

NO. 21

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, FEBRUARY 15, 2022

Tuesday, February 15, 2022
(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:

II Samuel 22:29

We read in II Samuel that: "Indeed, you are my lamp, O Lord, the Lord lightens my darkness."

Join me as we bow in prayer: Glorious, ever-loving Lord, this verse from II Samuel reminds us how very often we discover ourselves to be desperate for Your light to shine upon us and to keep us on track. And especially do we need Your reminder this February of those sisters and brothers who, in so many positive and various ways, have enriched life for all of us. We think of a few of our South Carolina heroes such as Robert Smalls, Septima Clark, Harvey Gant, Dr. Matilda Evans, and Major General Charles Bolden, just to name a few. Help us all, O God, to hold fast to all of our heroes, past and present, those who have made life better for every single South Carolinian in one way or another: all gifted, talented, brave, exceptional women and men. May this Senate and our State always honor each and every one. In Your loving name we pray, dear Lord. Amen.

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

Point of Quorum

At 12:04 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Allen
Bennett	Cash	Climer
Davis	Fanning	Garrett
Goldfinch	Grooms	Hutto

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<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Martin	Massey	Matthews
McElveen	McLeod	Peeler
Rice	Senn	Setzler
Shealy	Stephens	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

REGULATION RECEIVED

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

Document No. 5103

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140(11), 44-1-150, 44-55-825, 44-55-827, and 48-1-10 et seq.

SUBJECT: Onsite Wastewater Systems

Received by Lieutenant Governor February 14, 2022

Referred to Committee on Medical Affairs

Leave of Absence

On motion of Senator MARTIN, at 12:05 P.M., Senator CORBIN was granted a leave of absence for today.

Leave of Absence

On motion of Senator SHEALY, at 12:08 P.M., Senator CROMER was granted a leave of absence for today.

Leave of Absence

On motion of Senator McELVEEN, at 12:09 P.M., Senator HARPOOTLIAN was granted a leave of absence until February 17, 2022.

Leave of Absence

On motion of Senator TURNER, at 12:09 P.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator McELVEEN, at 12:09 P.M., Senator McLEOD was granted a leave of absence until 12:30 P.M.

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Leave of Absence

At 2:03 P.M., Senator DAVIS requested a leave of absence for Wednesday, February 16, 2022 and Thursday, February 17, 2022

Expression of Personal Interest

Senator ADAMS rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senators SENN and GROOMS, with unanimous consent, the remarks of Senator ADAMS, 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. 458 Sen. Senn
S. 961 Sens. Fanning and Kimbrell
S. 1017 Sen. Senn
S. 1042 Sen. Shealy
S. 1063 Sen. McLeod

RECALLED AND COMMITTED

S. 535 -- Senator Grooms: A BILL TO AMEND SECTION 16-11-760(B) OF THE 1976 CODE, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER OR LIENHOLDER OF A VEHICLE PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10(A), (B), AND (E) OF THE 1976 CODE, RELATING TO LIENS FOR REPAIRS OR STORAGE, TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630(A) AND (C) OF THE 1976 CODE, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES AND RELATED PROVISIONS, TO PROVIDE THAT A TOWING COMPANY OR STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635 OF THE 1976 CODE, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES AND RELATED PROVISIONS, TO

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PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640 OF THE 1976 CODE, RELATING TO THE SALE OF UNCLAIMED VEHICLES, TO MAKE CONFORMING CHANGES.

On motion of Senator GROOMS, with unanimous consent, the Bill was recalled from the Committee on Judiciary and committed to the Committee on Transportation.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

H. 4964 -- Reps. Bustos, Jones, Bennett, Gilliam, Dabney and T. Moore: A CONCURRENT RESOLUTION TO REMEMBER AND HONOR THE HEROIC RECIPIENTS OF THE MEDAL OF HONOR AND TO DECLARE MARCH 25, 2022, AS "MEDAL OF HONOR DAY" IN THE STATE OF SOUTH CAROLINA.

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

H. 4974 -- Rep. Allison: A CONCURRENT RESOLUTION TO DESIGNATE SATURDAY, OCTOBER 15, 2022, AS "SLOW DOWN, MOVE OVER DAY" IN SOUTH CAROLINA.

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

REPORT OF STANDING COMMITTEE

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

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.

Ordered for consideration tomorrow.

