

NO. 26

**JOURNAL**  
**OF THE**  
**SENATE**  
**OF THE**  
**STATE OF SOUTH CAROLINA**



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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TUESDAY, FEBRUARY 23, 2021

**Tuesday, February 23, 2021  
(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:

Psalm 103:2, 4

The Psalmist writes: "Praise the Lord, O my soul. . .who crowns you with love and compassion."

Let us pray: Holy God, what a challenging COVID year it has been for the world, for our Nation, and even here for our State. Such challenges all of us have experienced, and for so many they have been circumstances literally of life or death. And through it all our health care workers have provided such incredible care, doing so with love and compassion. We are all so grateful for and indebted to these dedicated professionals -- the physicians, nurses, and support personnel who have by and large carried out their duties with heroic determination. Our gratefulness to them knows no bounds. And we all know further, Lord, that the challenges for all of us are not over; we will continue to lean on this group of medical heroes for some time to come. Help them all to know how grateful, and how thankful, we are to all of them. We pray this in Your loving name, O Savior. Amen.

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

**Point of Quorum**

At 12:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

**Doctor of the Day**

Senator MARTIN introduced Dr. Jeffrey Cashman of Spartanburg, S.C., Doctor of the Day.

**Expression of Personal Interest**

Senator JACKSON rose for an Expression of Personal Interest.

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**Remarks to be Printed**

On motion of Senator MARTIN, with unanimous consent, the remarks of Senator JACKSON, when reduced to writing and made available to the Desk, would be printed in the Journal.

**CO-SPONSORS ADDED**

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

S. 14 Sen. Davis  
S. 187 Sen. M. Johnson  
S. 219 Sen. M. Johnson  
S. 364 Sen. Verdin  
S. 363 Sen. Climer  
S. 367 Sen. Hembree  
S. 500 Sen. Kimbrell  
S. 524 Sen. Hembree  
S. 528 Sen. Kimbrell  
S. 548 Sen. M. Johnson  
S. 571 Sen. Hutto  
S. 589 Sen. Rice

**CO-SPONSOR REMOVED**

The following co-sponsor was removed from the respective Bill:

S. 531 Sen. Matthews

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 587 -- Senators Turner and Loftis: A BILL TO AMEND SECTION 11-41-75(A) AND (B) OF THE 1976 CODE, RELATING TO ECONOMIC DEVELOPMENT BONDS FOR CONVENTIONS AND TRADE SHOWS, TO PROVIDE THAT THE PROVISIONS REQUIRING THE REIMBURSEMENT OF BOND PROCEEDS, PLUS INTEREST, UPON THE SALE OF A MEETING AND EXHIBIT SPACE ARE NOT APPLICABLE IF THE SALE PROCEEDS ARE USED IN THEIR ENTIRETY FOR A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET, OR TO REIMBURSE A STATE AGENCY, INSTRUMENTALITY, OR POLITICAL SUBDIVISION FOR THE ACQUISITION OR CONSTRUCTION OF A NEW MEETING AND EXHIBIT SPACE OF NOT LESS THAN FIFTY THOUSAND SQUARE FEET IF CONSTRUCTION OCCURRED

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PRIOR TO THE SALE OF THE ORIGINAL MEETING AND EXHIBIT SPACE, AND TO PROVIDE CONDITIONS UNDER WHICH THE EXEMPTION APPLIES.

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

S. 588 -- Senators Corbin and Loftis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 20, ARTICLE I OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE RIGHT TO KEEP AND BEAR ARMS, SO AS TO PROVIDE THAT EVERY CITIZEN HAS THE FUNDAMENTAL AND INALIENABLE RIGHT TO BEAR ARMS IN DEFENSE OF HIMSELF AND THE STATE, AND TO PROVIDE THAT ANY RESTRICTION ON THIS RIGHT SHALL BE SUBJECT TO STRICT SCRUTINY.

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

S. 589 -- Senators Corbin, Loftis and Rice: A BILL TO ENACT THE "OPEN CARRY WITH TRAINING ACT"; TO AMEND SECTION 23-31-210 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF CONCEALED WEAPON PERMITS, TO REVISE THE DEFINITION OF THE TERM "CONCEALABLE WEAPON" TO ALLOW A PERMIT HOLDER TO CARRY A CONCEALABLE WEAPON OPENLY ON HIS PERSON; AND TO AMEND SECTION 16-23-20 OF THE 1976 CODE, RELATING TO THE CARRYING OF A HANDGUN, TO PROVIDE THAT A PERSON WHO POSSESSES A CONCEALED WEAPON PERMIT MAY CARRY A HANDGUN OPENLY ON OR ABOUT HIS PERSON IN A VEHICLE.

