355 SO AS TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, TO PROVIDE EXCEPTIONS AND OTHER REQUIREMENTS FOR IMPLEMENTATION, TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO ITS OFFICERS AND EMPLOYEES FOR OFFICIAL USE, AND TO PROVIDE THAT IF THE COMPTROLLER GENERAL’S OFFICE POSTS THE SAME CREDIT CARD INFORMATION ON ITS WEBSITE, THE INSTITUTION MAY PROVIDE INFORMATION ON HOW TO ACCESS ITS CREDIT CARD INFORMATION ON THE COMPTROLLER GENERAL’S WEBSITE IN LIEU OF COMPLYING WITH THE ABOVE REQUIREMENTS.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCE**

S. 603 -- Senators Leventis and Land: A CONCURRENT RESOLUTION TO RECOGNIZE SUMTER COUNTY AS A VITAL PART OF THE GREAT STATE OF SOUTH CAROLINA, AND TO DECLARE WEDNESDAY, FEBRUARY 23, 2011, “SUMTER COUNTY DAY” IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

S. 337 -- Senator Coleman: A BILL TO AMEND ACT 525 OF 1982, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE CHESTER COUNTY COUNCIL AND THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES, SO AS TO REVISE THE DATE BY WHICH A PERSON SHALL FILE A STATEMENT OF CANDIDACY IN ORDER TO RUN FOR A SEAT ON THE CHESTER COUNTY SCHOOL BOARD OF TRUSTEES.

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

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

**Ayes 1; Nays 0**

**AYES**

Coleman

**Total--1**

**NAYS**

**Total--0**

The Bill was read the third time and ordered sent the House of Representatives.

**READ THE SECOND TIME**

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.

Senator KNOTTS 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 second reading of the Bill.

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

**Ayes 3; Nays 0**

**AYES**

Courson Cromer Knotts

**Total--3**

**NAYS**

**Total--0**

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

**OBJECTION**

Senator McCONNELL objected to consideration of all of the Bills on the Statewide Calendar.

**THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MOTION ADOPTED**

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

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

**READ THE THIRD TIME, RETURNED TO THE HOUSE  
WITH AMENDMENTS**

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 RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE “SOUTH CAROLINA ELECTION REFORM ACT”; TO AMEND SECTION 7‑13‑710 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PERMITTING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED, AND TO PROVIDE AN EXCEPTION FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED; TO AMEND SECTION 7‑5‑125, SO AS TO PROVIDE THAT AN ELECTOR MAY OBTAIN A DUPLICATE REGISTRATION NOTIFICATION; TO AMEND SECTION 56‑1‑3350, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST FOR PERSONS AGED SEVENTEEN YEARS OR OLDER; TO AMEND SECTION 7‑13‑25, SO AS TO PROVIDE FOR AN EARLY VOTING PERIOD BEGINNING FIFTEEN DAYS BEFORE A STATEWIDE PRIMARY OR GENERAL ELECTION AND TO PROVIDE FOR THE HOURS AND EARLY VOTING LOCATION; TO AMEND SECTION 7‑3‑20, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR OF THE STATE ELECTIONS COMMISSION TO MAINTAIN IN THE MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTERS IN A GENERAL ELECTION; TO AMEND SECTION 7‑15‑320, SO AS TO REFERENCE THE EARLY VOTING PERIOD PURSUANT TO SECTION 7‑13‑25 AND TO PROVIDE FOR CASTING OF AN ABSENTEE BALLOT BY PAPER OR BY A VOTING MACHINE AND ABSENTEE BALLOT CENTERS; TO AMEND SECTION 7‑1‑25, SO AS TO LIST FACTORS TO CONSIDER FOR DOMICILE; TO ADD SECTION 7‑5‑675, SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION WILL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE VOTER; TO PROVIDE FOR A VOTER EDUCATION PROGRAM CONCERNING THE REQUIREMENTS OF THIS BILL; AND TO AMEND SECTIONS 7‑15‑330, 7‑15‑385, AND 7‑5‑230, ALL RELATING TO ELECTION LAWS, SO AS TO MAKE TECHNICAL CHANGES.

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

Senator SCOTT spoke on the Bill.

Senator MALLOY spoke on the Bill.

**Remarks by Senator MALLOY**

Thank you, gentlemen.

Last night we gave second reading to the Voter ID Bill and I thought about my parents who got married at age 17. They are now 69 and 70 years of age and I wonder how we treat those of that age who are seniors. I submit to you -- this body and this government that we are part of, that our moral test is how we treat those, as has been said before -- who are in the dawn of their lives are our children. Those who are in the twilight of their lives are our seniors. Those who are in the shadows of their lives are those with disabilities and those who may be less fortunate; those who may not have certain things that many of us will enjoy from a physical or mental capacity.

In this Bill there was no evidence in any of the committees that came before us, that there was fraud; that someone was trying to vote who wasn’t supposed to vote. And, I just want to talk briefly about what’s going on in our State. In 2010, there were 138,000 registered voters without a state-issued photo ID card. You all probably know that represents about 6.9% of the total registered voters. This growth is disproportionately impacted on largely young people, minorities and the elderly. Over 36% of those lacking state-issued photo ID’s are non-whites. It’s larger than our state population as it relates to proportion. So, about 70% of our voters here are not largely affected as it relates to the minority aspect. About 19% are those residents 65 years of age and older. They were affected, and we would hope that that would end up being fixed. For those that are age 65, 27% of those voters do not have a state-issued photo ID. We want young people’s participation. About 11% of those aged 18-21 don’t have a state-issued ID. So as we move forward, what we’re doing is having less participation as opposed to more.

During the difficult economic times, we’re going to spend over $500,000 for those that would get an ID, and that money could be used for building roads and for those things we need as a part of our infrastructure. So, I submit to you that where we are trying to encourage more participation, that the effort of this Bill, in total, is to discourage people from voting. In the end there should not be a cost associated with voting. It is the way that we have it in our society that it affects certain groups. And I submit to you that it is a solution to a non-problem. There are sometimes words that sound good, that may not necessarily be good and maybe this is one of those times. Sometimes it sounds good and is not. Photo ID may have some appeal as it relates to the name, but in the end let’s think about what happens when someone in the last election walked up to the poll and was not able to cast his vote in the very same way. Then that’s an impact. How did they perform last year if they were able to end up voting; then, as our roles were expanded during the last several elections and they were not able to vote, what happens? That’s the reality of it.

