

NO. 61

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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FRIDAY, APRIL 23, 2021

**Friday, April 23, 2021**  
**(Local Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 11:00 A.M., the hour to which it stood adjourned, and was called to order by the ACTING PRESIDENT, Senator MASSEY.

**ADDENDUM TO THE JOURNAL**

The following remarks by Senator GUSTAFSON were ordered printed in the Journal of April 6, 2021:

**Remarks by Senator GUSTAFSON**

First of all, I just want to thank the people who are here, and in hindsight, Act 388 did create a lot of unintended consequences, but at the time I completely understand why and how it came to be. I get that, and the property owners were very thankful for Act 388 at that time. Fortunately for us today in our decision making, this Bill 401 does not change Act 388. It does not. What it does is target very specific fire districts, and believe me I wanted this to be a local Bill, but it was impossible to write as a local bill because of the way our fire districts were set up. We tried that. So this is really in response to a fire crisis, and it's been labeled as such by our locals for years in Kershaw County because there's no way for them to fund the fire district. They have looked at referendums. They currently have a \$29 fee that they have already said they will remove immediately should they be able to do this. They had a two-year study to determine the needs and readiness of the volunteer system, and that's the problem. This Bill is going to help everyone in here who represents rural South Carolina. The people who elected me have been asking me for help for this since before I ran for office, because they knew I was a community advocate. I met with firefighters, I met with the police chief, I've talked to elected officials, and I've talked to individuals. The list is long and it has a broad scope of support. Act 388 had unintended consequences. That is a fact. So, S. 401 was written to provide the opportunity, not another mandate, but the opportunity for our local governments, our county councils, to finally be able to meet the needs of the people they serve. Because they know those needs best. County Council of Kershaw County knows the needs best of the people who live in Kershaw County. And what this Bill does is it releases the shackles of Act 388 to allow them to look at the funding for

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the fire department and do what they need to do to take care of the needs. We have population growth. We do not have the business growth that matches it. With the population growth, as you know it was already mentioned, you have increased road needs, increased school needs, et cetera, et cetera, et cetera. Everybody expects to have good first responder needs. Because we have been traditionally, for a very long time, a volunteer part-time fire response team for this county, we suffered because we are moving into full-time firefighters across the county, because it's needed, and it directly affects the response time.

So I know we're talking about a lot of different things today. But today I'm talking about the needs of our people who live in rural areas, and being able to reach them within a certain amount of time. Now, if you or I had a house fire, and if you live in downtown Columbia or Charleston or another populated area, there's no problem. You know the firefighters, they're going to get there very quickly. If you were in Bishopville, South Carolina -- Bishopville has a great fire department, by the way -- if you're in certain areas of Kershaw County, your response times are not going to be as quick. There's a direct correlation between full-time firefighters and response time. It's a difference between your house burning maybe 30% rather than 70% down to the ground. On the back of the materials that were distributed to you is a real life situation I found out about a couple years ago. I wasn't in office. I wasn't in politics. But we're talking about real human fatalities here. A five-year-old little boy died in a car fire. He died, and the outline -- timeline of all the calls made I provided for you. That five-year-old boy did not have to die. And there's something we can do to help our rural districts today. It is an urgent need that was here way before I was. I was just willing to help move this along, and approach one tiny part that we need so desperately today. Now I'm going to show you something. It's pretty hard to believe it. It's a radio. The thing about funding fires is not just about hiring firefighters. It's about just maintaining. It's about keeping up with technology which is required. The technology used by firefighters, EMS and police, becomes obsolete after seven or eight years. Now, when was Act 388? In 2008? It's 2021. And they stretched it as far as they can. They've done everything they could do under restraints of Act 388. This radio costs almost \$5,000, and they can't just replace these. When they do it, they have to replace the whole system. That means the police, EMS, and the firefighters -- and they're 500 of these things in Kershaw County. It's a racket. It's a racket. I wish we can get them cheaper. We can't. This is what's required. And this will not be able to be used after 2021. That is

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why this is urgent and this is why we should vote for this Bill. Yes, 401 means a yes for public safety, we're listening to our constituents and understanding the needs. It is a fiscal issue. But it's a modernizing issue. It is an Act 388 issue, but it does not affect the law of Act 388. This isn't overturning it. It's giving it a small exception for a very small part of our State, that is, fire districts formulated, or organized after 1962 under Title 4 or Title 6. Kershaw County just did it very unusually, and we had all volunteers -- it was a volunteer service. So I have a lot more to say but I'm going to end with this. We spent the last year and a half, many years talking about the heroes of our communities and I think we can all agree it includes doctors and nurses, first responders, emergency medical units, coroners and firefighters. Those people are our heroes. Today, we as a Body have an opportunity to be their heroes and support them and support the funding of what is needed. It is not a mandate. It's simply allowing a municipality to adjust the millage one time in a two-year time period and that's it. It's not on unfettered taxation. It's solving an immediate problem. It's meeting a need that is desperate. We can't compare this to gocarts. They have used V-SAFE grants -- living on grants. You can't get enough grants to provide all the modernization and technical upgrades that are needed. They did a \$29 fee on land ownership. If you own 8,000 acres of land or a quarter of an acre it's still \$29. That's not right. So with that, ladies and gentlemen, I will entertain questions and I hope that this Body understands the need for S. 401 for our local rural communities. It's not for the whole State. It's not for -- you know, this isn't opening the door to other parts of Act 388. It's just looking at one tiny spot that will have an immediate, positive impact on this State, for the people I serve in District 27 which includes Chesterfield, which is rural, Kershaw County, which is rural, and being more urbanized every day -- and Lancaster County.

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#### **HOUSE BILL RETURNED**

The following House Bill was read the third time and ordered returned to the House with amendments:

H. 3194 -- Reps. Lucas, G.M. Smith, Simrill, Rutherford, Thigpen, McCravy, McGarry, B. Newton, Long, Yow and Carter: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC

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SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

On motion of Senator MASSEY.

**MOTION ADOPTED**

On motion of Senator SETZLER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Dubose R. Martin of Columbia, S.C. Bosie earned a political science degree from the University of South Carolina. He was a loyal member of his lodge for 30 years where he held many positions and awards. Bosie was a manager for the Clerk of the State Senate and retired from the S.C. Education Lottery after over a 40 year career serving South Carolina. He enjoyed mentoring youth, Gamecock athletics and spending time with family and friends. Bosie was a member of Eastminister Presbyterian Church. Bosie was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 11:04 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, April 27, 2021, at 12:00 P.M.

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