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

S. 590 -- Senator Hutto: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS

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PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN  
DELINEATED CIRCUMSTANCES.

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

S. 591 -- Senators Hutto and Shealy: A BILL TO AMEND SECTION 20-1-100, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MINIMUM AGE A PERSON MAY ENTER INTO MARRIAGE, SO AS TO PROVIDE THAT A MARRIAGE ENTERED INTO BY AN INDIVIDUAL YOUNGER THAN EIGHTEEN YEARS OF AGE IS VOID AB INITIO; TO AMEND SECTION 20-1-290, RELATING TO THE WILFUL FAILURE OF THE LICENSE-ISSUING OFFICER TO COMPLY WITH LAWS RELATED TO THE ISSUANCE OF MARRIAGE LICENSES, SO AS TO REMOVE REFERENCES TO CODE SECTIONS REPEALED BY THIS BILL; TO REPEAL SECTION 20-1-250 RELATING TO THE ISSUANCE OF A MARRIAGE LICENSE TO APPLICANTS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WITH PARENTAL OR GUARDIAN CONSENT, AND SECTION 20-1-260 RELATING TO THE PROOF OF AGE REQUIRED FOR A MINOR APPLICANT.

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

S. 592 -- Senators Corbin, Gambrell, Loftis, Rice, Shealy and Verdin: A BILL TO AMEND SECTION 2-19-10(A) OF THE 1976 CODE, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO DELETE PROCEDURES TO REVIEW THE QUALIFICATIONS OF RETIRED JUDGES FOR CONTINUED JUDICIAL SERVICE; AND TO AMEND SECTION 2-19-100 OF THE 1976 CODE, RELATING TO THE ELIGIBILITY OF RETIRED JUDGES FOR APPOINTMENT, TO PROVIDE THAT A RETIRED JUSTICE OR JUDGE IS PROHIBITED FROM ENGAGING IN CONTINUED JUDICIAL SERVICE FOLLOWING HIS RETIREMENT.

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

S. 593 -- Senator Cromer: A BILL TO AMEND ACT 485 OF 1998, AS LAST AMENDED BY ACT 309 OF 2014, RELATING TO THE ELECTION PROCEDURES APPLICABLE TO THE NEWBERRY

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COUNTY BOARD OF EDUCATION, TO REMOVE THE PETITION REQUIREMENT FOR FILING AS A BOARD OF EDUCATION CANDIDATE AND REPLACE IT WITH FILING A STATEMENT OF INTENTION OF CANDIDACY.

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

S. 594 -- Senators Corbin, Rice, Loftis, Hembree, Verdin, Shealy, Adams, Climer, Gambrell and Harpootlian: A BILL TO AMEND SECTION 2-19-10 OF THE 1976 CODE, RELATING TO THE JUDICIAL MERIT SELECTION COMMISSION, TO PROVIDE THAT TWO MEMBERS OF THE COMMISSION MUST BE APPOINTED FROM EACH CONGRESSIONAL DISTRICT, TO PROVIDE THAT THE GOVERNOR MAY APPOINT ONE MEMBER FROM THE STATE AT LARGE, TO PROVIDE FOR THE APPOINTMENT OF MEMBERS BY LEGISLATIVE DELEGATIONS, TO LIMIT MEMBERSHIP ON THE COMMISSION TO TWO TERMS, TO PROHIBIT MEMBERS OF THE GENERAL ASSEMBLY FROM SERVING ON THE COMMISSION, TO PROVIDE THAT THE COMMISSION SHALL SELECT ITS OFFICERS, TO PROVIDE THAT FORMER MEMBERS OF THE GENERAL ASSEMBLY MUST BE OUT OF OFFICE FOR FIVE YEARS BEFORE SERVING ON THE COMMISSION, AND TO PROVIDE THAT PRACTICING ATTORNEYS, CURRENT JUDGES, AND FORMER JUDGES MAY NOT SERVE ON THE COMMISSION.

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

S. 595 -- Senator Senn: A BILL TO AMEND SECTION 54-3-10(B) OF THE 1976 CODE, RELATING TO THE CREATION AND MEMBERSHIP OF THE SOUTH CAROLINA STATE PORTS AUTHORITY, TO DELETE THE PROVISION PROHIBITING EX-OFFICIO MEMBERS FROM ATTENDING EXECUTIVE SESSION.