So, when we’re trying to encourage participation, it is my fear that this will discourage participation. It will create anxiety in the community. Have we educated, have we told the people of this State, “This is what we’re doing?” The next time you are getting ready to cast your vote, you had better make certain that before that time if you were born in some place other than a hospital -- that would have created a birth certificate which would have been easy for you to get -- you’ve got to find a way to end up getting an ID. Have we educated them? And sometimes, you may say, “Well, we’ve been talking about it for a period of time so they would have seen it on the television or the Internet.” But suppose you don’t have TV or the Internet. Suppose there is someone who doesn’t have access to the media in general, but wants to have the opportunity to end up voting.

I stand before you and state that during these difficult times we are passing a Bill now that, in the essence of everything, I don’t think is needed. It is a solution to a non-problem. I want to make certain that this body realizes that with this state’s small population -- some less than five million people, 4.7 million people approximately -- that we would have 178,000 or so that do not have a voter ID. They had the ability to vote in the last election and may not be able to vote in the next. I think the net effect is something that is not needed in South Carolina.

Thank you.

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

Senator CAMPSEN spoke on the Bill.

**Remarks by Senator CAMPSEN**

Thank you, Mr. PRESIDENT. I don’t want to take too long, but I do just want to remind the body that there is a good reason why we require an ID for folks to vote. And, we have constitutional grounds to do so. In the 2008 decision, *Crawford v. Marion County,* out of Indiana the US Supreme Court held that an application of photo ID required that to the vast majority of Indiana voters is amply justified by the valid interest in protecting the integrity and reliability of the electoral process. In that instance there were not any cases of voter fraud sited in Indiana, but the Supreme Court came to that conclusion.

Now, we have had instances of voter fraud in South Carolina and I have shared some with you previously, and I am going to share some more with you. And I said earlier, human nature doesn’t change when you cross the border. If people will commit voter fraud in North Carolina or Georgia or Mississippi or Indiana or Wisconsin, they will do it here as well because human nature is the same. In the Indiana Court, the *Crawford* decision held that evenhanded restrictions that protect the integrity and reliability of the electoral process itself were not invidious and satisfied the standards set forth in *Harper v. Virginia Board of Elections*.

We had a 2009 case from the 11th Circuit in Georgia, Common Case of *Georgia v. Phillips*, where the holding in that case -- the burden imposed by the requirement of photo identification was outweighed by the interest of Georgia in safeguarding the right to vote. That court held that the legitimate state interest in preventing voter fraud is more than sufficient to outweigh the limited burden of producing photo identification. So, we are squarely within the holding of these two very recent cases in 2008 and 2009 that address the issue of voter ID, in requiring voter ID.

I want to remind you as well, that former President Jimmy Carter, a Democrat, and former Secretary of State James Baker, a Republican, issued a 2005 federal report where they recommended that ID’s be used in elections. This is the same Jimmy Carter who travels the world trying to ensure that elections in Third World countries are fair, easily assessable and conducted properly. They drew the conclusion that an ID should be required in every election.

I will remind you and give you an example right from this body -- right from this Chamber -- and some of you might remember this back in 1981. In 1981, Senator Albert Eugene Carmichael and his employee, Grady Flowers, were indicted for conspiracy, obstruction of justice and buying absentee ballots in connection with the June 8th 1980 Democratic primary in Dillon County. That happened right here in this Chamber. I reference Atlantic Beach in 2008, the municipal election. Governor Sanford suspended the mayor, Aileen Armstrong after an Oconee County jury indicted her for buying three votes in an election in which she lost by one vote.

In Dillon County in 2010 -- the probate judge race -- a woman claimed a man gave her $230 and a dress in exchange for her vote by absentee ballot. Right here in Richland County in 2008, the Eastover Mayor Chris Hamble was sentenced to 18 months for casting 16 absentee ballots illegally. He approached the addled and infirm with absentee ballots and marked the absentee ballots for the candidates he chose. Alvin Green has been on the national news and state news and everyone is still scratching their heads about what happened in that election. In response to a question posed by David Gregory on NBC News wondering if Green’s election was legitimate, White House Advisor David Axelrod said, “It doesn’t appear to me that it was a serious deal.”

Now, that is exactly why the Supreme Court has said that Voter ID is justified -- requiring an ID is justified to instill confidence in the process. Even David Axelrod did not have any confidence in that Democratic primary that took place right here in this State last year. How do you counter that? Well, you instill some confidence. The court has said in two recent decisions that you instill confidence in the process by requiring a Voter ID.

In Florence in the 2004 General Election, Terrance Hines was charged with delivering over 1000 fraudulent voter registration forms to the Florence County Voter Registration office. This was uncovered when he used then-Mayor Frank Willis’ name, which was on one of the new voter registration cards and the Voter Registration office said that raised a red flag. “We were pretty sure the mayor of Florence was already registered to vote. When we saw his name on a new voter registration card, the red flags went up.” Thankfully they did.

How often does this go on without it being caught? You have this same kind of scenario going on in other states as well. This article is from July 30, 2010, a Fox News affiliate in St. Louis, Missouri, where a St. Louis man pleaded guilty for voting in two different states during the 2008 election. Terrell Campbell had been registered in the City of St. Louis when he moved to Edwardsville, Illinois; he then registered to vote in Illinois. Campbell voted in October in Illinois in the state’s early voting procedure and then later voted in the St. Louis General Election.

We also have fraud in Georgia. Carolyn Klinard, a 21-year old -- this is a news account from the Hudson Times from July 23, 2008. She pleaded guilty to election falsification as she had voted both in Summit County by absentee ballot and in Athens County by a provisional ballot. She said voting twice was an accident. I found that one difficult to swallow. But it does happen.

Listen to this one dated November 23, 2008, from WSV-TV. Georgia Secretary of State Handle has launched a full investigation and may seek criminal charges against three Georgia men who appeared to have early voted twice. This is extraordinarily disturbing. Then, when the TV station compared Georgia voting rolls with those in Florida and Ohio, it found more than 100,000 people who appear to be registered to vote in more than one state with no government oversight to catch it. So, just looking at two other states and checking them against Georgia found 100,000 people registered to vote in more than one state.

There is much more we could go over. I have a huge file, but I don’t want to take too much time today. In the Durango Herald out of Colorado in December 2007 a recent audit by Colorado state auditors found felon voters, double voters and double registered deceased voters still appeared on the state’s voting rolls. In the November 2006 election, 3,500 people were registered twice, 401 felons were registered, 308 dead people, 7 people voted twice, 8 felons voted. Take the State of Florida. On June 6, 2008, WWSB, an ABC affiliate, reported that William Murray of Ducomas had been arrested for voting twice in 2002 -- voted by absente and then again at the polls.

