**Wednesday, February 9, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

We recall how Solomon implored God to:

“ ‘Give me wisdom and knowledge, that I may lead thispeople.’ ”

(2 Chronicles 1:10a)

Bow with me in prayer:

Glorious God, how desperately do we continue to need wise and caring leaders. The demands of the decade call for each one of our Senators and their staff members to draw deeply from personal and collective wisdom. After all, the difficulties before us cannot be resolved by flippant platitudes or empty posturing. By Your Spirit’s grace, O Lord, empower these leaders to work together in finding the ways and means to move our State ever forward. And as always, Holy God, to You be the ultimate glory. In Your loving name we humbly pray, 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, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Priscilla T. Flanagan, 126 Swingabout, Greenwood, SC 29649

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Derwin K. Sthare, 118 Rutledge Road, Greenwood, SC 29649 *VICE* James N. Kier

Reappointment, Horry County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Geneva S. Phillips, 8373 Ole Moore Drive, Conway, SC 29527

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Jeffery Andrew Constant, 131 Creek Road Ext., Greenwood, SC 29646

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Percy Alfonzo Jackson, 104 Stafford Drive, Greenwood, SC 29649 *VICE* Darryl L. Luke

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

David Clark Eddy, 2104 Old Laurens Rd., Greenwood, SC 29649

**COMMUNICATION**

**Message from the House**

Columbia, S.C., February 8, 2011

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has sustained the veto by the Governor on R.3, H. 3321 by a vote of 0 to 112 to:

(R3, H3321) -- Rep. J.R. Smith: AN ACT TO AMEND ACT 1006 OF 1958, RELATING TO THE BATH WATER AND SEWER DISTRICT, THE CLEARWATER WATER AND SEWER DISTRICT, AND THE LANGLEY WATER AND SEWER DISTRICT IN AIKEN COUNTY AND THE ELECTION OF COMMISSIONERS FOR THESE DISTRICTS, SO AS TO PROVIDE THAT NO PERSON MAY SERVE AS A COMMISSIONER OF THESE DISTRICTS AND ALSO SERVE AS AN OFFICER OR EMPLOYEE OF THE SAME DISTRICT, AND TO REQUIRE PRESENT COMMISSIONERS IN VIOLATION OF THIS PROVISION TO MAKE A WRITTEN ELECTION AS TO WHICH POSITION WILL BE RETAINED AND WHICH POSITION BY THAT ELECTION IS BEING RESIGNED.

Very respectfully,

Speaker of the House

Received as information.

**Doctor of the Day**

Senators CAMPSEN and SHOOPMAN introduced Dr. Lesle Long of Greer, S.C., Doctor of the Day.

**Leave of Absence**

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

**Expression of Personal Interest**

Senator RYBERG rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator THOMAS rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator ALEXANDER rose for an Expression of Personal Interest.

**CO-SPONSORS ADDED**

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

S. 122 Sen. Fair

S. 172 Sen. McGill

S. 404 Sen. Scott

S. 471 Sens. Grooms, Campsen, Davis, Shoopman, Alexander, Anderson, Bright, Bryant, Campbell, Cleary, Coleman, Courson, Cromer, Elliott, Fair, Ford, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, Larry Martin, Shane Martin, Massey, Matthews, McConnell, McGill, Nicholson, O’Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Thomas, Verdin and Williams

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 519 -- Senator Fair: A SENATE RESOLUTION HONORING DR. DANIEL DREISBACH ON HIS DECADES OF SCHOLARLY WORK THAT WERE FOUNDED UPON THE EDUCATION HE EARNED IN SOUTH CAROLINA’S TECHNICAL SCHOOL PROGRAM.

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The Senate Resolution was adopted.

S. 520 -- Senator Cleary: A BILL TO AMEND SECTION 48-39-290 OF THE 1976 CODE, RELATING TO CONSTRUCTION OR RECONSTRUCTION SEAWARD OF THE BASELINE OR BETWEEN THE BASELINE AND SETBACK LINE, TO PROVIDE THAT FISHING PIERS AND THEIR RELATED STRUCTURES, WHICH ARE OPEN TO THE PUBLIC AND APPROVED BY THE LOCAL ZONING AND PLANNING AUTHORITY, MAY BE CONSTRUCTED.

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Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 521 -- Senators Sheheen and Williams: A BILL TO AMEND SECTION 59-21-20 OF THE 1976 CODE, RELATING TO THE APPROPRIATION OF TEACHER SALARIES, TO PROVIDE THAT THE GENERAL ASSEMBLY MUST APPROPRIATE ENOUGH FUNDING TO ENSURE THAT TEACHERS ARE NOT DISMISSED BECAUSE OF A LACK OF FUNDING.

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

S. 522 -- Senators Leatherman, O'Dell and Setzler: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

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

S. 523 -- Senators Leatherman and McGill: A BILL TO AMEND SECTION 6-11-810 OF THE 1976 CODE, RELATING TO THE DEFINITION OF SPECIAL PURPOSE DISTRICT, TO AMEND THE DEFINITION TO INCLUDE CERTAIN FIRE AND PUBLIC SAFETY DISTRICTS.

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

S. 524 -- Senators O'Dell and Nicholson: A BILL TO AMEND SECTION 1-11-720, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENTITIES WHOSE EMPLOYEES, RETIREES, AND THEIR DEPENDENTS ARE ELIGIBLE TO PARTICIPATE IN THE STATE HEALTH AND DENTAL INSURANCE PLANS, SO AS TO EXTEND THIS ELIGIBILITY TO CERTAIN OFFICE STAFF MEMBERS OF THE SOUTH CAROLINA ATHLETIC COACHES ASSOCIATION.

