**Tuesday, February 22, 2011**

**(Statewide Session)**

~~Indicates Matter Stricken~~

## Indicates New Matter

The Senate assembled at 12:00 Noon, 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:

“Great peace have they who love your law, and nothing can make them stumble.” (Psalm 119:165)

Join me as we bow in prayer:

Holy and ever-loving God, hear us as we pray today for our sisters and brothers in virtually everyplace on the planet, wherever the status quo is being challenged: in Egypt, Tunisia, Bahrain, Yemen, Libya, Algeria, Morocco, even Wisconsin. Left and right we discover people desperate for hope, seeking answers, tired of having little, frustrated by limited opportunities. O Lord, be with each of Your leaders in this Senate Chamber. Guide them as they strive to make hope real and concrete for citizens here in South Carolina. And, bless and comfort the people of Christ Church, New Zealand. In Your loving and hopeful name we pray, dear Lord.

Amen.

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

**CO-SPONSORS ADDED**

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

Sen. Grooms S. 34

Sen. Rose S. 23, 419, 420, 424, 431, 432, 433, 444, 464, 485

501, 508, 509, 515, 561, 588, 591

Sen. Bright S. 20, S. 434

Sen. Malloy S. 404

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

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

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Read the first time and referred to the General Committee.

S. 593 -- Senator Hayes: A BILL TO AMEND SECTION 8-13-1300, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS IN REGARD TO CAMPAIGN PRACTICES, SO AS TO REVISE THE DEFINITIONS OF “COMMITTEE”, “NONCANDIDATE COMMITTEE”, AND “BALLOT MEASURE COMMITTEE”, AND TO ADD A DEFINITION OF “INDEPENDENT EXPENDITURE COMMITTEE”.

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

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

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

S. 595 -- Senator Rose: A BILL TO AMEND ARTICLE 5, CHAPTER 1, TITLE 59 OF THE 1976 CODE, BY ADDING SECTION 59-1-490 TO REQUIRE THAT ANY APPROPRIATION BY THE GENERAL ASSEMBLY TO FUND ABSTINENCE ONLY EDUCATION MUST INCLUDE A PROVISION THAT PERMITS A SCHOOL DISTRICT TO OPT OUT OF ANY OBLIGATION TO PROVIDE ABSTINENCE ONLY INSTRUCTION AND TO RECEIVE A PRO RATA SHARE OF THE TOTAL AMOUNT APPROPRIATED BASED ON THE DISTRICT'S PERCENTAGE OF THE TOTAL STATE STUDENT POPULATION.

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

S. 596 -- Senator Rose: A JOINT RESOLUTION TO REQUIRE THE STATE TREASURER TO DISTRIBUTE ANY REMAINING UNOBLIGATED PORTION OF FUNDS APPROPRIATED FOR ABSTINENCE ONLY EDUCATION BY THE FISCAL YEAR 2010-2011 GENERAL APPROPRIATIONS ACT TO THE SCHOOL DISTRICTS OF THE STATE BASED ON EACH DISTRICT'S PERCENTAGE OF THE TOTAL STATE STUDENT POPULATION AND TO PROVIDE THAT THE FUNDS MAY BE USED TO FUND ANY GENERAL OPERATING EXPENSE.

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

S. 597 -- Senators S. Martin, Bright, Peeler and Reese: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE DORMAN HIGH SCHOOL VARSITY GIRLS TRACK AND FIELD TEAM FOR ITS IMPRESSIVE WIN OF THE CLASS AAAA 2010 STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS AND COACHES ON AN OUTSTANDING SEASON.

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The Senate Resolution was adopted.

S. 598 -- Senators S. Martin, Bright, Peeler and Reese: A SENATE RESOLUTION TO RECOGNIZE AND COMMEND THE DORMAN HIGH SCHOOL VARSITY GIRLS CROSS COUNTRY TEAM FOR ITS IMPRESSIVE WIN OF THE CLASS AAAA 2010 STATE CHAMPIONSHIP TITLE, AND TO HONOR THE PLAYERS AND COACHES ON AN OUTSTANDING SEASON.

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The Senate Resolution was adopted.