In Dillon County we have an incident where a woman went to vote and they told her she had already voted. She said she had not. Come to find out, someone had cast an absentee ballot in her name. When she came to vote in person, she had to cast a provisional ballot because someone had already voted in her name. How often does this go undetected?

So, there are incidents of this and because there are incidents the court has said the state has a legitimate interest in making sure that when someone appears at the polls, the ballot cast is by the person that is actually registered to vote on the voter rolls. And that is the constitutional standard we have modeled this Bill after -- the Georgia and Indiana statues which have withstood Constitutional challenge. I think this piece of legislation will withstand Constitutional challenge and there is a rational and reasonable basis for doing it and that is to preserve the integrity of the election process.

Senator HUTTO: Why were you giving us examples that this Bill won’t fix? Because if you are really concerned about those examples, why don’t we double and triple the fines and address those things rather than you telling us about these other things -- somebody voting absentee twice won’t be fixed by this Bill; somebody voting early and voting again won’t be fixed by this Bill. If they do those things, they are wrong and they should be punished. But this Bill does not fix any of that, does it?

Senator CAMPSEN: Well, Senator, one thing that the court and the Georgia decision made clear is that if you don’t have the tools to detect ID fraud at the polling place -- which has required them to have an ID -- it is very difficult for it to be detected. This is what the court held in the, I think, Georgia case; it might have been the Indiana case, but that was the holding and I am going to quote for you from the Seventh Circuit, “Election officials cannot discover an impersonation if they are denied the very tools needed to detect it, an identification requirement.” The Seventh Circuit held there is extreme difficulty in apprehending a voter impersonator -- unless the impersonator and the voter being impersonated arrive at the polls at the same time, which is a very unlikely occurrence. And that is what the Seventh Circuit concluded.

You know what it takes to get a case to trial and to the Federal Court of Appeals after much discovery, a lot of discussion and a lot of briefs and that is the conclusion of the Seventh Circuit -- it is almost impossible to uncover it if you do not have the tools necessary to uncover it. And this gives us these tools.

Senator SCOTT: I want to go back to a statement you said earlier that really, really confused me. You cited a primary statewide election as an example. I am trying to figure out how in a primary a person who defeats another person has anything to do with ID fraud. You did not quite do it that way when you talked about Mr. Green. You indicated Mr. Green was questionable …

Senator CAMPSEN: No. I said, people are still scratching their heads over what happened in that primary. In all the news accounts I read, that is what is going on and how did that happen?

Senator SCOTT: News people are there to sell newspapers.

Senator CAMPSEN: My authority is David Axelrod. There were some types of irregularities. We don’t know how this happened. It is extremely unlikely this would happen and they are scratching their heads as to how it did happen. And, so, people have been questioning voting machines. They have been questioning the voter process. The point is if you have Voter ID, the court says it builds confidence in the process that is good enough to be held constitutional.

Senator SCOTT: How far have you been in a Democrat primary?

Senator CAMPSEN: None

Senator SCOTT: Let’s use the example. You opened that door.

Senator CAMPSEN: None, none. I just quoted David Axelrod. That’s all I am doing. I haven’t been involved, but I can read. I am just reading what David Axelrod said.

Senator SCOTT: But, if you reference a particular article to your argument of a Bill, I am just trying to see how you tie it in and it makes some common sense.

Senator CAMPSEN: The purpose of Voter ID is to instill confidence in the process. David Axelrod obviously did not have confidence in that particular primary process, because when asked if it was legitimate -- that was the term he was asked -- Axelrod said, “It doesn’t appear so to me. That was not a legitimate outcome…(inaudible).” That is the President’s Chief Advisor -- top advisor -- not me making that statement.

Senator SCOTT: Was there any voter fraud found in that primary?

Senator CAMPSEN: Not that I know of, but no one knows what happened.

Senator SCOTT: If that is your whole argument…

Senator CAMPSEN: That is not my whole argument.

Senator SCOTT: Well, every example that you used was in Georgia, Indiana, and you have gone down that list and this is the second time you have come up doing that -- then you got to that part about the Democratic primary to drive your point home; I am just confused.

Senator CAMPSEN: I wasn’t driving it home. It was just one of many points. All I am doing is just quoting David Axelrod, that’s all. In his mind, that primary was illegitimate or, it didn’t appear to be so when asked if the primary was legitimate. It did not appear to be so and that was his response.

Senator SCOTT: Was David Axelrod here in South Carolina?

Senator CAMPSEN: I don’t keep track of his comings and goings. I don’t know.

Senator SCOTT: Thank you, Senator.

Senator COURSON: Would you elaborate on who David Axelrod is?

Senator CAMPSEN: My understanding is that he is President Obama’s top advisor or was. I don’t know if he has retired. He ran the President’s campaign and he was very successful. He is the right-hand man to the President is my understanding.

Senator MALLOY: Senator, you have been working on these issues for a period of time and you were actually on the subcommittee, so my question is going to be directed from basic and factual questions. I appreciate your knowledge of the issue and (inaudible). Were there any instances of voter fraud that came before your committee that happened in elections in South Carolina during this year whenever you were on the subcommittee?

Senator CAMPSEN: Yes, there was an instance last year. We had several folks testify last year about that.

Senator MALLOY: How about this year?

Senator CAMPSEN: We may not have had any this year, but we basically took the same Bill from last year and re-introduced it. So, we had a lot of subcommittee hearings last year and not as many this year, because it was the same legislation.

Senator MALLOY: Was there anyone that complained of or came before the committee that knew someone who tried to vote who was not that person and used someone else’s ID or used someone else’s information?

Senator CAMPSEN: As I recall, we had some testimony to that effect last year.

Senator MALLOY: Were there any specific incidences where someone used someone’s ID?

Senator CAMPSEN: I am not sure about that. My memory is foggy a little bit about testimony from last year.

Senator MALLOY: Now, from your view point, how would the public in South Carolina be educated to know exactly what we have done? How would they get that information?

Senator CAMPSEN: We have an extensive education process in the Bill which is modeled after Georgia. That is something Georgia did and we were careful to follow it. The question was asked earlier about why did I introduce this last year? I respect your legal knowledge and acumen tremendously and as a lawyer you know when the Supreme Court issues an opinion it settles the law in a lot of areas, so there is a lot more certainty about an issue. After the Indiana and Georgia decisions, we had a lot more certainty about this issue of Voter ID, so that is a big reason why personally I introduced the Bill because we had certainty.