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

S. 525 -- Senator L. Martin: A SENATE RESOLUTION TO DESIGNATE FRIDAY, SEPTEMBER 2, 2011, AS “SOUTH CAROLINA FAMILY PLAY DAY” AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO JOIN HANDS IN CELEBRATING THIS DAY.

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The Senate Resolution was introduced and referred to the General Committee.

S. 526 -- Senator Cleary: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 16-3-637 SO AS TO CREATE THE OFFENSES OF ASSAULT WITH A TASER AND ASSAULT AND BATTERY WITH A TASER AND TO PROVIDE PENALTIES.

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

S. 527 -- Senator Fair: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THOSE WHO HAVE RECEIVED NATIONAL CERTIFICATION FROM THE AMERICAN SPEECH-LANGUAGE-HEARING ASSOCIATION AND WORK IN SOUTH CAROLINA PUBLIC SCHOOLS AS SPEECH-LANGUAGE PATHOLOGISTS, AND TO COMMEND THEIR SKILL AND CONTRIBUTIONS TOWARD IMPROVING THE QUALITY OF LIFE FOR THE CHILDREN OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 528 -- Senators Leventis, Matthews, Elliott, Thomas and Anderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-1-490 SO AS TO REQUIRE THE STATE DEPARTMENT OF EDUCATION TO DEVELOP A MODEL DATING VIOLENCE POLICY TO ASSIST SCHOOL DISTRICTS IN DEVELOPING THEIR OWN POLICIES FOR REPORTING AND RESPONDING TO DATING VIOLENCE, TO PROVIDE WHAT MUST BE INCLUDED IN THE POLICIES, TO PROVIDE REPORTING AND PUBLICATION REQUIREMENTS, AND TO REQUIRE SCHOOL DISTRICTS TO INFORM PARENTS AND GUARDIANS OF THE POLICY AND TO PROVIDE PARENTS WITH A COPY OF THE POLICY UPON REQUEST.

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

S. 529 -- Senator Land: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXTEND TO A COMPLETELY BLIND PERSON THE DWELLING HOUSE EXEMPTION ALLOWED A PARAPLEGIC OR HEMIPLEGIC PERSON AND TO EXTEND TO A COMPLETELY BLIND PERSON THE MOTOR VEHICLE EXEMPTION ALLOWED A PERSON REQUIRED TO USE A WHEELCHAIR.

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

S. 530 -- Senator Land: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 16, 2011, AS “CITIES MEAN BUSINESS DAY” TO RECOGNIZE AND HONOR THE VALUABLE CONTRIBUTIONS SOUTH CAROLINA CITIES AND TOWNS MAKE TO THE ECONOMIC PROSPERITY OF SOUTH CAROLINA THROUGH THEIR RELATIONSHIP WITH LOCAL BUSINESSES.

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On motion of Senator SETZLER, with unanimous consent, the Concurrent Resolution was adopted, ordered sent to the House.

S. 531 -- Senators Campsen, Ryberg, Grooms, Bryant, Rose, Campbell, Shoopman, Davis and Bright: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 9-1-5, 9-8-5, 9-9-5, 9-11-5, AND 9-20-5 SO AS TO CLOSE THE SOUTH CAROLINA RETIREMENT SYSTEM, THE RETIREMENT SYSTEM FOR JUDGES AND SOLICITORS, THE RETIREMENT SYSTEM FOR MEMBERS OF THE GENERAL ASSEMBLY OF THE STATE OF SOUTH CAROLINA, THE SOUTH CAROLINA POLICE OFFICERS RETIREMENT SYSTEM, AND THE STATE OPTIONAL RETIREMENT PROGRAM TO EMPLOYEES HIRED OR OFFICERS TAKING OFFICE AFTER JUNE 30, 2012, AND TO PROVIDE THAT OFFICERS OR EMPLOYEES HIRED OR TAKING OFFICE AFTER JUNE 30, 2012, MUST BE ENROLLED IN THE SOUTH CAROLINA RETIREMENT INVESTMENT PLAN; BY ADDING CHAPTER 22 TO TITLE 9 SO AS TO ESTABLISH THE SOUTH CAROLINA RETIREMENT INVESTMENT PLAN AS A DEFINED CONTRIBUTION PLAN AND PROVIDE FOR ITS ADMINISTRATION AND OPERATIONS; AND TO REPEAL, EFFECTIVE JULY 1, 2017, CHAPTER 22, TITLE 9 RELATING TO THE STATE OPTIONAL RETIREMENT PROGRAM.

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

S. 532 -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 41-35-122 SO AS TO PROVIDE THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE SHALL SUSPEND THE BENEFITS OF A PERSON WHO, WHILE RECEIVING BENEFITS, FAILS A DRUG TEST TAKEN AS A CONDITION OF AN APPLICATION FOR EMPLOYMENT, TO PROVIDE THE DEPARTMENT MAY NOT RESTORE THESE SUSPENDED BENEFITS UNTIL THE PERSON HAS SUCCESSFULLY COMPLETED A CERTAIN DRUG TREATMENT PROGRAM AND PASSED A DRUG TEST, TO PROVIDE THE DEPARTMENT MAY NOT PROVIDE OR RESTORE RETROACTIVELY A BENEFIT TO A PERSON FOR A PERIOD IN WHICH HIS BENEFITS ARE SUSPENDED UNDER THIS SECTION, AND TO DEFINE A “DRUG TEST”.

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

S. 533 -- Senators Coleman and Reese: A BILL TO AMEND SECTION 12-36-2120, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR A SALES TAX EXEMPTION OF CERTAIN ITEMS FOR CERTAIN FACILITIES RESEARCHING AND TESTING THE IMPACT OF NATURAL DISASTERS, SO AS TO PROVIDE THAT THE QUALIFYING INVESTMENT OF AT LEAST TWENTY MILLION DOLLARS MAY BEGIN AT ANY TIME PERIOD AFTER JANUARY 1, 2009, AND ALL OR A PORTION MAY OCCUR BEFORE THE TAXPAYER NOTIFIES THE DEPARTMENT OF REVENUE OF ITS INTENTION.

