**Thursday, February 17, 2022**

**(Statewide 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 PRESIDENT.

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

Psalm 98:1a

We read how the Psalmist proclaims: “O sing to the Lord a new song, for he has done marvelous things.”

Bow with me, if you will: Your many, many blessings truly overwhelm us, dear Lord. As we reflect upon them, our hearts are full. So today here in the Senate of South Carolina we together sing to You our richest songs of thanksgiving and praise. Your gracious and loving gifts humble us; they are so marvelous, indeed. And on this day, O God, as we reflect upon South Carolina’s recently ratified “Historically Black Colleges and Universities Day,” we inevitably consider the impact these schools have had on our State, indeed upon our Nation. Continue, Lord, to bless these institutions and those who support them. Encourage each one of us also to give thanks for those who teach and who learn at these schools; may those blessings truly bring life changing benefit for all. In Your loving name we indeed sing Your praises, O Lord. Amen.

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

**Point of Quorum**

At 11:03 A.M., Senator PEELER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Adams Alexander Allen

Bennett Cash Climer

Cromer Garrett Grooms

Gustafson Hembree Hutto

*Johnson, Kevin Johnson, Michael* Kimbrell

Malloy Martin Massey

Matthews McElveen Peeler

Rice Shealy Talley

Turner Williams Young

A quorum being present, the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

The following appointments were transmitted by the Honorable Henry Dargan McMaster:

**Statewide Appointments**

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2019, and to expire March 15, 2025

1st Congressional District:

Samuel Rivers, Jr., Post Office Box 760, Goose Creek, SC 29445-0760 *VICE* Christopher F. Gibbs

Referred to the Committee on Corrections and Penology.

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor Appointed:

Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

Referred to the Committee on Judiciary.

Initial Appointment, South Carolina Workers' Compensation Commission, with the term to commence June 30, 2022, and to expire June 30, 2028

At-Large:

Cynthia C. Dooley, 1522 Counts Ferry Road, Lexington, SC 29072-8376 *VICE* Susan S. Barden

Referred to the Committee on Judiciary.

**Doctor of the Day**

Senator HEMBREE introduced Dr. Gerald Harmon of Georgetown, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator MATTHEWS, at 11:25 A.M., Senator KIMPSON was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator MATTHEWS, at 11:25 A.M., leave of absence was granted for February 22, 2022, through February 24, 2022.

**Expression of Personal Interest**

Senator K. JOHNSON rose for an Expression of Personal Interest.

**Remarks by Senator KEVIN JOHNSON**

Members, as I walked over here from the Gressette building a little while ago Senator BRIGHT-MATTHEWS and I were talking about how busy we are and how we have not been getting a lot of rest. I told her, "Because of you I didn’t get any sleep last night,” and she asked what I was talking about. I told her for some reason I tossed and turned all night thinking about the words she spoke before we adjourned yesterday in reference to House Bill 3620.

