**Tuesday, May 17, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 10:00 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:

Hearing his people as they wept and expressed their discontent, Moses said to the Lord:

“ ‘Why have you treated your servant so badly? Why have I not found favor in your sight, that you lay the burden of all this people on me?’ ” (Numbers 11:11)

Please, friends, bow in prayer with me:

Holy God, how easy it would be for each of these leaders, like Moses, to enter into a pity-party during these difficult days and weeks here in this place. Surely, challenges are one thing, but the difficulties which these public servants face in this Senate are something else. Continue to encourage each Senator and his staff members. Give them all wisdom and strength. And may meaningful and good results come from their conscientious and caring efforts—all to Your glory. In Your loving name we pray, dear Lord.

Amen.

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

**Doctor of the Day**

Senator McCONNELL introduced Dr. Alexander Ramsay of Charleston, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator CAMPBELL, at 10:00 A.M., Senator VERDIN was granted a leave of absence until 2:00 P.M.

**Leave of Absence**

On motion of Senator DAVIS, at 10:00 A.M., Senator SHOOPMAN was granted a leave of absence until 1:00 P.M.

**Leave of Absence**

At 10:15 P.M., Senator SHANE MARTIN requested a leave of absence beginning at 1:00 A.M. Thursday morning and lasting until 2:00 P.M. that afternoon.

**Leave of Absence**

At 11:05 A.M., Senator KNOTTS requested a leave of absence beginning at 12:00 Noon on Thursday and lasting until 9:00 A.M. next Tuesday.

**Leave of Absence**

At 3:30 P.M., Senator HUTTO requested a leave of absence beginning at 4:00 P.M. and lasting until 10:00 A.M. in the morning.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Jacquelyn G. Jenkins, P. O. Box 697, St. George, SC 29477

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Myron D. Johnson, 400 Shaftesbury Lane, Summerville, SC 29485

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Peter Brandt Shelbourne, 116 South Oak Street, Summerville, SC 29483

**CO-SPONSORS ADDED**

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

S. 274 Sen. Ryberg

**RECALLED AND COMMITTED**

H. 3041 -- Reps. J.R. Smith, Thayer, Harrison, G.R. Smith, Taylor, G.M. Smith, Hixon, Patrick and Clemmons: A BILL TO AMEND SECTIONS 59‑71‑40 AND 59‑71‑50, CODE OF LAWS OF SOUTH CAROLINA, 1976, BOTH RELATING TO A SCHOOL BOND ELECTION, SO AS TO PROVIDE THAT THE ELECTION MUST BE HELD ON THE DATE OF A GENERAL ELECTION OR ON THE DATE OF A PRIMARY ELECTION.

Senator COURSON asked unanimous consent to make a motion to recall the Bill from the Committee on Education.

There was no objection and the Bill was recalled from the Committee on Education.

On motion of Senator COURSON, with unanimous consent, the Bill was committed to the Committee on Judiciary.

**RECALLED**

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”.

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

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

**RECALLED AND COMMITTED**

S. 746 -- Senators Lourie, Hutto, Fair, L. Martin, Rose and O’Dell: A BILL TO AMEND SECTION 56‑1‑286, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SUSPENSION OF A DRIVER’S LICENSE TO A PERSON UNDER THE AGE OF TWENTY‑ONE FOR HAVING AN UNLAWFUL ALCOHOL CONCENTRATION, SO AS TO REVISE THE PENALTIES TO INCLUDE REQUIRING AN OFFENDER WHO OPERATES A VEHICLE TO HAVE AN IGNITION INTERLOCK DEVICE INSTALLED ON THE VEHICLE; TO AMEND SECTION 56‑1‑400, AS AMENDED, RELATING TO THE SUSPENSION OF A LICENSE, A LICENSE RENEWAL OR ITS RETURN, AND ISSUANCE OF A LICENSE THAT RESTRICTS THE DRIVER TO ONLY OPERATING A VEHICLE WITH AN IGNITION INTERLOCK DEVICE INSTALLED, SO AS TO REVISE THE DRIVER’S LICENSE SUSPENSION PERIOD FOR A PERSON WHO CHOOSES TO OR NOT TO HAVE AN INTERLOCK DEVICE INSTALLED ON HIS VEHICLE, TO PROVIDE ADDITIONAL PENALTIES FOR CERTAIN INDIVIDUALS WHO CHOOSE NOT TO HAVE AN INTERLOCK DEVICE INSTALLED ON THEIR VEHICLES AFTER BEING CONVICTED OF CERTAIN DRIVING OFFENSES, AND TO REVISE THE PROCEDURE FOR A PERSON TO OBTAIN A LICENSE WHO DOES NOT OWN A VEHICLE; TO AMEND SECTION 56‑1‑1320, RELATING TO THE ISSUANCE OF A PROVISIONAL DRIVER’S LICENSE, SO AS TO PROVIDE THAT THE PROVISIONAL LICENSE MAY BE ISSUED AS LONG AS THE VEHICLE AUTHORIZED TO BE OPERATED HAS HAD AN IGNITION INTERLOCK DEVICE INSTALLED; TO AMEND SECTION 56‑5‑2941, AS AMENDED, RELATING TO PENALTIES THAT MAY BE IMPOSED FOR DRIVING A VEHICLE WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS, SO AS TO PROVIDE THE LENGTH OF TIME AN INTERLOCK DEVICE MUST BE AFFIXED TO A VEHICLE FOR A FIRST OFFENSE, TO REVISE THE PENALTY FOR AN OFFENDER WHO HAS ACCUMULATED FOUR POINTS UNDER THE INTERLOCK DEVICE POINT SYSTEM, TO PROVIDE FOR THE USE OF FUNDS REMITTED TO THE INTERLOCK DEVICE FUND, TO REVISE THE FEES THAT MUST BE COLLECTED AND REMITTED TO THE INTERLOCK DEVICE FUND, TO REVISE THE FREQUENCY OF TIME IN WHICH AN OFFENDER MUST HAVE AN INTERLOCK DEVICE INSPECTED, AND TO PROVIDE THAT AN INTERLOCK DEVICE MUST CAPTURE A PHOTOGRAPHIC IMAGE OF A DRIVER AS HE OPERATES THE DEVICE; TO AMEND SECTION 56‑5‑2942, AS AMENDED, RELATING TO THE IMMOBILIZATION OF A PERSON’S VEHICLE UPON HIS CONVICTION OF AN ALCOHOL‑RELATED DRIVING OFFENSE, SO AS TO PROVIDE THAT AS LONG AS A PERSON HOLDS A VALID IGNITION INTERLOCK LICENSE, HE IS NOT REQUIRED TO SURRENDER HIS LICENSE PLATES AND VEHICLE REGISTRATIONS; TO AMEND SECTION 56‑5‑2947, AS AMENDED, RELATING TO THE OFFENSE OF CHILD ENDANGERMENT, SO AS TO REVISE THE DATE WHEN A PERSON MAY ENROLL IN AN ALCOHOL AND DRUG SAFETY ACTION PROGRAM AND BE ISSUED A PROVISIONAL DRIVER’S LICENSE; TO AMEND SECTION 56‑5‑2950, AS AMENDED, RELATING TO A PERSON WHO OPERATES A MOTOR VEHICLE GIVING IMPLIED CONSENT TO CHEMICAL TESTS TO DETERMINE THE PRESENCE OF ALCOHOL OR DRUGS, SO AS TO REVISE THE PENALTY IMPOSED UPON A PERSON WHO REFUSES TO BE SUBJECTED TO A CHEMICAL TEST; TO AMEND SECTION 56‑5‑2951, AS AMENDED, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE WHO REFUSES TO SUBMIT TO BE TESTED TO DETERMINE HIS ALCOHOL CONCENTRATION, SO AS TO LOWER THE ALCOHOL CONCENTRATION LEVEL THAT RESULTS IN A PERSON HAVING HIS LICENSE SUSPENDED, TO REVISE THE PERIOD OF TIME THAT A TEMPORARY ALCOHOL LICENSE REMAINS IN EFFECT, TO REVISE THE PERIOD OF TIME THAT A SUSPENSION OF A PERSON’S PRIVILEGE TO OPERATE A VEHICLE MUST REMAIN IN EFFECT WHEN AN ADMINISTRATIVE JUDGE UPHOLDS A SUSPENSION, TO PROVIDE THAT A HOLDER OF A RESTRICTED DRIVER’S LICENSE MAY OPERATE ONLY A VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE, AND TO REVISE THE PENALTY FOR VIOLATIONS OF VARIOUS DRIVING OFFENSES; AND TO AMEND SECTION 56‑5‑2990, RELATING TO THE SUSPENSION OF A PERSON’S DRIVER’S LICENSE FOR A VIOLATION OF CERTAIN ALCOHOL AND DRUG RELATED DRIVING OFFENSES, SO AS TO REVISE THE PENALTIES, AND TO PROVIDE THAT THIS PROVISION APPLIES TO CERTAIN PERSONS WHO HAVE BEEN ISSUED AN IGNITION INTERLOCK RESTRICTED LICENSE.