Senator MALLOY: My question comes to you by saying that really wherever you vote that it is one of those fundamental rights. And I want to make certain that our Bill, this Bill, enters addresses for those individuals that do not have an ID.

My question to you now is directed toward what happens when a person comes to a voting place and does not have sufficient ID. Isn’t it true that those individuals would then be able to cast a provisional ballot?

Senator CAMPSEN: They would. They would be able to cast a provisional ballot and we have an educational process in place like I said. No one would be denied the ability to cast a ballot.

Senator MALLOY: Would a person who got married and had a name change, would they then be forced to also cast a provisional ballot?

Senator CAMPSEN: Well, not if they got a new voter registration card they wouldn’t.

Senator MALLOY: So, if they used the same ID from the last election, they would have to cast a provisional ballot if they voted without getting a new ID with a name change on it. Correct?

Senator CAMPSEN: Yes.

Senator MALLOY: Ok. Isn’t it true that if someone that did have a name change, other than marriage or any other reason, they also would have to cast a provisional ballot?

Senator CAMPSEN: Yes. Like they have to get new ID’s for everything. You have to get a new driver’s license when you get married. You get new credit cards, a new concealed weapons permit -- anything that is an ID card you have to change for other reasons. If you cash a check at the bank -- sometimes I go to deposit checks at the bank and they want to know my ID and I couldn’t deposit a check if I didn’t change to a new ID.

Senator MALLOY: This is altogether fundamentally different than casting a vote.

Senator CAMPSEN: But, the point I am making is people will have new ID’s issued with their new names.

Senator MALLOY: We all have these Legislative Manuals here on our desks and they have been distributed. Some of us have pictures that may have been 5 or 10 years old.

Senator CAMPSEN: Some of them are 20 or 30 years old, looks like to me. Some of us look better in the picture than in real life -- many of y’all do -- I hate to tell you.

Senator MALLOY: Some of my old pictures have hair. So, is it your view that if someone submits a picture ID and if I were to go to the ballot and I had a lot of hair, and they did not perceive that to be me looking as I am now, that I may be forced to cast a provisional ballot?

Senator CAMPSEN: Well, you could be. Yes.

Senator MALLOY: My point is that there would be substantial likelihood we could have an increase in provisional ballots here in South Carolina would you agree with that?

Senator CAMPSEN: There may be a slight increase, yes.

Senator MALLOY: OK. No one knows what that amount might be, but the number might increase. Do you have any reason to disagree that there are 178,000 people in South Carolina that don’t have photo ID’s at this juncture?

Senator CAMPSEN: That is information we received last year from the DMV. All we know is according to the DMV, that is the number of people who don’t have either a driver’s license or DMV ID card. They may have other ID cards that will be accepted under this legislation such as a passport or a military ID or a municipal employee or county employee or state employee ID. So, that number will be less, as that number is only the number of persons who do not have DMV ID’s.

Senator MALLOY: Do you have statistics that show that, or do you believe that there will be some people that voted in the last election that will not be able to vote in the next election unless they get an ID? Will there be some people that voted in the last election and who will not be able to vote in the next election?

Senator CAMPSEN: You will not be able to vote unless you have an ID, or you do a provisional ballot or an absentee ballot. So, if you don’t have your ID, you may cast a provisional ballot or do an absentee ballot. There is no ID required on the paper/mail-in absentee ballot either.

Senator MALLOY: Have you heard any numbers of how many people would be affected under today’s circumstances, notwithstanding the 170,000 who would not be able to vote as a result of this legislation?

Senator CAMPSEN: No, I don’t think; please repeat the question.

Senator MALLOY: After we pass this legislation -- assuming it passes -- then, is it your understanding there will be some individuals in South Carolina that voted in the last election that will not be able to vote in the coming election?

Senator CAMPSEN: No, that is not my understanding. Because you have an ID, or you cast a provisional ballot or you vote with a paper ballot, you will be able to cast a provisional ballot and so that is not my understanding.

Senator MALLOY: Is it your understanding then, if someone voted in the last election without their ID and they appeared to vote in the coming election and did not get a new ID for this event, then is it your view they would have any anxieties in casting a vote if they are asked to cast a provisional ballot?

Senator CAMPSEN: I don’t see the anxiety there. But, there is not going to be a news flash. We have in the Bill pretty extensive requirements about voter education which is modeled again after what Georgia did and the courts seemed to consider that important in the Georgia legislation, so that is what we did. It won’t just be a news flash. It will be an extensive education process.

Senator MALLOY: OK. All right. Senator, thank you for answering my questions.

Senator CAMPSEN: Thank you.

Senator McCONNELL: Senator, let me ask you, first of all this Bill does not take away the right of any person to vote. Isn’t that correct? Doesn’t take away their right to vote?

Senator CAMPSEN: That is correct.

Senator McCONNELL: Secondly, it does not disturb the laws on a provisional ballot, does it?

Senator CAMPSEN: No, sir.

Senator McCONNELL: Now, doesn’t it do one thing that the people want and that is to tighten the reliability of the accuracy of the system?

Senator CAMPSEN: It does. And, Senator, I tell you this -- you know, for example, there was an incident even in Florence County of 1,400 illegitimate voter registration forms being delivered to the Voter Registration office. In Florida, you had an incident in 2009, of 11 ACORN workers arrested for submitting 888 fraudulent names. Now, that is the front end. If you get a fraudulent name registered, the back end is showing up at the polls and voting under that fraudulent name. Now, having a Voter ID requirement will prevent that from occurring at the polls. And we know there are plenty of incidences of fraudulent voter registration applications being submitted -- you can just go Google ACORN on your computer and you see that all over the country instances of that. We see it right here in Florence County. In order for that scheme to work, someone has to show up who is not the person that was registered and be able to cast a vote -- vote and be permitted to cast a vote. A Voter ID will stop that from happening.

Senator McCONNELL: So, if they show up to vote, they have got to have a picture there to match up -- an ID to match up with the name of the voter and the face. Is that correct?

Senator CAMPSEN: That is correct.

Senator McCONNELL: And pictures just don’t lie, do they?

Senator CAMPSEN: They don’t.

Senator McCONNELL: So, if you don’t have the picture there and they can show up and vote, hasn’t that stolen a piece of a vote from everybody else who legitimately came there and cast a vote?

Senator CAMPSEN: It absolutely does. And the court has held that this undermines our democratic system. It undermines the confidence in the system and Voter ID is a legitimate requirement in order to instill that confidence. Senator, I look at it this way. I can learn vicariously. I don’t have to have my house broken into and my television stolen before I am justified to lock my door to keep my things from being stolen. I can learn as an observer of human nature. I understand that can happen to anybody. Because people will steal your TV; they will steal your car and they will steal your vote. To take measures to protect your TV, to protect your car, to lock your front door and to protect your vote are reasonable, and that has been upheld by the Supreme Court.