During her debate, she stated that she was not going to beg anybody, but as I tossed and turned I thought of something. You know the Temptations had a song back in the day titled, “Ain’t Too Proud To Beg”. Well, I am not too proud to beg if that is what it takes. I am not trying to change anybody’s mind -- as far as how they feel -- but I would like to change some of your minds so we can at least debate this Bill and the merits of it. This is a Bill that has passed in 48 out of 50 states. I do not know everything that we have in common with Wyoming but I do know that we have this Bill in common. We debated a Bill yesterday brought up by Senator YOUNG and I support his Bill as it relates to handheld devices, texting, and talking on the phone while driving. He mentioned that 24 states have passed that Bill. We debated a Medical Marijuana Bill for three or four weeks and he mentioned that over 30 other states have passed that Bill. So now, I’m talking about a Bill today that was passed in 48 states, and not only that, it passed our House of Representatives in a bipartisan fashion with a vote of 70 something to 30 something, and here in the Senate, we can’t even get the Bill up for debate. So I thought about it. I know there’s a part of the Bill named after our esteemed, distinguished, and late colleague Senator Pinckney but this Bill is about more than what happened at Emmanuel AME Church in Charleston. We have a colleague that was killed because of hate. He was not in the House of Representatives nor in the other 48 states that passed this Bill. He served with us. I remember the last day that Senator Pinckney served, I remember being in a Senate Democratic Caucus meeting, and as long as I’ve known Clementa Pinckney, for whatever reason, I paid more attention to him that day than I had at any other time. I remember sitting across from him in the conference meeting. He had on a sharp black suit and a very nice crisp white shirt, and he looked more distinguished than ever. The Senate Democratic Caucus asked for donations for the custodians that day, so he reached in his pocket and pulled out his part, which was more than what we were asked to donate. They tried to give him the change back and he said, “No, no I want them to have that.” He later told us that he had to rush to Charleston because he had a church meeting and Bible study. That was the last time I saw him alive. I know that I have been here for a little while now, not as long as some others, but I have been a member of this Body probably longer than about half of the Senate. During my time here, I do not think I have ever seen a Bill that was objected to by so many members as I have with this Bill. I got up around two or three o’clock this morning, read over the Bill, and said I must be missing something. Senator Pinckney left here that day and went to Charleston. He did not die as a result of a tragic automobile accident, as often as that is the case on I-26. He did not have a massive heart attack or some other type of sudden medical emergency. He died because of hate, just hate, and evilness. You do not have to take my word for it, because the person that committed that tragic crime said so himself. He said he did it because he wanted to start a race war. The church invited that same person in for Bible study. Senator Pinckney was studying the word of God and the word of God is about love. This was an evil hateful act. At least 48 states and the South Carolina House sees that, and those of us who served with Senator Pinckney see that. I looked at the list of us that objected to this Bill, and I think over half of the members that objected were not here as a member of the Senate when this awful act happened. I will tell you, and remind others, that on the first day we came back in session after that awful incident there were some comments made. The Chamber was crowded, with members and staff, and there was not one dry eye in this Chamber because we realized not only did we lose a good member, friend, and brother but also we lost him because of hate in the heart of others. This Bill does not say that every time someone commits a crime it adds this extra punishment. Think about the Ahmaud Arbery case in Brunswick, Georgia, which was clearly a crime of hate and the people that committed the crime were found guilty and they will now go on to another step, which will be a hate trial. This Bill just adds five more years of punishment because the crime was based on hate in the heart and over the last several years throughout this country, hate has become more and more visible. It does not say that everything you do is a hate crime. Senator McELVEEN gave a good example with an incident we had in Sumter County, where a young white male somehow got access to a contractor-owned traffic sign that was altered to read, “Honk if you hate Niggers.” He used the word hate, and I was told that several people were passing by honking their horns; however, that incident would not fall under this legislation. As I told you, I tossed and turned last night. I just want you to know that all this Bill says is that if you burn a church down, which we’ve had in Clarendon and Sumter Counties, or you commit a murder like the one we had in Charleston County, then you may be charged. I know that we members know, but for the TV listening audience, this Bill does not only address hate crimes when the victims are black, Jewish, or gay. This Bill will addresses all crimes of hate, yet 22% of this Body will not allow us to debate this Bill. As I said earlier, I could not sleep last night. I feel passionate about this issue, and I just wanted you to know how I feel. Thank you.

On motion of Senator McELVEEN, with unanimous consent, the remarks of Senator K. JOHNSON, were ordered printed in the Journal.

**CO-SPONSORS ADDED**

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

S. 892 Sen. Verdin

S. 895 Sen. Verdin

S. 968 Sen. Kimbrell

**CO-SPONSORS REMOVED**

The following co-sponsors were removed from the respective Bill:

S. 961 Sens. Kimbrell and Loftis

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1076 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO PRICE CHANGES FOR FOREST TREE SEEDLINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5043, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1077 -- Senators Alexander, Rankin, Massey, K. Johnson, Sabb, Garrett, Gambrell, McElveen, Kimbrell and Stephens: A BILL TO AMEND CHAPTER 27, TITLE 58 OF THE 1976 CODE BY ADDING ARTICLE 8, TO ALLOW THE PUBLIC SERVICE COMMISSION TO AUTHORIZE THE ISSUANCE OF BONDS FOR THE PURPOSES OF OFFSETTING AND REDUCING PRUDENTLY INCURRED COSTS FOR STORM RECOVERY ACTIVITY AND TO ESTABLISH THE REQUIREMENTS AND PROCESSES FOR THE AUTHORIZATION OF THESE BONDS; AND TO AMEND SECTION 36-9-109 TO MAKE FURTHER CONFORMING CHANGES.