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

S. 596 -- Senator Senn: A BILL TO AMEND CHAPTER 1, TITLE 48 OF THE 1976 CODE, RELATING TO THE POLLUTION CONTROL ACT, BY ADDING SECTION 48-1-92, TO PROVIDE

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FOR THE REGULATION OF PREPRODUCTION PLASTIC BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL.  
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Read the first time and referred to the Committee on Medical Affairs.

S. 597 -- Senators Corbin, Adams, Climer, Verdin, Shealy and Rice: A JOINT RESOLUTION TO AMEND ARTICLE V OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE JUDICIAL DEPARTMENT, TO PROVIDE THAT SUPREME COURT JUSTICES, JUDGES ON THE COURT OF APPEALS, AND CIRCUIT COURT JUDGES SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE RATHER THAN BEING ELECTED BY THE GENERAL ASSEMBLY, AND TO REPEAL PROVISIONS REQUIRING THE GENERAL ASSEMBLY TO ESTABLISH A JUDICIAL MERIT SELECTION COMMISSION.

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

S. 598 -- Senators McElveen and K. Johnson: A SENATE RESOLUTION TO CONGRATULATE AMY CHUA ON BEING NAMED 2020-2021 SUMTER SCHOOL DISTRICT TEACHER OF THE YEAR AND TO THANK HER FOR HER MANY YEARS OF DEDICATED SERVICE AS AN EDUCATOR.

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The Senate Resolution was adopted.

S. 599 -- Senators Scott, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF WILLIAM DUNCAN MARSHBURN, 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.

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S. 600 -- Senators Jackson, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, K. Johnson, M. Johnson, Kimbrell, Kimpson, Leatherman, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Peeler, Rankin, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO REMEMBER THE OVER FIVE HUNDRED THOUSAND PERSONS WHO HAVE LOST THEIR LIVES IN THE CORONAVIRUS PANDEMIC IN THE UNITED STATES AND TO EXTEND DEEPEST SYMPATHY TO THE MILLIONS OF LOVING FAMILY MEMBERS AND FRIENDS WHO MOURN THEIR LOSS.

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The Senate Resolution was adopted.

S. 601 -- Senator Jackson: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE COURAGEOUS, PATH-BREAKING STUDENTS AND LEADERS OF THE CIVIL RIGHTS STRUGGLE IN SOUTH CAROLINA WHO MARCHED ON THE STATE HOUSE SIXTY YEARS AGO ON MARCH 2, 1961, SETTING THE STAGE FOR THE LANDMARK EDWARDS V. SOUTH CAROLINA OF THE UNITED STATES SUPREME COURT, WHICH PROTECTS THE FIRST AMENDMENT RIGHTS OF PEOPLE "PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT FOR A REDRESS OF GRIEVANCES," AND TO COMMEMORATE THE SIXTIETH ANNIVERSARY OF THIS LANDMARK CASE.

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The Senate Resolution was adopted.

**REGULATION RECEIVED**

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

Document No. 5027

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-15-55 and 50-15-80

SUBJECT: Regulations for Nonnative Wildlife

Received by Lieutenant Governor February 23, 2021

Referred to Committee on Fish, Game and Forestry



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

**CARRIED OVER**

S. 378 -- Senators Cash and Senn: A BILL TO AMEND SECTION 47-3-630 OF THE 1976 CODE, RELATING TO PENALTIES FOR TEASING, MALTREATING, AND INJURING POLICE DOGS AND HORSES, TO PROVIDE FOR PENALTIES, RESTITUTION, AND COMMUNITY SERVICE.

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

**READ THE THIRD TIME  
SENT TO THE HOUSE**

The following Bills and Resolution were read the third time and ordered sent to the House of Representatives:

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

S. 421 -- Senator Alexander: A BILL TO AMEND SECTION 41-35-320(2) OF THE 1976 CODE, RELATING TO THE PAYMENT OF EXTENDED UNEMPLOYMENT SECURITY BENEFITS WHEN FEDERALLY FUNDED, TO REDUCE THE LOOKBACK PERIOD FROM THREE YEARS TO TWO YEARS FOR DETERMINING WHETHER THERE IS AN "ON" INDICATOR FOR THIS STATE.

S. 468 -- Senator Alexander: A JOINT RESOLUTION TO PROVIDE THAT, IN A DETERMINATION OF WHETHER THE STATE IS IN AN EXTENDED BENEFIT PERIOD BEGINNING ON NOVEMBER 1, 2020, THROUGH DECEMBER 31, 2021, PROVISIONS RELATING TO THE STIPULATION THAT NO EXTENDED BENEFIT PERIOD MAY BEGIN BEFORE THE FOURTEENTH WEEK FOLLOWING THE END OF A PRIOR EXTENDED BENEFIT PERIOD SHALL NOT APPLY.