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Message from the House

Columbia, S.C., February 15, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that it refuses to concur in the amendments proposed by the Senate to:

H. 3255 -- Reps. West, Kirby, Erickson and Bradley: A BILL TO AMEND SECTION 40-60-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO EXCEPTIONS FROM LICENSURE REQUIREMENTS FOR REAL ESTATE APPRAISERS, SO AS TO MODIFY EXEMPTIONS FOR LICENSEES OF THE REAL ESTATE COMMISSION; TO AMEND SECTION 40-60-31, RELATING TO REQUIREMENTS FOR LICENSURE BY THE BOARD OF REAL ESTATE APPRAISERS, SO AS TO REVISE AND PROVIDE COLLEGE EDUCATION REQUIREMENTS AND ACCEPTABLE EQUIVALENCIES FOR APPRENTICE APPRAISERS, RESIDENTIAL APPRAISERS, AND GENERAL APPRAISERS, AND TO EXEMPT CERTAIN MASS APPRAISERS FROM COLLEGE EDUCATION REQUIREMENTS; TO AMEND SECTION 40-60-33, RELATING TO ADDITIONAL EDUCATIONAL AND APPLICABLE EXPERIENCE REQUIREMENTS FOR LICENSURE BY THE BOARD, SO AS TO REVISE VARIOUS REQUIREMENTS AND REVISE QUALIFICATIONS FOR CERTAIN LICENSED MASS APPRAISERS; TO AMEND SECTION 40-60-34, RELATING TO REQUIREMENTS CONCERNING APPRENTICE APPRAISERS AND APPRAISER SUPERVISING APPRENTICES, SO AS TO REVISE VARIOUS REQUIREMENTS; TO AMEND SECTION 40-60-35, RELATING TO CONTINUING EDUCATION REQUIREMENTS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON LICENSEES; TO AMEND SECTION 40-60-36, RELATING TO CONTINUING EDUCATION PROVIDERS, SO AS TO IMPOSE CERTAIN REPORTING REQUIREMENTS ON PROVIDERS; TO AMEND SECTION 40-60-37, RELATING TO QUALIFICATION REQUIREMENT WAIVERS FOR RECIPROCAL APPLICATIONS FOR APPRAISERS FROM OTHER JURISDICTIONS, SO AS TO MAKE A TECHNICAL CORRECTION; TO AMEND SECTION 40-60-40, RELATING TO APPRAISER CONTACT INFORMATION THAT MUST BE MAINTAINED ON FILE WITH THE BOARD, SO AS TO INCLUDE EMAIL ADDRESSES OF LICENSEES; TO AMEND SECTION 40-60-320, RELATING TO DEFINITIONS IN THE REAL ESTATE

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APPRAISER LICENSE AND CERTIFICATION ACT, SO AS TO REVISE THE DEFINITION OF AN APPRAISAL PANEL; TO AMEND SECTION 40-60-330, AS AMENDED, RELATING TO REGISTRATION REQUIREMENTS, SO AS TO REVISE REQUIREMENTS CONCERNING CERTAIN FINANCIAL INFORMATION; TO AMEND SECTION 40-60-360, RELATING TO THE PROMULGATION OF REGULATIONS, SO AS TO SPECIFY CERTAIN REQUIRED REGULATIONS; TO AMEND SECTION 40-60-420, RELATING TO RECORD-KEEPING REQUIREMENTS FOR REGISTRATION RENEWAL, SO AS TO REVISE REQUIREMENTS CONCERNING RECORDS THAT APPRAISAL MANAGEMENT COMPANIES MUST PROVIDE; AND TO AMEND SECTION 40-60-450, RELATING TO REQUIREMENTS CONCERNING COMPENSATION OF APPRAISERS BY APPRAISAL MANAGEMENT COMPANIES, SO AS TO CLARIFY THE APPLICABLE GOVERNING FEDERAL REGULATIONS.

Very respectfully,

Speaker of the House

Received as information.

**H. 3255--SENATE INSISTS ON THEIR AMENDMENTS
CONFERENCE COMMITTEE APPOINTED**

On motion of Senator DAVIS, the Senate insisted upon its amendments to H. 3255 and asked for a Committee of Conference.

Whereupon, Senators SCOTT, GAMBRELL and CLIMER 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.**

AMENDMENT PROPOSED, 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

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DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR
EXPUNGEMENT FOR THESE VICTIMS.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE proposed the following amendment
(230R001.SP.GH):

Amend the bill, as and if amended, by striking SECTION 2 in its
entirety and inserting:

/SECTION 2. Sections 16-3-2020(F) and (G) of the 1976 Code are
amended to read:

“(F) In a prosecution of a person who is a victim of trafficking in
persons, it is an affirmative defense that he was under duress or coerced
into committing the offenses for which he is subject to prosecution, if the
offenses were committed as a direct result of, ~~or incidental or related to,~~
being a victim of trafficking. A victim of trafficking in persons convicted
of a violation of this article, ~~or prostitution, or any other nonviolent~~
offense may motion the court to vacate the conviction and expunge the
record of the conviction for an offense committed as a direct result of
being a victim of trafficking. The court may grant the motion on a finding
that the ~~person’s~~ person proved by a preponderance of evidence that his
participation in the offense was a direct result of being a victim of
trafficking. For the purposes of this subsection, nonviolent offense
means all offenses not listed in Section 16-1-60.