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

H. 3221 -- Rep. Nanney: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 12-53-45 SO AS TO REQUIRE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO FILE ELECTRONICALLY ALL DOCUMENTS RELATING TO THE ENFORCED COLLECTION OF TAXES DUE THIS STATE WITH COUNTY CLERKS OF COURT AND REGISTERS OF DEEDS IN THOSE COUNTIES WHICH ACCEPT ELECTRONIC FILINGS.

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

H. 3301 -- Reps. Clemmons, Bowers, Bales, Anderson, Pinson, R. L. Brown and Erickson: A BILL TO AMEND SECTION 23-43-85, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO STANDARDS FOR PLACEMENT OF MODULAR HOMES, SO AS TO PROVIDE CIRCUMSTANCES IN WHICH A MODULAR HOME USED AS A DISPLAY MODEL MAY BE PLACED FOR ITS FIRST RESIDENTIAL USE.

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

H. 3344 -- Reps. Brady, Erickson, Sandifer, Allison, Dillard, Butler Garrick, Munnerlyn, Funderburk, Horne, Long, Nanney, Bowers, Bales, Anderson, Pinson, Weeks and Clemmons: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE “UNFAIR DISCRIMINATION AGAINST SUBJECTS OF ABUSE IN INSURANCE ACT” BY ADDING SECTION 38-57-115 SO AS TO PROVIDE THAT IT IS UNFAIR DISCRIMINATION FOR AN INSURER TO DENY, REFUSE TO ISSUE OR RENEW, CANCEL, RESTRICT OR EXCLUDE COVERAGE, DENY A CLAIM OR LIMIT PAYMENTS, OR ADD A PREMIUM DIFFERENTIAL TO A POLICY OR CERTIFICATE OF COVERAGE ON THE BASIS THAT AN APPLICANT OR INSURED HAS BEEN OR IS PERCEIVED TO HAVE BEEN ABUSED OR MAY BE A SUBJECT OF ABUSE AND TO PROVIDE PENALTIES, INCLUDING FINES UP TO TWO HUNDRED THOUSAND DOLLARS.

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

H. 3530 -- Rep. Vick: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF CHESTERFIELD COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3578 -- Rep. Anthony: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 13 AND 14, 2011, BY THE STUDENTS OF UNION COUNTY SCHOOL DISTRICT WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3583 -- Rep. Cooper: A BILL TO AMEND SECTION 12-6-40, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE APPLICATION OF THE INTERNAL REVENUE CODE TO STATE INCOME TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2010.

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

H. 3588 -- Rep. Sellers: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10 AND 11, 2011, BY THE STUDENTS OF DENMARK OLAR SCHOOL DISTRICT TWO OF BAMBERG COUNTY WHEN THE SCHOOLS WERE CLOSED DUE TO SNOW ARE EXEMPT FROM THE REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

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

H. 3603 -- Reps. Dillard, Tribble, Brantley, Sottile, Neilson, Parker, J. H. Neal, Brady, Knight, Allison, Brannon, Forrester, Hixon, Hosey, Jefferson, King, Long, Mitchell and Ott: A CONCURRENT RESOLUTION TO DECLARE WEDNESDAY, FEBRUARY 16, 2011, AS “CITIES MEAN BUSINESS DAY” TO RECOGNIZE AND HONOR THE VALUABLE CONTRIBUTIONS SOUTH CAROLINA CITIES AND TOWNS MAKE TO THE ECONOMIC PROSPERITY OF SOUTH CAROLINA THROUGH THEIR RELATIONSHIP WITH LOCAL BUSINESSES.

On motion of Senator SETZLER, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

H. 3634 -- Reps. Simrill, Norman, King, Pope, Delleney, Long and D. C. Moss: A CONCURRENT RESOLUTION TO RECOGNIZE YORK COUNTY AS A VITAL PART OF THIS STATE AND DECLARE FEBRUARY 15, 2011, AS “YORK COUNTY DAY” IN SOUTH CAROLINA.

On motion of Senator HAYES, with unanimous consent, the Concurrent Resolution was adopted and returned to the House.

**REPORTS OF STANDING COMMITTEES**

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

S. 20 -- Senators Grooms, McConnell, Thomas, Alexander, Leatherman, Knotts, Bryant, Hayes, Rose, Verdin, S. Martin, Peeler, L. Martin, Fair, Ryberg, Cromer, Campsen, Davis, Shoopman and Rankin: A BILL TO AMEND CHAPTER 1, TITLE 23 OF THE 1976 CODE, BY ADDING SECTION 23‑1‑250 TO PROVIDE THAT WHERE A LAW ENFORCEMENT OFFICER HAS REASONABLE SUSPICION THAT A PERSON STOPPED, DETAINED, OR ARRESTED BY LAW ENFORCEMENT IS AN ALIEN UNLAWFULLY IN THE UNITED STATES, THE OFFICER OR HIS AGENCY MUST FOLLOW CERTAIN PROCEDURES TO VERIFY HIS IMMIGRATION STATUS; AND TO AMEND ARTICLE 5, CHAPTER 9, TITLE 16, BY ADDING SECTION 16‑9‑480 TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON UNLAWFULLY IN THE UNITED STATES TO SOLICIT OR ATTEMPT TO SOLICIT WORK, AND TO PROVIDE PROCEDURES FOR VERIFYING IMMIGRATION STATUS.

Ordered for consideration tomorrow.

