**Monday, July 6, 2015**

**(Statewide Session)**

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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:

The Psalmist declares:

“Praise the Lord. Give thanks to the Lord, for he is good; his love endures forever. Who can proclaim the mighty acts of the Lord or fully declare his praise? Blessed are they who maintain justice, who constantly do what is right.” (Psalm 106:1-3)

Please bow with me as we come to the Lord in prayer:

Holy God, this Senate gathers yet again in order to tackle unfinished business and to wrestle with issues of great importance. These servants and their staff members have dealt with most of these matters for quite some time, O God, and the pressures on this body today are considerable. We pray that you’ll continue to embrace these Senators in Your care, Lord: strengthen them and fill their hearts with a determination to -- as the Psalmist puts it -- “maintain justice” and to “do what is right.” Grant to each Senator the courage and the will that they need to bring ever greater unity and blessings to South Carolina, this State we love. In Your glorious name we pray, O 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:

**Local Appointments**

Reappointment, Denmark Technical College Area Commission, with the term to commence July 1, 2015, and to expire July 1, 2019

At-Large:

Brenda L. Williams, 1233 Lake Circle Drive, Orangeburg, SC 29115

Initial Appointment, Sumter County Part-time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Cecil K. Jackson, 24 Ellen Drive, Sumter, SC 29150 *VICE* Joseph B. Davis

**Leave of Absence**

At 10:34 A.M., Senator BRYANT requested a leave of absence for Senator CORBIN for the day.

**Leave of Absence**

At 10:34 A.M., Senator BRYANT requested a leave of absence for Senator SHANE MARTIN until 2:00 P.M.

**Leave of Absence**

At 10:35 A.M., Senator CAMPBELL requested a leave of absence for Senator CLEARY for the day.

**Leave of Absence**

At 10:35 A.M., Senator BENNETT requested a leave of absence for Senator MASSEY until Thursday, July 9, 2015, at 10:00 A.M.

**Leave of Absence**

At 1:44 P.M., Senator COURSON requested a leave of absence for Senator GREGORY for the week.

**Leave of Absence**

At 4:10 P.M., Senator O’DELL requested a leave of absence until Thursday, July 9, 2015.

**Expression of Personal Interest**

Senator McELVEEN rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator JACKSON rose for an Expression of Personal Interest.

**Remarks by Senator JACKSON**

Thank you Mr. PRESIDENT and members of the Senate. First of all let me welcome my former suitemate, Senator PATTERSON, back. I learned a whole lot from Senator PATTERSON. Probably the most important thing was how to shut up and sit down, and that freshman shouldn’t talk very much. However, I think that rule was thrown out a couple years ago, but thank you for teaching me the rules of the Senate.

I wanted to stand and offer a very special thank you to the President of the College of Charleston, our former colleague, Senator McCONNELL, and to the College of Charleston family. During the planning of the homegoing service of Senator PINCKNEY, I was called by I. S. Leevy Johnson’s office who handled the body. They wanted to get a larger place to have the service. I called and was able to communicate with President McConnell and his staff right away. He said he would do whatever needed to be done. He made the whole facility available to all of us. I thought it would be really nice for us as his former colleagues and as members of the General Assembly to say a very special thank you to that whole College of Charleston family. They laid out the red carpet. They had refreshments, opened up the total facility and bent over backwards to make everybody feel very, very comfortable. I don’t know about you, but I am really proud to say that that institution, and that president, and that staff represents the best of South Carolina. I don’t think we had an opportunity at the service to actually do that. He didn’t ask me to do this. I wanted to do it. When I called him and asked him to do it, he agreed right away and did such a fantastic job. All of us know the former Senator from Charleston doesn’t do anything just to have his name called and would probably prefer us not even recognize him. But I was taught by my dad that honor is due where honor is earned, and he has earned this recognition from all of us to say a very special thank you to former the Senator, President of the College of Charleston, and that entire College of Charleston family. So would you join me? I know he isn’t here, but let’s just give a round of applause for the great hospitality of the College of Charleston and Senator GLENN McCONNELL. Thank You.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 898 -- Senators Bright and Fair: A CONCURRENT RESOLUTION TO PROVIDE THAT IN ADDITION TO THE MATTERS WHICH MAY BE CONSIDERED BY THE GENERAL ASSEMBLY AFTER JUNE 18, 2015, PURSUANT TO H. 4274 OF 2015, LEGISLATION RELATED TO THE INSTITUTION OF MARRIAGE ALSO MAY BE INTRODUCED, RECEIVED, AND CONSIDERED BY EACH BODY OF THE GENERAL ASSEMBLY PRIOR TO SINE DIE ADJOURNMENT.

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Senator BRIGHT spoke on the Concurrent Resolution.

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

S. 899 -- Senators Cromer and Courson: A SENATE RESOLUTION TO CONGRATULATE AND HONOR TIFFANY BOYCE HEITZMAN OF LEXINGTON FOR HER YEARS OF OUTSTANDING AND DEDICATED SERVICE AS PRESIDENT AND CEO OF THE GREATER IRMO CHAMBER OF COMMERCE AND TO WISH HER MUCH SUCCESS AND HAPPINESS IN ALL HER FUTURE ENDEAVORS.

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The Senate Resolution was adopted.

S. 900 -- Senator Nicholson: A SENATE RESOLUTION TO CONGRATULATE MRS. ANNA ELIZA STARKS PERRIN OF GREENWOOD COUNTY UPON THE OCCASION OF HER ONE HUNDREDTH BIRTHDAY ON JULY 27, 2015, AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MANY YEARS OF CONTINUED HEALTH AND HAPPINESS.

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The Senate Resolution was adopted.

S. 901 -- Senator Scott: A SENATE RESOLUTION TO EXPRESS THE PROFOUND SORROW OF THE MEMBERS OF THE SOUTH CAROLINA SENATE UPON THE PASSING OF THE REVEREND DANIEL LEE SIMMONS, SR., OF MOTHER EMANUEL AME CHURCH, TO CELEBRATE HIS LIFE AND ACHIEVEMENTS, AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

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

**READ THE SECOND TIME**

S. 897 -- Senators Sheheen, Malloy, Coleman, McElveen, Kimpson, Nicholson, Massey, Campbell, Hembree, Williams, Matthews, Hutto, Setzler, Sabb, L. Martin, Jackson, Davis, Lourie, Johnson, Reese, Thurmond, Campsen, Rankin, Scott, Hayes, Bennett, Allen and Gregory: A BILL TO AMEND SECTION 1‑10‑10(A) OF THE 1976 CODE, RELATING TO THE FLAGS AUTHORIZED TO BE FLOWN ATOP THE STATE HOUSE AND ON THE CAPITOL COMPLEX, TO REMOVE REFERENCES TO THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA, TO PROVIDE FOR THE PERMANENT REMOVAL OF THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA FROM ITS LOCATION ADJACENT TO THE CONFEDERATE SOLDIER MONUMENT, AND TO PROVIDE THAT UPON ITS REMOVAL, THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA SHALL BE TRANSPORTED TO THE CONFEDERATE RELIC ROOM FOR APPROPRIATE DISPLAY.

The Senate proceeded to a consideration of the Bill.

Senator LARRY MARTIN spoke on the Bill.

**Remarks by Senator LARRY MARTIN**

Members of the Senate, I’ll be very brief. I printed S. 897. We got to it quickly and that is one of the reasons I wanted to get up and make some brief comments regarding the Bill and several people have asked me, “Why didn’t this Bill go to Judiciary Committee?” We had looked at it when it was introduced by twenty-nine members of this Senate, and Senator SHEHEEN, the primary sponsor, came to me on the day it was introduced when we last met. I had looked at it, our staff had looked at it, and I just want to make some brief comments about the form. I’m not going to say a great deal about the Bill because I know we are going to take up the amendment and a lot of my colleagues need to be heard and need to say whatever thoughtful comments they may have about this issue. The Bill itself very narrowly addresses this provision in the Heritage Act that relates to the Confederate Battle flag on the State House grounds. As you recall, the Heritage Act also has other provisions in it that deal with the monuments, the street names, building names and so forth. None of that is subject to discussion within the narrow confines of this Bill. Many people have called me and contacted me and it’s obvious that in the part of the State I come from there’s a lot of strong sentiment about the Confederate flag and what it means in terms of heritage. They have suggested to me, even some of the ones that have called or emailed me, and said, “Well Senator, I understand your position or respect your position, but where is this going to end? Are we going to displace or remove all the recognition that’s been given over the years to the Confederate ancestors that so honorably served this State and will street names, monuments and buildings be dealt with next?”

Mr. PRESIDENT, the issue as it relates to the Heritage Act is fairly obvious. Senator GROOMS, it requires a two-thirds vote and there is some discussion about that but I’m not going to get into it. Obviously, this is a very narrowly drawn Bill and we can be thankful that pursuant to our rules, it will keep us within the *Sine Die* Resolution that was extended for this particular matter on this particular day. The *Sine Die* Resolution keeps us very narrowly drawn, but also this particular Bill and the way it’s drawn, pursuant to Rule 24, in my judgment, keeps it very narrowly drawn during this debate. Senator GROOMS has introduced a Resolution that will be thoughtfully looked at by the committee and I’m certain there will be others that will introduce different Bills and Resolutions involving other aspects of the Heritage Act and they will be thoughtfully looked at as well.

There’s been a lot of division over the years about this and historically the flag wasn’t on the State House grounds as a memorial to our ancestors until the 1960’s. The first and second generations after the war when the great former General of the South and Governor, U.S. Senator Wade Hampton -- when he took over in 1876, after a very controversial election and then finally became Governor, we actually had two Governors at one time. Apparently, General Hampton figured out a way to get control of the treasury and that’s how he dealt with it. He got control of the state’s finances, which were dismal as a result of reconstruction, and he actually took over the State in the spring of 1877. When he took over and later when other Governors succeeded him, he served as a U.S. Senator until the early 1890’s. They put the monument out there where it is now but they didn’t put the Confederate banners on the State House grounds or on the dome. The next generation did not do that either. So when people mention to us about needing to remember our history and heritage, and this is what it’s all about, well, that’s not how they chose to remember folks in real time with whom they actually served and memorialized with monuments and street names and other ways. The nation came back together and it was important for the nation to come back together under the flag of the United States. It was a terrible, terrible time in the South after the war. I have letters, actually transcripts of letters, that were written after the war. There are letters written by my great-great-grandfather and grandmother from Pickens during the war. In these letters they didn’t talk about what they were fighting for, they talked about the struggles, the everyday struggles, that they went through and the hardships that they faced. If you see pictures of your relatives from 1920’s, 1930’s and 1940’s, those hardships carried over into the last century. It was hard in South Carolina but they came back home and went back to work under the banner of the United States. They built their lives again as desperate as the situation could have possibly been under the banner of the United States. Stan Deaton with the Georgia Historical Society said, “Defining the war is our problem, it wasn’t theirs.”