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**COMMITTEE AMENDMENT ADOPTED  
AMENDED, READ THE SECOND TIME**

S. 16 -- Senators Rankin, Hembree, Malloy, Fanning, Grooms, Young, Bennett, Scott, Stephens, Peeler and Sabb: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-29-17 SO AS TO REQUIRE COMPLETION OF CERTAIN BASIC PERSONAL FINANCE COURSEWORK FOR HIGH SCHOOL GRADUATION INSTEAD OF EXISTING ECONOMICS COURSEWORK REQUIREMENTS, TO PROVIDE HIGH SCHOOLS MAY CONTINUE TO OFFER SUCH COURSEWORK, TO PROVIDE FOR THE DEVELOPMENT AND CONTENT OF RELATED STANDARDS, TO PROVIDE THE STATE DEPARTMENT OF EDUCATION SHALL DEVELOP RELATED MEASURING AND REPORTING REQUIREMENTS AND SHALL MAKE RELATED RECOMMENDATIONS, AND TO MAKE THESE PROVISIONS APPLICABLE TO STUDENTS ENTERING NINTH GRADE BEGINNING WITH THE 2022-2023 SCHOOL YEAR; AND TO REPEAL SECTION 59-29-165 RELATING TO REQUIRED INSTRUCTION IN PERSONAL FINANCE.

The Senate proceeded to a consideration of the Bill.

The Committee on Education proposed the following amendment (WAB\16C002.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, by striking Section 59-29-17(D) and inserting:

/ (D) This section applies to any student entering ninth grade beginning in the 2023-2024 School Year.” /

Amend the bill further by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

Senator HEMBREE proposed the following amendment (WAB\16C003.RT.WAB21), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 59-29-17, by striking the first undesignated paragraph and inserting:

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/ “Section 59-29-17. Each student attending a public high school in this State, including a charter school, shall complete a one-half credit course of study in basic personal finance as a requirement for high school graduation in place of existing economics coursework requirements; however, a separate one-half credit course in economics may still be offered by each school, including charter schools, that enrolls high school students. /

Amend the bill further, SECTION 1, by striking Section 59-29-17(D) and inserting:

/ (D) This section applies to any student entering eleventh grade beginning in the 2023-2024 School Year.” /

Amend the bill further by striking SECTION 3 and inserting:

/ SECTION 3. This act takes effect July 1, 2023. /

Renumber sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

The amendment was adopted.

The question being the second reading of the Bill.

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

**Ayes 44; Nays 1**

**AYES**

Adams	Alexander	Allen
Bennett	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpoottlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

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**Total--44**

**NAYS**

Campsen

**Total--1**

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

**CARRIED OVER**

S. 475 -- Senators Rankin, Grooms, Williams, Scott, Hembree, McElveen, Senn, Talley, Adams, Harpootlian, Hutto, Goldfinch, Matthews and Gambrell: A JOINT RESOLUTION TO REQUIRE NEXTERA ENERGY, INC. TO PROVIDE CERTAIN DOCUMENTS RELATED TO THE PUBLIC SERVICE AUTHORITY TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, THE CHAIRMAN OF THE SENATE FINANCE COMMITTEE, THE CHAIRMAN OF THE HOUSE WAYS AND MEANS COMMITTEE, THE CHAIRMAN OF THE SENATE JUDICIARY COMMITTEE AND THE CHAIRMAN OF THE HOUSE JUDICIARY COMMITTEE.

On motion of Senator MASSEY, the Resolution was carried over.

**CARRIED OVER**

S. 227 -- Senators Shealy, McElveen and Matthews: A BILL TO ENACT THE "MASSAGE THERAPY PRACTICE ACT"; TO AMEND CHAPTER 30, TITLE 40 OF THE 1976 CODE, RELATING TO MASSAGE THERAPY PRACTICE, TO PROVIDE THAT IT IS IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND WELFARE TO REGULATE THE PRACTICE OF MASSAGE THERAPY, TO PROVIDE FOR THE COMPOSITION AND DUTIES OF THE BOARD OF MASSAGE THERAPY, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PUBLISH A ROSTER OF LICENSED MASSAGE THERAPISTS AND ESTABLISHMENTS, TO PROVIDE FOR LICENSURE FEES, TO REMOVE THE REQUIREMENT FOR AN ANNUAL REPORT ON THE ADMINISTRATION OF THE MASSAGE THERAPY PRACTICE ACT BY THE DEPARTMENT, TO PROVIDE FOR EXEMPTIONS TO THE MASSAGE THERAPY PRACTICE ACT, TO PROVIDE CERTAIN REQUIREMENTS FOR