Senator McCONNELL: So, for all those law abiding citizens across South Carolina doesn’t this Bill protect their vote against a piece of it being taken or their votes being stolen and being counted because of a fraudulent vote.

Senator CAMPSEN: It absolutely does. If someone cast a fraudulent vote they are stealing a vote from someone else.

Senator McCONNELL: All right. As I understood your previous answers, this is not taking away the right of any person to vote.

Senator CAMPSEN: No, sir.

Senator McCONNELL: So, let me ask you. I hear the criticism about this Bill put in place to elevate the integrity of the system. It is a precaution to make sure the system is not eroded.

Senator CAMPSEN: That is correct.

Senator McCONNELL: Isn’t that kind of like a flu shot? You don’t get a flu shot after you get the flu.

Senator CAMPSEN: No.

Senator McCONNELL: It is beforehand to prevent something.

Senator CAMPSEN: It is a preventive measure. Yes, sir. Because we know the flu exists and we know voters who steal votes exist. And, so, we are going to take a preventive measure to keep those votes from being stolen and we are going to take preventive measures to keep ourselves from getting the flu.

Senator McCONNELL: And, wouldn’t you agree we have gone the extra mile to try to put protections in this Bill to help everybody move to a better system? What is wrong in the 21st Century with moving from an old system in the 20th Century to a better system in the 21st Century that has more integrity and that has greater assurance of protecting America’s rights? Why is there such an outcry against that?

Senator CAMPSEN: Senator, I don’t understand that. You almost have to have an ID to do anything in this society today, and we certainly are on sound constitutional grounds to do this. We have very closely and meticulously followed the guidance that we have found in the cases that recently came out of Indiana and Georgia, and we are squarely within the bounds of the Constitution. I am fully confident this will pass muster, and I think it will instill confidence in the process.

Senator McCONNELL: Is it your intent by this Bill to chill anybody’s right to vote?

Senator CAMPSEN: No, sir, it is not the intent to chill a vote.

Senator McCONNELL: But, isn’t it your intent to make sure that the integrity of the system, using modern technology and everything, is elevated?

Senator CAMPSEN: That is correct.

Senator McCONNELL: And so, people are not losing their right to vote. They can still vote. You can be challenged at a poll and all of that. I mean, why not do this? Why not couple this with early voting, so people don’t have to stand in line at the polls on Election Day. What is wrong there?

Senator CAMPSEN: I think this Bill…

Senator McCONNELL: I can’t understand why the House… why there is opposition to this Bill. I understand some people are not happy with everything in this Bill, but this Bill also gives the public an opportunity to avoid the lines at the polls. And, to be able to vote and to do so in an orderly fashion. Why would somebody be opposed to that?

Senator CAMPSEN: Well, I think this Bill instills both confidence and accessibility or participation in the voting process, because of confidence in the Voter ID requirement, participation and accessibility on the early voting provision. Now, the truth is, we have essentially for at least some folks early voting in this State now and that is in the absentee precinct. And I am not making an accusation against any individual or any group or anything like that, but I know of people who stated that they went and voted at an absentee precinct and gave an absentee excuse and it was not a legitimate excuse. So, we have people who are using that absentee process to vote early. Now, early voting will just permit everyone to participate. Those who are constrained by the law that says you have to have an excuse to vote early, will be able to participate and vote early, too, on equal footing and equal grounds beginning a little over a week before the General Election. And that will increase the participation and will let folks who are unwilling to tell a little white lie or untruth about why they are voting early. I know this has happened, because I have had people testify to me personally that they have done it. And, so, it will permit everyone to participate on an equal footing.

Senator McCONNELL: And the way we have written this Bill, doesn’t this also give the average South Carolinian that works an opportunity to go in on a Saturday to cast a vote?

Senator CAMPSEN: That is correct.

Senator McCONNELL: Without having to take time off from their job or stand in a line? It increases access to the polls with this Bill.

Senator CAMPSEN: It will increase access and without having to misrepresent why they are doing it. Because under the current laws in order to vote early, you have to have an excuse -- be out of the county, be at work, be in the hospital, or be taking care of someone who is infirm. It will permit them from doing it without having to misrepresent why they are coming to vote early and that will increase voter participation.

Senator McCONNELL: I don’t want to “put words in your mouth.” I will close with this. If I vote for this Bill, then I am voting to give the people back home additional days to vote, which is more access to the polls than they have.

Senator CAMPSEN: Correct.

Senator McCONNELL: Secondly, they have an assurance now that the people coming into the polls and presenting cards are, in fact, the people that they present themselves as.

Senator CAMPSEN: That is correct.

Senator McCONNELL: This leads to the integrity and everything about the election process is enhanced. Correct?

Senator CAMPSEN: It means that if those fraudulent voter registration applications were not caught on the front end, you have a chance at least to catch them on the back end when they actually show up to vote.

Senator McCONNELL: So, greater convenience, more integrity, more reliability in the system -- this is really almost like an election reliability voter enhancement act, isn’t it?

Senator CAMPSEN: Senator, I might ask for unanimous consent to change the name.

Senator THOMAS (??) from Greenville: Senator, did you know there was an article this morning in the paper about voter fraud?

Senator CAMPSEN: Senator, I missed that. No, sir, I did not see that.

Senator THOMAS: It was in the sports section. Senator, you have made the point over and over and over again and your question to the body has been what is different about South Carolina as it relates to voter fraud and whether we are, you know, morally better than our neighbors or other people. Haven’t you tried to make that point?

Senator CAMPSEN: Well, I have made that point, but we have instances of it right here in the State, but every time I have used an out-of-state example I have been to some extent castigated about it. My point is that human nature doesn’t change when you cross the border.

Senator THOMAS: Right.

Senator CAMPSEN: So these are legitimate reasons of incidents to site.

Senator THOMAS: If your child were sick and you thought they had a fever, you would feel the forehead and if it felt warm, you would say -- but you would not know for sure until you sought a proper tool, which was a thermometer.

Senator CAMPSEN: That is correct. I have to have the instruments necessary to detect the malady.

Senator THOMAS: And, I agree with you. That is the circumstance in South Carolina and we are going to discover voter fraud if we have the proper tools and we are going to try to correct it.

