**Wednesday, April 13, 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:

The prophet Daniel wrote:

 “So the king gave the order, and they brought Daniel and threw him into the lions’ den.” (Daniel 6:16)

 Join me as we bow in prayer, please:

 O God, here during this legislative year it might seem at times as if this Chamber has itself become the “lions den.” The difficulties facing these dedicated leaders are formidable; the answers to issues often seem far from easy to formulate. Yet, even as You granted fortitude and courage to Daniel when he was surrounded by lions, so do we ask You to give each of these Senators the wisdom and the strength to do what is right here in our own day. May each one of these men--may each staff person--sense Your guidance and Your blessing, now and always. To the glory of our Lord.

Amen.

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

**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2009, and to expire March 15, 2015

3rd Congressional District:

Beverly R. McAdams, 508 Cathey Road, Anderson, SC 29621 VICE James H. Williams (resigned)

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2011, and to expire March 15, 2017

6th Congressional District:

Marvin Stevenson, 3768 Marvins Court, Marion, SC 29571

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina Commission on Archives and History, with term coterminous with Governor

At-Large:

Christopher M. Curtis, 3124 Jackson Drive, Orangeburg, SC 29118 VICE William Bauer

Referred to the Committee on Education.

Reappointment, South Carolina Commission on Archives and History, with term coterminous with Governor

At-Large:

William L. Kinney, Jr., 100 Fayetteville Ave., Bennettsville, SC 29512

Referred to the Committee on Education.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2010, and to expire June 30, 2014

1st Congressional District:

William Edward Lawson, 1220 Pinewood Circle, Conway, SC 29526 VICE George Cox, Jr.

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Athletic Commission, with the term to commence June 30, 2008, and to expire June 30, 2012

At-Large:

Pamela Shealy, 152 E. Selwood Lane, Columbia, SC 29212 VICE Michael Tyler (resigned)

Referred to the Committee on Labor, Commerce and Industry.

**REGULATIONS RECEIVED**

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

Document No. 4182

Agency: Commissioners of Pilotage

Chapter: 136

Statutory Authority: 1976 Code Sections 40-1-70 and 54-15-140

SUBJECT: Licensure for the Savannah River

Received by Lieutenant Governor April 13, 2011

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration March 19, 2012

Document No. 4183

Agency: Department of Labor, Licensing and Regulation - Building Codes Council

Chapter: 8

Statutory Authority: 1976 Code Section 6-9-40

SUBJECT: International Residential Code

Received by Lieutenant Governor April 13, 2011

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration March 19, 2012

Document No. 4184

Agency: Department of Labor, Licensing and Regulation - Building Codes Council

Chapter: 8

Statutory Authority: 1976 Code Section 6-9-40

SUBJECT: Update of International and National Codes

Received by Lieutenant Governor April 13, 2011

Referred to Labor, Commerce and Industry Committee

Legislative Review Expiration March 19, 2012

**Doctor of the Day**

 Senators NICHOLSON and O’DELL introduced Dr. Stanley Baker of Greenwood, S.C., Doctor of the Day.

**CO-SPONSORS ADDED**

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

S. 5 Sen. Alexander

S. 312 Sen. Knotts

S. 592 Sen. Knotts

S. 705 Sen. Ford

S. 766 Sens. Nicholson, Shoopman

S. 800 Sens. Shane Martin, Fair

**CO-SPONSORS REMOVED**

The following co-sponsors were removed from the respective Bill:

S. 702 Sen. Knotts

**Privilege of the Chamber**

 On motion of Senators SCOTT, PEELER, McCONNELL, JACKSON, CROMER, HAYES, MATTHEWS and KNOTTS, with unanimous consent, the Privilege of the Chamber, to that area behind the rail, was extended to John A. Shuler, Deputy Adjutant General, and his wife, Phyllis. General Shuler was recognized for his meritorious service to the United States and the State of South Carolina with the Army National Guard upon his retirement after 55 years.

 Senators SCOTT, CROMER, MATTHEWS and KNOTTS commended and thanked him for his exemplary service.

**RECALLED AND COMMITTED**

 H. 3642 -- Reps. Cooper, Bingham, Allison, Harrell and Owens: A JOINT RESOLUTION TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY PAY TEACHERS BASED ON THE YEARS OF EXPERIENCE THE TEACHERS POSSESSED IN FISCAL YEAR 2010‑2011 WITHOUT NEGATIVE IMPACT TO THEIR EXPERIENCE CREDIT; TO PROVIDE VOTING AND NOTICE REQUIREMENTS FOR THIS DECISION; TO REQUIRE THAT PAYMENT ACCORDING TO THE 2010‑2011 DATA BE APPLIED UNIFORMLY; TO PROVIDE THAT A LOCAL SCHOOL DISTRICT MAY NOT PAY DISTRICT OR SCHOOL ADMINISTRATORS MORE THAN THEY RECEIVED IN FISCAL YEAR 2010‑2011; TO REQUIRE A LOCAL SCHOOL DISTRICT TO PAY TEACHERS AND SCHOOL ADMINISTRATORS FOR CHANGES IN THEIR EDUCATION LEVELS; AND TO DEFINE CERTAIN TERMS.

 Senator HAYES asked unanimous consent to make a motion to recall the Joint Resolution from the Committee on Finance.

 There was no objection and the Joint Resolution was recalled from the Committee on Finance.

 On motion of Senator HAYES, with unanimous consent, the Joint Resolution was committed to the Committee on Education.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

 The following were introduced:

 S. 803 -- Senators Scott, Jackson, Lourie and Courson: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE HONORABLE CLEVETTE L. HUDNELL, DISTRICT MAGISTRATE OF THE COLUMBIA DISTRICT, UPON THE OCCASION OF HER RETIREMENT FROM THE BENCH, AND TO WISH HER CONTINUED SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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 The Senate Resolution was adopted.

 S. 804 -- Senators O'Dell and Nicholson: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR SANDRA AULL ANDERSON, OWNER AND BROKER-IN-CHARGE OF A-Z REALTY IN GREENWOOD, AND TO CONGRATULATE HER FOR RECEIVING THE 2011 SOUTH CAROLINA MINORITY SMALL BUSINESS CHAMPION AWARD FROM THE UNITED STATES SMALL BUSINESS ADMINISTRATION.

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

 S. 805 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR MARIE BARBER ADAMS AND DEBORAH SCOTT BROOKS FOR THEIR VALUABLE WORK IN RESEARCHING AND COMPILING STORIES OF AFRICAN AMERICAN FAMILIES IN LOWER RICHLAND COUNTY, AND TO CONGRATULATE THEM FOR THEIR NEW BOOK, AFRICAN AMERICANS OF LOWER RICHLAND COUNTY, SOON TO BE RELEASED.

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 The Senate Resolution was adopted.

 S. 806 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF BLUFF ROAD IN RICHLAND COUNTY FROM ITS INTERSECTION WITH DRY BRANCH ROAD TO ITS INTERSECTION WITH SIMS ROAD “DEACON THOMAS MYERS MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “DEACON THOMAS MYERS MEMORIAL HIGHWAY”.

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

 S. 807 -- Senators Knotts, Coleman, Reese, Lourie and Leventis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 39-5-31 SO AS TO MAKE IT AN UNFAIR TRADE PRACTICE FOR A MOTOR VEHICLE GLASS REPAIR BUSINESS THAT ADMINISTERS INSURANCE CLAIMS FOR MOTOR VEHICLE GLASS REPAIRS TO HAVE AN INSURED’S GLASS REPAIR BUSINESS REFERRED TO ITSELF OR TO USE INFORMATION TO SOLICIT BUSINESS.