H. 3508 -- Reps. Gambrell, Sandifer, Harrell, Erickson, Limehouse, Weeks, H. B. Brown, Agnew, Allison, Anthony, Bales, Bannister, Bedingfield, Bingham, Brady, Brannon, G. A. Brown, Cole, Crosby, Forrester, Hardwick, Harrison, Hayes, Hiott, Hixon, Horne, Lowe, Lucas, McCoy, D. C. Moss, Owens, Parker, Pinson, Pitts, Skelton, J. E. Smith, J. R. Smith, Sottile, Tallon, Vick, White, Taylor, Hamilton, Battle, Allen, Dillard, Alexander, Cooper, Mack and Bowen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO RETITLE ARTICLE 23, CHAPTER 9, TITLE 58, RELATING TO GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS AS “GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDERS”; BY ADDING SECTION 58-9-2660 SO AS TO PROVIDE A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER MAY PETITION THE PUBLIC SERVICE COMMISSION TO DESIGNATE ONE OR MORE AREAS AS AN “UNSERVED AREA”, TO SPECIFY THE PROCEDURE FOR MAKING AND PROTESTING THIS PETITION, TO PROVIDE FOR A HEARING OF A PROTEST TO A PETITION, TO PROVIDE FOR THE APPLICATION OF CERTAIN PROVISIONS OF LAW TO AN UNSERVED AREA, AND TO PROVIDE A PROCESS FOR PETITIONING FOR A DETERMINATION THAT AN AREA HAS CEASED TO BE AN UNSERVED AREA; TO AMEND SECTION 58-9-10, AS AMENDED, RELATING TO DEFINITIONS CONCERNING TELEPHONE COMPANIES, SO AS TO MODIFY THE DEFINITION OF “BROADBAND SERVICE”; TO AMEND SECTION 58-9-2600, RELATING TO THE PURPOSE OF ARTICLE 23, CHAPTER 9, TITLE 58, SO AS TO MAKE CONFORMING CHANGES AND CLARIFY THE SCOPE OF THE ARTICLE; TO AMEND SECTION 58-9-2610, RELATING TO DEFINITIONS CONCERNING GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES AND ADD CERTAIN DEFINITIONS; TO AMEND SECTION 58-9-2620, AS AMENDED, RELATING TO DUTIES, RESTRICTIONS, RATE COMPUTATIONS, AND ACCOUNTING REQUIREMENTS OF GOVERNMENT-OWNED TELECOMMUNICATIONS SERVICE PROVIDERS, SO AS TO MAKE CONFORMING CHANGES, TO GIVE THE OFFICE OF REGULATORY STAFF JURISDICTION TO INVESTIGATE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, TO PROVIDE THE COMMISSION MAY ENFORCE THE COMPLIANCE OF A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER WITH THE PROVISIONS OF THIS CHAPTER, AND TO CLARIFY THAT THIS SECTION DOES NOT EXPAND OR LIMIT THE JURISDICTION OF THE COMMISSION OR OFFICE OF REGULATORY STAFF WITH RESPECT TO ANY SERVICE PROVIDER OTHER THAN A GOVERNMENT-OWNED COMMUNICATIONS SERVICE PROVIDER; TO AMEND SECTION 58-9-2630, RELATING TO CERTAIN TAX COLLECTIONS AND PAYMENTS, SO AS TO MAKE CONFORMING CHANGES; AND TO AMEND SECTION 58-9-2650, AS AMENDED, RELATING TO LIABILITY INSURANCE RATES FOR COMMUNICATIONS OPERATIONS, SO AS TO MAKE CONFORMING CHANGES.

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

H. 3696 -- Rep. Delleney: A JOINT RESOLUTION TO PROVIDE THAT THE SCHOOL DAYS MISSED ON JANUARY 10, 11, 12, AND 13, 2011, BY THE STUDENTS OF CHESTER 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.