Senator CAMPSEN: That is what the Seventh Circuit said. The Seventh Circuit said, “You can’t uncover it. It is almost impossible to uncover if you do not have the tools necessary to render the diagnosis.” We have been using medical terms -- and if you don’t have the instruments or the set technology necessary to come to a diagnosis, you can’t render a diagnosis.

Senator THOMAS: Well, you have already said you didn’t. Did you know that the person who was under investigation in this article is a Republican?

Senator CAMPSEN: I did not know that. I have not read the article.

Senator THOMAS: Apparently fraud doesn’t know a political affiliation.

Senator CAMPSEN: Political boundaries; party boundaries.

Senator THOMAS: Yes, or any other kind of man-made boundaries or obvious boundaries, but …

Senator CAMPSEN: That is because human nature is the same regardless of what party you are in as well, Senator.

Senator THOMAS: Do you know approximately where Hartwell, Georgia, is?

Senator CAMPSEN: Yes, Hartwell. Yes, I do. That is right near Lake Hartwell, isn’t it?

Senator THOMAS: That is correct. In fact, Lake Hartwell is the divide -- the state line, I think -- for much of the river. It is not far from Anderson. Would you think the people in Hartwell are morally superior to the people in Anderson or vice versa?

Senator CAMPSEN: I think human nature is the same for whichever side of that lake that you live on.

Senator THOMAS: This gentleman, this fellow, under investigation for voter fraud is a resident of Hartwell, Georgia. And, right there, close to Anderson, S.C. -- where the Senator from Anderson -- who sits right over there --would be reflective of the people in that area -- both the Hartwell, Georgia, and in Anderson -- that would underscore a point that you have been trying to make from the podium lo these many days -- that human nature is human nature.

Senator CAMPSEN: Yes, sir.

Senator THOMAS: Given the tools, we can increase the likelihood that voter fraud will be discovered and be practically-speaking eliminated. I congratulate you on your work.

Senator CAMPSEN: Thank you. I am going to sit down. I am not trying to filibuster my own Bill. There have been threats of voting cloture on me. I am going to sit down before that happens.

On motion of Senator LARRY MARTIN, with unanimous consent, the remarks of Senator CAMPSEN were ordered printed in the Journal.

Senator LOURIE spoke on the Bill.

**Remarks by Senator LOURIE**

Members of the Senate, you can fool the voters of South Carolina; you can fool the voters of this State; you can fool the people of this State, as Senator MALLOY said, into thinking that we have a solution to a problem. This is a solution chasing a problem.

We have heard all day long about people under investigation -- people who were convicted of this and that-- and that means the system is working and that laws are in place to protect against voter fraud. I don’t take lightly, nor should the members of the Senate, that there are 178,000 people who don’t have a state-issued I.D.

Some of you may take that lightly maybe because it is at the top of your agenda. I’m looking at the agenda of the Senate Republican Caucus and the agenda of the House Republican Caucus…Voter I.D. It is a top priority.

You know, I have a very simple philosophy about this year’s session and really about any Bill we debate at the State House this year. That philosophy is this -- if a Bill doesn’t protect the safety of our citizens, doesn’t improve the education of our children, doesn’t provide greater access for health care opportunities for our citizens, doesn’t create jobs or improve our financial situation in this economy then we are wasting our time.

Members of the Senate, I tell you today that we have been wasting the citizens of South Carolina’s time for the last three weeks and we should be ashamed. We should be ashamed that we have set this as our top priority. Hopefully, soon we can debate Senator PEELER’s Bill about Medicaid spending. He and I may disagree but I want to hear his side of the debate. At least we would be debating something meaningful. This is a joke. This is ridiculous. This is not a problem.

What we are doing is creating a problem for citizens of this State by the nature of the fact that they registered to vote. They are guaranteed perhaps the most precious right that an American citizen has and that is the right to vote. I have heard people say that you need a picture I.D. to buy Sudafed, and I’ve heard people say you need a picture I.D. to buy alcohol or to fly on an airplane. Well those are not rights guaranteed by the Constitution. We are talking about the most precious right citizens of this country enjoy and about a right that not so long ago women and African Americans did not enjoy and we want to take that lightly? No, we should not take that lightly. We should focus on our priorities. We should focus on economic development, education, health care, environmental protection and jobs. We should not focus on a problem that does not exist. We are not taking on a problem. We are wasting people’s time with this Bill.

I see my former colleague and good friend, Representative Alan Clemons, talk about the liberals of the Senate and that we are more concerned about early voting or premature voting. Senator LAND, have you figured out what premature voting is? What would premature voting be? We have wasted a lot of time -- and I don’t intend to talk for very long today -- but I am going to tell you something. I am not voting for this Bill. I hope the Justice Department strikes it down. I think we are treading on very dangerous water with tampering with people’s right to vote. I truly, honestly, and sincerely believe that.

Now I hope you will consider maybe when this comes back from conference that we could consider a provision that makes this effective in 2014 and anyone who were to vote in 2012 that did not have a picture I.D. would not be asked to cast provisional ballots but they could continue to vote as they have their entire life but would be given a written document, a flyer, with information about how you can go get an I.D. You can’t tell me that there will not be people who show up to vote that will be forced to cast a provisional ballot and you can’t tell me that there will not be people’s votes that will not be counted because of some stipulation -- some out of thin air concern -- about all the voter fraud going on in South Carolina.

I am going to sit down because it is Thursday and we were here last night very late making a bad Bill a little bit better but at the end of the day we are charged with the responsibility to work for the people of this State but I think we failed them pretty miserably on this one.

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

Senator FORD spoke on the Bill.

Senator LEVENTIS spoke on the Bill.

**Remarks by Senator LEVENTIS**

Mr. PRESIDENT and gentlemen of the Senate, I’ll try to confine my remarks to the issues I have heard raised today and issues of this Bill. I am going to vote against this Bill because in good faith I can’t vote for it. I hear issues raised that are based on what, I believe, are apocryphal stories. Everything we are trying to address in this Bill in terms of making elections more dependable and in terms of verifying voters and voter fraud. There are at least two candidates in most races and they can each employ attorneys or file protests if they believe voter fraud occurred. That happens from time to time in South Carolina, and there is no demonstrated case where voter fraud has changed an outcome.

I hope that this Bill is not an initiative because you don’t like the outcome of an election. There is something wrong with that. If this Bill is supposed to affect the outcome of elections by addressing the voter or blaming voters because of the outcome of election -- there is something un-American about that.  Voters have the right to vote and that is what our whole Constitution is based on.