The flag wasn’t displayed for one hundred years on the State House grounds. It was put up ostensibly for the centennial celebration in the early 1960’s and then it was put up by Resolution. There actually was no Resolution in 1961 to put the flag up. Historically, it’s been verified, that the flag went up prior to the 1962 Resolution and it never came down. You and I can look back, and those of us who have been here a few years, served with people who served during that era in the Senate and in the House -- in the early to mid 1960’s. You and I both know why it was put up -- or left up. It was put up to honor the centennial. That was the reason, but it was also left up for another reason. And that other reason obviously was the great upheaval that was going on in the 1960’s regarding civil rights, integration of the public schools and all those issues that we don’t really think so much about today. But for those of us that were actually living at the time, and I was a child in the 1960’s, I remember well the adults in my life and what they had to say about it and it wasn’t pleasant. You couldn’t repeat today what was being said about the fact that we were going to be going to school with black children. The adults in my life didn’t want to hear it. The adults in many parts of South Carolina didn’t want to hear it. In my view, that’s the reason the flag stayed up. Today the heritage that the flag stands for is really for the 1960’s as much as it is for the 1860’s in that respect. Think about that.

Today, Senator BRIGHT introduced a Resolution about gay marriage -- gave a speech about the Supreme Court. Now, think about it. When was Brown versus the Board of Education decided? It was decided in 1954, before I was born. I was in the fourth grade when the public schools in Pickens County were integrated. I was in the fourth grade and that was eleven or so years later after the U.S. Supreme Court ruled. I think one of the problems we had as a nation for many, many years was that the North, in many respects, didn’t apply the same integration policies. Now, maybe to some degree with open restaurants and that kind of thing, but society even in the North had issues with black and white. I can tell you when it comes to race relations in South Carolina, what happened with the shooting incident in Charleston at the AME Mother Emanuel Church just broke all our hearts. What happened then? We didn’t have the riots and the looting and the reaction that we’ve seen take place in other parts of the nation and we can be thankful for that. Race relations in South Carolina are not perfect but I can tell you they are exponentially better than what I remember from the 1960’s. We’ve come a long way. We talked about the money, the street names, and that kind of thing and the folks who have been flustered about these other decisions about the flag and the Dukes of Hazzard being taken off television. What people do privately or in their business is entirely up to them. I don’t comment on it and that's none of my business. People have a right to put whatever banner they want to put up at their house, but at this State House, on these grounds, it’s different. The fellow from Nascar said, “You know, obviously we have our roots in the South. There are events in the South. It’s part of our history like it is for the country, but it needs to be used as part of our history. It isn’t part of our future.” And that’s the way it is with me. You know the discussion will be, I think, how the flag is very honorably moved to the Confederate Museum Relic Room and that it be done in a very honorable way. There’s a difference between a banner that flutters in the breeze out there versus a monument. A huge difference. I don’t think I had looked at it quite that way in the past. To see that flag fluttering out there in a way that sort of gives some official status to it on behalf of the people of South Carolina -- that doesn’t represent all the people of South Carolina and we need to remember that. In that regard, it is part of our history. It needs to be respected in whatever way or honored in whatever way people choose to do so, but as far as this day on this State House grounds, it isn’t part of our future. It’s part of our past and I think we need to leave it at that. Thank you very much.

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

Senator SHEHEEN spoke on the Bill.

**Remarks by Senator SHEHEEN**

Thank you, gentlemen and lady of the Senate, I appreciate what Senator LARRY MARTIN had to say and I want to speak briefly against the amendment but for the Bill.

I introduced this Bill, and am proud to have introduced it with so many cosponsors, not because our friend was assassinated not too many days ago. We should pass this Bill not because of that or because of the eight members of his congregation who were murdered, and we shouldn’t pass this Bill because some national figures say so or because we’ve been getting emails or pressure one way or the other. I am asking you to pass this Bill as it stands today, not with the amendment, but for a very simple reason -- because it’s the right thing to do.

I want to pull us out of the past that Senator LARRY MARTIN discussed and I want us to talk about the present. I want us to talk about the future because that’s why we are going to pass this Bill and lower the Confederate flag from the State House grounds.

I want to share with you, first of all, a thank you. You know that almost a year ago I stood out there in the hot weather and said during a heated political campaign that we should remove the Confederate flag from the State House grounds. Many of you in this chamber on both sides of the aisle and on both sides of the position of whether it should fly were very kind to me and treated me very nicely and very gently. You shared with me your thoughts, but you did it in a way of genuineness and kindness and I want this debate today to be in that same spirit. There were others outside this chamber, including our current Governor, who didn’t take that approach, but mocked me for raising this as an issue, for saying that it was important.

I want to share with you today the reasons I felt compelled to do that because they are the same reasons that we should vote for this Bill to remove the Confederate flag this week. They are personal reasons. If you think about it, every one of you, regardless of how you think about it, personally has been affected by the symbols that fly in this State. I’m going to share with you a few stories that led me to do what I did and led me to introduce that Bill today. Because what I learned, as I traveled around South Carolina and looked more closely into the place I was raised and love, was that we still have a very serious culture of division within our State.

It’s a culture of division that we as leaders have to take stands to change. I was in Anderson, South Carolina, campaigning. Anderson is an important place for me. It’s got important memories of my college days. It’s where I took my wife Amy on our first date. In case you are wondering, I was a big spender and we went to Applebee’s.

Anderson is important to me because of those years I spent in the upstate, but it’s also a place where once again was driven home the culture of division that still exists in this State. Because as I stood out there that day eating a hamburger and shaking hands and talking politics, the things we like to do, a lady pulled up in a car right next to where I was. She looked just like anybody’s mom or aunt, and she got out of that car and she marched up to me with something she had to say. I knew it just as you know it when people come to you.

She looked at me and said, “All you care about is black people and Mexicans.” That’s what she said. I tell you that story because that told me a lot, and it made me look a little more carefully at what goes on in our State. This was a voter, a person, a mom probably.

My children went to Clemson this past year, it’s my alma mater -- very proud -- but I tell you what I wasn’t proud of. My sons came home, they are twins, they are not very politically involved or aware, you know they try not to do what dad does. They are in engineering and biological science and a lot smarter than their father. They were raised in Camden, a city that’s had its share of the divide, but they went to schools that had both blacks and whites. They came home from Clemson, and as we sat down at the table that probably first month -- this was last fall. One of them looked at me and he said, “Daddy, I did not realize how racist people are.”

If we listen, we’ll hear the reality of what’s going on. There are many great things in this State. I wouldn’t live anywhere else. They’re the best people in America -- in the world. But we also have to recognize that when you live in a family if you don’t speak the truth about some of the problems, nothing ever changes.

As I traveled around the State, I also got to speak in some predominantly African American audiences. In fact, Senator PINCKNEY was with me on a number of occasions as have other members of the Senate. One of the things that struck me when I spoke to large groups of African Americans is, publicly, they never ask me about the flag. But after I spoke and after the public questioning ended, as I was leaving or maybe just mingling, it never failed that somebody would get me in the corner and very quietly just say, “Is there anything we can do about that flag?” You see, it was personal; it was emotional.

During my time around the State, I learned of a young black man who had attended one of our nation’s greatest colleges. I think it was West Point. He had married his sweetheart. He had moved back here. She was white and he was black. He said that when he got here, he was disappointed and troubled by the looks that he all too often got walking down the street when his wife was with him. He said that he wanted to leave when he walked up Main Street in Columbia, South Carolina, and he saw the Confederate Battle flag flying on the State House grounds.

You know, the Confederate flag means different things to different people, and that’s okay. I know when Senator JACKSON looks at it, he sees one thing. When Senator COURSON looks at it, he sees something else. That is reality.

I went to Hilton Head after I called for the flag to be removed, and I was in a group of business people. They were all white, and one man looked at me during the conversation and said, “Why in the world would you have brought up the Confederate Battle flag? It just stirs things up and it makes the national media pay attention to us. We don’t need that.” I said, “You know, one thing I’ve learned living in my family and living in this State is that if you’ve got a problem and you don’t talk about it, it only gets worse.”

These wounds we’ve been dealing with for 200 years plus, we’ve been pulling the band-aid off really slowly and it hasn’t been good for us. If you don’t believe that we still have a problem with a cultural division in this State right now and across the south and of course across the country -- but I’m worried about my home. I’m going to read you this email I got. Just a few days after our friend was murdered because of the color of his skin, no other reason. This lady may have emailed some of you, I don’t know. She said, “I’ve said it before and I’ll say it again, it’s not about the Confederate flag, it’s about the entitlement given to minorities and folks are getting tired of it.” That’s days after nine people were murdered because their skin was dark.

There is a quiet bigotry that still exists, and if we, those of us who are white, don’t say anything when those little jokes are told or when those statements are made like the statements this woman made, then we’re part of the problem.

I say these things because these are the things that led me to believe that we as leaders could no longer afford, Senator LARRY MARTIN, to have a symbol fly on the front of the State House that divides us. It’s one small piece of that culture of division that we live in, but it’s one small piece that we can do something about and we can do it this week. Right now in our State, the number one indicator of how you are going to vote is not how wealthy you are or how educated you are. It’s not your position on the issues, it’s not your belief in environmental issues or on public service -- it is the color of your skin. That’s the number one indication of how you are going to vote. We’ve got to take whatever steps we can to begin to change that.

This is one small step that reduces that culture of division. It is not about the history, it is not about heritage, it is not about hate. It’s about how to heal wounds that stretch back many, many years. And most importantly, it is about the present and the future. I heard it said not long ago that slavery was the original sin of America. If slavery was the original sin of America, then South Carolina is where we picked that fruit and ate it over and over and over again. Maybe we need as much healing, if not more, than anywhere else.

Symbols do mean different things to different people, and that’s why this debate should be and can be carried on without antagonism and with respect, because that’s okay. But one thing I think we all should agree on by now is that this is a symbol, regardless of what you believe it means, that divides us. And we can’t afford to be divided anymore.