Senator GROOMS asked unanimous consent to make a motion to recall the Bill from the Committee on Transportation.

There was no objection and the Bill was recalled from the Committee on Transportation.

On motion of Senator GROOMS, with unanimous consent, the Bill was committed to the Committee on Judiciary.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 888 -- Senators Courson and Lourie: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DONNA HENNESSEE BRYAN FOR HER INNOVATIVE WORK IN PROVIDING VITAL MARKETS FOR SOUTH CAROLINA FARMERS THROUGH THE SEEDS OF HOPE FARMERS’ MARKET PROJECT.

l:\council\bills\gm\24815sd11.docx

The Senate Resolution was adopted.

S. 889 -- Senators S. Martin, Fair, Thomas, Anderson, Shoopman and Verdin: A BILL TO AMEND ACT 687 OF 1969, RELATING TO THE METROPOLITAN SEWER SUBDISTRICT OF GREENVILLE COUNTY, SO AS TO PROVIDE THAT THE SUBDISTRICT IS GOVERNED BY AN ELECTED RATHER THAN AN APPOINTED COMMISSION AND THAT THE ELECTED COMMISSION MAY LEVY AD VALOREM TAXES WITHOUT THE APPROVAL OF THE GREENVILLE COUNTY COUNCIL.

l:\s-jud\bills\s. martin\jud0117.pb.docx

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

S. 890 -- Senators L. Martin and Alexander: A BILL TO AMEND ACT 260 OF 1981, AS AMENDED, RELATING TO THE PICKENS COUNTY SCHOOL BOARD OF TRUSTEES, TO PROVIDE THAT THE ELECTORS RESIDING IN THE DELLWOOD SUBDIVISION OF ANDERSON COUNTY SHALL BE ELIGIBLE TO VOTE IN THE ELECTION OF, AND HOLD OFFICE FOR, THE MEMBER OF THE BOARD OF TRUSTEES IN THE CLOSEST CONTIGUOUS SCHOOL DISTRICT IN PICKENS COUNTY.

l:\s-res\lam\023dell.rem.lam.docx

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

S. 891 -- Senators Scott, Ford, Fair, Verdin, Setzler, Thomas, Hutto, Cleary, Elliott and Leventis: A BILL TO AMEND SECTION 12-43-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CLASSIFICATION OF PROPERTY FOR PURPOSES OF PROPERTY TAX AND THE ASSESSMENT RATIOS APPLICABLE FOR EACH CLASS OF PROPERTY, SO AS TO PROVIDE THAT RESIDENTIAL PROPERTY OWNED BY AN ACTIVE DUTY MEMBER OF THE ARMED FORCES OF THE UNITED STATES ELIGIBLE FOR AND RECEIVING THE SPECIAL FOUR PERCENT ASSESSMENT RATIO ALLOWED OWNER-OCCUPIED RESIDENTIAL PROPERTY RETAINS THAT ASSESSMENT RATIO AND EXEMPTIONS BASED ON THAT CLASSIFICATION FOR SO LONG AS THE OWNER REMAINS ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES REGARDLESS OF DUTY STATION AND DOES NOT CLAIM THE SPECIAL FOUR PERCENT ASSESSMENT RATIO ON ANY OTHER RESIDENTIAL PROPERTY OWNED BY THE SERVICE MEMBER OR A MEMBER OF HIS HOUSEHOLD IN THIS STATE AND TO PROVIDE THAT THIS RETAINING OF THE SPECIAL FOUR PERCENT ASSESSMENT RATIO MUST BE CONSTRUED AS A PROPERTY TAX EXEMPTION.

l:\council\bills\nbd\11651dg11.docx

Senator SCOTT spoke on the Bill.

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

S. 892 -- Senator McConnell: A SENATE RESOLUTION TO RECOGNIZE BIZBUILDERSC FOR ITS CONTRIBUTION TO THE STATE'S ECONOMY AND FOR THE SIGNIFICANT ROLE IT PLAYS IN TRAINING OUR STATE'S ENTREPRENEURS AND SMALL BUSINESS OWNERS, AND TO ACKNOWLEDGE MAY 18, 2011, AS “BIZBUILDERSC APPRECIATION DAY” IN SOUTH CAROLINA.

l:\council\bills\gm\24819ab11.docx

The Senate Resolution was adopted.

S. 893 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR DR. MARY BLANDING HALLUMS FOR HER THIRTY-SEVEN YEARS OF FAITHFUL SERVICE AS AN EDUCATOR IN SOUTH CAROLINA UPON THE OCCASION OF HER RETIREMENT AND TO WISH HER THE BEST IN ALL HER FUTURE ENDEAVORS.

l:\council\bills\rm\1218htc11.docx

The Senate Resolution was adopted.

H. 3153 -- Rep. Young: A BILL TO AMEND SECTION 22-3-1000, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME FOR A MOTION FOR NEW TRIAL AND APPEAL IN MAGISTRATES COURT, SO AS TO INCREASE THE TIME PERIOD IN WHICH A MOTION FOR A NEW TRIAL MAY BE MADE FROM FIVE TO TEN DAYS.

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

H. 4192 -- Reps. Pitts and Harrison: A BILL TO AMEND SECTION 1-30-90, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CERTAIN AGENCIES, BOARDS, AND COMMISSIONS THAT WERE TRANSFERRED TO, INCORPORATED IN, AND ADMINISTERED AS PART OF THE DEPARTMENT OF PUBLIC SAFETY, SO AS TO DELETE THE LAW ENFORCEMENT TRAINING COUNCIL.

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

**REPORTS OF STANDING COMMITTEE**

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

S. 18 -- Senators McConnell, McGill, Rose, Campsen, Verdin, Ryberg, Leventis, Rankin and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “SOUTH CAROLINA TEACHER PROTECTION ACT OF 2011”, BY ADDING SECTION 59‑25‑900, SO AS TO PROVIDE THAT A TEACHER MAY BRING A CIVIL ACTION AGAINST A STUDENT WHO COMMITS A CRIMINAL OFFENSE AGAINST THE TEACHER IF THE OFFENSE OCCURS ON SCHOOL GROUNDS OR AT A SCHOOL‑RELATED EVENT, OR IF THE OFFENSE IS DIRECTLY RELATED TO THE TEACHER’S PROFESSIONAL RESPONSIBILITIES, AND TO PROVIDE THAT NO TEACHER HAS CIVIL LIABILITY TO A STUDENT OR TO A PARTY ACTING IN THE INTEREST OF THE STUDENT FOR AN ACT OR OMISSION BY THE TEACHER THAT OCCURS WHILE THE TEACHER IS ACTING ON BEHALF OF THE SCHOOL.

Ordered for consideration tomorrow.