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

**THIRD READING BILL**

The following Bill was read the third time and ordered sent to the House of Representatives:

S. 391 -- Senators Campsen, Scott and Rose: A BILL TO AMEND SECTION 7‑13‑35, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE NOTICE OF GENERAL, MUNICIPAL, SPECIAL, AND PRIMARY ELECTIONS, SO AS TO CHANGE THE TIME IN WHICH ABSENTEE BALLOTS MAY BE OPENED FROM 2:00 P.M. TO 9:00 A.M., AND TO PROVIDE FOR A DATE ON WHICH AN ELECTION WILL BE HELD IN THE EVENT THAT IT IS POSTPONED; TO AMEND SECTION 7‑13‑40, RELATING TO THE TIME OF PARTY PRIMARY, CERTIFICATION OF NAMES, VERIFICATION OF CANDIDATES’ QUALIFICATIONS, AND THE FILING FEE, SO AS TO CHANGE THE DATE FROM APRIL NINTH TO APRIL FIFTH; TO AMEND SECTION 7‑13‑190, RELATING TO SPECIAL ELECTIONS TO FILL VACANCIES IN OFFICE, SO AS TO ADD A SUBSECTION THAT PROVIDES FOR THE DATE OF AN ELECTION WHEN THE GOVERNOR DECLARES A STATE OF EMERGENCY FOR A JURISDICTION; AND TO AMEND SECTION 7‑13‑350, RELATING TO THE CERTIFICATION OF CANDIDATES AND VERIFICATION OF QUALIFICATIONS, SO AS TO CHANGE THE CERTIFICATION DATE FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT FROM SEPTEMBER TENTH TO THE FIRST TUESDAY FOLLOWING THE FIRST MONDAY OF SEPTEMBER.

Senator LARRY MARTIN explained the Bill.

**COMMITTEE AMENDMENT AMENDED AND ADOPTED**

**CARRIED OVER AS AMENDED**

S. 231 -- Senators Campsen, Davis and Rose: A BILL TO AMEND SECTION 61‑4‑550, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO SPECIAL PERMITS FOR THE SALE OF BEER AND WINE, SO AS TO REMOVE SPECIFIC REFERENCES TO NONPROFIT ORGANIZATIONS.

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

Senators SHEHEEN and CAMPSEN proposed the following amendment (JUD0231.004), which was adopted:

Amend the committee report, as and if amended, by striking on page [231-2], as contained in Section 61-4-550(D), lines 27 through 33 in their entirety, and inserting the following:

/ (D) ~~Organizations granted permits pursuant to this section are subject to penalties imposed pursuant to violations of Article 1, Chapter 4, Title 61.~~ The department may issue up to twenty-five temporary permits to sell beer and wine on one application for special functions in a twelve-month period to the same applicant, if that applicant is also applying for up to twenty-five temporary licenses to sell alcoholic liquors by the drink, pursuant to Section 61-6-2000(D). This does not prohibit the applicant from applying for additional special permits within the same twelve-month period.” /

Renumber sections to conform.

Amend title to conform.

Senator SHEHEEN explained the perfecting amendment.

The perfecting amendment was adopted.

The Committee on Judiciary proposed the following amendment (JUD0231.003), which was adopted:

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

/ SECTION 1. Section 61‑4‑550 of the 1976 Code, as last amended by Act 259 of 2010, is further amended to read:

“Section 61-4-550. (A) The department may issue permits ~~to nonprofit organizations~~ running for a period not exceeding fifteen days for a fee of ten dollars per day. ~~For purposes of this section, a “nonprofit organization” is an entity which is organized and operated exclusively for social, benevolent, patriotic, recreational, or fraternal purposes, and which is exempt from federal income taxes pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19). It also includes political parties and their affiliates duly certified by the Secretary of State.~~ These special permits may be issued only for locations at fairs and special functions.

(B) The department shall require the applicant to obtain a criminal records check conducted by the State Law Enforcement Division within ninety days prior to an ~~initial~~ application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it was obtained more than ninety days before. ~~For a subsequent application, the applicant is not required to obtain a new criminal records check unless:~~

~~(1) more than two years have elapsed since the most recent criminal records check was conducted; or~~

~~(2) the nonprofit organization has added or replaced a principal. For purposes of this section, all principals are deemed to be the applicant.~~

(C) ~~The department shall require the applicant to notify in writing a minimum of fifteen days prior to the first day of a fair or special function the sheriff, or sheriff’s designee, of the county in which the fair or special function is to be located. Upon request of the applicant, the sheriff may waive the fifteen day notification requirement. A timely objection within seventy‑two hours of the receipt of the notice by the sheriff, or his official designee, submitted in writing to the department is sufficient grounds to deny the application.~~ The department shall require the applicant to complete the law enforcement notification provision contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary permit application and given an opportunity to object.