One of our members sent me a message last week that meant a lot to me. He said, “He wished his eyes had been opened earlier.” And you know, that’s how I look at what happened a couple weeks ago. When we vote for this Bill to remove the flag, it won’t be because of what happened a couple weeks ago, but what happened a couple weeks ago opened the eyes of many people in this chamber and many people in this State. I think I heard that same feeling from Senator LARRY MARTIN.

I believe that out of horror can come healing, and I believe it will. I believe that out of death can come redemption, and I believe it will. And I believe that we can do this if we do it together, and I believe we will. Thank you for your patience and time.

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

Senator JACKSON spoke on the Bill.

**Remarks by Senator JACKSON**

Thank you Mr. PRESIDENT and members of the Senate. I will try to be brief. First of all I want to thank my friend Senator SHEHEEN for his leadership. During the campaign I was one of your very close friends that you called. In fact, I asked you the question, “Why are you doing this? Did you decided that you don’t want to be governor?” He said to me that he just thought it was the right thing to do. I think that it has to be pointed out, not to make this political, but it is one thing to do something when you are politically safe. It’s another thing to do it when everything your political career depends on is on the line. Some of you have made that commitment. You made it 15 years ago, and Senator SHEHEEN you did.

I wanted to stand as one of the authors of the Heritage Act to say, and all due respect to my great friend Senator COURSON, I made a mistake with that; the mistake was that we did not go far enough. My great friend is in the balcony right now, Reverend Nelson Rivers. He and I have known each other all of our lives, and we have been friends through thick and thin. We share vocations together. One of the things I realized after the Heritage Act was that we had an opportunity to put it to rest -- totally off of the State House grounds. I think it is hard to say when you are in the midst of the war. And to all of my friends who were not here, that were not taking the shots, it is really easy to criticize us as Senator PATTERSON, who is here from Richland, knows when we had to make a decision. My dad always said that retro vision is 20/20. When you look back you can see that, but that’s why I am so happy that we are doing what we are doing here today, and I am proud to say that I’m still here. I survived the two re-election campaigns. I was told after we made that decision in 2000 that it would be very difficult to be re-elected. And then when I made the decision to support someone other than our current President, I was told, “I hope you have enjoyed serving in the Senate because you certainly will not be back.” But the people of South Carolina, in particular the people of my district who re-elected me with 70% of the vote, merely understood that we are not a single issue State.

I am happy to be up here today to say to Senator GROOMS, I objected to your motion because yes we are going to have to deal with the Heritage Act, but not put it in the constitution. We don’t need that fight right now. You and I would be on the opposite sides of that because I think it is not right for the State of South Carolina to determine what a person in Greenwood wants to put on their monument on their property. If a street in Columbia, South Carolina, would like to change a name of a street in Columbia, South Carolina, I don’t think it is right for this General Assembly to say you must come through us. Particularly because of the fact of how proud we are that we started a war because the federal government was intrusive. We fired on Fort Sumter because the federal government was trying to dictate to us what to do. So that is a debate that I really look forward to us having.

The good thing about the Senate is that we can disagree virulently yet we walk out of here friends. Senator PEELER is one of my dearest friends. I like him. I often tell my wife that he is one of my favorite Senators because he knows how to put things in ways that everyone can understand. We disagree on issues and I know we will on some issues that perhaps will come up very soon. But there is one thing I did want to say for the record when I heard Senator LARRY MARTIN talk about South Carolina and why they were fighting in 1860. Keep this in mind because it is not often pointed out, that the population in the State of South Carolina in 1860 was 57% black. Let me read it for you. 703,708 was the total population and out of that 402,406 were black. I am opposed to putting the South Carolina state flag next to the soldier. Although I understand how some of you feel about that soldier, he was not fighting for the majority of the State of South Carolina. One of those individuals was a guy by the name of Ismail Jackson, who was a slave on the Adam’s plantation in Gaston, South Carolina, and happened to be my great-grandfather. He had a brother named William Jackson who marched through Columbia, left his plantation, joined Sherman’s army, and named his son William Sherman I’m told. So history is his story and that is my story. So when I see a Confederate soldier I don’t get goose bumps and feel all warm and fuzzy but I respect the fact that you do. All I am saying is you can’t force all of us to have the passion that some of you have about certain things. Remember that 57%, the highest percentage of African Americans in 1860 in the United States of America was in South Carolina. The second highest percentage was in Mississippi at 55%. In Georgia, 44% of the population were African Americans. So when we talk, Senator LARRY MARTIN, about South Carolinians in 1860, don’t forget Ismail Jackson who didn’t have a vote. No one asked him about the Articles of Secession. No one asked him if we should fire on Fort Sumter. But the other thing you said that I thought was ironic, was that we lost the war. No we didn’t. Not Ismail Jackson and the 57% of people who look like him. As far as they are concerned they won the war because they were set free as a result of it. Thank you. I look forward to this debate.

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

**RECESS**

At 11:35 A.M., on motion of Senator LEATHERMAN, the Senate receded from business until 1:00 P.M.

At 1:00 P.M., the Senate resumed.

**Point of Quorum**

At 1:17 P.M., Senator LEATHERMAN made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

Senator LEATHERMAN moved that a Call of the Senate be made. The following Senators answered the Call:

Alexander Allen Bennett

Bright Coleman Courson

Cromer Fair Grooms

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Matthews McElveen Nicholson

Peeler Sabb Scott

Setzler Shealy Sheheen

Thurmond Verdin Williams

Young

A quorum being present, the Senate resumed.

Senator BRIGHT proposed the following amendment (897R003.KM.LB), which was tabled:

Amend the bill, as and if amended, by striking the bill in its entirety and inserting:

/ A BILL

TO PROVIDE FOR AN ADVISORY REFERENDUM RELATED TO WHETHER THE SOUTH CAROLINA INFANTRY BATTLE FLAG OF THE CONFEDERATE STATES OF AMERICA SHOULD REMAIN IN ITS CURRENT LOCATION ON THE CAPITOL COMPLEX.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There shall be conducted an advisory referendum to determine the wishes of the qualified electors of this State as to whether the South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee’s Army) the South Carolina, Georgia, Florida Department version] shall remain at its current location on the south side of the Confederate Soldier Monument.

SECTION 2. The referendum shall be conducted by the State Election Commission during the presidential preference primary in 2016. The following question must be submitted to the qualified electors on ballots at the various voting precincts:

“Since its removal from the dome of the State House in 2000, the South Carolina Infantry Battle Flag of the Confederate States of America has been flown on a flagpole located at a point on the south side of the Confederate Soldier Monument on the Capitol Complex in Columbia. Shall the South Carolina Infantry Battle Flag continue to be flown in its current location?

Yes []

No []

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word ‘Yes’, and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word ‘No’.”

SECTION 3. The results of the referendum shall be published on the State Election Commission’s website upon certification. The results of the referendum are non-binding and shall be interpreted to be advisory in nature. The General Assembly shall retain its discretion with regard to enacting or amending legislation affecting the South Carolina Infantry Battle Flag of the Confederate States of America being flown on a flagpole located at a point on the south side of the Confederate Soldier Monument on the Capitol Complex in Columbia. /

Renumber sections to conform.

Amend title to conform.

Senator BRIGHT explained the amendment.

Senator LARRY MARTIN spoke on the amendment.

Senator VERDIN spoke on the amendment.

Senator LARRY MARTIN moved to lay the amendment on the table.

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

**Ayes 36; Nays 3**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Courson Cromer Davis

Fair Grooms Hayes

Hembree Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy *Martin, Larry*

Matthews McElveen Nicholson

O'Dell Peeler Reese

Sabb Scott Setzler

Shealy Sheheen Thurmond

Turner Williams Young

**Total--36**

**NAYS**

Bright Bryant Verdin

**Total--3**

The amendment was laid on the table.

Senators VERDIN and GROOMS proposed the following amendment (897R010.KM.DBV), which was tabled:

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

/ SECTION 1. Section 1‑10‑10(A) of the 1976 Code is amended to read:

“Section 1‑10‑10. (A) ~~As of 12:00 noon on the effective date of this act, and permanently thereafter, the~~ The only flags authorized to be flown atop the dome of the State House, in the chambers of the Senate and House of Representatives, and on the grounds of the Capitol Complex shall be as authorized in this section.

The flags authorized to be flown atop the dome of the State House and in the chambers of the Senate and House of Representatives are the United States Flag and the South Carolina State Flag. Annually, on Confederate Memorial Day, from sunrise until sundown, ~~As of 12:00 noon on the effective date of this act, the flag authorized to be flown at a designated location on the grounds of the Capitol Complex is~~ the South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee’s Army) the South Carolina, Georgia, Florida Department version]~~. This flag~~ must be flown on a flagpole on the grounds of the Capitol Complex located at a point on the south side of the Confederate Soldier Monument, centered on the monument, ten feet from the base of the monument at a height of thirty feet. The flagpole on which the flag is flown and the area adjacent to the monument and flagpole must be illuminated at night and an appropriate decorative iron fence must be erected around the flagpole.

The South Carolina Infantry Battle Flag of the Confederate States of America is square measuring fifty‑two inches on each side, inclusive of the white border, with a St. Andrews Cross of blue, edged with white, with thirteen equal five‑pointed stars, upon a red field, with the whole banner bordered in white. The blue arms of the cross are 7.5 inches wide and the white border around the flag proper is 1.5 inches wide. The stars are five‑pointed, inscribed within a circle six inches in diameter, and are uniform in size.

From any funds appropriated to the ~~Budget and Control Board~~ Department of Administration, the Division of General Services ~~of the Budget and Control Board~~, or its successor in interest, shall ensure that the flags authorized above shall be placed at all times as directed in this section and shall replace the flags at appropriate intervals as may be necessary due to wear.”

SECTION 2. (A) Except as provided in Section 1‑10‑10(A), the South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee’s Army) the South Carolina, Georgia, Florida Department version] shall be removed from its location on the south side of the Confederate Soldier Monument.

(B) The South Carolina State Commander of the Sons of Confederate Veterans, and his escort committee, shall lower the South Carolina Infantry Battle Flag within seven days of the effective date of this act. The South Carolina Sons of Confederate Veterans shall maintain possession of the flag that is lowered and shall be responsible for raising and lowering the flag as provided by law on Confederate Memorial Day.