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

S. 1078 -- Senator Hutto: A BILL TO AMEND SECTION 5-7-240, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO INDEPENDENT AUDITS OF MUNICIPAL FINANCIAL RECORDS AND TRANSACTIONS, SO AS TO ALLOW MUNICIPALITIES WITH LESS THAN $500,000 IN TOTAL REVENUES TO PROVIDE A COMPILATION OF FINANCIAL STATEMENTS; AND TO AMEND SECTION 14-1-208, RELATING TO MUNICIPAL COURT AUDITS, SO AS TO MAKE CONFORMING CHANGES.

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

S. 1079 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO ALLOCATION OF FOREST TREE SEEDLINGS IN SHORT SUPPLY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5046, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1080 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE OF WARNING TICKETS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5067, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1081 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FIELD TRIAL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5071, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1082 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO COMMERCIAL PERMIT DURATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5096, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1083 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULE AND REGULATION ADOPTING CERTAIN FEDERAL RULES AND REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5079, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1084 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO DISPLAY OF DECALS BEARING TITLE NUMBER, DESIGNATED AS REGULATION DOCUMENT NUMBER 5080, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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Read the first time and ordered placed on the Calendar without reference.

S. 1085 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT LOCATED ON GASQUE ROAD IN THE CITY OF MARION IN MARION COUNTY "JAMES M. JORDAN, SR. ROUNDABOUT" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

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

S. 1086 -- Senator Alexander: A JOINT RESOLUTION TO ALLOW FOR PROPERLY CREDENTIALED INDIVIDUALS TO CONDUCT SOIL EVALUATIONS AND PREPARE ONSITE WASTEWATER SYSTEMS LAYOUTS, AND TO PROVIDE FOR A SUNSET OF THE PROVISIONS IN THIS JOINT RESOLUTION NO LATER THAN JULY 1, 2023.

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Read the first time and referred to the Committee on Medical Affairs.

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen and Verdin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

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Senator PEELER spoke on the Bill.

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

H. 3247 -- Reps. G. M. Smith, B. Cox, V. S. Moss, Yow, Huggins, Erickson, Bradley, Allison, Felder, B. Newton, W. Newton, Herbkersman, Ballentine, Davis, Weeks, McGarry, White, W. Cox, R. Williams, Blackwell, Crawford, Fry and Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "WORKFORCE ENHANCEMENT AND MILITARY RECOGNITION ACT"; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT INCOME DEDUCTION, SO AS TO PHASE-IN THE REMOVAL OF CERTAIN LIMITS.

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

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G. M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoon and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

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

H. 4408 -- Rep. G. M. Smith: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

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

H. 4800 -- Reps. McGarry, Fry and Crawford: A BILL TO AMEND ACT 777 OF 1988, AS AMENDED, RELATING TO THE ESTABLISHMENT OF THE LANCASTER COUNTY SCHOOL DISTRICT, SO AS TO PROVIDE FOR THE ELECTION OF SCHOOL TRUSTEES IN PARTISAN INSTEAD OF NONPARTISAN ELECTIONS BEGINNING IN 2024 AND FOR THE NOMINATION, TERMS, AND ELECTION PROCEDURES OF CANDIDATES FOR THESE OFFICES.

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

**REPORT OF STANDING COMMITTEE**

Senator VERDIN from the Committee on Medical Affairs polled out S. 1059 favorable:

S. 1059 -- Senator Verdin: A BILL TO AMEND SECTION 40‑33‑43, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE AUTHORIZED PROVISION OF MEDICATIONS BY UNLICENSED PERSONS IN CERTAIN FACILITIES, SO AS TO EXTEND THIS AUTHORIZATION TO INTERMEDIATE CARE FACILITIES FOR PERSONS WITH INTELLECTUAL DISABILITY.

**Poll of the Medical Affairs Committee**

**Polled 17; Ayes 16; Nays 1**

**AYES**

Verdin Peeler Hutto

Martin Scott Alexander

Davis K. Johnson Corbin

Kimpson Gambrell Senn

Cash McLeod Loftis

Garrett

**Total--16**

**NAYS**

Matthews

**Total--1**

Ordered for consideration tomorrow.

**Appointments Reported**

Senator VERDIN from the Committee on Medical Affairs submitted a favorable report on:

**Statewide Appointments**

Initial Appointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2018, and to expire June 30, 2022

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611 *VICE* Mr. Gary C. Lemel

Received as information.