(D) ~~Organizations granted permits pursuant to this section are subject to penalties imposed pursuant to violations of Article 1, Chapter 4, Title 61.~~ The department may issue up to twenty-five permits on one application for special functions in a twelve-month period to the same applicant. This does not prohibit the applicant from applying for additional special permits within the same twelve-month period.”

SECTION 2. Section 61-6-2000 of the 1976 Code, as last amended by Act 259 of 2010, is further amended to read:

“Section 61-6-2000. (A) ~~Notwithstanding another provision of this article, the department may issue to a nonprofit organization a temporary license to sell alcoholic liquor by the drink at a special function for a period not to exceed twenty‑four hours. A qualifying nonprofit organization may sell tickets at the door. The application for this temporary license must include a statement by the applicant as to the nature and date of the special function at which alcoholic liquor by the drink is to be sold, as well as other information required by the department. The department shall charge a nonrefundable filing fee of thirty‑five dollars for processing each event on the application. The department may deny the application if the completed application and filing fee are not submitted at least fifteen days before the date of the special function, but upon request by the applicant, the department may waive this requirement.~~ In addition to the licenses authorized pursuant to the provisions of subarticle 1 of this article, the department may also issue a temporary license to a nonprofit organization, as defined in Section 61-6-20, which authorizes that nonprofit organization to purchase and to sell alcoholic liquors by the drink for a period not to exceed twenty-four hours at a single social occasion. The nonprofit organization may sell tickets for the social occasion to non-members. Notwithstanding another provision of this article, the issuance of this license authorizes the nonprofit organization to purchase alcoholic liquors from licensed retail dealers in the same manner that a person with a biennial license issued pursuant to subarticle 1 of this article purchases its alcoholic liquors. The department shall charge a nonrefundable filing fee of thirty‑five dollars for processing each event on the application. The temporary license application must include a statement by the applicant as to the nature and date of the special function at which the alcoholic liquors are to be sold. The department in its discretion may specify the terms and conditions of the license, pursuant to existing statutes and regulations governing these applications.

(B) The department shall require the applicant to obtain a criminal background check conducted by the State Law Enforcement Division within ninety days prior to an ~~initial~~ application. The department shall deny the application if the criminal records check is not submitted with the application and filing fee or if it was obtained more than ninety days before. ~~For a subsequent application, the applicant is not required to obtain a new criminal records check unless:~~

~~(1) more than two years have elapsed since the most recent criminal records check was conducted; or~~

~~(2) the nonprofit organization has added or replaced a principal. For purposes of this section, all principals are deemed to be the applicant.~~

(C) ~~The department shall require the applicant to notify in writing within fifteen days the sheriff, or the sheriff’s designee, of the county in which the special function is to be located. Upon request of the applicant, the sheriff may waive the fifteen day notification requirement. A timely objection within seventy‑two hours of receipt of the notice by the sheriff, or his official designee, submitted in writing to the department is sufficient grounds to deny the application.~~ The department shall require the applicant to complete the law enforcement notification contained in an application form and submit it with the application. The law enforcement notification provision shall be prepared by the department for inclusion in the application and, at a minimum, must contain sufficient information to inform the department that either the chief of police, if the event is located within the city limits, or the county sheriff has been notified of the temporary license application and given an opportunity to object.

(D) The department may issue up to twenty‑five temporary licenses on one application for special functions in a twelve‑month period to the same nonprofit organization. This does not prohibit the nonprofit organization from applying for additional temporary licenses within the same twelve‑month period.