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THE TEMPORARY PRACTICE OF MASSAGE THERAPY, TO PROVIDE THAT NO PERSON MAY PRACTICE OR OFFER TO PRACTICE MASSAGE THERAPY WITHOUT A LICENSE, TO PROVIDE THAT NO PERSON OR ENTITY MAY OPEN, OPERATE, MAINTAIN, USE, OR ADVERTISE AS A MASSAGE THERAPY ESTABLISHMENT OR A SOLE PRACTITIONER ESTABLISHMENT WITHOUT OBTAINING A LICENSE, TO PROVIDE PENALTIES, TO CLARIFY LICENSURE REQUIREMENTS FOR A MASSAGE THERAPIST LICENSE, TO PROVIDE LICENSURE REQUIREMENTS FOR A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT, TO PROVIDE THAT THE BOARD MAY GRANT A LICENSE BY ENDORSEMENT TO A MASSAGE THERAPIST WHO HOLDS AN ACTIVE MASSAGE THERAPIST LICENSE AND IS IN GOOD STANDING IN ANOTHER STATE, THE DISTRICT OF COLUMBIA, OR ANY OTHER UNITED STATES TERRITORY, TO CLARIFY REQUIREMENTS RELATED TO APPLYING FOR AND OBTAINING A LICENSE, TO PROVIDE FOR PERIODIC INSPECTIONS OF MASSAGE THERAPY ESTABLISHMENTS AND SOLE PRACTITIONER ESTABLISHMENTS, TO PROVIDE THAT CERTAIN REQUIREMENTS RELATING TO LICENSES SHALL BE COMPLETED BIENNIALLY, TO PROVIDE THAT RENEWAL OF LICENSES SHALL BE COMPLETED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT CONTINUING EDUCATION REPORTS ARE SUBJECT TO AUDITS, TO CLARIFY CERTAIN REQUIREMENTS RELATED TO LAPSED LICENSES, TO PROVIDE THAT A LICENSEE MAY PROVIDE A WRITTEN REQUEST TO THE BOARD TO PLACE A LICENSE IN INACTIVE STATUS, TO PROVIDE THAT A LICENSEE MUST BIENNIALLY RENEW ITS LICENSE TO REMAIN IN INACTIVE STATUS, TO PROVIDE THAT A LICENSE MAY BE REACTIVATED IN A MANNER PROVIDED BY THE BOARD, TO PROVIDE THAT INACTIVE STATUS DOES NOT STAY ANY DISCIPLINARY ACTIONS FOR VIOLATIONS THAT OCCURRED DURING THE COURSE OF AN ACTIVE LICENSE, TO CLARIFY REGULATIONS THAT SHALL BE PROMULGATED BY THE BOARD, TO PROVIDE THAT THE DEPARTMENT SHALL INVESTIGATE COMPLAINTS AND VIOLATIONS, TO PROVIDE THAT THE PRESIDING OFFICER OF THE BOARD MAY ADMINISTER OATHS, TO PROVIDE FOR APPEALS OF THE BOARD'S

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DECISIONS, TO PROVIDE THAT SERVICE OF A NOTICE OF AN APPEAL DOES NOT STAY THE BOARD'S OR THE DEPARTMENT'S DECISION PENDING COMPLETION OF THE APPELLATE PROCESS, TO CLARIFY GROUNDS FOR DENYING A LICENSE, TO CLARIFY THE INVESTIGATION PROCESS AND CERTAIN DISCIPLINARY ACTIONS, TO PROVIDE THAT AN INDIVIDUAL OR ESTABLISHMENT THAT VOLUNTARILY SURRENDERS A LICENSE MAY NOT PRACTICE AS A MASSAGE THERAPIST OR OPERATE AS A MASSAGE THERAPY ESTABLISHMENT OR SOLE PRACTITIONER ESTABLISHMENT UNTIL THE BOARD REINSTATES THE LICENSE, TO PROVIDE THAT SERVICE OF NOTICE MAY BE MADE BY LEAVING A COPY OF THE NOTICE WITH THE DIRECTOR OF THE DEPARTMENT OR HIS DESIGNEE IN CERTAIN CIRCUMSTANCES, TO PROVIDE THAT COSTS AND FINES IMPOSED ARE DUE AND PAYABLE AS REQUIRED BY THE BOARD, TO PROVIDE THAT A LICENSEE FOUND IN VIOLATION OF THE MASSAGE THERAPY PRACTICE ACT OR RELATED REGULATIONS MAY BE REQUIRED TO PAY COSTS ASSOCIATED WITH THE INVESTIGATION OF HIS CASE, TO MAKE CONFORMING CHANGES, AND TO DEFINE NECESSARY TERMS.