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

H. 3663 -- Reps. Cooper, Harrell, Ott, Bingham, Allison, Owens, Anthony, Bales and McLeod: A JOINT RESOLUTION TO SUSPEND THE REQUIREMENT THAT THE DEPARTMENT OF EDUCATION PROVIDE PRINTED COPIES OF 2011 DISTRICT AND SCHOOL REPORT CARDS; TO REQUIRE A SCHOOL DISTRICT OR SCHOOL WITHIN THE DISTRICT TO PROVIDE PARENTS WITH A LINK TO THE REPORT CARDS VIA EMAIL OR OTHER COMMUNICATION METHODS UPON CERTAIN CONDITIONS; TO REQUIRE THE DEPARTMENT TO SUSPEND WRITING ASSESSMENTS FOR CERTAIN GRADES, AND TO PROVIDE THAT WRITING ASSESSMENTS MAY NOT BE USED IN GROWTH CALCULATIONS; TO SUSPEND THE REQUIREMENT THAT SCHOOLS ADVERTISE THE DISTRICT AND SCHOOL 2011 REPORT CARD, BUT TO REQUIRE RESULTS TO BE PROVIDED TO AN AREA NEWSPAPER OF GENERAL CIRCULATION; TO ALLOW HIGH SCHOOLS TO OFFER STATE‑FUNDED WORKKEY ASSESSMENTS TO CERTAIN STUDENTS; TO PROVIDE FOR A ONE‑YEAR GRACE PERIOD FOR CERTAIN RECIPIENTS OF A SOUTH CAROLINA TEACHER LOAN, AND TO REQUIRE THE SOUTH CAROLINA STUDENT LOAN CORPORATION TO DEVELOP FORMS AND PROCEDURES TO IMPLEMENT THE GRACE PERIOD; TO DIRECT SAVINGS FROM CERTAIN PROVISIONS OF THIS ACT; AND TO REQUIRE THE DEPARTMENT TO CONVENE A TASK FORCE TO CONSIDER END‑OF‑COURSE ASSESSMENTS FOR FEDERAL ASSESSMENT PURPOSES.

Ordered for consideration tomorrow.

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

H. 3748 -- Reps. Owens, Bowen, Erickson, Daning, Whitmire, Spires, McCoy, Loftis, Gambrell, Lucas, Skelton, Bingham, Thayer, Hardwick, Harrell, Crosby, Battle, Sottile, Patrick, Clemmons, Cole, Forrester, Hamilton, Henderson, Hixon, Huggins, Murphy, J.M. Neal, Pinson, Pope, G.R. Smith, Stringer, Tallon, White, Willis and Taylor: A BILL TO AMEND SECTION 59‑59‑30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE IMPLEMENTATION OF THE EDUCATION AND ECONOMIC DEVELOPMENT ACT, SO AS TO EXTEND THE DATE BY WHICH THE ACT MUST BE IMPLEMENTED FULLY.

Ordered for consideration tomorrow.

**HOUSE CONCURRENCES**

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”.

Returned with concurrence.

Received as information.

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”.

Returned with concurrence.

Received as information.

S. 837 -- Senator Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT THE JUNCTION OF STATION 22 ½ AND JASPER BOULEVARD ON SULLIVAN’S ISLAND IN CHARLESTON COUNTY “DR. GEORGE G. DURST, SR. INTERSECTION” AND PLACE APPROPRIATE MARKERS OR SIGNS AT THIS INTERSECTION THAT CONTAIN THE WORDS “DR. GEORGE G. DURST, SR. INTERSECTION”.

Returned with concurrence.

Received as information.

S. 858 -- Senator Sheheen: A CONCURRENT RESOLUTION TO RESPECTFULLY REQUEST AND URGE CONGRESS TO ENACT SUCH LEGISLATION AS NECESSARY TO CREATE THE CAMDEN BATTLEFIELD AND HISTORIC CAMDEN REVOLUTIONARY WAR SITE AS A UNIT OR UNITS OF THE NATIONAL PARK SYSTEM FOR THE ENJOYMENT, EDUCATION, AND INSPIRATION OF THIS AND FUTURE GENERATIONS.

Returned with concurrence.

Received as information.

**Message from the House**

Columbia, S.C., May 17, 2011

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

S. 445 -- Senators Hutto, Fair, Jackson and Ford: A BILL TO AMEND SECTION 44‑29‑135, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CONFIDENTIALITY OF SEXUALLY TRANSMITTED DISEASE RECORDS, SO AS TO DELETE THE PROVISION REQUIRING THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE SCHOOL DISTRICT SUPERINTENDENT AND SCHOOL NURSE IF A MINOR IS ATTENDING A SCHOOL IN THE DISTRICT AND HAS ACQUIRED IMMUNODEFICIENCY SYNDROME OR IS INFECTED WITH THE HUMAN IMMUNODEFICIENCY VIRUS; AND BY ADDING SECTION 59‑10‑220 SO AS TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDATIONS ON UNIVERSAL PRECAUTIONS FOR BLOODBORNE DISEASE EXPOSURE.

Respectfully submitted,

Speaker of the House

Received as information.

The Bill was ordered placed on the Calendar for consideration tomorrow.

**Motion to Ratify Adopted**

At 11:45 A.M., Senator McCONNELL asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at 12:30 P.M.

There was no objection and a message was sent to the House accordingly.

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

**OBJECTION**

S. 225 -- Senators Knotts, Ford and Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56‑5‑3890 SO AS TO PROVIDE THAT IT IS UNLAWFUL FOR CERTAIN PERSONS WHO ARE OPERATING A MOTOR VEHICLE TO USE A WIRELESS ELECTRONIC COMMUNICATION DEVICE TO COMPOSE, SEND, OR READ A TEXT‑BASED COMMUNICATION AND TO PROVIDE PENALTIES FOR VIOLATING THIS PROVISION; AND TO AMEND SECTION 56‑1‑720, RELATING TO THE ASSESSMENT OF POINTS AGAINST A PERSON’S DRIVING RECORD FOR CERTAIN MOTOR VEHICLE VIOLATIONS, SO AS TO PROVIDE THAT ONE POINT MUST BE ASSESSED AGAINST THE DRIVING RECORD OF A PERSON CONVICTED OF USING A WIRELESS ELECTRONIC COMMUNICATION DEVICE TO COMPOSE, SEND, OR READ A TEXT‑BASED COMMUNICATION WHILE OPERATING A MOTOR VEHICLE.

Senator LARRY MARTIN objected to the Bill.

**OBJECTION**

S. 878 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER CLASSIFICATIONS AND STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 4161, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator KNOTTS objected to the Resolution.

**THE SENATE PROCEEDED TO A CONSIDERATION OF H. 3700, THE GENERAL APPROPRIATIONS BILL.**

**DEBATE INTERRUPTED**

**H. 3700--GENERAL APPROPRIATIONS BILL**

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

Senator LEATHERMAN was recognized to speak on the Bill.

**Objection**

Senator LEATHERMAN asked unanimous consent to grant leave to the Reading Clerk to publish Amendment No. 181.

**Parliamentary Inquiry**

Senator MALLOY made a Parliamentary Inquiry as to whether or not the request was only to publish the amendment and not take up the amendment for consideration.

The PRESIDENT stated that the request was to publish the amendment only.

**Parliamentary Inquiry**

Senator MALLOY made a Parliamentary Inquiry as to whether or not if the Senate elects to take up the amendment, it would be the priority amendment in front of all other amendments on the Desk.

The PRESIDENT stated that the amendment would be to the priority amendment in front of all other amendments on the Desk.

Senator RYBERG objected to the motion to publish Amendment No. 181.

Senator CROMER was recognized to speak on the Bill.

**Objection**

Senator CROMER asked unanimous consent to make a motion to grant leave to the Reading Clerk to publish an amendment.

Senator LEATHERMAN objected.