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

 S. 808 -- Senators Setzler, Knotts and Cromer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-36-2691 SO AS TO PROVIDE THAT OWNING OR UTILIZING A DISTRIBUTION FACILITY WITHIN SOUTH CAROLINA IS NOT CONSIDERED IN DETERMINING WHETHER THE PERSON HAS A PHYSICAL PRESENCE IN SOUTH CAROLINA SUFFICIENT TO ESTABLISH NEXUS WITH SOUTH CAROLINA FOR SALES AND USE TAX PURPOSES, AND TO PROVIDE THE APPLICABLE REQUIREMENTS AND DURATION.

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 Senator SETZLER spoke on the Bill.

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

 S. 809 -- Senator Elliott: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-9-83 SO AS TO AUTHORIZE HOSPITAL PUBLIC SERVICE DISTRICTS TO ENTER INTO AGREEMENTS WITH NONPROFIT ENTITIES AND TO TRANSFER ASSETS AND LIABILITIES TO SUCH NONPROFIT ENTITIES AND PROVIDE CONDITIONS AND REQUIREMENTS FOR THESE AGREEMENTS AND TRANSFERS.

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

 S. 810 -- Senator Pinckney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING “MI‑CHANDA’S LAW” SO AS TO AMEND SECTION 16-25-10, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “HOUSEHOLD MEMBER” IN CONNECTION WITH CRIMINAL DOMESTIC VIOLENCE OFFENSES, SO AS TO INCLUDE PERSONS IN A DATING RELATIONSHIP AND TO DEFINE “DATING RELATIONSHIP”; TO AMEND SECTION 16-25-20, AS AMENDED, RELATING TO CRIMINAL DOMESTIC VIOLENCE OFFENSES, PENALTIES, AND PROSECUTION, SO AS TO REQUIRE THESE OFFENDERS TO COMPLETE A PROGRAM DESIGNED TO TREAT BATTERERS; TO AMEND SECTION 16-25-65, AS AMENDED, RELATING TO CRIMINAL DOMESTIC VIOLENCE OF A HIGH AND AGGRAVATED NATURE, SO AS TO REQUIRE THESE OFFENDERS TO COMPLETE A PROGRAM DESIGNED TO TREAT BATTERERS; TO AMEND SECTION 20-4-20, AS AMENDED, RELATING TO THE DEFINITION OF TERMS IN THE “PROTECTION FROM DOMESTIC ABUSE ACT”, SO AS TO REVISE THE DEFINITION OF “HOUSEHOLD MEMBER” TO INCLUDE PERSONS IN A DATING RELATIONSHIP AND TO DEFINE “DATING RELATIONSHIP”; TO AMEND SECTION 20-4-40, AS AMENDED, RELATING TO THE PETITION FOR AN ORDER OF PROTECTION, SO AS TO PROVIDE THAT A PARENT OR GUARDIAN MAY PETITION THE COURT FOR AN ORDER ON BEHALF OF A MINOR WHO IS IN A DATING RELATIONSHIP; AND TO AMEND SECTION 20-4-60, AS AMENDED, RELATING TO THE CONTENTS OF AN ORDER OF PROTECTION, SO AS TO REQUIRE THE ORDER TO INCLUDE THE DOMESTIC VIOLENCE HOTLINE TELEPHONE NUMBER FOR THE COUNTY OF THE PETITIONER, TO PROVIDE THAT COUNSELING IS AVAILABLE AT ALL DOMESTIC VIOLENCE CENTERS AND PROGRAMS IN THE STATE, AND TO AUTHORIZE THE COURT TO ORDER A RESPONDENT IN A PROCEEDING TO COMPLETE A BATTERER TREATMENT PROGRAM AND TO ORDER OTHER PROHIBITIONS OR REQUIREMENTS NECESSARY TO PROTECT THE ABUSED PERSON.

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 Senator MALLOY spoke on the Bill.

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

 S. 811 -- Senators Scott, 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, Setzler, Sheheen, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DAN DENNIS, PRESIDENT OF DENNIS CORPORATION IN RICHLAND COUNTY, AND TO CONGRATULATE HIM UPON BEING NAMED THE 2011 SOUTH CAROLINA SMALL BUSINESS PERSON OF THE YEAR BY THE UNITED STATES SMALL BUSINESS ADMINISTRATION.

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

 H. 3165 -- Rep. Huggins: A BILL TO AMEND ACT 387 OF 1963, AS AMENDED, RELATING TO THE IRMO FIRE DISTRICT, SO AS TO AUTHORIZE THE BOARD OF FIRE CONTROL TO ESTABLISH PENALTIES FOR VIOLATIONS OF ITS RULES AND REGULATIONS.

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

 H. 3183 -- Reps. Young, Daning, Harrison, Simrill, G. R. Smith, Stringer, Hamilton, Hixon, Long, D. C. Moss and Weeks: A BILL TO AMEND SECTION 2-17-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND REREGISTRATION OF LOBBYISTS, SO AS TO REQUIRE THE PAYMENT OF ALL OUTSTANDING PENALTIES BEFORE A LOBBYIST MAY RESUME LOBBYING ACTIVITIES; TO AMEND SECTION 2-17-25, RELATING TO THE REGISTRATION AND REREGISTRATION OF LOBBYISTS’ PRINCIPALS, SO AS TO REQUIRE THE PAYMENT OF ALL OUTSTANDING PENALTIES BEFORE A LOBBYIST’S PRINCIPAL MAY RESUME LOBBYING ACTIVITIES; TO AMEND SECTION 2-17-50, RELATING TO THE AUTHORITY OF THE STATE ETHICS COMMISSION TO ENFORCE FILING REQUIREMENTS AND ASSESS PENALTIES FOR FAILURE TO FILE, SO AS TO CAP CERTAIN FINES AT FIVE THOUSAND DOLLARS, AND TO PROVIDE THAT FIRST AND SECOND OFFENSES MAY BE TRIED IN MAGISTRATES COURT; TO AMEND SECTION 8-13-100, RELATING TO THE DEFINITION OF “FAMILY MEMBER” FOR THE PURPOSES OF THE ETHICS, GOVERNMENT ACCOUNTABILITY, AND CAMPAIGN REFORM ACT OF 1991, SO AS TO INCLUDE BROTHERS-IN-LAW AND SISTERS-IN-LAW; TO AMEND SECTION 8-13-700, RELATING TO USE OF ONE'S OFFICIAL POSITION FOR OFFICIAL GAIN, SO AS TO REPLACE CERTAIN REFERENCES TO “IMMEDIATE FAMILY” WITH THE BROADER TERM “FAMILY MEMBER”; AND TO AMEND SECTION 8-13-1510, AS AMENDED, RELATING TO PENALTIES FOR EITHER LATE FILING OF OR FAILURE TO FILE A REPORT OR STATEMENT REQUIRED BY CHAPTER 13, TITLE 8, SO AS TO CAP CERTAIN FINES AT FIVE THOUSAND DOLLARS, AND TO PROVIDE THAT FIRST AND SECOND OFFENSES MAY BE TRIED IN MAGISTRATES COURT.