(G) If the victim was a minor at the time of the offense, ~~then~~ the
victim of trafficking in persons may not be prosecuted in court pursuant
to this article ~~or for a prostitution offense, or for any other nonviolent~~
offense if it is determined after investigation that the victim he proves to
a court by a preponderance of evidence at a pre-trial hearing that he
committed the offense as a direct result of, ~~or incidental or related to,~~
being a victim of trafficking. For the purposes of this subsection,
nonviolent offense means all offenses not listed in Section 16-1-60. A
person under the age of eighteen who is a victim of trafficking in persons
in violation of this title shall not be found in violation of or be the subject
of a delinquency petition if it is determined after investigation that the
victim’s conduct was a direct result of being a victim of trafficking.” /

Re-number sections to conform.

Amend title to conform.

Senator HEMBREE explained the amendment.

Senator MALLOY objected to further consideration of the Bill.

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**COMMITTEE AMENDMENT ADOPTED
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.

The Senate proceeded to a consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (DG\3466C002.NBD.DG21), which was adopted:

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

/ SECTION 1. Article 1, Chapter 1, Title 6 of the 1976 Code is amended by adding:

“Section 6-1-190. (A) If a firefighter or emergency medical technician satisfactorily completes training within the first two years of employment while working for one employer is hired by a subsequent employer within two years after the date on which he satisfactorily completed such training, the subsequent employer shall reimburse the employer for whom the employee worked at the time of attending the training:

(1) one hundred percent of the cost of training the employee, which must include the employee’s salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired within one year of the date of satisfactory completion of the training; or

(2) fifty percent of the cost of training the employee, which must include the employee’s salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired after one year but before the end of the second year after the date of satisfactory completion of the training.

(B) If the employee works for more than one subsequent employer within the two-year period after the date of satisfactory completion of the training, an employer that reimbursed the employer for whom the employee worked during the training period may obtain reimbursement from the successive subsequent employer for:

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(1) one hundred percent of the cost of training the employee, which must include the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired within one year of the date of satisfactory completion of the training; or

(2) fifty percent of the cost of training the employee, which must include the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training, if the employee is hired after one year but before the end of the second year after the date of satisfactory completion of the training.

(C) The employer for whom the employee works during the training period or an employer seeking reimbursement from a subsequent employer may not be reimbursed for more than one hundred percent of the combined cost of the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training.

(D) An employer, prior to seeking any other reimbursement, shall first seek reimbursement from the subsequent hiring employer under the provisions of this section. In no case may an employer receive more than one hundred percent of the cost of the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training.

(E) An employee may not be required to assume the responsibility of the repayment of these or any other related costs by an employer seeking reimbursement pursuant to this section.

(F) An agreement in existence before the effective date of this section between an employee and an employer concerning the repayment of costs for training remains in effect to the extent that it does not violate the provisions of subsection (C), (D), or (E). An employer may not, as a condition of employment, enter into a promissory note for the repayment of costs for training after the effective date of this section.

(G) Notwithstanding any other provision of this section, a volunteer fire department is not required to reimburse a previous employer more than one thousand dollars for the training and associated costs for each firefighter or emergency medical technician, including the employee's salary paid during the training period and other training expenses incurred while the employee was attending the training.

(H) For purposes of this section:

(1) 'Employee' means a firefighter or emergency medical technician.

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(2) ‘Employee training’ or ‘training’ includes basic training equivalent to the South Carolina Fire Academy Firefighter Recruit School, prehospital medical provider training to include emergency medical responder, emergency medical technician basic, emergency medical technician advanced, and emergency medical technician paramedic training.

(3) ‘Employer’ means an agency that provides fire suppression or prehospital emergency medical care to the public on behalf of, under the control of, or as part of the State or any political subdivision thereof.”

SECTION 2. This act takes effect upon approval of the Governor./

Renumber sections to conform.

Amend title to conform.

Senator DAVIS explained the committee amendment.

The amendment was adopted.

Senator DAVIS spoke on the Bill.

Senator GAMBRELL spoke on the Bill.

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

OBJECTION

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson and Shealy: 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

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THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

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.

The Senate proceeded to a consideration of the Bill.

Senator HEMBREE explained the Bill.

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 952 -- Senators Peeler and Alexander: 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.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (952R001.KMM.HSP), which was adopted:

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

/

Part I

Authorization to Expend Federal Funds

SECTION 1. (A) The source of revenue authorized for expenditure in this Section is the State Fiscal Recovery Funds disbursed to the State

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pursuant to the federal “American Rescue Plan Act of 2021,” Public Law No. 117-2, (hereinafter referred to as “ARPA”). The expenditure authorizations contained in this Section are for the maximum amounts that may be disbursed or expended by the receiving government entity. All disbursements and expenditures must be made in compliance with the provisions contained in this act. The receiving entities are:

- (1) Department of Transportation..... \$453,499,758

Of the amount authorized for expenditure by the Department of Transportation \$297,462,293 is reimbursement for general fund and Education Improvement Act revenue not collected and \$156,037,465 is reimbursement for motor fuel user fee revenue not collected due to the COVID-19 pandemic as calculated by the Executive Budget Office.