**The Senate proceeded to Sect. 19, Part 1A and Part 1B, Educational Television Commission.**

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

**Ayes 27; Nays 9**

**AYES**

Alexander Anderson Campbell

Cleary Coleman Cromer

Elliott Fair Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Pinckney Scott Setzler

**Total--27**

**NAYS**

Bright Bryant Davis

Gregory Grooms *Martin, Shane*

Rose Ryberg Thomas

**Total--9**

Section 19, Part 1A and Part 1B was adopted.

**Statement by Senator CAMPSEN**

I missed the first roll call vote this morning on Section 19, Part 1A and Part 1B of the budget -- Education Television Commission -- due to my need to address a pressing legal matter on behalf of a client.  My unanimous consent request to be recorded as voting against the section was objected to.  I am, therefore, entering this Statement into the Journal indicating that I would have voted against Section 19, Part 1A and Part 1B if I had had the opportunity to do so.

**Statement by Senators COURSON and RANKIN**

We were in a meeting and missed the vote on Section 19, Part 1A and 1B -- Educational Television Commission. We would have voted in favor of the adoption of the section had we been present.

**Statement by Senators SHANE MARTIN, ROSE and GREGORY**

While we support what ETV does for our schools and the programming it provides, we had to vote against Section 19 (ETV) of the budget.  Our vote was not against the programming, but the way the funds were appropriated.  In a time when families are making tough decisions at home with limited funds, the ETV budget actually REDUCES the total funds to public education while INCREASING the funds to higher education and internal administration.  We must continue to focus the funds on where they help the most.  In our minds that is in the classrooms and households (like ours) that watch ETV -- not on internal administration.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on May 17, 2011, at 12:30 P.M. and the following Acts and Joint Resolutions were ratified:

(R47, S. 232) -- Senators Cleary and Ford: AN ACT TO AMEND SECTION 44‑7‑130, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS OF THE STATE CERTIFICATION OF NEED AND HEALTH CARE FACILITY ACT, SO AS TO REVISE THE DEFINITION OF HEALTH CARE FACILITY.

L:\COUNCIL\ACTS\232BH11.DOCX

(R48, S. 312) -- Senators Davis, McConnell, Peeler, Bright, Massey, Shoopman, S. Martin, Ryberg, Verdin, Rose, Knotts and Campsen: AN ACT 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 AND INFORMATION ON ALL FEDERAL FUNDS AVAILABLE TO THE AGENCY WHICH THE AGENCY IS ELIGIBLE TO REQUEST OR DRAW ON THAT HAVE NOT BEEN REQUESTED OR DRAWN UPON AND THE CONDITIONS ON THOSE FUNDS, 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; 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; AND TO AMEND SECTION 2‑65‑100, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA FEDERAL AND OTHER FUNDS OVERSIGHT ACT, SO AS TO PROVIDE THAT THE EXEMPTION FOR RESEARCH AND STUDENT AID GRANTS APPLIES TO NONSTATE FUNDED GRANTS AND CONTRACTS AND FEDERAL FINANCIAL AID, INCLUDING WORK STUDY.

L:\COUNCIL\ACTS\312HTC11.DOCX

(R49, S. 431) -- Senators McConnell, Rankin, Setzler, Campbell, Shoopman, Reese, Bright, Alexander, S. Martin, Fair, Cromer, Bryant, Elliott, O’Dell, Campsen, Ford, Rose, Lourie, Cleary, Verdin, McGill, Williams, Nicholson, Knotts, Land and Scott: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑61‑70 SO AS TO DEFINE A “COMMERCIAL GENERAL LIABILITY INSURANCE POLICY”, “CONSTRUCTION PROFESSIONAL”, AND “CONSTRUCTION RELATED WORK”, TO PROVIDE THAT A COMMERCIAL GENERAL LIABILITY INSURANCE POLICY MUST DEFINE OR BE DEEMED TO DEFINE THE WORD “OCCURRENCE” IN A SPECIFIC MANNER, AND TO PROVIDE FOR THE SCOPE AND LIMITS OF APPLICABILITY OF THIS SECTION.

L:\COUNCIL\ACTS\431AB11.DOCX

(R50, S. 586) -- Senators Hayes, O’Dell, Verdin, Shoopman, Nicholson, Elliott, L. Martin, Coleman, Ford, Cromer, Alexander and Knotts: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 1‑11‑715 SO AS TO PROVIDE THAT THE EMPLOYEE INSURANCE PROGRAM OF THE BUDGET AND CONTROL BOARD IS DIRECTED TO DEVELOP AND IMPLEMENT, FOR EMPLOYEES AND THEIR SPOUSES WHO PARTICIPATE IN THE HEALTH PLANS OFFERED BY THE EMPLOYEE INSURANCE PROGRAM, AN INCENTIVE PLAN TO ENCOURAGE PARTICIPATION IN PROGRAMS OFFERED BY THE EMPLOYEE INSURANCE PROGRAM THAT PROMOTE HEALTH AND THE PREVENTION OF DISEASE, AND TO PROVIDE THAT THE EMPLOYEE INSURANCE PROGRAM IS FURTHER DIRECTED TO IMPLEMENT A PREMIUM REDUCTION OR OTHER FINANCIAL INCENTIVE, BEGINNING ON JANUARY 1, 2012, FOR THOSE EMPLOYEES AND THEIR SPOUSES WHO PARTICIPATE IN THESE PROGRAMS; AND TO AMEND SECTION 1‑11‑720, AS AMENDED, RELATING TO ENTITIES WHOSE EMPLOYEES, RETIREES, AND THEIR DEPENDENTS ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO REVISE THE ELIGIBILITY PROVISIONS APPLICABLE TO SPECIAL PURPOSE DISTRICTS BY INCLUDING DISTRICTS WHICH PROVIDE SANITATION SERVICES AND TO EXTEND THIS ELIGIBILITY TO JOINT AGENCIES ESTABLISHED PURSUANT TO CHAPTER 23, TITLE 6.

L:\COUNCIL\ACTS\586SD11.DOCX

(R51, S. 590) -- Senators McGill and Ford: A JOINT RESOLUTION TO ESTABLISH A PILOT PROJECT AT TWO CRITICAL ACCESS HOSPITALS TO ASSESS THE PROVISION OF CARE FOR A DEFINED POPULATION OF PATIENTS AT LEAST SIXTY‑FIVE YEARS OLD AND IN NEED OF PSYCHIATRIC CRISIS STABILIZATION SERVICES, TO PROVIDE THE PURPOSE OF THE STUDY, AND TO PROVIDE CERTAIN REQUIREMENTS.

L:\COUNCIL\ACTS\590AC11.DOCX

(R52, S. 643) -- Senators Knotts, Reese, Thomas, Ford, Matthews, Williams, Campsen, Cromer, Campbell, O’Dell, Rose and Setzler: AN ACT 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.

L:\COUNCIL\ACTS\643AB11.DOCX

(R53, S. 824) -- Senators Land, Leatherman, Setzler, Nicholson, Hutto, Jackson and Ford: A JOINT RESOLUTION TO DESIGNATE THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY AS THE AUTHORIZED AGENCY TO IMPLEMENT THE STATE SMALL BUSINESS CREDIT INITIATIVE WITHIN AND ON BEHALF OF THE STATE OF SOUTH CAROLINA; TO AUTHORIZE THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY TO EXECUTE AND DELIVER THE REQUISITE APPLICATION AND THE STATE SMALL BUSINESS CREDIT INITIATIVE ALLOCATION AGREEMENT FOR PARTICIPATING STATES, AND ALL OTHER RELATED AGREEMENTS, DOCUMENTS, CERTIFICATES, AND UNDERTAKINGS, ON BEHALF OF THE STATE OF SOUTH CAROLINA; AND TO AUTHORIZE THE SOUTH CAROLINA JOBS‑ECONOMIC DEVELOPMENT AUTHORITY TO CONTRACT WITH THE BUSINESS DEVELOPMENT CORPORATION OF SOUTH CAROLINA TO ADMINISTER THE PROGRAMS PERMITTED UNDER AND SUPPORTED BY THE STATE SMALL BUSINESS CREDIT INITIATIVE.