Initial Appointment, South Carolina Mental Health Commission, with the term to commence March 14, 2018, and to expire March 14, 2022

6th Congressional District:

Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802 *VICE* Louise Haynes

Received as information.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 14, 2022, and to expire March 14, 2026

6th Congressional District:

Carl Edison Jones, P.O. Box 802, Orangeburg, SC 29116-0802

Received as information.

Initial Appointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2020, and to expire September 30, 2023

Occupational Therapist:

Nadine Hanner, 1797 Central Ave., Summerville, SC 29483-9323 *VICE* Hima N. Dalal

Received as information.

**HOUSE CONCURRENCES**

S. 1026 -- Senator Shealy: A CONCURRENT RESOLUTION TO RECOGNIZE THE WEEK OF MAY 1-8, 2022, AS “TARDIVE DYSKINESIA AWARENESS WEEK” IN SOUTH CAROLINA.

Returned with concurrence.

Received as information.

S. 1075 -- Senator Williams: A CONCURRENT RESOLUTION TO REMEMBER AND CELEBRATE THE LIFE OF FORMER FLORENCE COUNTY CHIEF DEPUTY JOHNNIE ABRAHAM, SR., AND TO HONOR HIS DEVOTION TO PUBLIC SAFETY, LAW ENFORCEMENT, AND FLORENCE COUNTY IN A CAREER SPANNING NEARLY FOUR DECADES.

Returned with concurrence.

Received as information.

**Message from the House**

Columbia, S.C., February 16, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has returned the following Bill to the Senate with amendments:

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.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., February 16, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it insists upon the amendments proposed by the House to:

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.

asks for a Committee of Conference, and has appointed Reps. Felder, Brittain and Alexander to the committee on the part of the House.

Very respectfully,

Speaker of the House

Received as information.

**CONFERENCE COMMITTEE APPOINTED**

Whereupon, Senators HEMBREE, BENNETT and MATTHEWS were appointed to the Committee of Conference on the part of the Senate and a message was sent to the House accordingly.

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

**READ THE THIRD TIME**

**SENT TO THE HOUSE**

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

S. 946 -- Senator Goldfinch: A BILL TO AMEND SECTION 59‑5‑63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY‑FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE UNENCUMBERED TIME FOR ELEMENTARY SCHOOL TEACHERS AND TEACHERS WHO INSTRUCT CERTAIN STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, AND TO PROVIDE RELATED REQUIREMENTS OF STATE BOARD OF EDUCATION POLICIES AND LOCAL SCHOOL BOARDS; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49‑3‑60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

**OBJECTION**

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator HEMBREE objected to consideration of the Bill.

**CARRIED OVER**

H. 3466 -- Reps. Long, McGarry, Pope, Forrest, Magnuson and Jones: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40‑80‑65 SO AS TO PROVIDE PROCEDURES THROUGH WHICH A FIRE DEPARTMENT THAT ASSUMES THE COST OF TRAINING A FIREFIGHTER MAY BE REIMBURSED FOR THESE COSTS BY OTHER FIRE DEPARTMENTS THAT SUBSEQUENTLY HIRE THE FIREFIGHTER WITHIN A CERTAIN PERIOD OF TIME.

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

**OBJECTION**

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson, Shealy and Jackson: A BILL TO ENACT THE “SOUTH CAROLINA HANDS‑FREE ACT”; TO AMEND SECTION 56‑5‑3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56‑1‑720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON’S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO‑POINT VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE’S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MATTHEWS objected to consideration of the Bill.

**OBJECTION**

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE’S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

Senator MATTHEWS objected to consideration of the Bill.

**OBJECTION**

S. 961 -- Senators Senn, Campsen, Bennett, Alexander and Fanning: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF “HONEY”, TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

Senator CROMER objected to consideration of the Bill.

**CARRIED OVER**

S. 934 -- Senator Davis: A BILL TO AMEND SECTION 6‑9‑63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MEMBERSHIP OF THE SOUTH CAROLINA BUILDING CODES COUNCIL, SO AS TO REQUIRE THAT THE MEMBER WHO IS AN ARCHITECT LICENSED IN SOUTH CAROLINA MUST BE SELECTED FROM A LIST OF QUALIFIED CANDIDATES SUBMITTED TO THE GOVERNOR BY THE SOUTH CAROLINA CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS.