~~(E)~~ ~~For purposes of this section, “nonprofit organization” is an entity that is organized and operated exclusively for social, benevolent, patriotic, recreational, or fraternal purpose, and is exempt from federal income taxes pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), or 501(c)(19). It also includes a political party or affiliate of a political party duly certified by the Secretary of State.~~

~~(F)~~ ~~Organizations granted permits pursuant to this section are subject to penalties imposed pursuant to violations of Article 13, Chapter 6, Title 61.~~”

SECTION 3. This act takes effect on July 1, 2011. /

Renumber sections to conform.

Amend title to conform.

The committee amendment was adopted.

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

**COMMITTEE AMENDMENT ADOPTED**

**CARRIED OVER**

S. 404 -- Senators Campsen, McConnell, Land, Peeler, Alexander, Bryant, Campbell, Cleary, Coleman, Cromer, Davis, Elliott, Fair, Grooms, Hayes, Hutto, Jackson, Knotts, Leventis, Matthews, L. Martin, Massey, McGill, O’Dell, Pinckney, Rankin, Reese, Rose, Ryberg, Setzler, Sheheen, Thomas, Verdin, Williams, Lourie, Scott, Leatherman, Shoopman and Malloy: A BILL RELATING TO REFORM OF THE SOUTH CAROLINA ELECTION LAWS BY ENACTING THE “SOUTH CAROLINA UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT”; TO AMEND SECTION 7‑15‑400, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO APPLICATIONS AND ISSUANCE OF WRITE‑IN ABSENTEE BALLOTS, SO AS TO ALLOW A VOTER TO MAKE A STATEMENT ON A FEDERAL WRITE‑IN ABSENTEE BALLOT THAT HE IS UNABLE TO VOTE BY REGULAR ABSENTEE BALLOT OR IN PERSON DUE TO THE REQUIREMENTS OF MILITARY SERVICE, LIVING IN AN ISOLATED AREA, OR AN EXTREMELY REMOTE AREA OF THE WORLD, AND TO ADD THAT A QUALIFIED ABSENTEE ELECTOR MAY ALTERNATIVELY SUBMIT A FEDERAL WRITE‑IN ABSENTEE BALLOT FOR ANY FEDERAL, STATE, OR LOCAL OFFICE OR BALLOT INITIATIVE; TO ADD SECTION 7‑15‑406 TO ARTICLE 5, CHAPTER 13, TITLE 7, SO AS TO REQUIRE ALL ABSENTEE BALLOTS MUST BE MAILED TO THE ELECTOR AT LEAST FORTY‑FIVE DAYS PRIOR TO ANY ELECTION; TO AMEND SECTION 7‑15‑460, RELATING TO ABSENTEE BALLOTS AS PROVIDED BY THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT, SO AS TO MAKE THE PROVISIONS APPLICABLE TO FEDERAL, STATE, AND LOCAL OFFICES, AND TO REQUIRE THAT AN ELECTRONIC FREE ACCESS BALLOT TRACKING SYSTEM IS AVAILABLE TO ELECTORS; AND TO AMEND SECTION 7‑15‑220, RELATING TO THE SIGNING AND WITNESSING OF THE OATH BY THE ABSENTEE BALLOT APPLICANT, SO AS TO PROVIDE AN EXCEPTION FOR WITNESS REQUIREMENTS FOR VOTERS QUALIFIED UNDER THE UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTERS ACT.

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

The Committee on Judiciary proposed the following amendment (JUD0404.006), which was adopted:

Amend the bill, as and if amended, on page 2, beginning at line 10, by striking SECTION 2 in its entirety and inserting therein:

/ SECTION 2. Section 7-15-400 of the 1976 Code is amended to read:

“Section 7‑15‑400. (A) A qualified ~~absentee~~ elector ~~as provided in subsection (C) of this section~~ of this State who is eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the United States Code, Title 42, Section 1973ff, et seq., may apply not earlier than ninety days before an election for a special write‑in absentee ballot. This ballot must be used for each general and special election and primaries for federal offices, statewide offices, and members of the General Assembly.

(B) The application for a special write‑in absentee ballot may be made on the federal postcard application form, or its electronic equivalent or on a form prescribed by the State Election Commission.