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

S. 38 -- Senators McConnell, L. Martin and Campsen: A BILL TO AMEND SECTION 56‑3‑230, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEPARTMENT OF MOTOR VEHICLES APPLICATION FOR THE REGISTRATION AND LICENSING OF A VEHICLE, SO AS TO PROVIDE THAT THE APPLICATION MUST INCLUDE A VALID COPY OF THE OWNER’S SOUTH CAROLINA DRIVER’S LICENSE.

Ordered for consideration tomorrow.

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

S. 358 -- Senator Grooms: A BILL TO AMEND SECTION 56‑3‑2335 OF THE 1976 CODE, RELATING TO RESEARCH AND DEVELOPMENT LICENSE PLATES, TO PROVIDE THAT RESEARCH AND DEVELOPMENT LICENSE PLATES MAY ALSO BE ISSUED TO VEHICLES OWNED BY THE RESEARCH AND DEVELOPMENT BUSINESS AND BY A FLEET OWNER UNDER CONTRACT WITH THE RESEARCH AND DEVELOPMENT BUSINESS, TO INCREASE THE MAXIMUM NUMBER OF RESEARCH AND DEVELOPMENT LICENSE PLATES THAT MAY BE ISSUED, AND TO PROVIDE FOR OPERATION OF RESEARCH AND DEVELOPMENT LICENSED VEHICLES IN OTHER STATES.

Ordered for consideration tomorrow.

Senator LEATHERMAN from the Committee on Finance submitted a majority favorable with amendment and Senator LEVENTIS a minority unfavorable report on:

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

Ordered for consideration tomorrow.

Senator LARRY MARTIN from the Committee on Judiciary submitted a favorable report on:

H. 3551 -- Rep. Harrison: A JOINT RESOLUTION TO ADOPT REVISED CODE VOLUMES 4A AND 14 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO THE EXTENT OF THEIR CONTENTS, AS THE ONLY GENERAL PERMANENT STATUTORY LAW OF THE STATE AS OF JANUARY 1, 2011.

Ordered for consideration tomorrow.

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

**READ THE SECOND TIME**

H. 3243 -- Reps. Pinson, Pitts and Parks: A BILL TO AMEND ACT 595 OF 1994, AS AMENDED, RELATING TO THE ELECTION OF MEMBERS OF THE BOARD OF TRUSTEES OF GREENWOOD SCHOOL DISTRICT 50 IN GREENWOOD COUNTY, SO AS TO PROVIDE THAT IF THE NUMBER OF CANDIDATES FOR THE BOARD OF TRUSTEES IS EQUAL TO OR LESS THAN THE NUMBER OF POSITIONS TO BE FILLED, THE COUNTY ELECTION COMMISSION SHALL DECLARE THOSE CANDIDATES ELECTED.

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

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

**Ayes 2; Nays 0**

**AYES**

Nicholson O'Dell

**Total--2**

**NAYS**

**Total--0**

The Bill was read the second time and ordered placed on the third reading Calendar.

**ADOPTED**

S. 471 -- Senators Grooms, Campsen, Davis, Shoopman, Alexander, Anderson, Bright, Bryant, Campbell, Cleary, Coleman, Courson, Cromer, Elliott, Fair, Ford, Hayes, Hutto, Jackson, Knotts, Land, Leatherman, Leventis, Lourie, Malloy, Larry Martin, Shane Martin, Massey, Matthews, McConnell, McGill, Nicholson, O'Dell, Peeler, Pinckney, Rankin, Reese, Rose, Ryberg, Scott, Setzler, Sheheen, Thomas, Verdin and Williams: A CONCURRENT RESOLUTION TO OPPOSE ANY PLAN TO EXPAND THE SAVANNAH RIVER THAT DOES NOT PROVIDE MUTUAL ECONOMIC BENEFITS TO THE PEOPLE OF SOUTH CAROLINA.

The Senate proceeded to a consideration of the Concurrent Resolution, the question being the adoption of the Resolution.

Senator GROOMS explained the Resolution.

Senator SHOOPMAN spoke on the Resolution.

The Concurrent Resolution was adopted.

**S. 471--Recorded Vote**

Senator RYBERG desired to be recorded as voting in favor of the adoption of the Concurrent Resolution.

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

**MOTION ADOPTED**

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

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE AS AMENDED**

S. 255 -- Senators Cleary, McConnell, Hutto, Rose, Ford and Knotts: A BILL TO AMEND TITLE 33, CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 57, SO AS TO AUTHORIZE QUALIFIED RELIGIOUS, CHARITABLE, EDUCATIONAL, AND OTHER ELEEMOSYNARY ORGANIZATIONS TO OPERATE AND CONDUCT RAFFLES AND CASINO NIGHT CHARITY GAMES THROUGH REGISTRATION WITH THE SOUTH CAROLINA SECRETARY OF STATE, TO PROVIDE STANDARDS FOR THESE EVENTS; TO REQUIRE PROCEEDS TO BE USED FOR RELIGIOUS, CHARITABLE, EDUCATIONAL, OR OTHER ELEEMOSYNARY PURPOSES; AND TO PROVIDE PENALTIES FOR VIOLATIONS.

**Motion Under Rule** **26B**

Senator THOMAS moved under the provisions of Rule 26Bto take up an additional amendment on third reading.

Having received the requisite number of votes under the provisions of Rule 26B, Amendment No. 169 was taken up for immediate consideration.

**Amendment No. 169**

Senator THOMAS proposed the following amendment (SWB\  
5105CM11), which was laid on the table:

Amend the bill, as and if amended, Section 33‑57‑120(C) as contained in SECTION 1, by inserting:

/ with a fee of fifty dollars / after / form / on line 29, page 4.

Renumber sections to conform.

Amend title to conform.

Senators THOMAS, SETZLER and CLEARY spoke on the amendment.

Senator SETZLER moved to lay the amendment on the table.