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

**POINT OF ORDER**

S. 36 -- Senator Grooms: A BILL TO AMEND SECTION 50-13-640 OF THE 1976 CODE, RELATING TO THE POSSESSION OF BLUE CATFISH, TO PROVIDE THAT IT IS UNLAWFUL TO POSSESS MORE THAN TWO BLUE CATFISH LONGER THAN THIRTY-TWO INCHES PER DAY IN LAKE MARION, LAKE MOULTRIE, OR THE UPPER REACH OF THE SANTEE RIVER, AND THE CONGAREE AND WATEREE RIVERS, AND TO PROVIDE FOR A DAILY CATCH LIMIT OF TWENTY-FIVE BLUE CATFISH A DAY IN LAKE MARION, LAKE MOULTRIE, AND THE UPPER REACH OF THE SANTEE RIVER; TO AMEND SECTION 50-9-1120(3) OF THE 1976 CODE, RELATING TO THE POINT SYSTEM FOR FISHING VIOLATIONS, TO PROVIDE THAT A VIOLATION OF BLUE CATFISH CATCH LIMITS IS FOURTEEN POINTS; AND TO REQUIRE THAT THE DEPARTMENT OF NATURAL RESOURCES CONDUCT A STUDY OF THE BLUE CATFISH FISHERY IN THE SANTEE AND COOPER RIVER SYSTEMS.

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**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 427 -- Senators Alexander and Hutto: A BILL TO AMEND SECTION 40-43-75 OF THE 1976 CODE, RELATING TO RENAL DIALYSIS FACILITIES, TO PROVIDE THAT A RENAL DRUG MANUFACTURER OR ITS AGENT MAY DELIVER A LEGEND DRUG OR DEVICE TO A PATIENT OF A RENAL DIALYSIS FACILITY IF CERTAIN CRITERIA ARE MET, AND TO DEFINE NECESSARY TERMS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 431 -- Senator Alexander: A BILL TO AMEND SECTION 44-21-80(A) OF THE 1976 CODE, RELATING TO REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS, TO UPDATE THE NAMES OF THOSE AUTHORIZED TO FULFILL THE ROLE OF REGIONAL TERTIARY LEVEL DEVELOPMENTAL EVALUATION CENTERS.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 457 -- Senators Alexander, Rice, Garrett and Cash: A BILL TO AMEND SECTION 50-21-870(B)(6) OF THE 1976 CODE, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON

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CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 497 -- Senators Campsen, McElveen, Peeler and Gustafson: A BILL TO AMEND SECTION 50-21-90 OF THE 1976 CODE, RELATING TO THE BOATING SAFETY AND EDUCATIONAL PROGRAM, TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO ISSUE A BOATING SAFETY CERTIFICATE UPON THE COMPLETION OF CERTAIN REQUIREMENTS; TO AMEND ARTICLE 1, CHAPTER 21, TITLE 50 OF THE 1976 CODE, RELATING TO THE EQUIPMENT AND OPERATION OF WATERCRAFT, BY ADDING SECTION 50-21-95, TO PROVIDE THAT IT IS UNLAWFUL FOR A PERSON TO OPERATE CERTAIN WATERCRAFT ON THE WATERS OF THIS STATE WITHOUT HAVING POSSESSION OF A SOUTH CAROLINA BOATING SAFETY CERTIFICATE, WITH CERTAIN EXCEPTIONS, AND TO PROVIDE A PENALTY FOR A VIOLATION OF THIS PROVISION; TO DEFINE NECESSARY TERMS; TO DELETE SECTION 50-21-870(A)(1), RELATING TO THE DEFINITION FOR THE TERM "PERSONAL WATERCRAFT"; AND TO DELETE SECTION 50-21-870(B)(9), RELATING TO THE OPERATION OF CERTAIN WATERCRAFT BY PERSONS YOUNGER THAN SIXTEEN YEARS OF AGE.

**Point of Order**

Senator MARTIN raised a Point of Order under Rule 39 that the Bill had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.