- (2) Rural Infrastructure Authority.....\$900,000,000
- (3) Office of Regulatory Staff.....\$400,000,000

(B) If any disbursement to any recipient, or subrecipient, resulting from an authorization contained herein is disallowed by federal law, regulation, or order, then the recipient or subrecipient shall promptly return the disbursed funds to the disbursing entity.

Part II

Directives to State Agencies Concerning the Authorization to Expend Federal Funds

Department of Transportation

SECTION 2. There is established in the State Treasury an account to be known as the Transportation Infrastructure Acceleration Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of the federal funds authorized pursuant to SECTION 1(A)(1) of this act. The funds in the Transportation Infrastructure Acceleration Account shall be used by the Department of Transportation to accelerate completion of projects included in the Statewide Transportation Improvement Program. These funds are not intended to satisfy state matching requirements for any other federal grants to the extent that such use is disallowed by ARPA.

SECTION 3. Funds in the Transportation Infrastructure Acceleration Account may be released to the Department of Transportation upon the direction of the Executive Budget Office. The Executive Budget Office may not direct the release of funds until the Department of Transportation has submitted its plans for the funds to the Joint Bond Review Committee for its review and comment.

Rural Infrastructure Authority

SECTION 4. There is established in the State Treasury an account to be known as the ARPA Water and Sewer Infrastructure Account. The

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account is separate from the general fund of the State and all other funds and accounts. The account shall consist of federal funds authorized pursuant to SECTION 1(A)(2) of this act. The funds in the ARPA Water and Sewer Infrastructure Account shall be used by the Rural Infrastructure Authority to administer and operate three grant programs designed to provide for improvements in water, wastewater, and storm water infrastructure throughout the State. In each of the three grant programs, units of local government, special purpose districts, commissions of public works, and joint municipal organizations may apply for grants. A unit of local government may apply for a grant on behalf of non-profit water and sewer systems. Grants may be awarded for the completion of water, wastewater, and storm water projects as defined in ARPA.

SECTION 5. (A) The Rural Infrastructure Authority shall utilize \$800,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate, in cooperation with the Department of Health and Environmental Control, a competitive infrastructure grant program. Of the funds in the account for the competitive infrastructure grant program, the Rural Infrastructure Authority may allocate up to one percent of the funds for its administrative costs and shall transfer one percent to the Department of Health and Environmental Control for related permitting activities. One hundred million dollars shall be available for projects designated by the Secretary of Commerce as being significant to economic development and may be funded at up to fifty million dollars per project with no local match requirement. The Rural Infrastructure Authority shall transfer five hundred thousand dollars to each of the ten South Carolina Councils of Governments for planning assistance, development of grant application proposals, and compliance assistance related to improvements in water, wastewater, and storm water infrastructure for smaller systems.

(B) Grants pursuant to this program must be issued equitably based upon established priorities and parameters. Applicants may request up to ten million dollars per project or application. Awards shall be made from the funds authorized for the competitive infrastructure grant program, less any amounts allocated for purposes designated in subsection (A). Large utilities, defined as those serving a population equal to or greater than thirty thousand people, shall be eligible for sixty percent of the funds, and small and medium utilities, defined as those serving a population of less than thirty thousand people, shall be eligible for forty percent of the funds.

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(C) Local financial support is required for each grant award and must be committed in writing and available prior to project bidding. Design, engineering, and other non-construction costs will be considered part of the local financial support. For large utilities, the local financial support must be equal to or greater than twenty five percent of the project cost. For small and medium utilities, the local financial support must be equal to or greater than fifteen percent of the project cost.

(D) Priority consideration will be given to applications for projects based upon a comparative analysis in the following relative order of need:

- (1) regional solutions - projects that implement solutions that impact multiple systems;
- (2) water quality - projects that address consent orders, violations, or other public health or environmental impacts;
- (3) resilience and storm protection - projects that help utilities prepare for emergencies;
- (4) other aging infrastructure - projects that upgrade or replace infrastructure that has exceeded its useful life; and
- (5) capacity - projects that improve service for existing residents while preparing for future opportunities.

(E) To provide for equitable distribution of funds from the account, the following factors must be considered when awarding grants:

- (1) documented priority needs;
- (2) the transformational impact of the project on the relevant community;
- (3) the extent to which additional funds may be leveraged by the grant;
- (4) the readiness of the applicant to proceed with the project and meet program deadlines;
- (5) the project's feasibility; and
- (6) geographic diversity.