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

**Ayes 26; Nays 15**

**AYES**

Bright Bryant Campbell

Coleman Courson Elliott

Fair Grooms Jackson

Knotts Leatherman Leventis

Malloy *Martin, Shane* Matthews

Nicholson Peeler Rankin

Reese Rose Ryberg

Scott Setzler Sheheen

Shoopman Verdin

**Total--26**

**NAYS**

Alexander Campsen Cleary

Cromer Davis Ford

Hayes Hutto *Martin, Larry*

Massey McConnell McGill

O'Dell Thomas Williams

**Total--15**

The amendment was laid on the table.

The question then was third reading of the Bill.

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

**Ayes 24; Nays 16**

**AYES**

Alexander Campbell Campsen

Cleary Cromer Davis

Ford Hutto Jackson

Knotts Leatherman Malloy

*Martin, Larry* Massey Matthews

McConnell Nicholson Peeler

Rankin Rose Ryberg

Scott Setzler Sheheen

**Total--24**

**NAYS**

Bright Bryant Courson

Elliott Fair Grooms

Hayes Leventis *Martin, Shane*

McGill O'Dell Reese

Shoopman Thomas Verdin

Williams

**Total--16**

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

**READ THE SECOND TIME**

S. 430 -- Senators L. Martin and Alexander: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAY MISSED BY STUDENTS ATTENDING DANIEL HIGH SCHOOL IN THE PICKENS COUNTY SCHOOL DISTRICT ON AUGUST 18, 2010, DUE TO A WATER MAIN BREAK, IS EXEMPT FROM THE MAKE‑UP REQUIREMENT THAT FULL SCHOOL DAYS MISSED DUE TO SNOW, EXTREME WEATHER, OR OTHER DISRUPTIONS BE MADE UP.

Senator LARRY MARTIN asked unanimous consent to take the Resolution up for immediate consideration.

There was no objection.

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

Senator LARRY MARTIN explained the Resolution.

The question then was second reading of the Resolution.

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

**Ayes 15; Nays 0; Abstain 16**

**AYES**

Alexander Bright Courson

Elliott Ford Grooms

Knotts Leatherman *Martin, Larry*

McConnell O'Dell Peeler

Rankin Reese Verdin

**Total--15**

**NAYS**

**Total--0**

**ABSTAIN**

Bryant Campbell Campsen

Cromer Davis Leventis

Malloy *Martin, Shane* McGill

Nicholson Rose Ryberg

Setzler Sheheen Shoopman

Williams

**Total--16**

The Resolution was read the second time and ordered placed on the third reading Calendar.

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

**PLACED IN THE STATUS OF INTERRUPTED DEBATE**

S. 277 -- Senators Peeler, Campsen, Rose, Ryberg, McConnell, Bright, Knotts, O’Dell and S. Martin: A BILL TO RATIFY AN AMENDMENT TO ARTICLE II OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT OF SUFFRAGE, BY ADDING SECTION 12 TO GUARANTEE THE RIGHT OF AN INDIVIDUAL TO VOTE BY SECRET BALLOT FOR A DESIGNATION, A SELECTION, OR AN AUTHORIZATION FOR EMPLOYEE REPRESENTATION BY A LABOR ORGANIZATION.

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

Senator PEELER explained the Bill.

Senator HUTTO moved that the Bill be carried over.

On motion of Senator PEELER, with unanimous consent, the Bill was placed in the status of Interrupted Debate.

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

**CARRIED OVER**

S. 172 -- Senators Rose, Fair, Leatherman, Bright, Bryant, Campsen, Knotts, O’Dell, S. Martin and Ford: A BILL TO AMEND ARTICLE 2, CHAPTER 101, TITLE 59 OF THE 1976 CODE, RELATING TO PUBLIC INSTITUTIONS OF HIGHER LEARNING, BY ADDING SECTION 59‑101‑670 TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST MAINTAIN A DETAILED TRANSACTION REGISTER OF ALL FUNDS EXPENDED EACH MONTH AND POST THAT REGISTER ONLINE, AND TO PROVIDE THAT EACH PUBLIC INSTITUTION OF HIGHER LEARNING MUST POST ONLINE ALL OF ITS CREDIT CARD STATEMENTS AND THE CREDIT CARD STATEMENTS FOR CREDIT CARDS ISSUED TO PUBLIC OFFICIALS AND EMPLOYEES FOR PUBLIC USE; AND TO AMEND ARTICLE 15, CHAPTER 1, TITLE 1, RELATING TO REPORTING OF EXPENDITURES OF STATE APPROPRIATED FUNDS BY STATE AGENCIES, PERSONAL DATA AND THE LIKE, BY ADDING SECTION 1‑1‑1040 TO PROVIDE THAT ALL STATE AGENCIES MUST HAVE A LINK ON THEIR INTERNET WEBSITE TO THE STATE AGENCY RESPONSIBLE FOR POSTING ON ITS INTERNET WEBSITE THE AGENCY’S, DEPARTMENT’S, OR INSTITUTION’S MONTHLY STATE PROCUREMENT CARD STATEMENTS OR MONTHLY REPORTS CONTAINING ALL OR SUBSTANTIALLY ALL THE SAME INFORMATION CONTAINED IN THE MONTHLY STATE PROCUREMENT CARD STATEMENTS.

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

Senator HUTTO moved to carry over the Bill.

The motion failed.

Senator SHEHEEN spoke on the Bill.

Senator ROSE moved to carry over the Bill.

The Bill was carried over.