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

 H. 3735 -- Reps. Loftis, Chumley, Hamilton, Sandifer, J. R. Smith, Whitmire, Thayer, Corbin, Clemmons, G. M. Smith, Hardwick, Hearn, Barfield, White and Viers: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 12 TO TITLE 39 TO ENACT THE “SOUTH CAROLINA INCANDESCENT LIGHT BULB FREEDOM ACT” SO AS TO PROVIDE THAT INCANDESCENT LIGHT BULBS MANUFACTURED IN THIS STATE, WITHOUT SIGNIFICANT PARTS IMPORTED FROM ANOTHER STATE, AND OFFERED FOR SALE AND SOLD FOR USE ONLY IN THIS STATE ARE DEEMED ONLY TO BE IN THE STREAM OF INTRASTATE COMMERCE AND THEREFORE NOT SUBJECT TO FEDERAL REGULATION UNDER THE COMMERCE CLAUSE OF THE UNITED STATES CONSTITUTION.

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

 H. 4048 -- Reps. Forrester, Allison, Anthony, Brannon, Chumley, Cole, Mitchell, Parker and Tallon: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT THE INTERSECTION OF INTERSTATE HIGHWAY 85 BUSINESS AND INTERSTATE HIGHWAY 585 IN SPARTANBURG COUNTY “ROGER MILLIKEN INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “ROGER MILLIKEN INTERCHANGE”.

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

 H. 4079 -- Reps. Harrell, 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, Harrison, Hart, Hayes, Hearn, Henderson, Herbkersman, Hiott, Hixon, Hodges, Horne, Hosey, Howard, Huggins, Jefferson, Johnson, 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 CONGRATULATE THE IBM CORPORATION UPON THE OCCASION OF ITS CENTENNIAL ANNIVERSARY.

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

**REPORTS OF STANDING COMMITTEES**

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

 S. 420 -- Senators McConnell, Peeler, Campbell, Rose and Ford: A BILL TO AMEND SECTION 1‑23‑120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE GENERAL ASSEMBLY REVIEW OF REGULATIONS, INCLUDING, AMONG OTHER THINGS, GROUNDS FOR EXEMPTION FROM REVIEW, SO AS TO PROVIDE THAT A REGULATION EXEMPT FROM GENERAL ASSEMBLY REVIEW BECAUSE IT WAS PROMULGATED TO COMPLY WITH FEDERAL LAW HAS THE SAME LEGAL STATUS AS THE FEDERAL LAW, SUCH THAT IF THE FEDERAL LAW IS VACATED OR OTHERWISE RENDERED WITHOUT LEGAL FORCE AND EFFECT THE STATE REGULATION IS SIMILARLY VACATED OR OTHERWISE RENDERED WITHOUT LEGAL FORCE AND EFFECT.

 Ordered for consideration tomorrow.

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

 S. 705 -- Senators Rankin, Campbell, Rose, Verdin, Hutto and Ford: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 36 TO TITLE 58, SO AS TO CREATE THE “UNDERGROUND FACILITY DAMAGE PREVENTION ACT”; TO ADD SECTION 58-36-20, RELATING TO DEFINITIONS; TO ADD SECTION 58-36-30, RELATING TO THE STATE AUTHORITY TO REGULATE; TO ADD SECTION 58-36-40, RELATING TO THE COSTS ASSOCIATED WITH COMPLIANCE OF THIS CHAPTER; TO ADD SECTION 58-36-50, RELATING TO THE NOTIFICATION CENTER RESPONSIBILITIES; TO ADD SECTION 58-36-60, RELATING TO EXCAVATOR RESPONSIBILITIES; TO ADD SECTION 58-36-70, RELATING TO OPERATOR RESPONSIBILITIES; TO ADD SECTION 58-36-80, RELATING TO NOTICE FOR AN EMERGENCY EXCAVATION OR DEMOLITION; TO ADD SECTION 58-36-90, RELATING TO NOTIFICATION WHEN DAMAGE OCCURS; TO ADD SECTION 58-36-100 RELATING TO DESIGN REQUESTS; TO ADD SECTION 58‑36‑110, RELATING TO EXEMPTIONS FROM THE REQUIREMENT TO CONTACT THE NOTIFICATION CENTER; TO ADD SECTION 58‑36‑120, RELATING TO PENALTIES FOR VIOLATION OF THIS CHAPTER; AND TO REPEAL CHAPTER 35 OF TITLE 58.

 Ordered for consideration tomorrow.

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

 S. 766 -- Senators McConnell, Leatherman, Alexander, Anderson, Scott, Coleman, O’Dell, Verdin, L. Martin, Ford, Massey, Knotts, Grooms, Shoopman and Nicholson: A BILL TO AMEND ARTICLE V, CHAPTER 49, TITLE 33 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ALLOW SOUTH CAROLINA’S ELECTRIC COOPERATIVES TO SPEARHEAD ENERGY EFFICIENCY AND RENEWABLE ENERGY INITIATIVES IN THIS STATE, AND TO PROVIDE CLARITY TO PATRONAGE CAPITAL PROCEDURES; AND TO AMEND ACT 658 OF 1988, SO AS TO EXEMPT ELECTRIC COOPERATIVES FROM THE UNIFORM UNCLAIMED PROPERTY ACT.

 Ordered for consideration tomorrow.

 Senator GROOMS from the Committee on Transportation polled out H. 3784 favorable:

 H. 3784 -- Reps. Gilliard and King: A CONCURRENT RESOLUTION TO REQUEST PRESIDENT BARACK H. OBAMA TO INCLUDE IN HIS 2012 FEDERAL BUDGET FUNDING FOR THE U. S. ARMY CORPS OF ENGINEERS TO CONDUCT A FEASIBILITY STUDY REGARDING THE DEEPENING OF CHARLESTON HARBOR TO AT LEAST FIFTY FEET SO THAT IT CAN ACCOMMODATE LARGER CONTAINER SHIPS EXPECTED TO CALL AT THE PORT WHEN THE EXPANSION OF THE PANAMA CANAL OPENS IN 2014.

**Poll of the Transportation Committee**

**Polled 16; Ayes 14; Nays 0; Not Voting 3**

**AYES**

Grooms Ryberg Land

Leatherman McGill Elliott

Rankin Verdin Malloy

Pinckeny Anderson Campbell

Peeler Sheheen

**Total--14**

**NAYS**

**Total--0**

**NOT VOTING**

Campsen Cleary Bright

**Total--3**

 Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

 S. 801 -- Senators Sheheen, 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, Shoopman, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR DARLA MOORE, LAKE CITY NATIVE, FAMED BUSINESSWOMAN, AND COMMITTED PHILANTHROPIST, FOR HER MANY YEARS OF SERVICE TO THE PALMETTO STATE AND MOST PARTICULARLY TO THE UNIVERSITY OF SOUTH CAROLINA.

 Returned with concurrence.

 Received as information.

 S. 802 -- Senator Ryberg: A CONCURRENT RESOLUTION TO DESIGNATE THE THIRD WEEK IN APRIL 2011 AS “SHAKEN BABY SYNDROME AWARENESS WEEK” TO RAISE AWARENESS REGARDING SHAKEN BABY SYNDROME AND TO COMMEND THE HOSPITALS, CHILD CARE COUNCILS, SCHOOLS, AND OTHER ORGANIZATIONS THAT EDUCATE PARENTS AND CAREGIVERS ON HOW TO PROTECT CHILDREN FROM ABUSE.

 Returned with concurrence.

 Received as information.