For years North Carolina has progressively pursued policies to make voting access easier for its citizens. I don’t think the people of North Carolina are any more trustworthy than the people of South Carolina. In North Carolina you can register to vote and vote on the same day! They don’t have problems. In North Carolina it’s the original county that determines how many early voting precincts will be available. We’re setting ourselves up for disaster -- three precincts for early voting to shrink lines? That will only create lines. It won’t create lines in McCormick County with fewer than 10,000 people; but how about in Greenville County with more than 250,000 voters who might want to prevail themselves of that.  Early voting in Sumter County has reached more than 10,000 voters and I’m sure early voting in Greenville is higher than that. Why don’t we empower individual counties to open as many early voting centers as they believe they need and/or can afford! I think that specifying the number of voting centers is a weakness in this Bill that will put more stress on our voters rather than less.

The Senator from Charleston said that this is a way the voters don’t have to leave their jobs because they can vote on Saturday.  What if all the people in Charleston who want to vote early decided to show up at those three places on that Saturday? I bet there would be more than 10,000 people.  You’ve created lines and deceived the public by saying that you have solved a problem through this Bill.  It’s simply not true.

I have to share this story with you: The sister of one of our federal judges in the Low Country was a nun for four years.  She left the convent and tells the story that a few months later, her sister, who had tried to help her readjust to civilian society, provided her with a Mustang convertible and a sundress. Then she took up smoking. When stopped for speeding, she quickly remembered that her driver’s license picture was still the one with her in a habit. The officer looked at the ID picture, then looked at her, and looked at the picture again with a puzzled expression.  Sensing what was coming, she quickly responded to the officer, “It’s my day off.”

Pictures can be deceiving! But what we’ve done here is set up a situation wherein if someone wanted to suppress voting, they could simply lodge a protest saying that the picture shown by the voter is not the person voting because the hair color is different, or the picture doesn’t show glasses, or the voter has since gone bald, etc.  This person then has to go back and prove that he or she is who he or she says they are, making extra trips and extra efforts in the process.  And that’s voter suppression.  Don’t say it can’t happen -- I submit that it can, and will, happen.

Now let me tell you why I believe this is a disingenuous effort. We have demonstrated problems time and time again with the voting machines currently used in this State; yet, there is nothing to discuss this. The Senator from Berkeley is shaking his head because he knows that in Colleton County there were more votes reported than the actual number of people who voted.  This couldn’t be reconciled, and the notion by the Elections Commission was that it was an anomaly in the electronic voting machines.  If it wasn’t an anomaly, what was it? If it was an anomaly in the machine, why aren’t we doing something about it? Why isn’t that addressed in this Bill? If there was a notion we should study this, I would be more comfortable with the Bill.

Who would be comfortable with this scenario: You use your credit card all month long and get no receipts. At the end of the month, you get a statement from the bank with one number on it, which states how much the bank says you owe, and you happily write them a check without any questions asked.  No one would do that! Yet, that characterizes our current voting machines process.  We have no system to audit the results of these machines. When we bought these machines, we were told that we would have only one option in the State for voting.  Where is the public outcry with this method? It is our duty if we know people are stealing votes, to tell law enforcement about that.  I submit to you that those statements are what we believe but not what we know! And if we know it, then we need to pursue prosecution of that.

And here’s my last notion to you and perhaps the most serious one. Let’s suppose we pass this Bill and it’s implemented.  Then let’s suppose that the Department of Justice allows it to happen.  Will you join me four or six years from now to see if we have suppressed voting? Will you join me in reversing this? Will you join me in helping folks whose votes we have suppressed regain their ability to vote -- their right to vote? What if we find out that there is an identifiable group whose voting is statistically so much less that it cannot be anything less than voter suppression.  Will you then join me to reconcile that problem? Are we going to do any follow-up on this, or will we just go along satisfied with the results?

In conference, as you alter this Bill, there needs to be accountability written into this Bill. There needs to be statistical work done to examine how voting habits change if this Bill passes and is implemented.  If this is going to be the last thing we do on voting for awhile, then we must have some accountability for what we have done to ensure that we protect the interests of all citizens across our State. I am going to vote against this Bill because I believe that we need to understand what it is we are embarking on with this Bill.  We can do many things in this body, but there are few as fundamental to the process as affecting the rights of our citizens to vote in this State -- and protecting that right for every citizen of South Carolina.

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

Senator MATTHEWS spoke on the Bill.

**Remarks by Senator MATTHEWS**

On a sunny day, the monuments of war heroes and other historic South Carolinians cast long shadows over all who walk beneath them on the State House grounds.

For legislators, no monument casts a shadow longer than that of “Pitchfork” Ben Tillman and his legacy as the architect of our current form of government.

Tillman was one of South Carolina’s earliest segregationists. A former governor and U.S. senator, Tillman helped craft our 1895 State Constitution to make it unlikely that a black person would become South Carolina’s chief executive. If by chance a black person did become governor, he or she would be ineffective because Tillman and others stripped the position of virtually all power and gave it to the legislature.

As Tillman explained to his U.S. Senate colleagues, it was purely a matter of race and numbers: South Carolina had 135,000 “negroes of voting age” and 90,000 to 95,000 white voters. “Now, I want to ask you,” Tillman said in a March 1900 speech before the U.S. Senate, “with a free vote and a fair count, how are you going to beat 135,000 by 95,000? How are you going to do it? You had set us an impossible task.”

Well, ole Ben found a way to disenfranchise black voters. And the rest, as they say, is history.

Today South Carolina again is caught in the cyclical nature of history. The State Senate is about to debate a measure requiring voters to show state-issued photo identification before casting a ballot. This time, as before, it is about blacks and voting. And, again, it is about numbers.

With the election of President Barack Obama, many African Americans and young people became involved and engaged in the political process. President Obama’s candidacy unified voters across lines of race, age, gender and class.

Similar unity was displayed in South Carolina, resulting in a surge of newly registered Democratic voters. Though Mr. Obama did not win the State, his candidacy provided a blueprint for blacks, whites and others to unite for a common purpose and showed that working-class whites and blacks had more things in common than those that divided them.

For example, our State has more than 273,000 unemployed residents - of all races. These are folks seeking to support themselves and their families while finding purpose and dignity in their lives. If they became unified behind a particular political party or candidate, they would have the numbers to sway any statewide election.

Unity among the poor and disenfranchised would change the political landscape in South Carolina, posing a threat to those in power. Such a change would likely catapult a Democrat - regardless of race - to the governor’s office.

So to prevent the State from moving forward, Republicans are relying on the strategies of the past. House Republicans muscled through the Photo Identification Bill that harkens to the days of voter intimidation to continue a legacy of disenfranchisement of African Americans.