**AMENDED, READ THE SECOND TIME**

S. 256 -- Senators Cleary, McConnell, Hutto, Rose, Ford and Knotts: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE XVII OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE PROHIBITION ON LOTTERIES AND THE EXCEPTIONS TO THIS PROHIBITION, SO AS TO PROVIDE THAT THE GENERAL ASSEMBLY MAY AUTHORIZE RAFFLES TO BE OPERATED AND CONDUCTED BY RELIGIOUS, CHARITABLE, OR NONPROFIT ORGANIZATIONS FOR RELIGIOUS, CHARITABLE, OR ELEEMOSYNARY PURPOSES, AND BY GENERAL LAW MUST DEFINE THE TYPE OF ORGANIZATION AUTHORIZED TO CONDUCT RAFFLES, PROVIDE THE STANDARDS FOR THEIR CONDUCT AND MANAGEMENT, PROVIDE PENALTIES FOR VIOLATIONS, AND PROVIDE FOR ANY OTHER LAW NECESSARY TO ASSURE THE PROPER FUNCTIONING, HONESTY, INTEGRITY, AND CHARITABLE PURPOSES FOR WHICH THE RAFFLES ARE CONDUCTED.

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

**Amendment No. 140**

Senator McCONNELL proposed the following amendment (JUD0256.001), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the enacting words and inserting the following:

/ SECTION 1. It is proposed that Section 7, Article XVII of the Constitution of this State be amended to read as follows:

“Section 7. Only the State may conduct lotteries, and these lotteries must be conducted in the manner that the General Assembly provides by law. The revenue derived from the lotteries must first be used to pay all operating expenses and prizes for the lotteries. The remaining lottery revenues must be credited to a separate fund in the state treasury styled the ‘Education Lottery Account’, and the earnings on this account must be credited to it. Education Lottery Account proceeds may be used only for education purposes as the General Assembly provides by law. The game of bingo, when conducted by charitable, religious, or fraternal organizations exempt from federal income taxation or when conducted at recognized annual state and county fairs, is not considered a lottery prohibited by this section.

A raffle, if provided for by general law and conducted by a charitable, religious, fraternal, educational, or nonprofit organization is not a lottery prohibited by this section. The general law must define the type of organization authorized to operate and conduct a raffle, provide standards for its operation and conduct, provide for the use of proceeds for religious, charitable, educational, or other eleemosynary purposes, provide penalties for violations, and provide for other laws necessary to assure the proper functioning, honesty, and integrity of the raffles. The absence of general law regarding the conduct and operation of a raffle means that the raffle is a lottery prohibited by this section.”

SECTION 2. The proposed amendment must be submitted to the qualified electors at the next general election for representatives. Ballots must be provided at the various voting precincts with the following words printed or written on the ballot:

“Must Section 7, Article XVII of the Constitution of this State be amended so as to provide that a raffle is not a lottery prohibited by this section, if provided by general law and conducted by a charitable, religious, fraternal, educational, or nonprofit organization, and the general law defines the type of organization authorized to operate and conduct the raffles, provides standards for their operation and conduct, provides for the use of proceeds for religious, charitable, educational, or other eleemosynary purposes, provides penalties for violations, and provides for other laws necessary to assure the proper functioning, honesty, and integrity of the raffles, but in the absence of any general law, then a raffle remains a prohibited lottery?

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’.” /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the amendment.

The amendment was adopted.

Senator McCONNELL spoke on the Joint Resolution.

**Remarks by Senator McCONNELL**

Mr. PRESIDENT and members of the Senate, I hope that those who hear my voice will come back in for the vote on the constitutional amendment. We have now adopted an implementing statute. We have made this constitutional amendment purely predicated on a general law being enacted -- nothing mandatory on the General Assembly. In the absence of the general law, Senator from York, it is prohibited; so we closed all of the doors. The poll I told you about -- the call from the charity -- I would hope that those adhere to this, Senator from Lexington. This lets the people vote “yes” or “no”. The implementing legislation is there. If they don’t want it, they turn it down. That’s it. If they approve it and it does not result in the way we have represented it, at the end of five years, it expires; and the way this constitutional amendment is structured, it is clear that you’d have to pass a general law. I don’t know of any tighter way we can do it. We have spent all these weeks, and now we have an opportunity to wrap this up. It is a historic moment for South Carolina to give the charities the ability to do it, and I will take any questions from my friend in Greenville. Perhaps in the engagement we have, there will be another cartoon.

Senator THOMAS: If we pass the enabling legislation which is before us -- it just passed -- and if the constitutional amendment passes, then the enabling legislation goes into effect in 2012, after the public has voted in favor of it -- if they vote in favor of it?

Senator McCONNELL: We have to come back and ratify what the public voted for.

Senator THOMAS: Now in five years, either it sunsets or we would have to pass a new endorsement, if you will, or a new Bill. Is that correct?

Senator McCONNELL: That is correct, sir. And the way we just finished, the Senator from Pickens just got finished with the constitutional amendment. We have made it very clear in there that absent a general law on the books that the raffle is prohibited so without the general law on the books -- in five years from now it just expires and raffles become illegal until this General Assembly were to speak again.

I want to thank the Senator from Georgetown, Senator CLEARY, again for his persistence and his long and hard work, and also over on my left, the Senator from Spartanburg, Senator THOMAS, for his participation along the way in providing a critical opportunity for us to exchange some different views. I don’t know what the House of Representatives will do. It might get over in that Judiciary Committee -- I call it the dust bin for some Senate Bills and language there -- but at least we have tried.

Senator ROSE: I just want to clarify here that all we are doing by voting for this Bill is to allow the people in the State of South Carolina to vote in a referendum as to whether or not they want these raffles?

Senator McCONNELL: We are doing more than that. We are presenting the implementing legislation with it. It’s the whole package. We are saying if you vote for this, this is what you get. If they don’t like this implementing legislation, they may not vote for this constitutional amendment.

Senator ROSE: But we are just letting people decide for themselves.