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

**THIRD READING BILLS**

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

 S. 785 -- Senator Land: A BILL TO AUTHORIZE THE BOARD OF TRUSTEES OF FLORENCE COUNTY SCHOOL DISTRICT FOUR TO ISSUE GENERAL OBLIGATION BONDS OF THE SCHOOL DISTRICT WITHIN ITS CONSTITUTIONAL DEBT LIMIT, IN ONE OR MORE SERIES, IN A TOTAL AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS, TO DEFRAY THE LOSS OF EDUCATION FINANCE ACT FUNDS TO THE SCHOOL DISTRICT, TO PRESCRIBE THE CONDITIONS UNDER WHICH THE BONDS MAY BE ISSUED AND THE PURPOSES FOR WHICH THE PROCEEDS MAY BE EXPENDED, AND TO MAKE PROVISION FOR THE PAYMENT OF THE BONDS.

 By prior motion of Senator LAND

 S. 777 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF ARCHIVES AND HISTORY, RELATING TO REHABILITATION OF DESIGNATED HISTORIC BUILDINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4135, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

S. 778 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE PUBLIC SERVICE COMMISSION, RELATING TO REGULATION GOVERNING TELEPHONE UTILITIES OFFERING REGULATED PREPAID LOCAL EXCHANGE SERVICES AND BONDS OR OTHER SECURITY MECHANISMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4138, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**READ THE SECOND TIME**

 S. 779 -- Judiciary Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE PUBLIC SERVICE COMMISSION, RELATING TO CUSTOMER DEPOSITS AND DEPOSIT RETENTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 4137, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

 The question then was second reading of the Resolution.

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

**Ayes 39; Nays 0**

**AYES**

Alexander Bright Bryant

Campbell Cleary Coleman

Courson Cromer Davis

Elliott Fair Grooms

Hayes Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

McConnell McGill Nicholson

O'Dell Peeler Rankin

Reese Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

**Total--0**

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

**READ THE SECOND TIME**

 H. 4040 -- Rep. Hodges: A JOINT RESOLUTION TO EXTEND THE DEADLINE FOR THE MICROENTERPRISE DEVELOPMENT STUDY COMMITTEE TO SUBMIT ITS WRITTEN REPORT FROM JANUARY 20, 2011, TO JANUARY 20, 2012.

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

 Senator MATTHEWS explained the Joint Resolution.

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

**Ayes 41; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Grooms Hayes Hutto

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Rankin Reese Rose

Ryberg Scott Setzler

Sheheen Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

Bright Bryant

**Total--2**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 S. 594 -- Senators Grooms and Verdin: A BILL TO AMEND SECTION 56-5-1535 OF THE 1976 CODE, RELATING TO DRIVING IN A TEMPORARY WORKZONE, TO EXPAND THE SIZE OF TEMPORARY WORKZONES.

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

 The Committee on Transportation proposed the following amendment (594R001.LKG), which was adopted:

 Amend the bill, as and if amended, by striking all after the enacting words and inserting:

 / SECTION 1. Section 56-5-1536(A) of the 1976 Code is amended to read:

 “Section 56-5-1536. (A) A temporary work zone area is an area on or adjacent to a roadway identified by orange work zone signs or equipment with flashing lights, and the presence of workers on the scene.”

 SECTION 2. This act takes effect upon approval by the Governor./

 Renumber sections to conform.

 Amend title to conform.

 Senator CAMPBELL explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 43; Nays 0**

**AYES**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Thomas Verdin

Williams

**Total--43**

**NAYS**

**Total--0**

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

**COMMITTEE AMENDMENT ADOPTED**

**READ THE SECOND TIME**

 S. 643 -- Senators Knotts, Reese, Thomas, Ford, Matthews, Williams, Campsen, Cromer, Campbell, O’Dell, Rose and Setzler: A BILL TO AMEND SECTION 50‑5‑2310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE UNLAWFUL EXHIBIT OF A MARINE MAMMAL IN THIS STATE AND PROVIDING PENALTIES FOR VIOLATION, SO AS TO PROHIBIT THE DISPLAY OF A WILD CAUGHT OR CAPTIVE‑BRED DOLPHIN OR WHALE AND TO REQUIRE THE MARINE MAMMAL STRANDING NETWORK TO ATTEMPT TO REHABILITATE AND TO RELEASE ANY BEACH‑STRANDED WHALE OR DOLPHIN AND TO PROVIDE PENALTIES.

 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 (SWB\6120CM11), which was adopted:

 Amend the bill, as and if amended, Section 50‑5‑2310(A), as contained in SECTION 1, by deleting:

 / An attempt must be made by the South Carolina Marine Mammal Standing Network, South Carolina Department of Natural Resources, to rehabilitate any living Cetacean that becomes beach stranded. Following rehabilitation the Cetacean must be released into native South Carolina waters within a reasonable time. / after the period on line 37, page 1.

 When amended, Section 50‑5‑2310(A) shall read:

 / (A) It is unlawful for a person, which includes a corporation, to display a wild caught or captive‑bred mammal of the order Cetacean (dolphins and whales). /

 Renumber sections to conform.

 Amend title to conform.

 Senator CROMER explained the committee amendment.

 The committee amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 42; Nays 1**

**AYES**

Alexander Anderson Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Elliott Fair Ford

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Rankin Reese

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--42**

**NAYS**

Bright

**Total--1**

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

**AMENDED AND READ THE SECOND TIME**

 S. 588 -- Senators Jackson, Hayes, O’Dell and Rose: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ENACTING THE “STROKE PREVENTION ACT OF 2011” BY ADDING ARTICLE 6 TO CHAPTER 61, TITLE 44 SO AS TO ESTABLISH A STATEWIDE SYSTEM OF STROKE CARE, WHICH REQUIRES THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO RECOGNIZE AND DESIGNATE HOSPITALS THAT ARE CERTIFIED TO BE PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS, TO DISTRIBUTE A LIST OF PRIMARY STROKE CENTERS AND ACUTE STROKE CAPABLE CENTERS TO EACH EMERGENCY MEDICAL SERVICES PROVIDER AND TO POST THIS LIST ON ITS WEBSITE, TO ADOPT AND DISTRIBUTE A NATIONALLY STANDARDIZED STROKE‑TRIAGE ASSESSMENT TOOL TO EACH EMERGENCY MEDICAL SERVICES PROVIDER, TO ESTABLISH PRE‑HOSPITAL CARE PROTOCOLS FOR THE CARE AND TRANSPORT OF STROKE PATIENTS BY EMERGENCY MEDICAL SERVICE PROVIDERS, TO ESTABLISH A STROKE REGISTRY TASK FORCE TO ANALYZE AND IMPROVE STROKE CARE IN THIS STATE, AND TO ENSURE CONFIDENTIALITY IN SHARING HEALTH CARE INFORMATION; AND TO PROVIDE THAT THE DEPARTMENT’S RESPONSIBILITIES PURSUANT TO THIS ARTICLE ARE CONTINGENT UPON ADEQUATE FUNDING.

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

 Senator JACKSON proposed the following amendment (NBD\
11583AC11), which was adopted:

 Amend the bill, as and if amended, by striking all after the enacting words and inserting:

 /SECTION 1. Chapter 61, Title 44 of the 1976 Code is amended by adding:

“Article 6

System of Stroke Care

 Section 44‑61‑610. This article may be cited as the ‘Stroke System of Care Act of 2011’ and is based on recommendations of the Stroke System of Care Study Committee provided for in Act 121 of 2009.

 Section 44‑61‑620. The General Assembly finds that:

 (1) An effective system to support optimal stroke care is needed in our communities in order to treat stroke patients in a timely manner, improve the overall treatment of stroke patients, increase survival, and decrease the disabilities associated with stroke.

 (2) There is a public health need for acute care hospitals in this State to become primary stroke centers to ensure the rapid triage, diagnostic evaluation, and treatment of patients suffering a stroke. There is also a need for a pre‑hospital emergency transport system that identifies and transports potential stroke patients as quickly as possible to the most appropriate facility for stroke treatment.