Requiring photo identification at the polls sounds innocuous enough, some would argue. But there are many people - and they tend to be poor and disenfranchised, and African American - who don’t have a driver’s license or state photo ID, and don’t have an easy way to get to the Department of Motor Vehicles to get one.

Moreover, most of us had to show photo identification to register. So requiring folks to show state-issued photo identification when voting seems redundant, especially for those who registered at the DMV.

I always hear Republicans calling for efficiency in government. We had record numbers of folks voting last year, with people waiting hours to cast their ballots. Yet the Republican response was to pass legislation that creates more bureaucracy and generates longer lines instead of considering proposals to streamline the voting process and reduce waits. And Republicans want to place a government-mandated burden on citizens to obtain ID cards. This does not sound like the party of smaller government.

South Carolina did not have a problem with voter fraud in the last election to necessitate the change. But that does not matter. The motives today are the same as the motives that Tillman explained more than 100 years ago:

“We did not disfranchise the negroes until 1895. Then we had a constitutional convention convened which took the matter up calmly, deliberately and avowedly with the purpose of disfranchising as many of them as we could under the fourteenth (provides equal protection and due process) and fifteenth (prohibits voting discrimination) amendments. We adopted the educational qualification as the only means left to us.”

Then, it was educational requirements. Today, it’s photo identification. The tools have changed, but the purpose remains the same. It’s time for South Carolina’s leaders to step out of the dark shadows of the past and walk into the light.

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

The question then was the third reading of the Bill.

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

**Ayes 24; Nays 15**

**AYES**

Alexander Bright Bryant

Campsen Cleary Courson

Cromer Davis Fair

Grooms Hayes Knotts

Leatherman *Martin, Larry Martin, Shane*

McConnell O'Dell Peeler

Rankin Rose Setzler

Shoopman Thomas Verdin

**Total--24**

**NAYS**

Anderson Coleman Ford

Hutto Jackson Land

Leventis Lourie Malloy

Matthews McGill Nicholson

Reese Sheheen Williams

**Total--15**

The Bill was read the third time, passed and ordered returned to the House of Representatives with amendments.

**Statement by Senator SCOTT**

I was out of the Chamber at the time the vote on H. 3003 was taken and had I been present, I would have voted against the third reading of the Bill.

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

**RETURNED TO THE STATUS OF SPECIAL ORDER**

S. 434 -- Senators Peeler, Bryant, Bright and Campsen: A JOINT RESOLUTION TO SUSPEND PROVISOS 21.11, 21.15, AND 21.20 OF PART IB, ACT 291 OF 2010, THE FISCAL YEAR 2010-2011 GENERAL APPROPRIATIONS BILL, AND TO SUSPEND A PORTION OF PROVISO 89.87 PROHIBITING THE DEPARTMENT OF HEALTH AND HUMAN SERVICES FROM REDUCING PROVIDER RATES.

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

The Committee on Finance proposed the following amendment (434R001.HKL), which was adopted:

Amend the joint resolution, as and if amended, page 1, line 32, by adding:

/ (C) All proposed changes must include estimates of the projected dollar savings by source of funds and the number of providers and clients impacted. Six months after receiving approval from the Centers for Medicare and Medicaid Services to implement rate changes, the Department of Health and Human Services must submit to the Senate Finance Committee and House Ways and Means Committee a report reconciling actual savings by source of funds and actual providers and clients impacted in comparison to the estimate. Where differences occur, an explanation must be provided to account for any discrepancies. /

Renumber sections to conform.

Amend title to conform.

Senator ALEXANDER explained the committee amendment.

The committee amendment was adopted.

**Amendment No. 1A**

Senator CROMER proposed the following amendment (NBD\  
11396AC11), which was ruled out of order:

Amend the joint resolution, as and if amended, SECTION 1(B) page 1, line 24 after (B) by inserting /(1)/

Amend the joint resolution, further, SECTION 1(B) page 1, line 31 after /law./ by inserting:

/ (2) Notwithstanding the provisions of subsection (B)(1), the department may not reduce provider rates or increase fees from their current levels, until the department has provided notice of the proposed rate reduction or fee increase and has given a minimum of thirty days from the date of notification to comment and submit questions. Following this thirty-day comment period, the department must take a minimum of thirty days to review and respond to comments and answer questions. The department must not implement the provider rate reduction or fee increase until a minimum of sixty days has elapsed from the date of notification or the total amount of time allowed for commenting and responding has elapsed./

Amend the joint resolution, further, SECTION 2, line 34 after /Governor/ by inserting /except that Section 1(B)(2) takes effect July 1, 2011. /

Renumber sections to conform.

Amend title to conform.

Senator CROMER explained the amendment.

**Point of Order**

Senator PEELER raised a Point of Order that the amendment was out of order inasmuch as it was not germane to the Joint Resolution.

Senator GROOMS spoke on the Point of Order.

The PRESIDENT sustained the Point of Order.

The amendment was ruled out of order.

Senator PEELER spoke on the Joint Resolution.

Senator LEVENTIS spoke on the Joint Resolution.

Senator McCONNELL spoke on the Joint Resolution.

Senator DAVIS spoke on the Joint Resolution.

Senator CROMER spoke on the Joint Resolution.

The question then was the second reading of the Joint Resolution.

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

**Ayes 24; Nays 11**

**AYES**

Alexander Bright Bryant

Campsen Cleary Courson

Cromer Davis Fair

Grooms Hayes Knotts

Leatherman *Martin, Larry Martin, Shane*

McConnell McGill O'Dell

Peeler Rankin Rose

Shoopman Thomas Verdin

**Total--24**

**NAYS**

Anderson Hutto Leventis

Lourie Malloy Matthews

Nicholson Reese Scott

Setzler Sheheen

**Total--11**

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

**Statement by Senator LAND**

I was out of the Chamber at the time the vote on S. 434 was taken and had I been present, I would have voted against the second reading of the Joint Resolution.

The Joint Resolution was returned to the status of Special Order.

**Motion Adopted**

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

**EXECUTIVE SESSION**

On motion of Senator McCONNELL, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

**STATEWIDE APPOINTMENT**

**Confirmation**

Having received a favorable report from the Committee on Corrections and Penology, the following appointment was confirmed in open session:

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

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

**MOTION ADOPTED**

On motion of Senator LOURIE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Steve Kim, the Korean-American store and restaurant owner of Dino’s on Decker, of Columbia, S.C., who was tragically killed February 22, 2011.

**ADJOURNMENT**

At 2:17 P.M., on motion of Senator McCONNELL, 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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