SECTION 6. (A) The Rural Infrastructure Authority shall utilize \$20,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate a planning grant program for very small water systems. This program will assist very small systems that are unable to provide the required local investment for the competitive infrastructure grant program or that cannot identify a competitive project for assistance. Applicants for grants from this program must identify the assistance needed. Grants from this program may be awarded in an amount up to one million dollars per system.

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(B) Grant recipients may utilize grant funding pursuant to this program for approved purposes, including, but not limited to, capital improvement planning, rate studies and other financial assessments, asset management, smoke testing, mapping, televising of lines and other necessary analyses, as well as preliminary planning and design for capital improvement projects. As a condition for receiving a grant pursuant to this program, recipients must demonstrate the intent to implement the recommendations arising from approved planning assistance.

SECTION 7. (A) The Rural Infrastructure Authority shall utilize \$80,000,000 of the funds in the ARPA Water and Sewer Infrastructure Account to operate a regional solutions grant program. Applicants may request up to ten million dollars per project or application. The maximum grant request may be waived by the Rural Infrastructure Authority if the proposed project provides a regional solution that will result in consolidation of or for projects located in Tier III or Tier IV counties.

(B) Local financial support equal to or greater than fifteen percent of the cost of the project is required for each grant award and must be committed in writing and available prior to project bidding. Design, engineering, and other non-construction costs will be considered part of the local financial support. The local financial support requirement may be waived by the Rural Infrastructure Authority if the proposed project provides a regional solution that will result in consolidation or for projects located in Tier III or Tier IV counties.

(C) Priority consideration will be given to applications for projects based upon a comparative analysis in the following relative order of need:

- (1) the project results in a consolidation or operating agreement with at least one small system with viability concerns;
- (2) the project results in an expanded partnership agreement with at least one small system with viability concerns; and
- (3) the project results in a consolidation or operating agreement with other systems.

(D) To provide for equitable distribution of funds from the account, the following factors must be considered when awarding grants:

- (1) documented priority needs;
- (2) the transformational impact of the project on the relevant community;
- (3) the extent to which additional funds may be leveraged by the grant;

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- (4) the readiness of the applicant to proceed with the project and meet program deadlines;
- (5) the project's feasibility; and
- (6) geographic diversity.

SECTION 8. The Rural Infrastructure Authority shall be permitted to modify or waive the program parameters contained in SECTIONS 4, 5, 6 and 7 to ensure the timely and equitable distribution of funds in compliance with federal guidelines for these funds. Modifications to funding amounts authorized for specific use by each program must first be submitted with justification to the Joint Bond Review Committee for review and comment. The Rural Infrastructure Authority shall submit a report of all other modifications to the Joint Bond Review Committee.

Office of Regulatory Staff

SECTION 9. There is established in the State Treasury an account to be known as the ARPA Broadband Account. This account is separate and distinct from the general fund of the State and all other funds and accounts. The account shall consist of federal funds authorized pursuant to SECTION 1(A)(3) of this act. The funds in the ARPA Broadband Account shall be used to expand broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services.

SECTION 10. (A) The Office of Broadband Coordinator, an office within the Office of Regulatory Staff, is authorized to expend funds from the ARPA Broadband Account to:

- (1) administer a grant program to expand broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services;
- (2) provide technical assistance and coordination;
- (3) host and participate in stakeholder discussions and advisory groups;
- (4) support continued mapping efforts, including, but not limited to, costs associated with storage, security, and data collection;
- (5) engage in and undertake such other activities related to or necessary to fulfilling the requirements of expanding broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services;
- (6) expend funds for alternative and enabling technologies, including, but not limited to, wireless broadband service, low earth orbit satellite, middle-mile fiber, enhanced cellular service, and carrier neutral broadband infrastructure; and

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(7) reimburse any state funds as may be allowed by ARPA, or related guidance issued by the United States Department of the Treasury, for reasonable costs associated with administering the grant program and fulfilling the Office of Broadband Coordinator's obligations established by this act.

(B) The grant program may include an opportunity to reimburse a portion of construction costs, incurred on or after March 15, 2021, related to the expansion of broadband during the pandemic.

(C) All expenditures, reimbursements, and grants awarded by the Office of Broadband Coordinator must be in compliance with ARPA and the methods and guidance issued by the United States Department of Treasury for the allocation and oversight of ARPA funding.

SECTION 11. (A) The Office of Broadband Coordinator may award grants from the ARPA Broadband Account to broadband service providers and other entities for authorized projects that achieve the purpose of expanding broadband infrastructure to households, businesses, and communities in the State that are unserved or underserved by broadband services. The speed at which an applicant can complete the proposed project shall be considered among significant criteria for awarding grants.