 (3) Primary stroke centers for the treatment of acute stroke should be established in as many acute care hospitals as possible. In addition, hospitals that do not have primary stroke center certification but use telemedicine or other means to facilitate acute or early stroke treatment should be integrated, along with primary stroke centers, within a system of care to evaluate, stabilize, and provide emergency and inpatient care to patients with acute stroke.

 (4) It is in the best interest of the residents of South Carolina to establish a program to facilitate identification and development of stroke treatment capabilities throughout the State. This program will provide a system of stroke care that will include specific patient care and support services criteria that will ensure stroke patients receive safe and effective care in stroke care centers statewide.

 (5) It is also in the best interest of the people of South Carolina to modify the state’s emergency medical response system to ensure that potential stroke patients are quickly identified and transported to and treated in facilities that have the capability for providing timely and effective treatment for stroke patients.

 Section 44‑61‑630. As used in this article:

 (1) ‘Department’ means the South Carolina Department of Health and Environmental Control.

 (2) ‘Director’ means the Director of the South Carolina Department of Health and Environmental Control.

 (3) ‘Joint Commission’ means the Joint Commission, formerly known as the Joint Commission on Accreditation of Healthcare Organizations, a not‑for‑profit organization that accredits hospitals and other health care organizations.

 Section 44‑61‑640. (A) The director shall identify hospitals that meet the criteria set forth in this article as primary stroke centers and stroke enabled centers through telemedicine.

 (B) The department shall establish a process to recognize as ‘primary stroke centers’ as many accredited acute care hospitals as apply and are certified as primary stroke centers by the Joint Commission or another nationally recognized organization that provides disease-specific certification or accreditation for stroke care, provided that each applicant continues to maintain this certification or accreditation and notifies the department in a timely manner of initial and subsequent certification or accreditation.

 (C) As nationally recognized, disease-specific certification or accreditation programs become available at more comprehensive and less comprehensive levels, including, but not limited to, a designation for ‘acute stroke capable centers’, the department may adopt and recognize those hospitals that have achieved the certification or accreditation.

 (D) A hospital that no longer meets nationally recognized, evidenced‑based standards for primary stroke centers, or other programs as they become recognized by the department, shall notify the department and the Stroke System of Care Advisory Council within thirty days.

 Section 44‑61‑650. (A) There is a established a Stroke System of Care Advisory Council to be appointed by the director of the department. Representation on the council must be as geographically diverse as possible and composed of, but not limited to, knowledgeable and experienced individuals from the following areas:

 (1) a hospital administrator, or designee, from a primary stroke center, upon the recommendation of the South Carolina Hospital Association;

 (2) a hospital administrator, or designee, from a hospital with a stroke telemedicine program that is not a primary stroke center upon the recommendation of the South Carolina Hospital Association;

 (3) a hospital administrator, or designee, from a hospital capable of providing emergent stroke care as levels of nationally recognized, disease-specific certification or accreditation programs become available, upon the recommendation of the South Carolina Hospital Association;

 (4) a licensed neurologist from a primary stroke center, upon the recommendation of the South Carolina Medical Association;

 (5) a licensed emergency department physician that also serves as an emergency medical services medical director from a hospital capable of providing emergent stroke care, upon the recommendation of the South Carolina Chapter of the College of Emergency Physicians;

 (6) a licensed emergency medical services agency representative, upon the recommendation of the South Carolina Emergency Medical Services Advisory Council of the Department of Health and Environmental Control;

 (7) a licensed emergency medical services agency representative, upon the recommendation of the South Carolina Emergency Medical Services Association;

 (8) a licensed air ambulance representative, upon the recommendation of the South Carolina Association of Air Medical Services;

 (9) a representative from a rehabilitation facility that provides comprehensive inpatient post‑acute stroke services, upon the recommendation of the South Carolina Hospital Association;

 (10) an acute stroke patient advocate; and

 (11) a representative from the American Stroke Association.

 (B) Members shall serve terms of three years and may be reappointed. Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term. The director shall appoint the chairman of the council from the membership of the council, and council members may select a vice chairman from their membership. The council shall meet at least twice a year or at the call of the chairman.

 (C) The Stroke Advisory Council, in consultation with the department’s Division of Heart Disease and Stroke Prevention and the Division of Emergency Medical Services, is responsible for developing and implementing the statewide system of stroke care in accordance with this article.

 (D) Members of the council shall serve without compensation, mileage, per diem, or subsistence.

 (E) The director shall provide a formal progress report of the status of this statewide system of stroke care to the General Assembly no later than January 15, 2014.

 Section 44‑61‑660. (A)(1) The department, before June first of each year, shall distribute the list of primary stroke centers, stroke enabled centers through telemedicine, and other centers that meet the criteria for disease‑specific certification or accreditation programs as they become available to each licensed emergency medical services provider in this State. This list must be posted on the department website and be continuously updated.

 (2) For the purposes of this article, the department may include on its distribution list pursuant to subsection (A)(1) primary stroke centers in North Carolina and Georgia that are certified by the Joint Commission, or are otherwise designated by those states’ departments of public health as meeting the criteria for primary stroke centers.

 (B) The department, in consultation with the Stroke System of Care Advisory Council, shall adopt and distribute a nationally recognized, standardized stroke‑triage assessment tool. The department must post the stroke‑triage assessment tool on its website and provide a copy, which may be an electronic copy, of the stroke‑triage assessment tool to each licensed emergency medical services provider before January 31, 2012. Each licensed emergency medical services provider must establish a stroke assessment and triage system that incorporates the department approved stroke‑triage assessment tool.

 (C) The department, in consultation with the Stroke System of Care Advisory Council, shall establish pre‑hospital care protocols related to the assessment, treatment, and transport of stroke patients by licensed emergency medical services providers in this State. These protocols must include plans for the triage and transport of stroke patients within a specified timeframe of the onset of symptoms to the most appropriate primary stroke centers, stroke enabled centers through telemedicine, or other centers as nationally recognized, disease-specific certification or accreditation programs become available.

 (D) Each licensed emergency medical services provider must comply with all sections of this article before June 1, 2012.

 Section 44‑61‑670. (A) The department, in consultation with the Stroke System of Care Advisory Council, shall:

 (1) provide assistance for sharing information and data among health care providers on ways to improve the quality of care;

 (2) facilitate the communication and analysis of health information and data among health care professionals providing care for individuals with stroke;

 (3) collect data regarding the transition of care to community‑based follow‑up care in hospital outpatient, physician office, and ambulatory clinic settings for ongoing care after hospital discharge following acute treatment for a stroke;

 (4) set expectations for hospitals and emergency medical services agencies to report data on the treatment of individuals with suspected stroke within the statewide system of stroke care; and

 (5) establish a Stroke Registry Task Force, as a subcommittee of the Stroke System of Care Advisory Council, which shall maintain a statewide stroke registry database that compiles information and statistics on stroke care that align with the stroke consensus metrics developed and approved by the American Heart Association, American Stroke Association, Centers for Disease Control and Prevention, and the Joint Commission. The department shall utilize the stroke registry data platform of ‘Get With The Guidelines-Stroke’ or another nationally recognized data set platform with confidentiality standards no less secure. To every extent possible, the department shall coordinate with national voluntary health organizations involved in stroke quality improvement to avoid duplication and redundancy.

 (6) The Stroke Registry Task Force shall:

 (a) analyze data generated by the statewide stroke registry database on stroke care;

 (b) identify potential interventions to improve stroke care in geographic areas or regions of the State; and

 (c) provide recommendations to the department and the General Assembly for the improvement of stroke care in the State.