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

**MOTION ADOPTED**

At 12:29 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**THE SENATE PROCEEDED TO THE ADJOURNED DEBATE.**

**AMENDED**

S. 491 -- Senator Leatherman: A JOINT RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING FIVE HUNDRED FIFTY MILLION DOLLARS (\$550,000,000) AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION STATE ECONOMIC DEVELOPMENT BONDS AND SUPPLEMENTING THE PROVISIONS OF CHAPTER 41, TITLE 11 FOR THE LIMITED PURPOSE OF DEFRAYING THE COST OF INTERMODAL CONTAINER TRANSFER INFRASTRUCTURE, WATERBORNE CARGO INFRASTRUCTURE, AND RELATED INFRASTRUCTURE IN SUPPORT THEREOF, AT OR IN THE VICINITY OF THE PORT OF CHARLESTON; TO ALLOCATE SUFFICIENT TAX REVENUES TO PROVIDE FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON THE BONDS; TO PRESCRIBE REQUIREMENTS FOR NOTIFICATION, REVIEW, AND APPROVAL OF BOND ISSUANCE; TO PROVIDE FOR A PROCESS TO DEMONSTRATE COMPLIANCE WITH THE CONSTITUTIONAL LIMITATION ON DEBT SERVICE; AND TO MAKE OTHER PROVISIONS RELATED TO THE BONDS.

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

Senator CASH spoke on the Joint Resolution.

Senator MATTHEWS spoke on the Joint Resolution.

**Amendment No. 7**

Senator RICE proposed the following amendment (491R006.SP.RFR), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Three years after the final issuance of the bonds, the South Carolina State Ports Authority must make a four dollar per

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container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. The reimbursement must be provided until the five hundred fifty million dollar (\$550,000,000) principal of the bonds pursuant to this joint resolution have been retired. /

Renumber sections to conform.

Amend title to conform.

Senator RICE spoke on the amendment.

**Point of Order**

Senator GROOMS raised a Point of Order that the amendment was out of order inasmuch as it violates Article III, Section 15 of the South Carolina Constitution against measures that raise revenue originating in the Senate.

The PRESIDENT overruled the Point of Order.

Senator RICE resumed speaking on the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator CLIMER spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 33; Nays 11**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cromer
Davis	Fanning	Gambrell
Goldfinch	Grooms	Hembree
Hutto	<i>Johnson, Kevin</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	Young

**Total--33**

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NAYS

Cash	Climer	Corbin
Garrett	Gustafson	Harpootlian
<i>Johnson, Michael</i>	Peeler	Rice
Senn	Verdin	

**Total--11**

The amendment was laid on the table.

**Amendment No. 8**

Senators SHEALY and LEATHERMAN proposed the following amendment (491R009.SP.KS), which was adopted:

Amend the joint resolution, as and if amended, on page 6, by striking line 2 and inserting:

/the implementation of each facility or component of the project. These reports must also be made publicly available or accessible on the South Carolina State Ports Authority's website. The /

Re-number sections to conform.

Amend title to conform.

Senator SHEALY spoke on the amendment.

The amendment was adopted.

**Amendment No. 9**

Senator CASH proposed the following amendment (491R010.SP.RJC), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Five years after the first issuance of the bonds, the South Carolina State Ports Authority must make a one dollar per container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. Beginning in the sixth year, the payment must be increased by one dollar per container each year until the reimbursement reaches ten dollars per container. The reimbursement must be provided until the five hundred fifty million dollar (\$550,000,000) principal of the bonds pursuant to this joint resolution have been retired. /

Re-number sections to conform.

Amend title to conform.

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Senator CASH spoke on the amendment.

**ACTING PRESIDENT PRESIDES**

Senator TALLEY assumed the Chair.

**PRESIDENT PRESIDES**

At 4:42 P.M., the PRESIDENT assumed the Chair.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 41; Nays 5**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Goldfinch	Grooms
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Leatherman	Loftis	Malloy
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rankin	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

**Total--41**

**NAYS**

Cash	Climer	Garrett
Rice	Verdin	

**Total--5**

The amendment was laid on the table.

Senator CASH moved that the Senate stand adjourned.

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

**Ayes 9; Nays 37**

**AYES**

Cash	Gustafson	Harpootlian
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Malloy	Rice	Senn

**Total--9**

**NAYS**

Adams	Alexander	Allen
Bennett	Campsen	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	Kimbrell	Kimpson
Leatherman	Loftis	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

**Total--37**

The Senate refused to adjourn.

**Amendment No. 10**

Senator SETZLER proposed the following amendment (DG\491C005.NBD.DG21), which was adopted:

Amend the joint resolution, as and if amended, SECTION 7, by striking subsection (B) and inserting:

/ (B) Beginning with the close of the calendar month following issuance of the bonds and continuing through the date of substantial completion of each facility or component of the project, there must be provided, no less frequently than monthly, progress reports for the implementation of each facility or component of the project. The Joint Bond Review Committee may request additional information be provided. /

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Renumber sections to conform.  
Amend title to conform.