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

Renumber sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

**Remarks by Senator VERDIN**

Members, I want to thank you for the opportunity to stand before you. You never know how a debate is going to play out. There have been debates I’ve missed while serving in the body. There were debates in the past that I missed for not having the opportunity to serve in the body. One of those debates was in 2000 for the flag to be relocated to the soldiers’ monument in front of the State House. As I said just a few moments ago, the grievous and tragic circumstances that have precipitated this debate crush our souls. You never know what your call to service might entail day to day or week by week but I truly believe that we all have been prepared and have been preparing for this occasion. In recent months, I’ve had the opportunity to visit at the graveside of many Confederate soldiers -- many South Carolinians. Some were casualties of the War Between the States, some died in battle in distant lands, some died of disease -- in hospitals, in distant states and some died of disease before they saw their first battle. I’ve visited the graves in church cemeteries of soldiers that did not succumb to death during the war but were deeply marked by it. It remains my custom to attend as many Confederate Memorial Day observances as time will allow and as my schedule will accommodate. I’m thankful to say that as I gather with fellow South Carolinians across the State, whether to mark a grave or to decorate a memorial monument -- I don’t know that anyone there goes to commune; we go there to remember. When I say commune, I mean to commune with the spirit. Outside communion and the presence and the direct anointment of God of his Holy Spirit, I don’t sense communion with the spirit of ancestors. To the degree that they speak to me historically -- to the degree that the record reflects that they were committed to truth, honor, integrity -- that speaks to me. To the degree that they were all as I, a fallen creature, represented in the fall of Adam. Depraved, sin sick, sore, to that degree, they speak to me. Nonetheless, it always encourages my heart when I do find truth, voracity, faithfulness, duty, honor and diligence.

Fifteen of you in the chamber now preceded thirty-nine of us. At the time in 2000 that the Heritage Act was adopted, when the African American monument was placed or agreed upon, at the time the flag came off the dome and was moved to the soldiers’ monument, I was not in the least bit sympathetic to the forty-six here or the 126 across the way. I didn’t have the ability to be -- I have not stood in their shoes. Having stood 15 years in your shoes and with you, I hope I can honestly say that I’m more than sympathetic -- I’m truly empathetic. As we seek to serve our State, the constituents, families, friends and neighbors -- our perspectives change.

There are seasons of life. We mature, and by God’s grace, I pray that has happened for me. I reminded Senator CAMPSEN that in 1998 that he and I had a knock-down-drag-out over the plaza. He was serving in the House; I was not. I was advocating, at that time for the flag’s maintenance atop the dome. We would have discussions regarding sovereign and I would counter that that position of sovereignty or authority atop the dome truly was memorial. I would argue but it is at half-mast already flying beneath the palmetto and the U.S. flags. I couldn’t cast a vote. He could. I’m thankful that the terms, conditions and the points of agreement with Senator CAMPSEN and the other 44 of you are deep, abiding and significant to me as a Carolinian. But even more meaningful and deep to me are the points of agreement and communion that we enjoy in our Lord and savior Jesus Christ. I’ve already told my caucus brethren that at the point of over spiritualization, I’ll stay on that theme with as many days as I have left by his grace. Some of you have been kind enough to remark that I’ve lost a few pounds. Well, I think we all have lost a few pounds. I think we’ve had a gnawing in the pit in our stomachs. I think there have been meals missed. But the spirit that we’ve enjoyed -- don’t even know if that’s the right description in light of the death of our departed friend -- the ministry we’ve enjoyed has been very pronounced upon me. I’ll go ahead and acknowledge -- and this point of acknowledgement before I turn to the meat of my amendment -- if you so desire and I will bow with acknowledgement -- harsh we should that have passed my lips. I’ve penned words that I’m sure were more inspired in the flesh rather than the spirit. Some of them are 15 years old. Some are 20. Some are just 15 months. But as much as lies within me, I hope that whatever time I have left with you or on this earth is better directed. In the previous months, I’ve had opportunity, as I say, to consider the final resting places of confederate soldiers in memorial fashion. In the preceding 24 hours, I’ve had my first opportunity to walk the streets of the Holy City. I was blessed to attend the funeral but was in and out of town rather quickly. Last night, I had an opportunity to stand in silent meditation and prayer over some very notable locations. I had my first opportunity to stand where much ministry, grace and exaltation of our Lord has taken place -- there at Mother Emanuel.

But I want to bring to your attention to another spot in the Holy City. Several blocks away on the corner of Price’s Alley and King Street, one of the most significant things to take place in the history of this State transpired there nearly, I believe, 175 years ago. Speaking of the conversion of John L. Girardeau -- at that very corner, a man who is known to very few of us and I wish I could remember who had pointed me to him many years ago. John L. Girardeau retired as an esteemed professor of the theological seminary. John L. Girardeau passed on the pastorate of the church. He passed on offers from the most esteemed divines of the 19th century to administer and pastor in Europe -- at the invitation of Hamilton of Scotland, Spurgeon of England, of many others here in this country, some of the finest pastorates, finest churches in this country were offered to John Girardeau. John Girardeau labored with the fervency of spirit and the zeal for all Carolinians, regardless of race or creed. This individual, regardless of the government at the time, regardless of public sentiment at the time, chose to drive public sentiment. He chose to evangelize the world. He chose to share the love with all his neighbors. I’ll commend him to you for your own study if you so choose. I’ll try to help with the resources. But suffice it to say that prior to the outbreak of the War Between the States, John L. Girardeau was one of the most noted and beloved pastoral figures in the church of the S.C. low country. Now, he was Presbyterian. But he evangelized and ministered as if he were Methodist. He was in the Beaufort, Charleston and Colleton districts. And where was he? He was with the free and the slaves. He was with many farmers and planters. He was with all God’s children despite the circumstances of culture and society. He was administering things that transcended. I mentioned the historical context because the historical context of this matter I don’t believe can be rightfully discounted. I know much of this debate has transpired with contemporary focus.

As I come to my amendment and as I invoke other biographical sketches, I hope that the historical context is not lost on us. As I said, this amendment has not been advertised. I have not had a piece about how to direct my energy. But for those of you who have not had a chance to read it yet, I’m asking that the Southern Cross, what has been defined back in 2000 as the Confederate Soldiers’ Infantry Flag of Northern Virginia, the current flag flying at the soldier’s monument right now, I’m asking that it be raised at sunup and lowered at sundown on the state’s holiday that memorializes the Confederate soldier. In its observation, we have Confederate Soldiers’ Memorial Day. It is intrinsic in the definition -- Confederate Memorial Day. The tradition of memorialization that I, as well as many others continue to observe, is long-standing -- for 148 years. Sometimes with great hardship -- the first soldiers that were returned from the Battle of Gettysburg were buried on the banks of the Cooper River and were by force of military authority denied flowers. Those that gathered to memorialize were denied even the ability to display the Confederate button on their uniform. For those of you that have frequented Magnolia Cemetery, it is a very beautiful and pastoral at this time. At that time there was no memorials; it was bare dirt. The attendees were gaunt. They were attendees and widows. We are only talking a few generations away -- removed from us in the past.

Does it not strike you, those of you that are fathers and grandfathers, that it sounds strange to our ears when our children or grandchildren speak of the Vietnam War era, anything subsequent to that era, as if it were ancient history? Our Confederate forbearers were more closely related to their colonial patriot forbearers than we are to our confederate forbearers by at least a generation or two. It was more poignant for them. Think about how the reverence for the founding fathers might have been demonstrated mid-19th century, relative to how we observe the colonial patriots today. I didn’t inquire of how Carolina day was observed on June 28th. I feel certain that it was observed in memorial fashion for the nine slain. Nonetheless, 220 something years past, we still have a historical observance of the defense of Sullivan’s Fort by Colonel Moultrie. It is not emotional, but it is celebratory. Truly to observe Confederate Memorial Day or a Confederate soldier to me may be emotional more than anyone else here experiences. But we are so far removed, generationally, that the experience truly now is what I believe should transcend emotion. We should be able to observe their actions, their deeds. As Senator GREGORY has so often reminded me, we should be able to do it without revisionism. He and I remind each other about how we suffer revisionist history and I gently try to remind him that I’m fond of revisiting history, not revising it. So I have enjoyed the life of a historian, of a genealogist -- certainly not a professional but more than hobby. I have been asked if I like to play soldier and go to reenactments? I don’t have a uniform. But I don’t begrudge those that do, to keep history fresh for us because there is coming a day when we are four generations removed from the people. So it comes down to their deeds; it comes down to their words -- in the original historical account, it is very, very important to me in this study and in this contemplation.

So when I tell you of a young 21 year old soldier who came down from the foot of Long Nosed mountain on April 14, 1861, on a Sunday morning, Senator ALEXANDER, Long Nosed mountain, as he assembled for worship with his best girl as he recounted in his memoirs there at Couga Church -- now he was already a vigorous 21 year old farmer, militia man -- but that call that came after the morning service to assemble two days later at Pendleton courthouse, for hearth and home was eagerly and obediently obeyed. Two days -- well, catch the train, the Blue Ridge Train from Pendleton down to Belton -- two days there waiting for other companies to come in from Pickens and Greenville -- two days later in Columbia, drilling the camaraderie of soldiers. 800 of this unit at the battle of First Manassas joined by first Louise Anna tigers -- the first to see the advance over Bull Run. The very troops that gave Stonewall Jackson his moniker, home for furlough late in ’61, reorganized in 1862 -- as a company of Palmetto sharp shooters, hardships and glory of war starting to become more ominous. William Bayless Dixon was one of 12 from Michael Jenkins’ sharp shooters, what was known as the crack regiment in Robert E. Lee’s now famous Army of Northern Virginia -- just taken command a few days prior -- a good and open field, as William Bayless describes it, and reluctant to give up the colors because of the portent that they all knew was awaiting them -- in the lead, one shot, staggered, holding the colors aloft -- the second shot, to the ground, staggering again to his feet -- third round, on the ground, pass the colors. Nearly mortally wounded -- six months in recovery. He returned to his comrades, returned to his arms and finished out the war. One of his commanding officers, as he laid dying there at Seven Pines -- let me back up to 1862, had noted William Bayless Dixon for his manhood, honor, integrity -- for everything he embodied as a 19th century Carolinian, as an American. He penned a letter to his sister and asked William Bayless Dixon -- Captain Harris said to the private, “Please see that this returns to my sister there in Pendleton with all her possessions.” He came on that furlough, as I said, in ’62. He made that visit. He made that acquaintance and after the war, he married that girl. Because in that letter from Captain Harris to young Miss Harris was, this war will be cruel and awful. There will be much flower of youth lost in the struggle. The bearer of my belongings I commend to you. I trust that you all will be united in marriage. He was commending a stranger to his sister. William Bayless Dixon and Miss Handy Harris had many children and grandchildren. And the only common denominator that I can judge them by is that they loved God more than themselves.