(C) In order to qualify for a special write‑in absentee ballot, the voter must state that he is unable to vote by regular absentee ballot or in person due to requirements of military service or due to living in isolated areas or extremely remote areas of the world. This statement may be made on the federal postcard application or on a form prepared by the State Election Commission and supplied and returned with the special write‑in absentee ballot.

(D) Upon receipt of this application, the County Board of Registration shall issue the special write‑in absentee ballot which must be prescribed and provided by the State Election Commission. The ballot shall list the offices for election in the general election. It may list the candidates for office if known at the time of election. This ballot shall permit the elector to vote by writing in a party preference for each federal, state, and local office, the names of specific candidates for each federal, state, and local office, or the name of the person whom the voter prefers for each office.

(E) A qualified elector may alternatively submit a federal write‑in absentee ballot for any federal, state, or local office or state or local ballot measure.” /

Amend the bill further, as and if amended, on page 3, SECTION 4, in Section 7-15-406, by striking line 22 and inserting therein:

/ the elector at least forty-five days prior to any election. If a qualified elector requests a ballot within the forty-five day period before an election, an absentee ballot must be sent to the elector no later than the close of the next business day following receipt of the request.” /

Amend the bill further, as and if amended, on page 3, beginning on line 24, by striking SECTION 5 in its entirety and inserting:

/ SECTION 5. Section 7‑15‑460(A) of the 1976 Code is amended to read:

“(A) To ensure that all South Carolina residents eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act, set forth in the United States Code, Title 42, Section 1973ff, et seq., have the opportunity to receive and cast any ballot they would have been eligible to cast if they resided in and had remained in South Carolina, the State Election Commission must, in cooperation with United States government agencies, take all steps and action as may be necessary including, but not limited to, electronic transmissions of Standard Form 76A, or its successor form, issued by the federal government as an application for voter registration and an application for absentee ballots and electronic transmissions of absentee ballots ~~to or from any elector eligible to vote as provided by the Uniformed and Overseas Citizens Absentee Voting Act~~for all elections for federal, state, and local offices to voters in accordance with his preferred method of transmission.” /

Amend the bill further, as and if amended, on page 4, SECTION 6, in Section 7-15-220, by striking line 27 and inserting:

/ Dated on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ ~~19~~20 \_\_\_ /

Amend the bill further, as and if amended, page 5, SECTION 7, in Section 7-15-380, by striking line 16 and inserting:

/ Dated on this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_ ~~19~~20 \_\_\_ /

Amend the bill further, as and if amended, on page 5, beginning on line 28, by striking SECTION 8 in its entirety and inserting therein:

/ SECTION 8. Section 7‑15‑320 of the 1976 Code is amended to read:

“Section 7-15-320. (A) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections when he is absent from his county of residence on election day during the hours the polls are open, to an extent that it prevents him from voting in person ~~except that physically disabled persons, certified poll watchers, poll managers, county voter registration board members and staff, and county election commission members and staff working on election day, a person admitted to a hospital as an emergency patient on the day of an election or within a four day period before an election, and persons whose employment obligations required that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board, and persons confined to a jail or pre‑trial facility pending disposition of arrest or trial may vote by absentee ballot whether or not absent from their county of residence~~:

(1) students, their spouses, and dependents residing with them;

(2) members of the Armed Forces and Merchant Marines of the United States, their spouses, and dependents residing with them;

(3) persons serving with the American Red Cross or with the United Service Organizations (USO) who are attached to and serving with the Armed Forces of the United States, their spouses, and dependents residing with them;

~~(4)~~ ~~persons in employment;~~

~~(5)~~ ~~physically disabled persons;~~

~~(6)~~(4) governmental employees, their spouses, and dependents residing with them;

~~(7)~~ ~~electors with a death or funeral in the family within a three day period before the election;~~

~~(8)~~(5) persons on vacation (who by virtue of vacation plans will be absent from their county of residence on election day); or

~~(9)~~ ~~certified poll watchers, poll managers, county voter registration board members and staff, county~~~~election commission members and staff working on election day;~~

~~(10)~~(6) overseas citizens~~;~~

~~(11) persons attending sick or physically disabled persons;~~

~~(12) persons admitted to hospitals as emergency patients on the day of an election or within a four day period before the election;~~

~~(13) persons who will be serving as jurors in a state or federal court on election day;~~

~~(14) persons sixty‑five years of age or older;~~

~~(15) persons confined to a jail or pre‑trial facility pending disposition of arrest or trial~~.