(B) Electric Cooperatives that own broadband facilities pursuant to the provisions of S.C. Code §§ 58-9-3000, *et. seq.*, the Broadband Accessibility Act of 2020 are eligible to receive grants from the ARPA Broadband Account.

(C) Grants may be disbursed to recipients in tranches; the number and amount of funding in each tranche shall be determined by the Office of Broadband Coordinator.

SECTION 12. (A) Grant recipients and other entities receiving funds pursuant to SECTION 11 shall report to the Office of Broadband Coordinator concerning the progress of the recipient's project. The reports shall provide the most accurate and granular representation of then-currently available broadband infrastructure installed by the recipient, the type of technology installed, the sustainable download and upload speeds available at each serviceable location, and such other information that the Office of Broadband Coordinator requires.

(B) The Office of Broadband Coordinator shall maintain as confidential all individual company-designated proprietary information. All such individual proprietary information is exempt from the provisions contained in S.C. Code §§ 30-4-10, *et. seq.*, the South Carolina Freedom of Information Act.

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(C) The Office of Regulatory Staff is authorized to contract with broadband service providers and to procure professional grant management, vendor, consulting, or other services for oversight and compliance of funds designated, granted, and disbursed pursuant to this act and for such other purposes as the Office of Regulatory Staff may deem necessary to implement the purposes of this act.

(D) It is vital to the state's interest that grant funds be awarded for the deployment of broadband infrastructure in rural communities in the most expeditious manner possible. Accordingly, contracting with broadband service providers and the procurement of professional grant management, vendor, consulting, or other services and pursuant to this act should be done pursuant to the provisions of S.C. Code § 11-35-1570 of the 1976 Code. The Executive Director of the Office of Regulatory Staff shall coordinate the process used to contract with broadband service providers and to procure grant management, vendor, or consulting services and shall be responsible for the development of specifications to be included in any contract awarded. The State Fiscal Accountability Authority shall serve as the procuring officer for the procurement process and is responsible for administrative duties related to the process and the contract awarded. The State Fiscal Accountability Authority shall assign such personnel as necessary to assist the Office of Regulatory Staff in carrying out its duties under this act.

Part III

Miscellaneous Provisions

SECTION 13. The expenditure authorizations contained in this act are supplemental to the expenditure authorizations for receiving entities as contained in Act 94 of 2021, the General Appropriations Act for Fiscal Year 2021-22, and future expenditure authorizations enacted by the General Assembly through December 31, 2026.

SECTION 14. Earnings and interest on accounts created pursuant to this act must be credited to the account and any balance at the end of the fiscal year carries forward to the account in the succeeding fiscal year for the same purpose.

SECTION 15. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of authorizing the disbursement and expenditure of federal funds received by the State pursuant to ARPA as clearly enumerated in the title.

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The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 16. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then 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 act, and each and every section, subsection, paragraph, subparagraph, 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 17. This act shall become law upon approval of the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator PEELER explained the Bill and the amendment.

Senator SETZLER spoke on the Bill.

Senator GAMBRELL spoke on the Bill.

Senator TURNER spoke on the Bill.

Senator K. JOHNSON spoke on the Bill.

The amendment was adopted.

The question then being second reading of the Resolution as amended.

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

Ayes 40; Nays 0; Abstain 1

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey

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Matthews	McElveen	McLeod
Peeler	Rankin	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Turner	Verdin	Williams
Young		

Total--40

NAYS

Total--0

ABSTAIN

Kimpton

Total--1

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

**COMMITTEE AMENDMENT ADOPTED
READ THE SECOND TIME**

S. 956 -- Senators Peeler, Alexander, Hutto, Young and Setzler: A JOINT RESOLUTION TO APPROPRIATE SETTLEMENT FUNDS PAID TO THIS STATE BY THE FEDERAL GOVERNMENT FOR STORING PLUTONIUM AT THE SAVANNAH RIVER SITE.

The Senate proceeded to a consideration of the Resolution.

The Committee on Finance proposed the following amendment (956R002.KMM.HSP), which was adopted:

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

/Part I

Appropriation of SRS Settlement Funds

SECTION 1. The source of revenue appropriated in this Section is the August 31, 2020 settlement of the lawsuit between the State of South Carolina and the United States Department of Energy ("DOE") concerning the termination of the Mixed Dioxide Fuel Fabrication Facility at the Savannah River Site ("SRS") and the DOE's failure to remove the plutonium stored at the SRS which is located in Aiken, Barnwell, and Allendale Counties ("SRS Settlement"). The expenditure

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authorizations contained in this Section are for the maximum amounts that may be disbursed or expended by the receiving government entity. All disbursements and expenditures must be made in compliance with the provisions contained in this act. The receiving entities are:

- (1) Department of Administration Savannah River Site Primary and Perimeter Counties.....\$393,698,276
- (2) County Transportation Committees.....\$131,301,724

Part II

Directives to State Agencies Concerning the Appropriation of SRS Settlement Funds

Department of Administration

SECTION 2. (A) There is established in the State Treasury an account to be known as the SRS Settlement Account. The account is separate from the general fund of the State and all other funds and accounts. The account shall consist of the settlement funds appropriated to the Department of Administration pursuant to SECTION 1(1) of this act. The funds in the SRS Settlement Account shall be used to fund the projects identified in subsections (C) and (D).