Senator McCONNELL: I’m being very careful. I think I know where your questions will eventually lead to on another issue so I don’t want my friend from Lexington to accuse me of putting some spin on anything. Anyway, Mr. PRESIDENT, with that, I would hope that we give it the vote and send it on to the voters.

On motion of Senator THOMAS, with unanimous consent, the remarks of Senator McCONNELL, including the questions and answers, were ordered printed in the Journal.

The question then was second reading of the Joint Resolution.

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

**Ayes 22; Nays 17**

**AYES**

Alexander Campbell Campsen

Cleary Coleman Davis

Elliott Ford Hutto

Knotts Leatherman Malloy

*Martin, Larry* Massey McConnell

Nicholson Peeler Rankin

Rose Ryberg Scott

Setzler

**Total--22**

**NAYS**

Bright Bryant Courson

Cromer Fair Grooms

Hayes Leventis *Martin, Shane*

McGill O'Dell Reese

Sheheen Shoopman Thomas

Verdin Williams

**Total--17**

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

**MOTION ADOPTED**

Senator LARRY MARTIN moved to revert to the Motion Period.

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

**Ayes 26; Nays 13**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman *Martin, Larry*

*Martin, Shane* Massey McConnell

O'Dell Peeler Rankin

Rose Ryberg Shoopman

Thomas Verdin

**Total--26**

**NAYS**

Coleman Elliott Ford

Hutto Jackson Leventis

Malloy McGill Nicholson

Reese Scott Setzler

Williams

**Total--13**

The Senate agreed to revert to the Motion Period.

**MOTION PERIOD**

**MOTION FOR SPECIAL ORDER FAILED**

H. 3003 -- Reps. Clemmons, Harrell, Lucas, Bingham, Harrison, Cooper, Owens, Sandifer, Allison, Ballentine, Bannister, Barfield, Bowen, Cole, Crawford, Daning, Delleney, Forrester, Frye, Gambrell, Hamilton, Hardwick, Hiott, Horne, Huggins, Limehouse, Loftis, Long, Lowe, Merrill, V.S. Moss, Norman, Parker, G.M. Smith, G.R. Smith, Sottile, Stringer, Toole, Umphlett, Viers, White, Crosby, Thayer, Simrill, Ryan, McCoy, Murphy, Atwater, Henderson, Quinn, Tallon, Patrick, J.R. Smith, Hixon, Taylor, Young, Bedingfield, Corbin, Pitts, Chumley, Spires, Pope, Bikas, Pinson, D.C. Moss, Erickson, Willis, Brady, Herbkersman, Nanney, Brannon and Whitmire: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 7‑3‑70 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO CREATE A LIST CONTAINING ALL REGISTERED VOTERS WHO ARE QUALIFIED TO VOTE, BUT DO NOT HAVE A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT OF MOTOR VEHICLES AS OF JANUARY 1, 2013, AND TO REQUIRE THE DEPARTMENT TO FURNISH A LIST OF PERSONS WITH A SOUTH CAROLINA DRIVER’S LICENSE OR OTHER FORM OF IDENTIFICATION CONTAINING A PHOTOGRAPH ISSUED BY THE DEPARTMENT AT NO CHARGE TO THE COMMISSION; BY ADDING SECTION 7‑5‑675 SO AS TO REQUIRE THE STATE ELECTION COMMISSION TO IMPLEMENT A SYSTEM IN ORDER TO ISSUE VOTER REGISTRATION CARDS WITH A PHOTOGRAPH OF THE ELECTOR; TO REQUIRE THE STATE ELECTION COMMISSION TO ESTABLISH AN AGGRESSIVE VOTER EDUCATION PROGRAM CONCERNING THE PROVISIONS OF THIS ACT; TO AMEND SECTION 7‑1‑25, RELATING TO THE DEFINITION OF “DOMICILE”, SO AS TO PROVIDE FACTORS TO CONSIDER IN DETERMINING A PERSON’S INTENTION REGARDING HIS DOMICILE; TO AMEND SECTION 7‑3‑20, AS AMENDED, RELATING TO THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR OF THE STATE ELECTION COMMISSION, SO AS TO REQUIRE THE EXECUTIVE DIRECTOR TO MAINTAIN IN A MASTER FILE A SEPARATE DESIGNATION FOR ABSENTEE AND EARLY VOTING IN A GENERAL ELECTION; TO AMEND SECTION 7‑5‑125, RELATING TO THE ISSUANCE OF A WRITTEN NOTIFICATION OF REGISTRATION TO VOTE, SO AS TO PROVIDE FOR THE ISSUANCE OF A DUPLICATE NOTIFICATION IF THE ELECTOR TO WHOM IT WAS ORIGINALLY ISSUED LOSES OR DEFACES IT; TO AMEND SECTION 7‑5‑230, AS AMENDED, RELATING TO THE BOARDS OF REGISTRATION BEING THE JUDGES OF THE LEGAL QUALIFICATIONS OF ALL APPLICANTS FOR REGISTRATION, SO AS TO ADD A REFERENCE TO SECTION 7‑1‑25 AND DELETE CERTAIN CRITERIA USED WHEN CONSIDERING A CHALLENGE REGARDING THE RESIDENCE OF AN ELECTOR; TO AMEND SECTION 7‑13‑710, AS AMENDED, RELATING TO THE PRESENTATION OF A PERSON’S PROOF OF HIS RIGHT TO VOTE, SO AS TO REQUIRE PHOTOGRAPH IDENTIFICATION TO VOTE, PROVIDING FOR PROVISIONAL BALLOTS IF THE IDENTIFICATION CANNOT BE PRODUCED AND PROVIDE FOR CERTAIN EXCEPTIONS, TO REQUIRE A POLL MANAGER TO COMPARE THE PHOTOGRAPH ON THE REQUIRED IDENTIFICATION WITH THE PERSON PRESENTING HIMSELF TO VOTE AND VERIFY THAT THE PHOTOGRAPH IS THAT OF THE PERSON SEEKING TO VOTE; TO AMEND SECTION 7‑15‑330, AS AMENDED, RELATING TO THE TIME OF APPLICATION FOR AN ABSENTEE BALLOT, SO AS TO DELETE REFERENCES TO AN AUTHORIZED REPRESENTATIVE REQUESTING AN APPLICATION FOR A QUALIFIED ELECTOR; TO AMEND SECTION 7‑15‑385, AS AMENDED, RELATING TO THE MARKING AND RETURNING OF THE ABSENTEE BALLOT, SO AS TO REQUIRE THE BOARD OF REGISTRATION TO RECORD, INSTEAD OF NOTE, CERTAIN PROCEDURES REGARDING THE RETURN OF THE ABSENTEE BALLOT; TO AMEND SECTION 56‑1‑3350, AS AMENDED, RELATING TO THE ISSUANCE OF SPECIAL IDENTIFICATION CARDS BY THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO PROVIDE FREE IDENTIFICATION CARDS UPON REQUEST UNDER CERTAIN CIRCUMSTANCES; AND TO REPEAL SECTION 7‑15‑470 RELATING TO THE PROHIBITION OF VOTING ON A VOTING MACHINE FOR IN‑PERSON ABSENTEE VOTING.