(B) A qualified elector in any of the following categories must be permitted to vote by absentee ballot in all elections, whether or not he is absent from his county of residence on election day:

(1) physically disabled persons;

(2) persons whose employment obligations require that they be at their place of employment during the hours that the polls are open and present written certification of that obligation to the county registration board;

(3) certified poll watchers, poll managers, county voter registration board members and staff, countyand state election commission members and staff working on election day;

(4) persons attending sick or physically disabled persons;

(5) persons admitted to hospitals as emergency patients on the day of an election or within a four-day period before the election;

(6) persons with a death or funeral in the family within a three-day period before the election;

(7) persons who will be serving as jurors in a state or federal court on election day;

(8) persons sixty‑five years of age or older; or

(9) persons confined to a jail or pre‑trial facility pending disposition of arrest or trial.” /

Amend the bill further, as and if amended, by adding the following SECTIONS immediately following SECTION 8 to read:

/ SECTION 9. If any section, subsection paragraph, subparagraph, item, subitem, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this chapter and each and every section, subsection, paragraph, subparagraph, item, subitem, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 10. This act takes effect upon preclearance approval by the United States Department of Justice or approval by a declaratory judgment issued by the United States District Court for the District of Columbia, whichever occurs first. /

Renumber sections to conform.

Amend title to conform.

Senator LARRY MARTIN explained the committee amendment.

The committee amendment was adopted.

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

**OBJECTION**

S. 501 -- Senators Cromer, Peeler, Leatherman, L. Martin, McGill, Courson, Thomas, Grooms, Verdin, O’Dell, Campsen, Matthews, Campbell, Hutto, Alexander, Williams, Fair, Scott, Cleary, Reese, Davis, Leventis, Shoopman, Elliott, Anderson, S. Martin, Nicholson, Coleman and Rose: A BILL TO AMEND SECTION 48‑34‑40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REQUIREMENTS FOR CONDUCTING A PRESCRIBED FIRE, SO AS TO PROVIDE THAT A FIRE MANAGER WHO SUPERVISES A PRESCRIBED FIRE MUST CONSIDER BOTH FIRE BEHAVIOR AND SMOKE MANAGEMENT AND TO PROVIDE CITATIONS TO OTHER SPECIFIC STATUTORY AND REGULATORY REQUIREMENTS; AND TO AMEND SECTION 48‑34‑50, RELATING TO LIABILITY FOR DAMAGES CAUSED BY A PRESCRIBED FIRE, SO AS TO PROVIDE THAT NO PROPERTY OWNER, LESSEE, AGENT, OR EMPLOYEE MAY BE HELD LIABLE FOR DAMAGES CAUSED BY THE RESULTING SMOKE OF A PRESCRIBED FIRE UNLESS GROSS NEGLIGENCE IS PROVEN.

Senator MALLOY objected to the Bill.

**ADOPTED**

S. 51 -- Senators McConnell and Campsen: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME THE OVERPASS IN NORTH CHARLESTON IDENTIFIED AS THE “SEVEN MILE VIADUCT” THE “P. H. LIVINGSTON OVERPASS” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS OVERPASS THAT CONTAIN THE WORDS “P. H. LIVINGSTON OVERPASS”.

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

**ADOPTED**

S. 558 -- Senator Cleary: A CONCURRENT RESOLUTION TO DECLARE FEBRUARY 2011 AS NATIONAL CHILDREN’S DENTAL HEALTH MONTH, AND TO THANK SOUTH CAROLINA DENTAL‑HEALTH‑CARE PROVIDERS FOR MAKING FEBRUARY 4, 2011, “GIVE KIDS A SMILE DAY” THAT PROMOTED ORAL HEALTH AND JOINED IN THE EFFORTS THROUGHOUT THE NATION TO ADVOCATE FOR ORAL HEALTH AWARENESS AND OPTIMAL ORAL HEALTH IN CHILDREN.