On both lines all the way back into the Colonial mid-1700’s, both families were populated by elders and ministers -- in subsequent generations after them right on into the 21st century. I have known them and I have observed them. I know their love for their fellow man regardless of race, religion or creed. I also know of his great descendants -- speaking of my great-great-great grandparents, I come not even close to their service to their fellow man or God. In his later years, William B. Dixon was recounting his years. His final memoir was relaying that Mr. Walter C. of Walhalla was still in possession of the colors, which I have recently come into possession of and the State of South Carolina -- on a rotational basis have been displayed in the Federal Relic Room. My granddaddy, my great-granddaddy -- two generations removed, gripped those colors. They gripped that standard. He gripped hearth and home. He maintained a homestead with his family. He sustained himself by God’s favor. Let me just say that I know that I speak for many of you here who can relate to such a story.

I know I can’t speak for many of you here to look through a totally different prism. I hope that I have had listening ears. I have sure tried. I’m going to ask for a vote.

I have told my Republican colleagues that I have a full heart, and at some point before this debate is concluded, I do want to address not only who they were, a few other biological sketches, but in my estimation, what they were attempting -- the very essence of the cloth, the when and where that I believe we need to go forward as a people, and I think I’ve interwoven the why even with the presentation of this amendment. I know there have been discussions of other flags. I abhor the misappropriation of my great-granddaddy’s flag. Sometimes a charge is leveled -- why haven’t you done more? Well, I have done a lot and it brings me to this point of why I ask us to do something corporately when it is suggested to us by our leaders that it is more appropriate for us to do things in private rather than publicly. I wince because I will confess that I or my constituents are not necessarily capable or able always to revere something publicly -- excuse me, privately as opposed to corporately or publicly. Let me further explain. I don’t like to see the Southern Cross, the Cross of Saint Andrew, whether rectangular or Naval Jack form or whether it be the A and V Soldiers’ Flag -- I don’t like to see it as a bandana. I have been on a rural stretch of South Carolina in the last 72 hours where I saw it as a garment on a man and as a scarecrow in a garden. I couldn’t help but think that’s a level of misappropriation, maybe not done in poor spirit but certainly done in bad form and in no way helps me honor that revered cloth of my great-great grandfather. Whether it be mid-20th century, I know the conversation and debate between centennial observance and civil rights resistance has been thoroughly discussed. Misappropriation can take place by every generation, but what has brought us here is the misappropriation of the darkest forces known to man. I cannot put that at the feet of my great-great grandfather. Now lest someone jump up and say he was a Confederate soldier of the Confederate States of America and therefore he shoulders a portion of that responsibility, I won’t argue that with you at this point, except to say secession -- an independent country, an age-old debate, an argument from the colonial period through nullification, through secession, so multi-facetted. We pile Ph.D.’s upon Ph.D.’s, upon college professors to continue to publish the most written about era of American history -- still no agreement. So multi-facetted it may have gone. In 2000 this discussion was brought to the Confederate soldier’s memorial. It was removed from atop the dome where we had had the multi-facetted discussion. The discussion of the soldier is single -- defense of hearth and home. William Bayless Dixon, he defended his immediate family. Others defended extended family. Some just defended property. And yes, some defended their slave property. If that’s as far as this debate goes, through the prism through 21st century grace, we will get to the point where there is no discussion, no reverence, no observation of the high and noble lineage that a lot of us have enjoyed, been the beneficiary of. Going back to Dr. Girardeau, he built the largest church in the State of South Carolina. When he was called in from Colleton County in the 1850’s, the Anson Street Mission had 36 members. Dr. Smythe at Second Presbyterian was looking for someone that would have the respect of freed men and slaves.

At the commencement of the war there were 600 communicants in the church that had been relocated further down Calhoun or Boundary Street, 1,500 in Sunday school. At the time of reconstruction, his parishioners which were about 25% white -- and he attributed that fact that his church was not desecrated to the effectiveness of his black communicants. I hope we can have that ministry one to another as Carolinians. I know, I, with you, have seen it demonstrated on the streets of Charleston in our hearts. I confess to you, I know we look at it through different lenses, but I’m asking if you could equate it to what we do in trying to observe the 6,000 plus casualties of our mid-east conflicts. It grieves me to see the body bag count of what has transpired in Iraq and Afghanistan. I know we come at different angles as it comes to what’s at the best interest of our country. But one thing we do, regardless of our political position, on American’s intervention overseas, we to a man and a woman, we stand and we recognize the valor, the spirit, that’s been demonstrated in the last decade by our sons and daughters. It is their sons and daughters that I speak for. You might say again, back to the point of public versus private memorialization, I say that sometimes private memorialization loses the impact of our corporate experience. I say it is subject to misinterpretation, misuse and misappropriation. I say that public or corporate honor speaks of a unified message. In my feeble way I have been trying to bring us to a poignant close examination of the Confederate soldier, and I haven’t dwelt on the warts. As I said earlier, I believe I was there and guilty and stood there in the garden with Adam -- my theology teaches me I was there. So in speaking for my great-great-grandfather, and the multiplied hundreds of thousands of our people that I could have been speaking for and am speaking for, I feel the same compelling drive that I read of Martin Luther five centuries ago. When in a great time of social and religious turmoil and controversy, he was heavily induced in the arts of persuasion -- were mildly brought to bear in his life, for him to turn his hand at the time from his ministry, from his message -- and his response was, before the gathered world, I cannot go against my conscience, for it is neither right nor safe. Mr. PRESIDENT, I’m sure there are others that would like to address my amendment. I appreciate the kind attention.

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

Senator THURMOND moved to lay the amendment on the table.

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

**Ayes 22; Nays 17**

**AYES**

Allen Coleman Courson

Hayes Hutto Jackson

Johnson Kimpson Leatherman

Lourie Malloy Matthews

McElveen Nicholson Rankin

Reese Sabb Scott

Setzler Sheheen Thurmond

Williams

**Total--22**

**NAYS**

Alexander Bennett Bright

Bryant Campbell Cromer

Davis Fair Grooms

Hembree *Martin, Larry* O'Dell

Peeler Shealy Turner

Verdin Young

**Total--17**

The amendment was laid on the table.

**Statement by Senator MASSEY**

Had I been present, I would have voted not to table Senator VERDIN’s amendment.

Senator BRIGHT proposed the following amendment (897R011.EB.LB), which was tabled:

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

/ SECTION 1. Section 1‑10‑10(A) of the 1976 Code is amended to read:

“Section 1‑10‑10. (A) ~~As of 12:00 noon on the effective date of this act, and permanently thereafter, the~~ The only flags authorized to be flown atop the dome of the State House, in the chambers of the Senate and House of Representatives, and on the grounds of the Capitol Complex shall be as authorized in this section.

The flags authorized to be flown atop the dome of the State House and in the chambers of the Senate and House of Representatives are the United States Flag and the South Carolina State Flag. ~~As of 12:00 noon on the effective date of this act, the flag authorized to be flown at a designated location on the grounds of the Capitol Complex is the South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee’s Army) the South Carolina, Georgia, Florida Department version]. This flag must be~~ The First National Flag of the Confederate States of America, commonly known as the ‘Stars and Bars’ and which contains three horizontal stripes of equal height, alternating red and white, with a blue quadrilateral in the canton, inside the canton are thirteen white five‑pointed stars of equal size, arranged in a circle and pointing outward shall be flown on a flagpole on the grounds of the Capitol Complex located at a point on the south side of the Confederate Soldier Monument, centered on the monument, ten feet from the base of the monument at a height of thirty feet. The flagpole on which the flag is flown and the area adjacent to the monument and flagpole must be illuminated at night and an appropriate decorative iron fence must be erected around the flagpole.

~~The South Carolina Infantry Battle Flag of the Confederate States of America is square measuring fifty‑two inches on each side, inclusive of the white border, with a St. Andrews Cross of blue, edged with white, with thirteen equal five‑pointed stars, upon a red field, with the whole banner bordered in white. The blue arms of the cross are 7.5 inches wide and the white border around the flag proper is 1.5 inches wide. The stars are five‑pointed, inscribed within a circle six inches in diameter, and are uniform in size.~~

From any funds appropriated to the ~~Budget and Control Board~~ Department of Administration, the Division of General Services ~~of the Budget and Control Board~~, or its successor in interest, shall ensure that the flags authorized above shall be placed at all times as directed in this section and shall replace the flags at appropriate intervals as may be necessary due to wear.”

SECTION 2. The South Carolina Infantry Battle Flag of the Confederate States of America [the Battle Flag of the Army of Northern Virginia (General Robert E. Lee’s Army) the South Carolina, Georgia, Florida Department version] shall be permanently removed from its location on the south side of the Confederate Soldier Monument. The South Carolina Infantry Battle Flag of the Confederate States of America shall be permanently removed from its location on the Capitol Complex Grounds within twenty‑four hours of the effective date of this act. Upon its removal, the flag shall be transported to the Confederate Relic Room for appropriate display.

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

Renumber sections to conform.

Amend title to conform.

Senator BRIGHT explained the amendment.

Senator THURMOND moved to lay the amendment on the table.

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

**Ayes 34; Nays 6**

**AYES**

Alexander Allen Bennett

Campbell Campsen Coleman

Cromer Davis Fair

Grooms Hayes Hembree

Hutto Jackson Johnson

Kimpson Leatherman Lourie

Malloy *Martin, Larry* Matthews

McElveen Nicholson O'Dell

Rankin Reese Sabb

Scott Setzler Shealy

Sheheen Thurmond Turner

Williams

**Total--34**

**NAYS**

Bright Bryant Courson

Peeler Verdin Young

**Total--6**

The amendment was laid on the table.

Senator LOURIE spoke on the Bill.

**Remarks by Senator LOURIE**

Thank you, Mr. PRESIDENT, members of the Senate, good afternoon. I’ll be very brief because I know we are all anxious to get to a vote. I believe we are voting today on what could be one of the most historical and memorable votes in our careers. We know why we are here. We know what we need to do and I believe from the bottom of my heart that we will act in a way that makes the people of our country and our State very proud.