 (B) Except to the extent necessary to address continuity of care issues, health care information must not be provided in a format that contains individually identifiable information about a patient. The sharing of health care information containing individually identifiable information about patients must be limited to that information necessary to address continuity of care issues, and otherwise must be in accordance with, and subject to, the confidentiality provisions required by applicable state and federal law, including, but not limited to, the federal Health Insurance Portability and Accountability Act and regulations pursuant to that act.

 Section 44‑61‑680. This article is not a medical practice guideline and may not be used to restrict the authority of a hospital to provide services for which it has received a license under state law. The General Assembly intends that all patients be treated individually, based on each patient’s needs and circumstances.

 Section 44‑61‑690. (A) The department has the authority to promulgate regulations to carry out the purposes of this article, including penalties for violations of the provisions under this article.

 (B) All of the department’s duties pursuant to this article are contingent upon adequate funding to cover the department’s operating and administrative costs and upon the promulgation of regulations. If adequate funding does not exist, the department is not obligated to carry out any duties pursuant to this article. The department is not obligated to carry out any duties pursuant to this article until the applicable regulations have been promulgated.”

 SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

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

 Renumber sections to conform.

 Amend title to conform.

 Senator JACKSON explained the amendment.

 The amendment was adopted.

 The question then was second reading of the Bill.

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

**Ayes 24; Nays 17**

**AYES**

Alexander Anderson Cleary

Coleman Elliott Fair

Hayes Hutto Jackson

Land Leatherman Lourie

Malloy *Martin, Larry* Massey

McGill Nicholson O'Dell

Peeler Rankin Scott

Sheheen Verdin Williams

**Total--24**

**NAYS**

Bright Bryant Campbell

Campsen Courson Cromer

Davis Grooms Knotts

*Martin, Shane* McConnell Reese

Rose Ryberg Setzler

Shoopman Thomas

**Total--17**

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

**SECOND READING FAILED**

 **REMOVED FROM THE CALENDAR**

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

 Senator HAYES 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.

 Senator FAIR explained the Bill.

 The question then was second reading of the Bill.

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

**Ayes 8; Nays 33**

**AYES**

Coleman Courson Hayes

Hutto Land Nicholson

O'Dell Reese

**Total--8**

**NAYS**

Alexander Anderson Bright

Bryant Campbell Campsen

Cleary Cromer Davis

Elliott Fair Grooms

Knotts Leatherman Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill Peeler Rankin

Rose Ryberg Scott

Setzler Sheheen Shoopman

Thomas Verdin Williams

**Total--33**

 Second reading of the Bill failed, notation was made on the Bill, and the Bill was subsequently removed from the Calendar.

**S. 560--Second Reading Reconsidered**

**Carried Over**

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

 Having voted on the prevailing side, Senator FAIR moved to reconsider the vote whereby second reading of the Bill failed.

 The motion was adopted and the Bill was ordered returned to the Second Reading Calendar for consideration tomorrow.

 Senator HUTTO spoke on the Bill.

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

**ADOPTED**

S. 505 -- Senator L. Martin: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE LOCATED ON MIRACLE HILL ROAD THAT CROSSES OVER OOLENOY RIVER IN PICKENS COUNTY “FRANK ‘SLIM’ KOTCHER BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS BRIDGE THAT CONTAIN THE WORDS “FRANK ‘SLIM’ KOTCHER BRIDGE”.

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

S. 506 -- Senators Bryant and O’Dell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERCHANGE LOCATED AT EXIT 27 ALONG INTERSTATE HIGHWAY 85 IN ANDERSON COUNTY “LANCE CORPORAL JONATHAN SHEA NASH INTERCHANGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS INTERCHANGE THAT CONTAIN THE WORDS “LANCE CORPORAL JONATHAN SHEA NASH INTERCHANGE”.

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

S. 610 -- Senators Knotts and Setzler: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT BOTH THE EASTERN AND WESTERN APPROACHES TO WHITE KNOLL HIGH SCHOOL ON PLATT SPRINGS ROAD IN LEXINGTON COUNTY THAT CONTAIN THE WORDS “WHITE KNOLL HIGH SCHOOL TIMBERWOLVES AAAA BASEBALL STATE CHAMPIONS” AND “WHITE KNOLL HIGH SCHOOL TIMBERWOLVES AAAA STATE MARCHING BAND CHAMPIONS”.

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

 S. 735 -- Senator Reese: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 221 IN THE CITY OF CHESNEE FROM ITS INTERSECTION WITH MANNING STREET TO ITS INTERSECTION WITH GREENWOOD STREET “MAYOR CLIFF EDWARDS HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “MAYOR CLIFF EDWARDS HIGHWAY”.

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

 S. 768 -- Senator Cleary: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE TO BE CONSTRUCTED TO CROSS THE INTRACOASTAL WATERWAY ALONG SOUTH CAROLINA HIGHWAY 31 IN HORRY COUNTY THE “COLONEL HOWARD DARST BARNARD III BRIDGE”, AND ERECT APPROPRIATE MARKERS OR SIGNS AT THE BRIDGE THAT CONTAIN THE WORDS “COLONEL HOWARD DARST BARNARD III BRIDGE”.

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

 H. 3253 -- Rep. Cobb‑Hunter: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF UNITED STATES HIGHWAY 301 IN ORANGEBURG COUNTY FROM ITS INTERSECTION WITH INTERSTATE HIGHWAY 26 TO ITS INTERSECTION WITH HOMESTEAD ROAD “DR. THOMAS L. MOSS MEMORIAL HIGHWAY” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS HIGHWAY THAT CONTAIN THE WORDS “DR. THOMAS L. MOSS MEMORIAL HIGHWAY”.

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

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

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

 H. 3764 -- Rep. Bales: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION ERECT APPROPRIATE MARKERS OR SIGNS AT THE INTERSECTION OF UNIVERSAL DRIVE AND SUMTER HIGHWAY AND AT THE INTERSECTION OF UNIVERSAL DRIVE AND BURDELL DRIVE, BOTH IN RICHLAND COUNTY, THAT CONTAIN THE WORDS “IN MEMORY OF MARY L. SHIVERS”.

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

 H. 3870 -- Rep. Mitchell: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME HIGHLAND AVENUE IN THE CITY OF SPARTANBURG “THOMAS RICE, JR. AVENUE” AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS AVENUE THAT CONTAIN THE WORDS “THOMAS RICE, JR. AVENUE”.

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

**CARRIED OVER**

 S. 586 -- Senators Hayes, O’Dell, Verdin, Shoopman, Nicholson, Elliott, L. Martin, Coleman, Ford, Cromer and Alexander: A BILL TO AMEND SECTION 1‑11‑720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES WHOSE EMPLOYEES, RETIREES, AND THEIR DEPENDENTS ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO EXTEND THIS ELIGIBILITY TO JOINT AGENCIES ESTABLISHED PURSUANT TO CHAPTER 23, TITLE 6.

 Senator HAYES asked unanimous consent to take the Bill up for immediate consideration.

 Senator FAIR explained the Bill.

 On motion of Senator HAYES, with unanimous consent, the Bill was carried over.