(B) Counties in which projects identified in subsections (C) and (D) are located must submit a written request for funds appropriated in the county to the Executive Budget Office. Funds in the SRS Settlement Account may be released to fund an eligible project at the direction of the Executive Budget Office upon the Executive Budget Office's receipt of a written request from the receiving county. Prior to disbursement, the Executive Budget Office shall report each request for disbursement to the Joint Bond Review Committee and the legislative delegation representing the county. Upon receipt of funds, the counties must expeditiously distribute the funds.

(C) Of the funds appropriated in SECTION 1(1), the following amounts shall be made available to the named primary counties for the named eligible projects:

- (1) Aiken County:
 - (a) City of Aiken - SRS Corridor/Whiskey Road (Powderhouse Connector Road) congestion relief..... \$29,500,000
 - (b) North Augusta/Aiken County - New Savannah Bluff Lock and Dam Redevelopment..... \$20,000,000
 - (c) USC Aiken - National Guard Dreamport facility (coordination with US Cyber Command).....\$9,800,000
 - (d) Aiken County - Improvements to Sage Mill Industrial Park to include water and sewer upgrades..... \$5,000,000

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- (e) Aiken County - Industrial Park Project in eastern Aiken County (land and infrastructure)..... \$10,000,000
- (f) Aiken County - Off-site infrastructure Improvements for SRS/National Lab, including the Aiken Technology/Innovation Corridor..... \$20,000,000
- (g) Aiken County - Upgrades to Horse Creek Wastewater Treatment Plant (expansion for future growth) \$10,000,000
- (h) Aiken County - Water line along Highway 39 from Wagener to Monetta with two elevated storage tanks and three pump stations.....\$4,000,000
- (i) Aiken County - Water line from Beech Island to Jackson with elevated storage tanks and pump stations..... \$6,000,000
- (j) Aiken County - Public Safety Infrastructure/County Fire Suppression..... \$4,000,000
- (k) North Augusta - Cyber Initiative infrastructure investment to complement Fort Gordon Army Cyber Command and Georgia Cyber Command..... \$15,000,000
- (l) North Augusta - Regional Solid Waste Transfer Station.....\$2,000,000
- (m) City of Aiken/Aiken County - Redevelopment and economic development in downtown and Aiken’s Northside toward I-20..... \$25,000,000
- (n)Aiken County - Highway 19 Corridor Business/Economic Development Improvements (New Ellenton) and Downtown Water/Sewer Infrastructure (Wagener, Jackson, Burnettetown and Salley)\$5,000,000
- (o) Aiken Technical College - Nursing School Facility \$9,950,000
- (p) Aiken Technical College - Welding Lab \$1,500,000
- (q) Aiken County Public School District - New Career and Technology Center and district-wide technology upgrades..... \$30,000,000
- (2) Barnwell County - Construction of Consolidated High School and Career Center and K-8 school for Williston and Blackville.....\$110,000,000
- (3) Allendale County:
 - (a) Allendale School District - Capital Improvements to Allendale High School and other district buildings..... \$15,000,000

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(b) Allendale County - Renovate C.V. Bing High School to consolidate law enforcement and other Town and County facilities.....\$4,500,000

(c) Allendale County - Purchase, permitting, and development of potential industrial property site..... \$5,000,000

(D) Of the funds appropriated in SECTION 1(1), the following amounts shall be made available to the named perimeter counties for the named eligible projects:

(1) Bamberg County:

(a) Bamberg County - Cross Rhodes Industrial Park Speculative Building..... \$4,000,000

(b) Bamberg County - Airport Improvements . \$2,336,207

(2) Colleton County - New speculative industrial shell building and engineering of the primary road into the Colleton Mega Site..... \$1,387,932

(3) Edgefield County:

(a) Piedmont Technical College - Center for Advanced Manufacturing..... \$15,000,000

(b) Edgefield County Law Enforcement Center..... \$4,000,000

(c) Edgefield County School District - Workforce Development Training and Equipment..... \$1,600,000

(d) Fox Creek High School Athletic Complex . \$1,000,000

(4) Hampton County - Purchase property adjacent to Southern Carolina Industrial Park \$3,137,931

(5) Lexington County:

(a) Batesburg-Leesville Industrial Park - Site Preparation for Parcel #1..... \$1,250,000