Senator SETZLER spoke on the amendment.

The amendment was adopted.

**Amendment No. 11**

Senator CORBIN proposed the following amendment (491R014.SP.TDC), which was ruled out of order:

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

/SECTION 1. From the FY 2019-20 surplus, the Capital Reserve Fund, and other lapsed funds, there is appropriated five hundred fifty million dollars (\$550,000,000) to the South Carolina State Ports Authority for the purpose of completing intermodal container transfer infrastructure and supporting waterborne cargo infrastructure, and related infrastructure in support thereof, at or in the vicinity of the Port of Charleston.

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

Renumber sections to conform.  
Amend title to conform.

Senator CORBIN explained the amendment.

**Point of Order**

Senator LEATHERMAN raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Joint Resolution.

The PRESIDENT sustained the Point of Order.

**Remarks to be Printed**

On motion of Senator DAVIS, with unanimous consent, the remarks of Senator CORBIN, when reduced to writing and made available to the Desk, would be printed in the Journal.

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**Amendment No. 13**

Senator CASH proposed the following amendment (491R013.SP.RJC), which was tabled:

Amend the joint resolution, as and if amended, on page 2, by striking line 6 and inserting:

/four hundred million dollars (\$400,000,000) aggregate /

Amend the joint resolution further, as and if amended, on page 2, by striking lines 39 through 42 and inserting:

/ (2) "Project" means intermodal container transfer infrastructure, waterborne cargo infrastructure, and related infrastructure in support thereof, at or in the vicinity of the Port of Charleston. "Project" does not include any infrastructure relating to the movement of containers by barge. /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 7 through 8 and inserting:

/pursuant to this joint resolution must not exceed four hundred million dollars (\$400,000,000), and the maximum annual debt /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 42; Nays 4**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Leatherman	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Sabb
Scott	Senn	Setzler

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Shealy	Stephens	Talley
Turner	Williams	Young

**Total--42**

**NAYS**

Cash	Climer	Rice
Verdin		

**Total--4**

The amendment was laid on the table.

**Amendment No. 15**

Senators CASH and RICE proposed the following amendment (491R017.SP.RJC), which was tabled:

Amend the joint resolution, as and if amended, by adding an appropriately numbered new SECTION to read:

/SECTION \_\_. Five years after the first issuance of the bonds, the South Carolina State Ports Authority must make a one dollar per container unit reimbursement to the general fund of the State, paid annually, to offset the debt service required by such bonds. Beginning in the sixth year, the payment must be increased by one dollar per container each year until the reimbursement reaches five dollars per container. The reimbursement must be provided until the two hundred seventy-five million dollar (\$275,000,000) principal of the bonds pursuant to this joint resolution have been retired. /

Renumber sections to conform.

Amend title to conform.

Senator CASH explained the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 40; Nays 6**

**AYES**

Adams	Alexander	Allen
Bennett	Campsen	Cromer



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Davis	Fanning	Gambrell
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Malloy	Martin
Massey	Matthews	McElveen
McLeod	Peeler	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Williams
Young		

**Total--40**

**NAYS**

Cash	Climer	Corbin
Garrett	Rice	Verdin

**Total--6**

The amendment was laid on the table.

**Amendment No. 12**

Senator VERDIN proposed the following amendment (491R012.SP.DBV):

Amend the joint resolution, as and if amended, on page 2, by striking line 6 and inserting:

/four hundred million dollars (\$400,000,000) aggregate /

Amend the joint resolution further, as and if amended, on page 3, by striking lines 7 through 8 and inserting:

/pursuant to this joint resolution must not exceed four hundred million dollars (\$400,000,000), and the maximum annual debt /

Re-number sections to conform.

Amend title to conform.

Senator VERDIN explained the amendment.

**Motion Adopted**

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

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**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Marion L. Kendrick of North Augusta, S.C. Marion served in the United States Navy and was a faithful member of the Church of Jesus Christ of Latter-Day Saints. He worked for Sunbeam and Colonial Bread for over 25 years. He later became a security guard for Sage Valley Golf Club. Marion enjoyed watching old westerns, shagging, listening to country music and shopping. Marion was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator MATTHEWS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Mary Waite Hamrick McLeod of Walterboro, S.C. Mary was the wife of former Senator Peden Brown McLeod. She was a graduate of Southern Seminary, Mount Vernon College and Converse College. Mary was a member of Bethel United Methodist Church. Mary was a loving wife, devoted mother and doting grandmother who will be dearly missed.

**ADJOURNMENT**

At 7:18 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

\* \* \*

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