Senator LARRY MARTIN moved to make the Bill a Special Order.

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

**Ayes 26; Nays 14**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman *Martin, Larry*

*Martin, Shane* Massey McConnell

O'Dell Peeler Rankin

Rose Ryberg Shoopman

Thomas Verdin

**Total--26**

**NAYS**

Coleman Elliott Ford

Hutto Jackson Leventis

Malloy McGill Nicholson

Reese Scott Setzler

Sheheen Williams

**Total--14**

Having failed to receive the necessary votes, the motion to set the Bill for Special Order failed.

**MOTION ADOPTED**

Senator LARRY MARTIN made a motion to dispense with the balance of the Motion Period.

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

**Ayes 28; Nays 11**

**AYES**

Alexander Bryant Campbell

Campsen Cleary Courson

Cromer Davis Elliott

Fair Grooms Hayes

Knotts Leatherman Leventis

*Martin, Larry Martin, Shane* McConnell

McGill Nicholson O'Dell

Peeler Rose Ryberg

Shoopman Thomas Verdin

Williams

**Total--28**

**NAYS**

Bright Coleman Ford

Hutto Jackson Malloy

Massey Rankin Reese

Scott Sheheen

**Total--11**

The Senate agreed to dispense with the Motion Period.

**MOTION FAILED**

Senator SETZLER moved that the Senate stand adjourned.

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

**Ayes 9; Nays 29**

**AYES**

Coleman Elliott Ford

Hutto Leventis Malloy

Reese Setzler Sheheen

**Total--9**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Courson

Cromer Davis Fair

Grooms Hayes Knotts

Leatherman *Martin, Larry Martin, Shane*

Massey McConnell McGill

Nicholson O'Dell Peeler

Rankin Rose Ryberg

Scott Shoopman Thomas

Verdin Williams

**Total--29**

The Senate refused to adjourn.

**CONSIDERATION INTERRUPTED**

S. 254 -- Senators Cleary, McConnell, Hutto, Ford and Ryberg: A BILL TO AMEND CHAPTER 19, TITLE 16 OF THE SOUTH CAROLINA CODE OF LAWS, 1976, RELATING TO GAMBLING AND LOTTERIES, SO AS TO ADD DEFINITIONS FOR THE REGULATION OF GAMBLING; TO MAKE UNIFORM PENALTIES FOR UNLAWFUL LOTTERIES AND GAMBLING; TO ALLOW EXCEPTIONS FOR GAMES OF CARDS OR DICE IN A PRIVATE RESIDENCE OR HOME; AND TO PROVIDE THAT MONIES PAID FOR GAMBLING ARE RECOVERABLE BY A DEBTOR.

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

Senator GROOMS moved to carry over the Bill.

Senator SHEHEEN moved to table the motion to carry over the Bill.

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

**Ayes 14; Nays 26**

**AYES**

Coleman Davis Elliott

Ford Hutto Jackson

Knotts Leventis Malloy

McGill Nicholson Scott

Sheheen Williams

**Total--14**

**NAYS**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Fair

Grooms Hayes Leatherman

*Martin, Larry Martin, Shane* Massey

McConnell O'Dell Peeler

Rankin Reese Rose

Ryberg Setzler Shoopman

Thomas Verdin

**Total--26**

The Senate refused to table the motion to carry over.

The question then was the motion to carry over the Bill.

**MOTION ADOPTED**

Senator McCONNELL asked unanimous consent to make a motion that the Senate stand adjourned.

There was no objection.

Consideration of the Bill was interrupted.

**LOCAL APPOINTMENTS**

**Confirmations**

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

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Priscilla T. Flanagan, 126 Swingabout, Greenwood, SC 29649

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Derwin K. Sthare, 118 Rutledge Road, Greenwood, SC 29649 *VICE* James N. Kier

Reappointment, Horry County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Geneva S. Phillips, 8373 Ole Moore Drive, Conway, SC 29527

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Jeffery Andrew Constant, 131 Creek Road Ext., Greenwood, SC 29646

Initial Appointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

Percy Alfonzo Jackson, 104 Stafford Drive, Greenwood, SC 29649 *VICE* Darryl L. Luke

Reappointment, Greenwood County Board of Voter Registration, with the term to commence March 15, 2010, and to expire March 15, 2012

At-Large:

David Clark Eddy, 2104 Old Laurens Rd., Greenwood, SC 29649

**ADJOURNMENT**

At 4:52 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:00 A.M.

\* \* \*