L:\COUNCIL\ACTS\824SD11.DOCX

(R54, 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: AN ACT TO AMEND SECTION 7-1-25, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF “DOMICILE”, SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON’S INTENTION REGARDING HIS DOMICILE FOR VOTING PURPOSES; TO AMEND SECTION 7-5-125, RELATING TO WRITTEN NOTIFICATION OF REGISTRATION, SO AS TO PROVIDE THAT IF AN ELECTOR LOSES OR DEFACES HIS REGISTRATION NOTIFICATION, HE MAY OBTAIN A DUPLICATE NOTIFICATION FROM HIS COUNTY BOARD OF REGISTRATION; TO AMEND SECTION 7-5-230, AS AMENDED, RELATING TO LEGAL QUALIFICATIONS OF APPLICANTS FOR REGISTRATION AND CHALLENGES OF QUALIFICATIONS, SO AS TO REVISE WHAT THE BOARD OF REGISTRATION MUST CONSIDER WHEN A CHALLENGE IS MADE REGARDING RESIDENCE OR DOMICILE OF AN ELECTOR; BY ADDING SECTION 7-5-675 SO AS TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL IMPLEMENT A SYSTEM TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR, AND TO PROVIDE WHEN THE PROVISIONS OF THIS SECTION TAKE EFFECT INCLUDING A REQUIREMENT THAT IMPLEMENTATION IS CONTINGENT ON FUNDING TO IMPLEMENT THIS REQUIREMENT; TO AMEND SECTION 7-13-710, AS AMENDED, RELATING TO PROOF OF THE RIGHT TO VOTE, SO AS TO REQUIRE CERTAIN PHOTOGRAPH IDENTIFICATION IN ORDER TO VOTE, TO PROVIDE THAT ONE OF THE POLL MANAGERS SHALL COMPARE THE PHOTOGRAPH CONTAINED ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND SHALL VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE, TO PERMIT PROVISIONAL BALLOTS IF THE PHOTOGRAPH IDENTIFICATION CANNOT BE PRODUCED OR IF THE POLL MANAGER DISPUTES THE PHOTOGRAPH, TO PROVIDE EXCEPTIONS FOR A RELIGIOUS OBJECTION TO BEING PHOTOGRAPHED OR IF THE ELECTOR SUFFERS FROM A REASONABLE IMPAIRMENT THAT PREVENTS HIM FROM OBTAINING PHOTOGRAPH IDENTIFICATION, TO PERMIT THE CASTING OF A PROVISIONAL BALLOT IN THESE CASES UPON SPECIFIC REQUIREMENTS INCLUDING AN AFFIDAVIT, TO PROVIDE FOR THE MANNER IN WHICH THE COUNTY BOARD OF REGISTRATION AND ELECTIONS SHALL PROCESS THESE PROVISIONAL BALLOTS, AND TO PROVIDE THAT THE IDENTIFICATION REQUIRED ABOVE IS FOR THE PURPOSE OF CONFIRMING THE IDENTITY OF THE ELECTOR AND TO PROVIDE FOR THE MANNER IN WHICH THE ELECTOR’S DOMICILE SHALL BE DETERMINED FOR PURPOSES OF VOTING; TO AMEND SECTION 56-1-3350, AS AMENDED, RELATING TO SPECIAL IDENTIFICATION CARDS ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES TO RESIDENTS OF THIS STATE TEN YEARS OF AGE OR OLDER, SO AS TO REDUCE THIS AGE TO FIVE YEARS OF AGE OR OLDER, TO PROVIDE THAT THESE CARDS MUST BE ISSUED FREE OF CHARGE TO PERSONS SEVENTEEN YEARS OF AGE AND OLDER AND FOR THE FEE TO BE CHARGED TO PERSONS BETWEEN THE AGES OF FIVE AND SIXTEEN, TO DELETE LANGUAGE OF THE SECTION RELATING TO RENEWAL FEES AND WAIVER OF FEES, AND TO REVISE PROVISIONS OF THE SECTION PERTAINING TO USE OF THE FEES COLLECTED; TO PROVIDE THAT THE STATE ELECTION COMMISSION SHALL ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT TO EDUCATE THE PUBLIC IN CERTAIN PARTICULARS OF THIS ACT AND THE COMMISSION ALSO MAY IMPLEMENT ADDITIONAL EDUCATIONAL PROGRAMS IN ITS DISCRETION; TO PROVIDE THAT THE STATE ELECTION COMMISSION IS DIRECTED TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS OF SOUTH CAROLINA WHO ARE OTHERWISE QUALIFIED TO VOTE BUT DO NOT HAVE A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AS OF DECEMBER 1, 2011, AND TO PROVIDE THAT THE DEPARTMENT OF MOTOR VEHICLES MUST PROVIDE THE LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AT NO COST TO THE COMMISSION.

L:\COUNCIL\ACTS\3003SD11.DOCX

(R55, 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 THE PRIOR FISCAL YEAR 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, AND TO PROVIDE AN EXCEPTION; TO REQUIRE A LOCAL SCHOOL DISTRICT TO PAY TEACHERS AND SCHOOL ADMINISTRATORS FOR CHANGES IN THEIR EDUCATION LEVELS; AND TO DEFINE CERTAIN TERMS.

L:\COUNCIL\ACTS\3642BH11.DOCX

**The Senate proceeded to Sect. 21, Part 1A and Part 1B, Department of Health and Human Services.**

Senator DAVIS argued contra to the adoption of Section 21.

Senator LEVENTIS argued in favor of the adoption of Section 21.

Senator ALEXANDER argued in favor of the adoption of Section 21.

**RECESS**

At 12:29 P.M., on motion of Senator PEELER, the Senate receded from business not to exceed thirty minutes.

At 1:15 P.M., the Senate resumed.

On motion of Senator LEATHERMAN, Section 21, Part 1A and 1B was carried over.

**The Senate proceeded to Sect. 22, Part 1A and Part 1B, Department of Health and Environmental Control.**

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

**Ayes 24; Nays 10**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Elliott

Fair Hayes Leatherman

Leventis Lourie *Martin, Larry*

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Reese Ryberg Williams

**Total--24**

**NAYS**

Bright Bryant Davis

Grooms Knotts *Martin, Shane*

Massey McConnell Rose

Shoopman

**Total--10**

Section 22, Part 1A and Part 1B was adopted.

**Statement by Senators McCONNELL, BRIGHT and ROSE**

We voted against this section because the budget would grant the director the ability to shift funds from different programs to cover shortfalls in other areas. We believe that this is an unconstitutional delegation of legislative authority and that granting to a bureaucrat the power of what to fund or not to fund is never in the best interests of taxpayers. For that reason, we voted “no”.