**CARRIED OVER**

 S. 312 -- Senators Davis, McConnell, Peeler, Bright, Massey, Shoopman, S. Martin, Ryberg, Verdin, Rose and Knotts: A BILL TO AMEND SECTION 2‑65‑15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS FOR PURPOSES OF THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO REVISE THE DEFINITION OF “MATCHING FUNDS” TO INCLUDE BOTH GENERAL FUND MONIES AND OTHER FUND MONIES TO BE USED TO MEET FEDERAL MATCH REQUIREMENTS; TO AMEND SECTION 2‑65‑20, RELATING TO THE APPROPRIATION OF ANTICIPATED FEDERAL FUNDS AND OTHER FUNDS BY THE GENERAL ASSEMBLY IN APPROPRIATIONS ACTS, SO AS TO REQUIRE STATE AGENCIES RECEIVING FEDERAL FUNDS TO PROVIDE IN BUDGET SUBMISSIONS FOR THE PROPOSED BUDGET DETAILS OF CONDITIONS IMPOSED ON THE STATE APPLICABLE TO FEDERAL FUNDS INCLUDED IN THE AGENCY’S BUDGET SUBMISSION, REQUIRE THE RECOMMENDED BUDGET SPECIFICALLY TO ACCEPT IN DETAIL THOSE CONDITIONS WHEN FEDERAL FUNDS ARE INCLUDED IN THE PROPOSED BUDGET, AND TO CONFORM THE SECTION TO REFLECT THE PROVISION OF LAW ASSIGNING TO THE GOVERNOR THE DUTY OF PRODUCING A PROPOSED BUDGET TO THE GENERAL ASSEMBLY; AND TO AMEND SECTION 2‑65‑30, RELATING TO EXPENDITURE BY A STATE AGENCY OF UNANTICIPATED FEDERAL FUNDS AND PRIVATE GRANT FUNDS NOT APPROPRIATED IN APPROPRIATIONS ACTS, SO AS TO REQUIRE THE AGENCY’S SUBMISSION OF AN EXPENDITURE PROPOSAL FOR THE ANTICIPATED FUNDS TO THE STATE BUDGET AND CONTROL BOARD TO INCLUDE THE CONDITIONS IMPOSED ON THE STATE’S RECEIPT AND EXPENDITURE OF THE FEDERAL FUNDS AND, IN AUTHORIZING THE RECEIPT AND EXPENDITURE, THE BOARD’S ACCEPTANCE OF THE CONDITIONS.

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

**AMENDED, CARRIED OVER**

 S. 592 -- Senators Hayes, Leventis, Cromer, Rose, Scott and Knotts: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 25‑1‑3067 SO AS TO CREATE THE OFFENSE OF FRATERNIZATION; TO AMEND SECTION 25‑1‑10, RELATING TO THE STATE MILITARY CODE’S DEFINITIONS, SO AS TO DEFINE THE TERM “ORGANIZED MILITIA”; TO AMEND SECTION 25‑1‑40, RELATING TO THE APPLICABILITY OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO DELETE AN UNNECESSARY REFERENCE TO CAPITAL SENTENCES; TO AMEND SECTION 25‑1‑60, RELATING TO THE COMPOSITION AND CLASSES OF THE STATE MILITIA, SO AS TO CLARIFY THAT ACTIVE MEMBERS OF THE NATIONAL GUARD ARE NOT PART OF THE ORGANIZED MILITIA; TO AMEND SECTION 25‑1‑70, RELATING TO THE COMPOSITION OF THE NATIONAL GUARD, SO AS TO CLARIFY THE ADJUTANT GENERAL’S AUTHORITY TO ORGANIZE UNITS FOR STATE RECOGNIZED AND ORGANIZED POSITIONS; TO AMEND SECTION 25‑1‑120, RELATING TO MILITARY CORPORATIONS, SO AS TO CLARIFY THAT MILITARY CORPORATIONS ARE EXEMPT FROM FILING RETURNS WITH THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO THE SAME EXTENT THEY ARE EXEMPT FROM FILING RETURNS WITH THE INTERNAL REVENUE SERVICE; TO AMEND SECTION 25‑1‑340, RELATING TO VACANCIES IN THE OFFICE OF THE ADJUTANT GENERAL, SO AS TO PROVIDE THAT AN INTERIM APPOINTEE SHALL HOLD THE RANK OF COLONEL OR HIGHER; TO AMEND SECTION 25‑1‑635, RELATING TO LEGAL ASSISTANCE SERVICES, SO AS TO CLARIFY THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTION 25‑1‑830, RELATING TO OFFICER SELECTION BOARDS, SO AS TO INCLUDE REFERENCES TO FEDERAL PERSONNEL ACTS; TO AMEND SECTION 25‑1‑1370, RELATING TO MAINTENANCE ALLOWANCES, SO AS TO PROVIDE THAT THESE FUNDS MUST BE DEPOSITED IN STATE ACCOUNTS FOR MILITARY DEPARTMENT OPERATIONS AND MAINTENANCE; TO AMEND SECTION 25‑1‑2420, RELATING TO CODE OF MILITARY JUSTICE DEFINITIONS, SO AS TO PROVIDE THAT THE TERM “STATE JUDGE ADVOCATE” MEANS A FEDERALLY RECOGNIZED NATIONAL GUARD JUDGE ADVOCATE; TO AMEND SECTION 25‑1‑2450, RELATING TO THE APPOINTMENT OF THE STATE JUDGE ADVOCATE, SO AS TO PROVIDE THAT THE STATE JUDGE ADVOCATE MUST BE FEDERALLY RECOGNIZED AS A JUDGE ADVOCATE; TO AMEND SECTION 25‑1‑2455, RELATING TO THE APPOINTMENT OF THE STATE MILITARY JUDGE, SO AS TO REQUIRE MEMBERSHIP AND GOOD STANDING IN THE SOUTH CAROLINA BAR; TO AMEND SECTION 25‑1‑2520, RELATING TO NONJUDICIAL DISCIPLINARY PUNISHMENT, SO AS TO ALLOW THE DELEGATION OF NONJUDICIAL PUNISHMENT AUTHORITY IN CERTAIN SITUATIONS; TO AMEND SECTION 25‑1‑2550, RELATING TO GENERAL COURTS‑MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT’S PUNISHMENT AUTHORITY; TO AMEND SECTION 25‑1‑2560, RELATING TO SPECIAL COURTS‑MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT’S PUNISHMENT AUTHORITY; TO AMEND SECTION 25‑1‑2570, RELATING TO SUMMARY COURTS‑MARTIAL JURISDICTION, SO AS TO INCREASE THE COURT’S PUNISHMENT AUTHORITY; TO AMEND SECTION 25‑1‑2580, RELATING TO THE APPOINTMENT OF GENERAL COURTS‑MARTIAL, SO AS TO PROVIDE THAT APPOINTMENT AUTHORITY MAY BE DELEGATED TO THE ADJUTANT GENERAL UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25‑1‑2600, RELATING TO THE APPOINTMENT OF SUMMARY COURTS‑MARTIAL, SO AS TO PROVIDE THAT APPOINTMENT AUTHORITY MAY BE DELEGATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25‑1‑2630, RELATING TO THE DETAIL OF TRIAL AND DEFENSE COUNSEL, SO AS TO CLARIFY THE STATE JUDGE ADVOCATE’S APPOINTMENT AUTHORITY; TO AMEND SECTION 25‑1‑2640, RELATING TO THE RECORDING OF PROCEEDINGS, SO AS TO PROVIDE THAT A QUALIFIED COURT REPORTER MAY BE HIRED TO RECORD COURT‑MARTIAL PROCEEDINGS; TO AMEND SECTION 25‑1‑2910, RELATING TO FRAUDULENT ENLISTMENTS, APPOINTMENTS, OR SEPARATIONS, SO AS TO PROVIDE JURISDICTION OVER SERVICEMEMBERS WHO COMMIT WILFUL MISCONDUCT TO INTENTIONALLY CAUSE THEIR SEPARATION; TO AMEND SECTION 25‑1‑3025, RELATING TO THE OFFENSE OF MALINGERING, SO AS TO PROVIDE JURISDICTION OVER SERVICEMEMBERS WHO COMMIT, PERFORM, OR UNDERTAKE SERVICE DISQUALIFYING ACTIVITIES; TO AMEND SECTION 25‑1‑3065, RELATING TO THE OFFENSE OF CONDUCT UNBECOMING AN OFFICER, SO AS TO DELETE THE ELEMENT THAT THE ACCUSED BE A COMMISSIONED OFFICER; AND TO AMEND SECTION 25‑1‑3160, RELATING TO CONSTRUCTION OF THE UNIFORM CODE OF MILITARY JUSTICE, SO AS TO ALLOW THE ADJUTANT GENERAL TO ESTABLISH PROCEDURES TO CONFORM STATE MILITARY JUDICIAL PROCEEDINGS WITH STATE CIRCUIT COURT PROCEEDINGS.