First of all, I, too, want to once again offer my thoughts and prayers and condolence to the families of the nine people whose lives were taken in a way that makes it very hard for us to even understand and discuss. The families have shown us and taught us what true grace is really all about. Nine innocent people including our dear friend, Senator CLEMENTA PINCKNEY, who were in a house of worship. What holier, safer, better place to be than to be in a house of worship? I want to thank the people from around the State and around the country, the President, the Vice President, their wives, members of Congress. It made my heart feel very good that sitting behind me at the funeral two weeks ago were 50-60 members of congress from all states, from both parties. And I think it speaks to the magnitude and the shock that we all felt with the tragedy in Charleston and what brought us here today. We have lived through first hand an incredible period of love, comfort, and change that only God himself could create and it is that change that we are here to vote on today. The world changed on Wednesday night, June the 17th. The world changed, not only for the victims and the families and for all of us who knew and loved the victims, but the entire world took notice of what happened here in South Carolina. We all have somewhere between slightly different and very different perspectives on the Confederate flag. This fact is undeniable. The alleged killer of the Charleston nine used that flag as a symbol of hatred and racism and bigotry. He was not the first, he will not be the last. I am very respectful to those who would argue that this flag is a part of our State’s history and that, too, is undeniable. It is also a flag that brings back horrible memories of slavery and, again is now used frequently as a symbol of hatred and bigotry and racism. And for that reason, it is my position as it was in 2000 when I was in the House, that flag should not be flown on the grounds of the people’s house, the State House. I want to thank you for your consideration and for your time today. I want to thank Senator SHEHEEN for leading the way a year ago and now legislatively to bring this matter to fruition. I want to thank my friend, Senator PATTERSON, who lead this fight in the 1980’s and whose voice echoed through both chambers of the legislature on this important issue. And finally, I want to thank Governor Nikki Haley. Governor, you and I have disagreed probably more than we have agreed, but I for one have been very moved and hold you in great respect for the way, not only that you have shown compassion for the victims but for your leadership on this issue. Friends, we have a chance to write history today. Let today be the beginning of a story about a new South Carolina. A story that starts after a very bitter and somewhat toxic legislative session. A story about how this General Assembly came together in the wake of unspeakable horrors to work to unite the people of South Carolina. A story of how we removed a symbol that helped heal a nation and a State in their mourning. Let today be the day that this story is written. Thank you.

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

Senator PEELER spoke on the Bill.

**Remarks by Senator PEELER**

Thank you, Mr. PRESIDENT, Senator SETZLER, we are in a time of grieving our colleague. I invite you, our State of South Carolina and the nation, to google the South Carolina Senate debate on the flag in 2000. If you view that, I ask you to view my speech and see how I feel toward the flag. So enough about the flag for today from me. I’ve heard since last Thursday on this subject. I’ve listened, I’ve thought and I’ve prayed and I continue to listen and think and pray and at the proper time, I’ll vote.

However, today, Senator SETZLER, you are exactly right. Today, first and foremost, this is a time of grieving. That’s what we are doing now -- we are grieving over our friend and colleague, Senator CLEMENTA PINCKNEY and his eight church members. I ask the State of South Carolina and the nation to continue to grieve. I, like you, Senator BRIGHT, saw the comments of forgiveness from the victims’ families. I must confess to you that I’m not there. I couldn’t do it. I couldn’t forgive him -- I don’t forgive him, I don’t. I can’t -- I’m not there yet. I hope I live long enough to be that kind of Christian, but I’m not there yet. I confess to you that I’m not. I hope someday, Senator KIMPSON, I’ll be there. Senator VERDIN, I can’t forgive him for what he’s done -- I can’t forgive him for what he’s done to this State.

At the proper time, Senator LEATHERMAN, I want you to bring this matter to a vote. The sooner, the better. Don’t let this thing fester. Please, just as soon as we can, let’s have a vote on this matter and move on.

Everything that has been asked of me from both sides of the aisle -- I’ve always prefaced my answer with, “What would Clem want us to do?” That’s how I want us to act. Thank you, Mr. PRESIDENT.

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

Senator COURSON spoke on the Bill.

**Remarks by Senator COURSON**

Mr. PRESIDENT and members of the Senate, I would like to make a few observations on my southern heritage.

As most of you know, I have a wall in my Senate office and a room in my home dedicated to the memory of Robert Edward Lee of Virginia.

I personally consider General Lee as one of our greatest Americans. He is certainly one of America’s greatest field generals. His military genius as Commander of the Army of Northern Virginia (ANV) from June 1, 1862, to its surrender on April 9, 1865 is part of every military school’s curriculum. The ANV was represented by military units from every southern state including at least two brigades from South Carolina.

His service in the United States Army prior to Virginia’s secession was exemplary. He was Superintendent of the United States Military Academy and graduated from West Point second in his class without receiving a single demerit.

General Lee’s greatest legacy is the manner in which he conducted himself after the surrender at Appomattox. His example of leadership led to the surrender of other Confederate forces which precluded guerilla warfare that created division and has been so devastating to this day in other nations. Quebec, a major province in Canada, came within one percent of secession and forming an independent Francophile country in a referendum a few years ago. I visited Quebec City several years ago and they were puzzled that we were not talking about secession but would occasionally argue over the meaning of the Confederate Battle flag.

I am an amateur military historian. I had the distinctive personal honor to wear the uniform of the United States Marine Corps. While stationed in the Marines at Quantico, I visited all the major War Between the States battlefields in the East. In my life, I have visited battlefields of the War Between the States, the American Revolution, the Seven Years War and the American Indian conflicts throughout North America. I have toured every major War Between the States battle site from St. Albans, Vermont, to Glorieta, New Mexico.

Internationally, I visited the Normandy (D-Day) battle sites with the late US Senator Strom Thurmond and have toured national military museums in London, Paris, Canberra, and Ottawa. I am financially supportive of the National Museum of the Marine Corps at Quantico.

The Confederate Battle flag is a military banner, not a political symbol. The irony of the current flag debate is that the Battle flag did not fly in an official position at the State House in the War Between the States. Our family fought and some died defending South Carolina, Georgia, and North Carolina from 1861-1865. I am proud of my southern heritage, and I never have considered the flag to be a political symbol of racism and hate. To me it is and always will be a military banner. I deeply resent and regret that white supremacist groups have hijacked the Battle flag to use for their perverse political agenda.

I will vote for Senator VINCENT SHEHEEN’s Bill to relocate the Battle flag from the Confederate Soldiers Monument to the Confederate Relic Room and Military Museum. I have worked with the Relic Room over the past three decades on issues of southern history. I am confident that they have the competence and sensitivity to display all our battle flags with dignity and the honor they have earned. My vote will be for South Carolina, my family and my southern heritage.

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

Senator CAMPSEN spoke on the Bill.

**Remarks by Senator CAMPSEN**

Thank you Mr. PRESIDENT. Mr. PRESIDENT, you refer to me as the Senator from Charleston. I want to say to this chamber and to any who are watching that I have never been more proud to be referred to as the “Senator from Charleston” than I have since this great tragedy occurred. I believe that Charleston and our State have demonstrated to a watching world how to respond to the unspeakable tragedy that occurred at Mother Emmanuel Church, and to our friend and colleague, Senator CLEMENTA PINCKNEY.

Our community and our State have responded in that way, frankly, because we followed the lead of the Mother Emanuel congregation and the family members of the victims of that shooting. They set the tone for the response that the world is amazed at. Their response, and the response of the Walter Scott family as well, is utterly amazing. It’s inspiring. I can tell you it has inspired me. I wrote an opinion editorial about this issue, and why we should remove the battle flag from the State House grounds. Basically, when I began writing that op-ed I didn’t know if that was the position I was going to ultimately hold. But I wanted to formulate the best argument, in light of the response from the victims’ families, and the Emanuel congregation in Charleston, and then sit back and determine if I could live with it. I can tell you in the process of writing I probably broke down crying four times. At the tragedy, yes, but also at the incredible response -- the manifestation of sincere Christian forgiveness and charity that those who have been left here on this earth to deal with the tragedy have demonstrated.

And, as a Senator from Charleston where this occurred and as a fellow believer, I was utterly in awe of the faith of these people. I regret that Clem is not here and I did not express gratitude to him for his ministry while he was still on this earth -- because the reaction members of Mother Emmanuel had is a reflection of him. It is a reflection of him as their pastor, as their shepherd. It’s a reflection of his heart, his intellect, his theological insight, his pastoral care and leadership. What they did is a reflection on him. I regret that I don’t have the opportunity to thank him for his powerful ministry.

It is really one of the most amazing examples of faith in action I have experienced in my lifetime. In a speech I gave last week, I quoted one of my favorite Christian philosophers, C.S. Lewis. I think it’s important that the world know C. S. Lewis used to be an atheist. He wrote a book called the Pilgrim’s Regress, a pun on John Bunyan’s book, Pilgrim’s Progress. And by the way, Pilgrim’s Progress is the second most read book in the western world to the Bible. The problem is John Bunyan doesn’t have a blog. People don’t read him anymore. The world would be a better place if they did.

In Pilgrim’s Regress C. S. Lewis said he was pulled “kicking and scratching” into the kingdom of God, resisting the entire way. A brilliant mind who argued against His very existence, yet Lewis was pulled kicking and scratching into the kingdom of God -- and became one of the greatest spokespersons for Christianity in the 20th century. The Lewis quote I used, that touched me, that I think is relevant to this situation at hand is this, “To be a Christian means to forgive the inexcusable, because God has forgiven the inexcusable in you.”

As the world looks at what happened in this State, and in Charleston, there is no human explanation for it. The only possible explanation that makes any sense at all is captured in that quote by C. S. Lewis. The members of that congregation, and family members of the victims understood because of Clem’s teaching and his shepherding and his theological acumen. They understood that since God has forgiven them of much; they are capable of forgiveness of much as well.

When I sat down to write my op-ed to help me discern what position I was going to take on this, I reflected upon the charity, the grace, the forgiveness and the peacemaking of these people. They stood against outside agitators that tried to incite violent reaction to this tragedy. They even expressed charity to the murderer of their family members during a bond hearing. Forgiveness -- and even Christian charity and concern for his soul. Amazing people -- utterly amazing!