**The Senate proceeded to Sect. 23, Part 1A and Part 1B, Department of Mental Health.**

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

**Ayes 37; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Gregory

Grooms Hayes Hutto

Knotts Land Leatherman

Leventis Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Reese Rose Ryberg

Setzler Shoopman Thomas

Williams

**Total--37**

**NAYS**

Bright Bryant

**Total--2**

Section 23, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 24, Part 1A and Part 1B, Department of Disabilities and Special Needs.**

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

**Ayes 36; Nays 3**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Courson

Cromer Elliott Fair

Gregory Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Reese

Rose Ryberg Setzler

Shoopman Thomas Williams

**Total--36**

**NAYS**

Bright Bryant Davis

**Total--3**

Section 24, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 25, Part 1A and Part 1B, Department of Alcohol and Other Drug Abuse Services.**

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

**Ayes 38; Nays 3**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Williams

**Total--38**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 25, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 27, Part 1A and Part 1B, Commission for the Blind.**

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

**Ayes 37; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Williams

**Total--37**

**NAYS**

Bright Bryant

**Total--2**

Section 27, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 28, Part 1A and Part 1B, Department of Archives and History.**

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

**Ayes 34; Nays 5**

**AYES**

Alexander Anderson Campbell

Campsen Coleman Courson

Cromer Elliott Fair

Ford Gregory Grooms

Hayes Hutto Knotts

Land Leatherman Leventis

Malloy *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Ryberg Scott

Setzler Shoopman Thomas

Williams

**Total--34**

**NAYS**

Bright Bryant Davis

*Martin, Shane* Rose

**Total--5**

Section 28, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 29, Part 1A and Part 1B, State Library.**

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

**Ayes 38; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Williams

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

Section 29, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 32, Part 1A and Part 1B, Housing, Finance and Development Authority.**

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

**Ayes 37; Nays 4**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Ryberg Scott

Setzler Shoopman Thomas

Williams

**Total--37**

**NAYS**

Bright Bryant *Martin, Shane*

Rose

**Total--4**

Section 32, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 33, Part 1A and Part 1B, Forestry Commission.**

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

**Ayes 38; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Williams

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

Section 33, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 35, Part 1A and Part 1B, Clemson University - Public Service Activities.**

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

**Ayes 34; Nays 6**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Courson

Cromer Elliott Fair

Ford Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Ryberg Scott

Setzler Shoopman Thomas

Williams

**Total--34**

**NAYS**

Bright Bryant Davis

Gregory *Martin, Shane* Rose

**Total--6**

Section 35, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 36, Part 1A, South Carolina State University - Public Service Activities.**

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

**Ayes 36; Nays 6**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Elliott

Fair Ford Grooms

Hayes Hutto Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Rankin Reese

Ryberg Scott Setzler

Shoopman Thomas Williams

**Total--36**

**NAYS**

Bright Bryant Davis

Gregory *Martin, Shane* Rose

**Total--6**

Section 36, Part 1A was adopted.

**The Senate proceeded to Sect. 37, Part 1A and Part 1B, Department of Natural Resources.**

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

**Ayes 39; Nays 3**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Matthews McConnell McGill

Nicholson O'Dell Peeler

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Williams

**Total--39**

**NAYS**

Bright Bryant Massey

**Total--3**

Section 37, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 38, Part 1A and Part 1B, Sea Grant Consortium.**

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

**Ayes 36; Nays 7**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

McConnell McGill Nicholson

O'Dell Pinckney Rankin

Reese Ryberg Scott

Setzler Verdin Williams

**Total--36**

**NAYS**

Bright Bryant *Martin, Shane*

Peeler Rose Shoopman

Thomas

**Total--7**

Section 38, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 40, Part 1A and Part 1B, Department of Commerce.**

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

**Ayes 40; Nays 3**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 40, Part 1A and Part 1B was adopted.

**Statement by Senator SHANE MARTIN**

I voted against Section 40 of the budget because this budget reduces FTE’s by 28 people.  In a time of high unemployment while we are trying to recruit industry to provide much needed jobs, why are we reducing the people working in this area?  The Department of Health and Human Services was “bailed out” of their deficit of over $200 million by the Budget and Control Board, but yet we are cutting the agency that is supposed to work to create jobs and get people off of Medicaid rolls.  However, the office of Administration/Secretary kept its same budget while reducing the number of FTE’s by 2.

**The Senate proceeded to Sect. 42, Part 1A, Patriots Point Development Authority.**

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

**Ayes 31; Nays 8**

**AYES**

Alexander Anderson Campbell

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Land Leatherman Leventis

Lourie *Martin, Larry* McConnell

McGill Nicholson O'Dell

Rankin Reese Scott

Shoopman Thomas Verdin

Williams

**Total--31**

**NAYS**

Bright Bryant Knotts

*Martin, Shane* Massey Peeler

Rose Ryberg

**Total--8**

Section 42, Part 1A was adopted.

**Statement by Senator CAMPSEN**

I wish the Journal to reflect that I am recusing myself from consideration of and voting on Section 42 of Part 1A.

**Objection**

Senator SETZLER asked unanimous consent to make a motion that he be granted leave to be recorded as voting in favor of the adoption of Section 42.

Senator McCONNELL objected inasmuch as the roll call had already closed.

**Objection**

Senator MALLOY asked unanimous consent to make a motion that he be granted leave to be recorded as voting in favor of the adoption of Section 42.

Senator McCONNELL objected inasmuch as the roll call had already closed.

**The Senate proceeded to Sect. 43, Part 1A and Part 1B, South Carolina Conservation Bank.**

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

**Ayes 36; Nays 5**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Gregory Grooms

Hayes Hutto Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill Nicholson O'Dell

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Verdin Williams

**Total--36**

**NAYS**

Bright Bryant Fair

Peeler Thomas

**Total--5**

**Objection**

Inasmuch as he was out of the Chamber when the vote was taken, Senator PINCKNEY asked unanimous consent to make a motion that he be granted leave to be recorded as voting in favor of the adoption of Section 43.

Senator McCONNELL objected inasmuch as the roll call had already closed.

Section 43, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 45, Part 1A and Part 1B, Attorney General’s Office.**

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

**Ayes 36; Nays 7**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Elliott

Fair Gregory Grooms

Hayes Hutto Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Ryberg Scott Setzler

Thomas Verdin Williams

**Total--36**

**NAYS**

Bright Bryant Davis

*Martin, Shane* McConnell Rose

Shoopman

**Total--7**

Section 45, Part 1A and Part 1B was adopted.

**Statement by Senators McCONNELL and ROSE**

There are two provisos which would allow the Attorney General to pay prior year expenditures with current year funds. We have a statute that prohibits deficit financing, as well as a constitutional provision requiring a balanced budget. These provisos would allow deficits to occur and be tolerated by using current funds to pay for previous overspending. Because we believe we should have balanced budgets in South Carolina, we voted “no”.

**The Senate proceeded to Sect. 46, Part 1A and Part 1B, Prosecution Coordination Commission.**

Senator KNOTTS argued contra to the adoption of the section.

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

**Ayes 21; Nays 22; Abstain 1**

**AYES**

Alexander Coleman Davis

Fair Ford Grooms

Hayes Land Leatherman

Leventis Lourie Malloy

*Martin, Larry* Matthews McGill

O'Dell Pinckney Scott

Thomas Verdin Williams

**Total--21**

**NAYS**

Anderson Bright Bryant

Campbell Campsen Cleary

Courson Cromer Elliott

Gregory Hutto Knotts

*Martin, Shane* Massey Nicholson

Peeler Rankin Reese

Rose Ryberg Setzler

Shoopman

**Total--22**

**ABSTAIN**

McConnell

**Total--1**

The adoption of Section 46, Part 1A and Part 1B failed.

**The Senate proceeded to Sect. 49, Part 1A and Part 1B, Department of Public Safety.**

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

**Ayes 43; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--43**

**NAYS**

Bright Bryant

**Total--2**

Section 49, Part 1A and Part 1B was adopted.

**Statement of Senators MALLOY and LEVENTIS**

We are ardent supporters of law enforcement as we believe protecting the health and safety of our citizens is a core function of government. As a result, we voted to approve the budget for the Department of Public Safety in Section 49 of the General Appropriations Bill. However, we oppose the provisions and directives providing more than $722,000 to the agency for illegal immigration enforcement. Illegal immigration is a federal issue. With the appropriation, the Senate is expanding the role of government. Those funds could be better used to aid local government, put more troopers on the road, increase funding for our schools or provide health care for elderly and disabled residents.

**The Senate proceeded to Sect. 50, Part 1A and Part 1B, Law Enforcement Training Council.**

Senator MALLOY was recognized to speak on Section 50.

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

**Ayes 40; Nays 5**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

Massey Matthews McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

Bright Bryant *Martin, Shane*

McConnell Rose

**Total--5**

Section 50, Part 1A and Part 1B was adopted.