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

**POINT OF ORDER**

S. 460 -- Senator Alexander: A BILL TO AMEND SECTION 23‑9‑10 OF THE 1976 CODE, RELATING TO THE TRANSFER OF THE OFFICE OF THE STATE FIRE MARSHAL TO THE DEPARTMENT OF LABOR, LICENSING AND REGULATION AND THE STATE FIRE MARSHAL’S DUTIES AND RESPONSIBILITIES, TO DELETE CERTAIN OBSOLETE LANGUAGE, TO MAKE TECHNICAL CHANGES, AND TO PROVIDE THE DIVISION OF FIRE AND LIFE SAFETY’S PROGRAM AREAS; TO AMEND SECTION 23‑9‑20 OF THE 1976 CODE, RELATING TO THE DUTIES OF THE STATE FIRE MARSHAL, TO REVISE HIS DUTIES AND RESPONSIBILITIES; TO AMEND SECTION 23‑9‑25(F)(2) AND (5) OF THE 1976 CODE, RELATING TO THE VOLUNTEER STRATEGIC ASSISTANCE AND FIRE EQUIPMENT PROGRAM, TO REVISE GRANT APPLICATION AND FUNDING PROCEDURES; TO AMEND SECTION 23‑9‑30 OF THE 1976 CODE, RELATING TO RESIDENT FIRE MARSHALS, TO REVISE THEIR DUTIES AND WHO MAY EXERCISE THESE DUTIES, AND TO PROVIDE THAT THE STATE FIRE MARSHAL MAY PROMULGATE REGULATIONS REGARDING A FIRE MARSHAL’S TRAINING AND CERTIFICATION; TO AMEND SECTION 23‑9‑45 OF THE 1976 CODE, RELATING TO THE ISSUANCE OF A CLASS D FIRE EQUIPMENT DEALER LICENSE OR A FIRE EQUIPMENT PERMIT, TO PROVIDE FOR THE ISSUANCE OF ADDITIONAL CLASSES OF LICENSES AND QUALIFICATIONS TO OBTAIN THESE LICENSES; TO AMEND SECTION 23‑9‑50 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL’S AUTHORITY TO INSPECT CERTAIN BUILDINGS OR PREMISES, TO REVISE THE CIRCUMSTANCES UPON WHICH HE MAY ENTER A BUILDING OR PREMISES; TO AMEND ARTICLE 1, CHAPTER 9, TITLE 23 OF THE 1976 CODE, RELATING TO THE STATE FIRE MARSHAL, BY ADDING SECTION 23‑9‑125, TO PROVIDE THAT THESE PROVISIONS MAY NOT BE CONSTRUED TO LIMIT THE AUTHORITY OF THE STATE BOARD OF PYROTECHNIC SAFETY OR THE REGULATION OF FIREWORKS; TO AMEND CHAPTER 10, TITLE 23 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FIRE ACADEMY, TO MAKE TECHNICAL CHANGES; TO AMEND SECTION 23‑49‑120(B) OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA FORESTRY COMMISSION’S ACCEPTANCE OF DONATIONS OF FIRE EQUIPMENT, TO PROVIDE THAT THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, DIVISION OF FIRE AND LIFE SAFETY, MAY ALSO ACCEPT DONATIONS OF FIRE EQUIPMENT; TO AMEND SECTION 40‑80‑30(D) OF THE 1976 CODE, RELATING TO A FIREFIGHTER REGISTERING WITH THE STATE FIRE MARSHAL, TO REVISE THE COST AND PROCESS OF OBTAINING CERTAIN INDIVIDUAL FIGHTER RECORDS; AND TO REPEAL SECTIONS 23‑9‑35, 23‑9‑40, 23‑9‑60, 23‑9‑110, AND 23‑9‑130 OF THE 1976 CODE, ALL RELATING TO DUTIES OF THE STATE FIRE MARSHAL.

**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. 980 -- Senators Goldfinch and Campsen: A BILL TO AMEND SECTION 50-5-1705 OF THE 1976 CODE, RELATING TO CATCH LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT A PERSON TO TAKE OR HAVE IN POSSESSION MORE THAN TWO RED SNAPPER IN ANY ONE DAY; AND TO AMEND SECTION 50-5-1710(B) OF THE 1976 CODE, RELATING TO SIZE LIMITS FOR ESTUARINE AND SALTWATER FINFISH, TO PROHIBIT TAKING, POSSESSING, LANDING, SELLING, PURCHASING, OR ATTEMPTING TO SELL OR PURCHASE RED SNAPPER OF LESS THAN TWENTY INCHES IN TOTAL LENGTH.