As a member of the Senate, from the town where that occurred, I could not let that go without a response. If they can be peacemakers in those dire circumstances, the worst possible circumstances that any human being might encounter, I determined I could be a peacemaker when it comes to a flag flying on our State House grounds. I decided I could do that even though I don’t concede most of the arguments and aspersions cast against that flag. I don’t accept them. But I do acknowledge that at times, as Senator COURSON, indicated, the Confederate Battle flag has been expropriated by those who would seek to politically divide us or physically harm us. At times it has been expropriated. That is an illegitimate use of the flag. But because of that illegitimate use there are some in our State, citizens of South Carolina, who are disconcerted by it and in fact find it offensive. I do not find it offensive. But I know that some do. There are many who cast aspersions at it that are not valid but I know that they are sincerely held by some of those people.

Last week I quoted Romans 14:19, “So then let us pursue what makes for peace and for mutual up building.” In the spirit of peace and mutual up building, and being inspired by the fruit of Clem’s ministry that we are seeing played out before a watching world as a witness to the veracity of his congregation’s faith, I am willing to accommodate and acknowledge that the flag is disconcerting and offensive to some citizens. I’m therefore willing to relocate it to pursue peace and mutual up building, as Paul exhorts us to do.

This is an appropriate thing for us as South Carolinians to do and this is about how South Carolinians deal with this tragedy. This isn’t about what outsiders seeking political advantage or racial division think -- some attempting to evoke even further violence from tragedy. My focus is on what South Carolinians should do -- people in our own communities, our friends and neighbors.

Through this tragedy it has become clear that Senator PINCKNEY left a great legacy in the hearts, minds and souls of his congregants. I wish I had known how great that legacy was when Clem was here for me to express my gratitude and respect. You want to know the measure of a man? Look at the legacy he left behind. I hate that it took a tragedy like this for me to fully understand how great a legacy Clem had built, but I do fully understand it now and it is utterly amazing. It is one the greatest testimonies to the Christian faith that I have witnessed in my lifetime.

I love theology. I love reading C. S. Lewis. I love theology as much as I love reading the Founding Fathers. Some of you might be shocked at that, but I do. I have never seen such deep theology implanted in people’s lives and then manifesting itself before a watching world in such a powerful way and that demands a response from us. This is the least that I can do. This is the least that I think the State should do. This isn’t even about me. This is about the people I represent, and what is an appropriate response on their behalf.

The Sunday night after the murders my sister and wife participated in the “Bridge to Peace” event on the Ravenel Bridge. The Ravenel Bridge spans three and a half miles over the Cooper and Wando Rivers. Its towers reach over 600 feet into the sky. At least 15,000 people, some say it was 20-25,000 people, were involved in this virtually spontaneous outpouring of support for Mother Emanuel Church and the victims. They held hands across the entire span of the Ravenel Bridge. I’ll never forget my sister sharing with me that while she was on top of the Ravenel Bridge, next to one of its massive towers, a man whom she didn’t know -- I don’t know -- spontaneously raised his hands toward heaven and screamed at the top of his lungs, “This is how we riot in Charleston.”

You see, Charleston could have been another Ferguson or Baltimore. You know why we weren’t a Ferguson or a Baltimore? Because this tragedy happened to Christian people who have a deeply held commitment to their faith, and who acted consistent with that faith. If it weren’t for the example they set right off the bat at a bond hearing, when they had a chance to address their loved one’s murderer, who knows what would have happened. I can’t let that go without an appropriate response. They have inspired me.

I also want to say this. It is very important that we relish this moment and don’t erupt into additional debate about other matters. Senator JACKSON mentioned the former Senator and President *Pro Tempore* from Charleston, and current President of the College of Charleston, Glenn McConnell. President McConnell authored an eloquent opinion piece in support of removal of the flag. He is a student of Southern history and heritage, as we all know. And we also know he is very gracious -- without a racist bone or cell in his body. All of us who served with him know that. President McConnell said something in his opinion piece that is important for us to contemplate. He said it is important for us to do this -- remove the flag -- but in the future not to engage in campaigns to eradicate monuments and other symbols around this State.

It’s important for all of us to acknowledge that this symbol, the Battle Flag, has been expropriated and used illegitimately. Removing it from the State House grounds is a response to that expropriation in light of the inspiring behavior of Clem’s congregation and the victims’ families. But I pray that in the future we don’t devolve into the type of monument-by-monument, symbol-by-symbol, or name-by-name battles that former Senator McConnell encouraged us to avoid, because there would be no end to that. It would be very divisive.

We have a rich history here in South Carolina. Not just a rich Civil War history. We had the first victory over land and naval forces in the Revolutionary War at the Battle of Sullivan’s Island. We have the palmetto tree and the crescent on our state flag because of that battle -- the palmetto trees that soaked up the shot from a fleet of nine British warships six days before the signing of the Declaration of Independence. William Thompson’s sharpshooters from Calhoun County defended the north end of Sullivan’s Island against over 2,000 British marines at Breach Inlet. It was the first decisive victory of the Revolutionary War.

We have a rich history in South Carolina. It’s important for us to commemorate and memorialize that history. We shouldn’t try to sanitize it, or make it something that it’s not. We should interpret it, remember it and memorialize it.

In closing, I encourage us today to follow Paul’s exhortation in Romans 14:19, and pursue peace and mutual up building. I encourage us also in the future, when we return for the next legislative year with the potential of waging campaigns against other symbols, that we reflect upon Paul’s exhortation at that point as well. Let South Carolina’s history be South Carolina’s history. Let the memorials and monuments we have erected remain to interpret and understand that history. Sometimes an understanding of even the most egregious acts in history is where you get the most insight into where you’ve been, why you are where you are right now, and where you should head in the future. That’s the reality. Don’t revise history; learn from it.

I implore us to pass this Bill today in pursuit of the same peace and mutual up building the Mother Emanuel victims, families and church members have so powerfully manifested. But let’s pursue peace and mutual up building in the future as well, by not engaging in pitted battles over symbols like those raging around the nation right now. Thank you.

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

Senator DAVIS spoke on the Bill.

Senator KIMPSON spoke on the Bill.

**Remarks by Senator KIMPSON**

Mr. PRESIDENT, lady and gentlemen of the Senate. There is a poem by Langston Hughes called “Live Your Creed.” I learned it when I was a student at Morehouse College. I will not read all of it to you because I understand the gravity of this moment, and the fact that we need to bring this issue to a vote. The words are, “*I’d rather see a sermon than to hear one any day. I’d rather one walk with me than to show the way. The eye is a better pupil and more willing than the ear. Advice may be misleading but examples are always clear. And the very best teachers are the ones who live their creed.”*

Lady and gentlemen, we have an opportunity today to live our creed. There has been a lot of talk about the soldiers of the Confederacy. I want to take us to the words of the soldiers. There was an agreement that was entered into. Indeed General Wade Hampton spoke at the gathering of his Confederate Legion here in Columbia in 1875. In a tribute to the flag of his legion, he gave a speech entitled The Duty of the Present and these are his words:

“Though it will never again ‘brave the battle and the breeze,’ yet as long as one shred of its battle-scarred fold clings to another, it will tell you in language more eloquent than words, of the imperishable renown you won for it and for yourselves. It will speak constantly to your hearts of our dead comrades and it will serve you to remind you always that, when you furled it forever, you pledged your soldierly honor to observe inviolate the terms on which you surrendered.”

General Robert E. Lee stated this, when he urged after the Civil War that “all should unite in an honest effort to obliterate the effects of war and restore the blessings of peace.” Lee’s orders and the terms of surrender were to furl the flag forever. He urged his fellow southerners in 1869, “Not to keep open the sores of war, but to follow the example of those nations who endeavored to obliterate the marks of civil strife, and to commit to oblivion the feeling it engendered.”

And so my colleagues, as we discuss the remarks of the people who actually fought, I ask that we honor their words and furl the flag. That does not mean you don’t have a ceremony or ritual and I’m not up here to lecture, these are the words of people who were on the battlefield.

I’m from Columbia, I was born and raised here, but I have the privilege of representing Senate District 42. I would like to thank my colleagues in the Charleston Delegation, Senator CAMPSEN, Senator GROOMS, Senator BENNETT, Senator THURMOND and Senator CAMPBELL for having the courage to speak to these issues before it really became popular to do so.

In closing, I want to say thank you and I want you to understand what Senator CAMPSEN called the Charleston Strong United Movement is all about -- the Charleston Strong movement that grew by the thousands, Senator BENNETT, who assembled on that bridge in unity. All rallying for this State to come together and the pictures were flashed across screens all across America. And from Charleston Strong we have grown to South Carolina Strong, and from South Carolina Strong, we have grown to the United States of America Strong. This is our moment, the gravity of the nation and the world is watching us. This is our moment to live our creed.

Mother Emanuel is our sanctuary because it is literally the oldest and greatest mother church for Christianity as practiced by African Americans in South Carolina and throughout the south. Moreover, it’s a place where people of all races organize and commemorate; where we relax our souls, to listen for God. Mother Emanuel is a church for all of us and it belongs to all of us. It is not exclusive. So when evil walks inside our sanctuary, takes a seat, listens to the word of God, and then proceeds to violently violate our refuge, one might ask the question, where is God? Where is God when people of faith, young and old, gather in His house and then evil massacres in a welcoming and trusting place where people should feel most safe? Where is God, in a city rich with history but also steeped in a historical racial division, when a coward steps into God’s house and inflames racial tensions by killing and murdering nine black worshipers? Where is God, when the red carpets of this notable edifice built to His glory is stained with the blood of its pastor and its parishioners? Where is God? I’ll tell you where God is. Mother Emanuel itself is the answer to the question. The word Emmanuel is Hebrew for “God is with us.” So where is God? God is Emmanuel. God is with us. God was there in our sanctuary when our Mother Emanuel was providing refuge to those victims of evil before, during and after.

God was with those who were killed, holding their hands and whispering into their ears. In their last transition from God’s earthly sanctuary to the great sanctuary above, God was with them. God was with Senator PINCKNEY, Cynthia Hurd, Ethel Lance, Susie Jackson, Reverend DePayne Middleton-Doctor, Tywanza Sanders, Reverend Daniel Simmons, Sr., Sharonda Singleton, and Myra Thompson. God is with them and they are watching us and encouraging us to live our creed.

Thank you, Mr. PRESIDENT.

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

Senator JACKSON spoke on the Bill.