**Statement by Senators McCONNELL, BRIGHT and ROSE**

There are two provisos which would allow them to pay prior year expenditures with current year funds. We have a statute that prohibits deficit financing, as well as a constitutional provision requiring a balanced budget. These provisos would allow deficits to occur and be tolerated by using current funds to pay for previous overspending. Because we believe we should have balanced budgets in South Carolina, we voted “no”.

**The Senate proceeded to Sect. 51, Part 1A and Part 1B, Department of Corrections.**

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

**Ayes 39; Nays 3**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Hutto Jackson Leatherman

Leventis Lourie Malloy

*Martin, Larry* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 51, Part 1A and Part 1B was adopted.

**Motion Adopted**

On motion of Senator CAMPSEN, with unanimous consent, Senators CLEARY, ELLIOTT and CAMPSEN were granted leave to attend a subcommittee meeting and were granted leave to vote from the balcony.

**Motion Adopted**

On motion of Senator McCONNELL, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet tomorrow at 10:00 A.M.

**The Senate proceeded to Sect. 52, Part 1A and Part 1B, Department of Probation, Parole and Pardon Services.**

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

**Ayes 33; Nays 3; Abstain 2**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Courson

Cromer Elliott Fair

Ford Gregory Grooms

Hayes Jackson Leatherman

Leventis *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--33**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

**ABSTAIN**

Coleman Davis

**Total--2**

**Statement by Senator KNOTTS**

Having been out of the Chamber at the time the vote was taken, I would have voted in favor of the adoption of Section 52.

Section 52, Part 1A and Part 1B was adopted.

**Expression of Personal Interest**

Senator GROOMS rose for an Expression of Personal Interest.

**The Senate proceeded to Sect. 53, Part 1A and Part 1B, Department of Juvenile Justice.**

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

**Ayes 42; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--42**

**NAYS**

Bright Bryant

**Total--2**

Section 53, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 55, Part 1A and Part 1B, Minority Affairs Commission.**

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

**Ayes 29; Nays 14**

**AYES**

Alexander Anderson Cleary

Coleman Courson Cromer

Elliott Fair Ford

Hayes Hutto Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

McConnell McGill Nicholson

O'Dell Pinckney Rankin

Reese Scott Setzler

Thomas Williams

**Total--29**

**NAYS**

Bright Bryant Campbell

Campsen Davis Gregory

Grooms *Martin, Shane* Massey

Peeler Rose Ryberg

Shoopman Verdin

**Total--14**

Section 55 Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 56, Part 1A, Public Service Commission.**

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

**Ayes 37; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Jackson

Knotts Leatherman Leventis

*Martin, Larry Martin, Shane* Massey

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

Bright Bryant

**Total--2**

Section 56, Part 1A was adopted.

**The Senate proceeded to Sect. 57, Part 1A and Part 1B, Office of Regulatory Staff.**

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

**Ayes 39; Nays 2**

**AYES**

Alexander Anderson Campbell

Campsen Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Hutto

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

Bright Bryant

**Total--2**

Section 57, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 58, Part 1A and Part 1B, Workers’ Compensation Commission.**

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

**Ayes 27; Nays 5; Abstain 5**

**AYES**

Alexander Anderson Campbell

Courson Cromer Elliott

Fair Ford Gregory

Grooms Knotts Leatherman

Leventis Lourie *Martin, Larry*

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Reese Ryberg Scott

Shoopman Verdin Williams

**Total--27**

**NAYS**

Bright Bryant Campsen

*Martin, Shane* Rose

**Total--5**

**ABSTAIN**

Davis Hayes Massey

Setzler Thomas

**Total--5**

Section 58, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 59, Part 1A and Part 1B, State Accident Fund.**

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

**Ayes 32; Nays 7**

**AYES**

Alexander Anderson Campbell

Courson Cromer Elliott

Fair Ford Gregory

Grooms Hayes Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Pinckney Reese Ryberg

Scott Setzler Thomas

Verdin Williams

**Total--32**

**NAYS**

Bright Bryant Campsen

Davis *Martin, Shane* Rose

Shoopman

**Total--7**

Section 59, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 60, Part 1A, Patients’ Compensation Fund.**

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

**Ayes 37; Nays 4**

**AYES**

Alexander Anderson Campbell

Campsen Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Reese

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

Bright Bryant *Martin, Shane*

Rose

**Total--4**

Section 60, Part 1A was adopted.

**On motion of Senator LEATHERMAN, with unanimous consent, the Senate proceeded to Sect. 54, Part 1A and Part 1B, Human Affairs Commission.**

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

**Ayes 25; Nays 16**

**AYES**

Alexander Anderson Coleman

Cromer Elliott Fair

Ford Hayes Jackson

Knotts Leatherman Leventis

Lourie Malloy *Martin, Larry*

Matthews McGill Nicholson

O'Dell Pinckney Rankin

Reese Scott Setzler

Williams

**Total--25**

**NAYS**

Bright Bryant Campbell

Courson Davis Gregory

Grooms *Martin, Shane* Massey

McConnell Peeler Rose

Ryberg Shoopman Thomas

Verdin

**Total--16**

Section 54, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 61, Part 1A, Second Injury Fund.**

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

**Ayes 35; Nays 3; Abstain 1**

**AYES**

Alexander Anderson Campbell

Campsen Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Jackson Knotts

Leatherman Leventis Lourie

*Martin, Larry* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Shoopman

Verdin Williams

**Total--35**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

**ABSTAIN**

Thomas

**Total--1**

Section 61, Part 1A was adopted.

**The Senate proceeded to Sect. 62, Part 1A and Part 1B, Department of Insurance.**

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

**Ayes 35; Nays 3**

**AYES**

Alexander Campsen Cleary

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Jackson Knotts Leatherman

Leventis Lourie *Martin, Larry*

Massey Matthews McConnell

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--35**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 62, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 63, Part 1A and Part 1B, Board of Financial Institutions.**

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

**Ayes 38; Nays 3**

**AYES**

Alexander Anderson Campbell

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Jackson

Knotts Leatherman Leventis

Lourie *Martin, Larry* Massey

Matthews McConnell McGill

Nicholson O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

Section 63, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 65, Part 1A and Part 1B, Department of Labor, Licensing and Regulation.**

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

**Ayes 34; Nays 5; Abstain 1**

**AYES**

Alexander Anderson Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Gregory

Grooms Hayes Knotts

Leatherman Leventis Lourie

*Martin, Larry Martin, Shane* Massey

Matthews McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Ryberg

Scott Shoopman Thomas

Williams

**Total--34**

**NAYS**

Bright Bryant McConnell

Rose Verdin

**Total--5**

**ABSTAIN**

Setzler

**Total--1**

Section 65, Part 1A and Part 1B was adopted.

**Statement by Senators McCONNELL and ROSE**

We voted against this section because it would allow the director to move funds from any source to maintain programs previously funded in the budget. Decisions as to what should be or not be funded should be policy decisions made by elected officials and not by bureaucrats. Since we believe such an action is both unwise and unconstitutional, we voted “no”.

**The Senate proceeded to Sect. 66, Part 1A and Part 1B, Department of Motor Vehicles.**

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

**Ayes 30; Nays 8**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Elliott Fair

Grooms Hayes Knotts

Leatherman Leventis Lourie

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Ryberg Scott

Setzler Thomas Williams

**Total--30**

**NAYS**

Bright Bryant Davis

*Martin, Shane* McConnell Rose

Shoopman Verdin

**Total--8**

Section 66, Part 1A and Part 1B was adopted.

**Statement by Senators McCONNELL and ROSE**

There is a proviso that would allow them to pay prior year expenditures with current year funds. We have a statute that prohibits deficit financing, as well as a constitutional provision requiring a balanced budget. This proviso would allow deficits to occur and be tolerated by using current funds to pay for previous overspending. Because we believe we should have balanced budgets in South Carolina, we voted “no”.