**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**

H. 3055 -- Reps. Hixon, Forrest, W. Newton and Ligon: A BILL TO AMEND SECTION 48‑4‑10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO UPDATE THE NAMES OF THE DIVISIONS OF THE DEPARTMENT; TO AMEND SECTION 48‑4‑30, RELATING TO THE GOVERNING BOARD OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO REMOVE THE AT‑LARGE BOARD MEMBER FROM THE BOARD; TO AMEND SECTION 48‑4‑70, RELATING TO THE GENERAL DUTIES OF THE BOARD, SO AS TO REMOVE THE BOND REQUIREMENT; TO AMEND SECTION 50‑1‑220, RELATING TO THE APPLICATION OF THE PROVISIONS OF SECTIONS 50‑1‑180 TO 50‑1‑230 TO CERTAIN LANDS, SO AS TO REMOVE A REFERENCE TO A REPEALED STATUTE; TO AMEND SECTION 50‑3‑90, RELATING TO GAME AND FISH CULTURE OPERATIONS AND INVESTIGATIONS, SO AS TO REMOVE CERTAIN REQUIREMENTS BEFORE AN INVESTIGATION MAY BE CONDUCTED; TO AMEND SECTION 50‑3‑110, RELATING TO THE SUPERVISION OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME AND DELETE A REFERENCE TO A DISCONTINUED PRACTICE; TO AMEND SECTION 50‑3‑130, RELATING TO UNIFORMS AND EMBLEMS OF ENFORCEMENT OFFICERS, SO AS TO GRANT AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES TO PRESCRIBE THE OFFICIAL UNIFORM; TO AMEND SECTION 50‑3‑315, RELATING TO DEPUTY ENFORCEMENT OFFICERS, SO AS TO DELETE AN EXPIRED DIRECTIVE TO ESTABLISH A TRAINING PROGRAM; TO AMEND SECTION 50‑3‑320, RELATING TO THE TRANSMITTAL AND DELIVERY OF COMMISSIONS OF ENFORCEMENT OFFICERS, SO AS TO PROVIDE THE DEPARTMENT IS RESPONSIBLE TO MAINTAIN THE COMMISSIONS OF ENFORCEMENT OFFICERS AND TO DELETE A BOND REQUIREMENT; TO AMEND SECTION 50‑3‑350, RELATING TO THE OFFICIAL BADGE OF ENFORCEMENT OFFICERS, SO AS TO UPDATE THE AGENCY NAME FOR AN ENFORCEMENT OFFICER’S OFFICIAL BADGE; TO AMEND SECTION 50‑3‑395, RELATING TO THE AUTHORITY OF ENFORCEMENT OFFICERS TO ISSUE WARNING TICKETS, SO AS TO ALLOW THE DEPARTMENT TO ESTABLISH CERTAIN PROCEDURES WITHOUT PROMULGATING REGULATIONS; TO AMEND SECTION 50‑11‑980, RELATING TO THE DESIGNATED WILDLIFE SANCTUARY IN CERTAIN AREAS OF CHARLESTON HARBOR, SO AS TO UPDATE THE BOUNDARIES OF THE WILDLIFE SANCTUARY; TO AMEND SECTION 50‑15‑10, AS AMENDED, RELATING TO DEFINITIONS APPLICABLE TO PROVISIONS PROTECTING NONGAME AND ENDANGERED WILDLIFE SPECIES, SO AS TO UPDATE THE CITATION OF THE FEDERAL LIST OF ENDANGERED SPECIES; AND TO AMEND SECTION 50‑15‑30, RELATING TO THE LIST OF ENDANGERED SPECIES, SO AS TO UPDATE THE CITATION TO THE FEDERAL REGULATION AND TO MOVE CERTAIN DUTIES TO THE DEPARTMENT OF NATURAL RESOURCES.

**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.

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

**MOTION ADOPTED**

At 11:33 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**Expression of Personal Interest**

Senator SCOTT rose for an Expression of Personal Interest.

**Motion Adopted**

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

**MOTION ADOPTED**

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ryan Fischer of Columbia, S.C. Ryan earned his bachelor and masters degrees in Sports Management from U.S.C. Ryan was the S.C. Sales Manager for US Brick and the past Director and Assistant Director of Equipment and Apparel Operations for the University of South Carolina baseball and football teams. Ryan was a loving husband and father who will be dearly missed.

**ADJOURNMENT**

At 11:42 A.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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