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

**ADOPTED**

S. 574 -- Senator Courson: A CONCURRENT RESOLUTION TO DECLARE MARCH 2011 AS “HOME SCHOOL RECOGNITION MONTH” IN SOUTH CAROLINA, TO RECOGNIZE THE DILIGENT EFFORTS OF HOME SCHOOLING PARENTS AND THE ACADEMIC SUCCESS OF THEIR STUDENTS, AND TO EXPRESS SINCERE APPRECIATION FOR THEIR FOCUS ON THE WELL-BEING AND OVERALL ACHIEVEMENTS OF THEIR CHILDREN.

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

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

**MOTION FOR SPECIAL ORDER FAILED**

S. 20 -- Senators Grooms, McConnell, Thomas, Alexander, Leatherman, Knotts, Bryant, Hayes, Rose, Verdin, S. Martin, Peeler, L. Martin, Fair, Ryberg, Cromer, Campsen, Davis, Shoopman, Rankin and Bright: 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.

Senator LARRY MARTIN moved that the Bill be made a Special Order.

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

**Ayes 26; Nays 16**

**AYES**

Alexander Bright Bryant

Campbell Campsen Cleary

Courson Cromer Davis

Fair Grooms Hayes

Knotts Leatherman *Martin, Larry*

*Martin, Shane* McConnell McGill

O’Dell Peeler Rose

Ryberg Setzler Shoopman

Thomas Verdin

**Total--26**

**NAYS**

Anderson Elliott Ford

Hutto Jackson Land

Leventis Lourie Malloy

Matthews Nicholson Pinckney

Reese Scott Sheheen

Williams

**Total--16**

Not having received the necessary vote, the motion for Special Order failed.

**MADE SPECIAL ORDER**

S. 434 -- Senators Peeler, Bryant and Bright: 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.

Senator LARRY MARTIN moved that the Joint Resolution be made a Special Order.

The Joint Resolution was made a Special Order.

**Recorded Vote**

Senator LEVENTIS desired to be recorded as voting against the motion to make the Joint Resolution a Special Order.

**MOTION ADOPTED**

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

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

**DEBATE INTERRUPTED**

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.

The Senate proceeded to a consideration of the Bill, the question being the adoption of Amendment No. P2 (SWB/6045CM11) proposed by Senator SCOTT and previously printed in the Journal of Wednesday, February 16, 2011.

On motion of Senator LARRY MARTIN, Amendment No. P2 was carried over.

**RECESS**

At 12:45 P.M., on motion of Senator LARRY MARTIN, the Senate receded from business not to exceed five minutes.

At 12:50 P.M., the Senate resumed.

**Motion Adopted**

On motion of Senator McCONNELL, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet tomorrow, February 23, 2011, at 11:45 A.M. for the purpose of attending the Joint Assembly, and, at the conclusion of the Joint Assembly, the Senate would stand in recess until 2:00 P.M.

**Motion Adopted**

Senator McCONNELL asked unanimous consent to make a motion that H. 3003 remain in the status of Interrupted Debate, with cloture status under Rule 15A still in effect until tomorrow.

There was no objection and the motion was adopted.

On motion of Senator McCONNELL, debate was interrupted by adjournment.

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Hudson Goodwin of Greenwood, S.C., who passed away Sunday, February 20, 2011.

and

**MOTION ADOPTED**

On motion of Senator O’DELL, with unanimous consent, the Senate stood adjourned out of respect to the memory of Sergeant Major John Haskel Pearman of Ware Shoals, S.C., who died February 19, 2011.

and

**MOTION ADOPTED**

On motion of Senators RYBERG and COURSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. William Thomas “Bill” Dawson of Columbia, S.C., beloved husband of Gretchen Gayden Dawson, devoted father to Toby, Craig, Katon and Gretchen and doting grandfather of seven.

and

**MOTION ADOPTED**

On motion of Senator SHANE MARTIN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. J. D. “David” George of Spartanburg, S.C.

**ADJOURNMENT**

At 12:58 P.M., on motion of Senator McCONNELL, the Senate adjourned to meet tomorrow at 11:45 A.M.

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