**The Senate proceeded to Sect. 67, Part 1A and Part 1B, Department of Employment and Workforce.**

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

**Ayes 28; Nays 9**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Elliott Fair

Grooms Hayes Knotts

Leatherman Leventis Lourie

*Martin, Larry* Massey Matthews

McGill Nicholson O'Dell

Peeler Pinckney Rankin

Reese Ryberg Scott

Williams

**Total--28**

**NAYS**

Bright Bryant Davis

*Martin, Shane* McConnell Rose

Shoopman Thomas Verdin

**Total--9**

Section 67, Part 1A and Part 1B was adopted.

**Statement by Senators McCONNELL, ROSE, SHOOPMAN and BRIGHT**

There is a proviso that would allow them to pay prior year expenditures with current year funds. We have a statute that prohibits deficit financing, as well as a constitutional provision requiring a balanced budget. This proviso would allow deficits to occur and be tolerated by using current funds to pay for previous overspending. Because we believe we should have balanced budgets in South Carolina, we voted “no”.

**The Senate proceeded to Sect. 69, Part 1B, State Ports Authority.**

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

**Ayes 40; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill Nicholson

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

Bright Bryant

**Total--2**

Section 69, Part 1B was adopted.

**The Senate proceeded to Sect. 71, Part 1A and Part 1B, Administrative Law Court.**

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

**Ayes 29; Nays 3; Abstain 2**

**AYES**

Alexander Campbell Coleman

Courson Cromer Elliott

Fair Ford Gregory

Grooms Knotts Leatherman

Leventis *Martin, Larry* Massey

Matthews McConnell McGill

O'Dell Peeler Pinckney

Reese Rose Ryberg

Scott Shoopman Thomas

Verdin Williams

**Total--29**

**NAYS**

Bright Bryant *Martin, Shane*

**Total--3**

**ABSTAIN**

Davis Hayes

**Total--2**

Section 71, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 73, Part 1A and Part 1B, Office of Lieutenant Governor.**

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

**Ayes 38; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Knotts

Land Leatherman Leventis

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

Section 73, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 74, Part 1A and Part 1B, Office of Secretary of State.**

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

**Ayes 37; Nays 3**

**AYES**

Alexander Campbell Cleary

Coleman Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill O'Dell Peeler

Pinckney Rankin Reese

Rose Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--37**

**NAYS**

Bright Bryant Ryberg

**Total--3**

Section 74, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 76, Part 1A and Part 1B, Office of State Treasurer.**

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

**Ayes 38; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Knotts

Land Leatherman Leventis

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--38**

**NAYS**

Bright Bryant

**Total--2**

Section 76, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 78, Part 1A and Part 1B, Office of Adjutant General.**

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

**Ayes 40; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Hayes Jackson

Knotts Land Leatherman

Leventis Lourie Malloy

*Martin, Larry Martin, Shane* Massey

Matthews McConnell McGill

O'Dell Peeler Pinckney

Rankin Reese Rose

Ryberg Scott Setzler

Shoopman Thomas Verdin

Williams

**Total--40**

**NAYS**

Bright Bryant

**Total--2**

Section 78, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 81, Part 1A and Part 1B, Department of Revenue.**

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

**Ayes 30; Nays 7**

**AYES**

Alexander Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Knotts Leatherman

Leventis Lourie *Martin, Larry*

Massey Matthews McConnell

McGill O'Dell Peeler

Pinckney Rankin Reese

Ryberg Scott Williams

**Total--30**

**NAYS**

Bright Bryant *Martin, Shane*

Rose Shoopman Thomas

Verdin

**Total--7**

Section 81, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 82, Part 1A and Part 1B, State Ethics Commission.**

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

**Ayes 36; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Courson Cromer

Davis Elliott Fair

Ford Gregory Grooms

Hayes Knotts Leatherman

Leventis Lourie *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--36**

**NAYS**

Bright Bryant

**Total--2**

Section 82, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 83, Part 1A and Part 1B, Procurement Review Panel.**

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

**Ayes 32; Nays 9**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Elliott Fair

Ford Gregory Grooms

Hayes Jackson Knotts

Leatherman Leventis Lourie

Malloy *Martin, Larry* Matthews

McConnell McGill O'Dell

Peeler Pinckney Rankin

Reese Ryberg Scott

Setzler Williams

**Total--32**

**NAYS**

Bright Bryant Davis

*Martin, Shane* Massey Rose

Shoopman Thomas Verdin

**Total--9**

Section 83, Part 1A and Part 1B was adopted.

Senator McGILL asked unanimous consent to take up Section 41 for immediate consideration.

There was no objection.

**The Senate proceeded to Sect. 41, Part 1A, Jobs - Economic Development Authority.**

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

**Ayes 39; Nays 2**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Courson

Cromer Davis Elliott

Fair Ford Gregory

Grooms Jackson Knotts

Land Leatherman Leventis

Lourie Malloy *Martin, Larry*

*Martin, Shane* Massey Matthews

McConnell McGill O'Dell

Peeler Pinckney Rankin

Reese Rose Ryberg

Scott Setzler Shoopman

Thomas Verdin Williams

**Total--39**

**NAYS**

Bright Bryant

**Total--2**

Section 41, Part 1A was adopted.

**The Senate proceeded to Sect. 84, Part 1A and Part 1B, Debt Service.**

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

**Ayes 41; Nays 1**

**AYES**

Alexander Bright Campbell

Campsen Cleary Coleman

Courson Cromer Davis

Elliott Fair Ford

Gregory Grooms Hayes

Jackson Knotts Land

Leatherman Leventis Lourie

Malloy *Martin, Larry Martin, Shane*

Massey Matthews McConnell

McGill O'Dell Peeler

Pinckney Rankin Reese

Rose Ryberg Scott

Setzler Shoopman Thomas

Verdin Williams

**Total--41**

**NAYS**

Bryant

**Total--1**

Section 84, Part 1A and Part 1B was adopted.

**The Senate proceeded to Sect. 90, Part 1B, Statewide Revenue.**

Senator RYBERG moved to carry over Section 90.

Senator LEATHERMAN spoke on the motion.

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

**Ayes 19; Nays 21**

**AYES**

Bright Bryant Campsen

Cleary Cromer Davis

Elliott Gregory Grooms

*Martin, Larry Martin, Shane* Massey

McConnell Rankin Rose

Ryberg Shoopman Thomas

Verdin

**Total--19**

**NAYS**

Alexander Coleman Courson

Fair Ford Hayes

Jackson Land Leatherman

Leventis Lourie Malloy

Matthews McGill O'Dell

Peeler Pinckney Reese

Scott Setzler Williams

**Total--21**

The Senate refused to carry over consideration of Section 90.

**Parliamentary Inquiry**

Senator SETZLER made a Parliamentary Inquiry as to whether or not a roll call vote would be required on Section 89.

The PRESIDENT stated that a roll call vote would be required on Section 89.

At 5:20 P.M., Senator RYBERG moved that the Senate stand adjourned.

The Senate refused to adjourn.

Senator LEATHERMAN was recognized to speak on Section 90.

At 5:35 P.M., Senator LEATHERMAN moved that the Senate stand adjourned.

Debate was interrupted by adjournment.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Jacquelyn G. Jenkins, P. O. Box 697, St. George, SC 29477

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Peter Brandt Shelbourne, 116 South Oak Street, Summerville, SC 29483

Reappointment, Dorchester County Magistrate, with the term to commence April 30, 2011, and to expire April 30, 2015

Myron D. Johnson, 400 Shaftesbury Lane, Summerville, SC 29485

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Clara Mae Whatley 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. James Edward Byers, Sr. of Donalds, 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. Thomas C. Morse of Greenwood, S.C.

**ADJOURNMENT**

At 5:35 P.M., on motion of Senator LEATHERMAN, the Senate adjourned to meet tomorrow at 10:00 A.M.

**Recorded Vote**

Senators GROOMS, DAVIS, BRIGHT, BRYANT and SHANE MARTIN desired to be recorded as voting against the motion to adjourn.

\* \* \*