**Remarks by Senator JACKSON**

Thank you, Mr. PRESIDENT. I just want to say very briefly, that Reverend Jackson is a great family friend. My late father and Reverend Jackson were very close. He was responsible for me as a student at Benedict College and for becoming the Student Government President. He came to Benedict College and thought that I should to be more involved. Because of him, I got involved in politics. One of the highlights of my life was in 1984 when I went to San Francisco, when he was a candidate for President of the United States. I want to welcome one of my family heroes, and one of my personal heroes, this afternoon to South Carolina. Good to see you Reverend Jackson. God bless you.

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

Senator MALLOY spoke on the Bill.

**Remarks by Senator MALLOY**

Thank you, Mr. PRESIDENT. I want to thank all the members of the Senate for your work, tireless effort, meaningful discussion, problem solving attitudes and for trying to come together for good. I could single out a lot of you but, particularly, I would say thank you to Senator BRIGHT, Senator THURMOND, Senator COURSON and Senator VERDIN for their conversations with me. This is a difficult time. I know what is in your heart as I too am very much still mourning. I’m from Chesterfield County. Over in Cheraw, there are several confederate soldiers named Malloy buried side-by-side. They were not generals and colonels but privates and corporals. I don’t know all the history but I know they were traitors. Unfortunately, we don’t know all the history but we know it is there. Senator JACKSON and I had a conversation with Senator FORD last night. I sent letters out to Senator PATTERSON and Senator WASHINGTON to honor their past work. Senator FORD reminded me of Senate Bill 1266, when the flag was removed from the chambers and hallways. Senator CAMPSEN, I very much appreciate and admire your remarks. I, like you, served in the chamber as well for a period of time before I got to know Clem. As you know, I was his lawyer. I represent his wife and his family. It felt befitting to come speak because of the comments that have been made. Jennifer Pinckney asked me to speak on behalf of their family. She has been engaged in this discussion. Obviously, I know that we have a lot of work to do.

I learned who Clementa Pinckney was, not in the Senate Chamber but in our suites, where we lived together and where anything that I would want done with the secretary took priority to what he wanted done, because that was the kind of person he was. I did not know his history and his pastorship until I became his lawyer and was able to take depositions, handle cases and hear him tell the story with his own lips.

Everything that you all have said about him is true. I tell you that God knew what he was doing when he reached down and got the best of us as it relates to his Christian experience. It’s hard to gauge, but I will tell you, I think he did live his creed. As the family looks on, this debate has been difficult and tough and there are some questions that are still going to come about, but let us resolve to remember Clem. To let him always be the angel on our shoulder, beseeching us to open doors all around us and to live our faith. The message to the world is that Dylann Roof did not cause this flag to come down. The families of Emanuel Nine caused this flag to come down. It wasn't his sin but their grace that brought us here. I want to thank this body for acknowledging their grace. Clementa did not know anything else other than seeing that flag there. But I know that his prayer is for all of us to have righteousness in the heart, beauty in character, harmony in every home and order in the nation and peace in the world. The prayer is for a better South Carolina.

Lastly, I got a chance to go through some of his things the other day and I saw a newspaper clipping of Clem when he was first elected. I think this is altogether fitting. The newspaper had a very young picture of him as a preacher and a quote that said, “Life ought to be prosperous? You aren’t just waiting to die. We are charged with making the world a better place than we found it.” I submit to you that Senator CLEMENTA PINCKNEY is for the ages. He has made the world and all of us better and he will make South Carolina a better place. I want to thank all of you for honoring his memory and having this discussion so hopefully we can move our State forward. Thank you.

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

The question was the second reading of the Bill.

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

**Ayes 37; Nays 3**

**AYES**

Alexander Allen Bennett

Bryant Campbell Campsen

Coleman Courson Cromer

Davis Fair Grooms

Hayes Hembree Hutto

Jackson Johnson Kimpson

Leatherman Lourie Malloy

*Martin, Larry* Matthews McElveen

Nicholson O'Dell Rankin

Reese Sabb Scott

Setzler Shealy Sheheen

Thurmond Turner Williams

Young

**Total--37**

**NAYS**

Bright Peeler Verdin

**Total--3**

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

**Statement by Senator MASSEY**

Unfortunately, I was not able to attend today’s session and missed the debate and votes regarding whether the South Carolina Infantry Battle Flag should continue to fly at the Confederate Soldier Monument on the State House grounds.  Had I been present, I would have voted “aye” on second reading of the Bill to remove the battle flag from the State House grounds.

**Objection**

Senator HUTTO asked unanimous consent to give S. 897 a third reading tomorrow and to apply the second reading vote.

Senator BRIGHT objected.

Senator SETZLER spoke on the Bill.

**Remarks by Senator SETZLER**

Mr. PRESIDENT and members of the Senate, I wanted to wait until after we voted before I made any comments and it is not easy to make these comments.

We have honored our dear friend Senator PINCKNEY. We have heard incredible speeches from both sides of the isle. We have talked about what we have learned from the Charleston 9 and the grace they have given. I talked with you last week about praying for the grace to believe and I remember Senator PEELER’s comments, “That is incredible grace” as shown by the families.

I have listened to the incredible way that the South Carolina Senate has responded and debated this issue. Regardless of which side you are on, regardless of what people think across the county, as a member of the Senate, I am very proud of the way that we have come together in the last nineteen days. We have put aside partisan politics, we have put aside political careers and we have said to the people of the world that we are going to do what is right for South Carolina. We still have another reading to go in the Senate and three readings in the House, but the South Carolina Senate has stepped forward and debated this in a reasonable, responsible, and respectable way, not only to each other but also to the views of both sides on this issue.

I will leave you with two thoughts. One is that we are creating for South Carolina a better State for our children and grandchildren -- one that we may never see. Secondly, Senator PINCKNEY not only taught his congregation, but he taught this Senate. If you have watched the South Carolina Senate since the tragedy in Charleston, you have witnessed what he taught this Senate. He taught us an incredible amount, and sadly we did not realize this before he left us.

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

Senator SCOTT spoke on the Bill.

**Remarks by Senator SCOTT**

Thank you, Mr. President and members of the Senate.  I hope and I pray that after what we have done today, South Carolina can begin to heal.

Many of us through the years have endured pain and sorrow and have seen a lot of things happen.  I was reluctant to speak the whole time dealing with the flag controversy but felt that those who wanted to should share some of those experiences here today. I am hopeful that you will begin to understand some of the difficulties I had growing up in South Carolina.

 When I was 11 years old, I became a member of Boy Scout Troop 192. There was a scout jamboree over in Gaston, and our scout master, for some reason, would not take the Boy Scouts and Cub Scouts to the event.  The time was 1964, and I was too young to understand what was going on in the community.  We went anyway and when asked where the scout master was, my answer was that he would be coming later. I also did not understand that the only children of color attending were the scouts that were with me.  You see, it wasn’t until 1974 when they really integrated the scouts across South Carolina, and across this country.

Earlier at the age of eight, the postman wiped his feet on my pants. Can you believe it? -- the postman. My mother picked me up and put me in the truck, and placed my feet on the back of his pants and waited to see what his behavior would be.  Another experience during my youth was at my father’s grocery store. By the way, Senator PATTERSON frequently visited our store.  The milk man that came there always created a very unpleasant atmosphere in the store.  My father, a very strong man, didn’t put up with a whole lot of mess.

I also remember as a young teen we stopped selling either Pepsi Cola or Coca Cola in our store.  The young kids in the neighborhood would come in the summer months and bottle the bottles up.  The company would give me a 6-pack or a 12-pack of soda, and that’s what I would give the kids in the neighborhood, along with a sandwich for lunch. This new guy on our route decided that day he didn’t want to give me the sodas. Needless to say, the guy started to holler at me in the store.  We didn’t sell Pepsi or Coke for a long time after that. In fact, it wasn’t until the company hired a young man by the name of John Green, who integrated the local bottling company.

Some of us in this body take a lot of things for granted.  For example, it wasn’t until 1970 when we really integrated schools in South Carolina. I had one year to go to school in a partially integrated school system.

As I stand before you today, reflecting on my experiences, I thought things had gotten better. You see, I spent 7.2 years in the governor’s office and had the opportunity to travel across this State. I will tell you that looking back at what I saw when I was in the governor’s office and leaving that position in 1982, I found very little had changed. I later spent 9 years in Anderson County and was the only African American to ever have a contract in the county.

Today, still working to bring about a better South Carolina for all citizens, I am hoping, especially now because of what we have witnessed in Charleston, we will muster up the will to do what’s right, what’s fair and what’s just. There are powerful lessons we can learn from the Emanuel 9 and their families, and I firmly believe God is tired and wants us to do better.

To the families of the nine, who have already gone up to meet our Heavenly Father, hold steady in your faith; for your courage, your forgiveness, and your grace are a testament for the world to learn.

Finally, I just want to say to this body that we must be guided by their lesson and commit to helping South Carolina heal and be a better place for all our citizens to live. It’s time that we change. It’s time. This is your story, and this is your song, praise Our Savior all the day long.  Thank you.

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

**LOCAL APPOINTMENTS**

**Confirmations**

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

Initial Appointment, Sumter County Part-time Magistrate, with the term to commence April 30, 2014, and to expire April 30, 2018

Cecil K. Jackson, 24 Ellen Drive, Sumter, SC 29150 *VICE* Joseph B. Davis

Reappointment, Denmark Technical College Area Commission, with the term to commence July 1, 2015, and to expire July 1, 2019

At-Large:

Brenda L. Williams, 1233 Lake Circle Drive, Orangeburg, SC 29115

**Motion Adopted**

On motion of Senator LEATHERMAN, the Senate agreed to stand adjourned.

**MOTION ADOPTED**

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary D. Lee Alston of Sumter, S.C. Ms. Alston was a school administrator at F.J. Delaine Elementary School, Wedgefield Primary and Crestwood High School. She later became co-owner and operator of Alston Farming, Barbeque Club and Jessie V. Alston Sr. Grading and Paving companies. Mary was a member of High Hills AME Church of Dalzell. She was a loving mother, sister and friend who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mrs. Naomi W. Warner of Sumter, S.C. Mrs. Warner was a savvy business woman who established Naomi and Warner’s Gift Shop, a gathering place for people in the Sumter community. Naomi was a loving mother and devoted grandmother who will be dearly missed.

**ADJOURNMENT**

At 4:16 P.M., on motion of Senator LEATHERMAN, the Senate adjourned, pursuant to the provisions of H. 4274, the *Sine Die* Resolution to meet tomorrow at 10:00 A.M.

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