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

 Senators SCOTT, HAYES and ALEXANDER proposed the following amendment (MILITARY CLEANUP), which was adopted:

 Amend the bill, as and if amended, page 5, by striking lines 20-22 and inserting:

 / individuals who lack federal service or federal recognition, to the State Guard, and detachments under the authority of the Adjutant General. ” /

 Renumber sections to conform.

 Amend title to conform.

 Senator HAYES explained the amendment.

 The amendment was adopted.

 The question then was second reading of the Bill.

 On motion of Senator HAYES, the Bill was carried over, as amended.

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

**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.**

**NONCONCURRENCE**

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 House returned the Bill with amendments.

 The question then was concurrence with the House amendments.

 Senator CLEARY spoke on the Bill.

**Objection**

 Senator MALLOY asked unanimous consent to make a motion to nonconcur in the House amendments.

 Senator THOMAS objected.

 **RECESS**

 At 4:12 P.M., with Senator CLEARY retaining the floor, on motion of Senator MATTHEWS, with unanimous consent, the Senate receded from business not to exceed five minutes.

 At 4:19 P.M., the Senate resumed.

 Senator CLEARY spoke on the Bill.

 Senator MALLOY spoke on the Bill.

 Senator McCONNELL spoke on the Bill.

 Senator McCONNELL moved to nonconcur in the House amendments.

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

**Ayes 28; Nays 15**

**AYES**

Campbell Campsen Coleman

Courson Cromer Elliott

Ford Hutto Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

Matthews McConnell McGill

Nicholson O’Dell Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Williams

**Total--28**

**NAYS**

Alexander Bright Bryant

Cleary Davis Fair

Grooms Hayes *Martin, Larry*

*Martin, Shane* Massey Peeler

Shoopman Thomas Verdin

**Total--15**

**Statement by Senator THOMAS**

 I voted against the motion to nonconcur with the House version of Voter Identification because this battle has already been fought in the last session without coming out of conference and we got no voter ID Bill at all.  Also there seems to be a likely outcome that if the Bill were sent back into a conference committee, then just like last year we might have no Bill at all this year.  Rather than have the possibility of nothing which happened last year I voted against the motion to nonconcur so that we would at least have a Bill that was finally agreed to and hence become law.

**Statement by Senator ROSE**

 I voted for several reasons to nonconcur with the House version of H. 3003 which was returned to the Senate. Most importantly, the House version of H. 3003 is flawed and should go to a conference committee to be corrected.  For example, the House version no longer contains a severability clause, which should be restored to prevent the entire Bill being invalidated by a court merely because one portion of the Bill eventually is deemed by a court to be unconstitutional.

 In addition, some of the provisions of the Senate Bill deleted by the House should be restored.  For example, I support reasonable early voting to avoid long lines on one day and to create more convenience to voters.  The House voted for early voting as part of a Voter ID Bill last year.  It is inconsistent for the House to insist now on early voting not being a part of a substantially identical Voter ID Bill this year.

 Senators should exercise their conscientious independent judgment about whether to vote for provisions of a Bill passed by the House.  If Senators were to vote automatically for House Bills without giving those Bills independent scrutiny, there is no need for the Senate and it might as well be abolished.

**Statement by Senators McCONNELL, CAMPBELL, CAMPSEN COURSON, CROMER, KNOTTS, O’DELL, RANKIN, ROSE RYBERG and SETZLER**

 We voted to nonconcur in the House amendments to the Voter ID Bill because we believe that by going to a conference committee we can get a Voter ID Bill that can pass the Senate and have a better chance of becoming law.  We favor Voter ID for elections in South Carolina.  We are all committed to getting a Bill that ensures that our elections are secure and that votes cast are cast by those who they claim to be.

 However, the House Bill is flawed and would not give the people who have asked for this Bill what was promised to them.  Concurring in the House Bill would be a political victory for politicians and a loss to voters at home who expected Voter ID. The Bill passed by the House was not a pure Voter ID Bill as represented by House members and contained flawed language.  Some examples are:  a new law on poll watcher locations, unsure language on the HAVA law, no severability language, excluded police and government ID’s, deleted residency evidence for use in challenged ballots, and other language concerns.

 By going to conference, we believe that we have the chance to eliminate the flaws and strengthen the Bill so that it can meet any court challenges ahead and serve the best interests of this State.  The politically easy thing to do would have been to simply accept the House language.  However, the responsible thing to do was to fix it so that it would not fail in the courts or get tripped up by the Voting Rights Act. Haste would have made waste and we will get the Voter ID Bill rightly in law.  Nonconcurrence was the way to do that and that is why we voted to nonconcur.

**Statement by Senator LEATHERMAN**

 I voted to nonconcur in the House amendments to the Voter ID Bill because I believe that by going to a conference committee we can get a Voter ID Bill that can pass the Senate and have a better chance of becoming law. I favor Voter ID for elections in South Carolina. I am committed to getting a Bill that ensures that our elections are secure and that votes cast are cast by those who they claim to be.

 However, the House Bill is flawed and would not give the people who have asked for this Bill what was promised to them. Concurring in the House Bill would be a political victory for politicians and a loss to voters at home who expected Voter ID. The Bill passed by the House was not a pure Voter ID Bill. Some examples are: unsure language on the HAVA law, no severability language, excluded police and government ID's, deleted residency evidence for use in challenged ballots, and other language concerns.

 In addition, some of the provisions of the Senate Bill deleted by the House should be restored. For example, I support reasonable early voting to avoid long lines on one day and to create more convenience to voters. The House voted for early voting as part of a Voter ID Bill last year.

 By going to conference, I believe that we have the chance to eliminate the flaws and strengthen the Bill so that it can meet any court challenges ahead and serve the best interests of this State. The politically easy thing to do would have been to simply accept the House language. However, the responsible thing to do was to fix it so that it would not fail in the courts, or get tripped up by the Voting Rights Act. Haste would have made waste and we will get the Voter ID Bill rightly in law. Nonconcurrence was the way to do that and that is why I voted to nonconcur.

 The Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

**MOTION ADOPTED**

 On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Orlando Leroy Banes of Greenwood, S.C.

and

**MOTION ADOPTED**

 On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William E. “Bill” Hughes of Greenwood, S.C.

and

**MOTION ADOPTED**

 On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Margaret “Snookie” Nicholson of Greenwood, S.C.

**ADJOURNMENT**

 At 6:39 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

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