(b) Saxe Gotha Industrial Park - Site Preparation for Parcel #9..... \$2,500,000

(c) Chapin Business and Technology Park at Brighton - Site Preparation for Parcel #10..... \$1,250,000

(d)Saxe Gotha Industrial Park - Phase III Roadway and Water Expansion..... \$4,800,000

(e) Batesburg-Leesville Industrial Park - Construction of Speculative Building on Parcel #1..... \$2,100,000

(6) Orangeburg County:

(a) Orangeburg County - Western End Industrial Speculative Building..... \$4,000,000

(b) Orangeburg County - Property Acquisition..... \$500,000

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- (c) Orangeburg County - Holly Hill Services Center Renovation..... \$1,000,000
- (d) Orangeburg County - Hidden Valley Road/Essex Road Sewer..... \$655,172
- (7) Saluda County - Piedmont Technical College - Workforce Development and Career Training..... \$1,931,034

County Transportation Committees

SECTION 3. (A) Except as provided in subsection (B), the funds appropriated in SECTION 1(2) to the County Transportation Committees shall be disbursed to the eligible counties pursuant to S.C. Code § 12-28-2740(A).

(B) Counties in which projects funded in SECTION 2(C) are located are not eligible to receive funds appropriated to the County Transportation Committees by this act.

Part III

Miscellaneous Provisions

SECTION 4. The expenditure authorizations contained in this act are supplemental to the expenditure authorizations for receiving entities as contained in Act 94 of 2021, the General Appropriations Act for Fiscal Year 2021-22, and future expenditure authorizations enacted by the General Assembly.

SECTION 5. Earnings and interest on accounts created pursuant to this act must be credited to the account and any balance at the end of the fiscal year carries forward to the account in the succeeding fiscal year for the same purpose.

SECTION 6. The General Assembly finds that the sections presented in this act constitute one subject as required by Article III, Section 17 of the South Carolina Constitution, in particular finding that each change and each topic relates directly to or in conjunction with other sections to the subject of appropriating funds received by the State pursuant to the SRS Settlement as clearly enumerated in the title.

The General Assembly further finds that a common purpose or relationship exists among the sections, representing a potential plurality but not disunity of topics, notwithstanding that reasonable minds might differ in identifying more than one topic contained in the act.

SECTION 7. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, then 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 act, and each and every section, subsection, paragraph, subparagraph,

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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 8. This act shall become law upon approval of the Governor. /

Renumber sections to conform.
Amend title to conform.

Senator PEELER explained the Bill and amendment.
Senator SETZLER spoke on the Bill.

The amendment was adopted.

The question then being second reading of the Resolution as amended.

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

Ayes 41; Nays 0

AYES

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

Total--41

NAYS

Total--0

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

POINT OF ORDER

S. 961 -- Senators Senn, Campsen, Loftis, Bennett, Alexander, Fanning and Kimbrell: 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.

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. 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.

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.

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The PRESIDENT sustained the Point of Order.

ADOPTED

S. 951 -- Senator Shealy: A SENATE RESOLUTION TO CONGRATULATE THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA UPON THE OCCASION OF ITS ONE HUNDRED TENTH ANNIVERSARY, TO RECOGNIZE MARCH 12, 2022, AS “GIRL SCOUT DAY”, AND TO COMMEND THE GIRL SCOUTS ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

The Resolution was adopted.

S. 1070 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 2022 AS “AMERICAN HEART MONTH” IN SOUTH CAROLINA.

The Resolution was adopted.

S. 1071 -- Senator Shealy: A SENATE RESOLUTION TO RECOGNIZE FEBRUARY 18, 2022, AS “NATIONAL CAREGIVERS DAY” IN SOUTH CAROLINA.

The Resolution was adopted.

H. 4872 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH

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CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 19 THROUGH 26, 2022.

The Resolution was adopted, ordered returned to the House.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

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

MOTION ADOPTED

At 2:12 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO A CONSIDERATION OF BILLS AND RESOLUTIONS RETURNED FROM THE HOUSE.

NONCONCURRENCE

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.

The House returned the Bill, with amendments, the question being concurrence in the House amendments.

Senator HEMBREE explained the amendments.

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

Ayes 0; Nays 38

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**AYES
Total--0**

NAYS

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

Total--38

On motion of Senator HEMBREE, the Senate nonconcurred in the House amendments and a message was sent to the House accordingly.

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. Ruben Lee Gray of Sumter, S.C. Judge Gray earned a law degree from South Carolina State College. He served in the United States Army during the Vietnam war. Judge Gray served on many boards and committees including Sumter County Council, Sumter School District 17, S.C. Crime Victims Board, United Way, Salvation Army and Sumter branch of the NAACP to mention a few. He was elected as the first African American Family Court Judge in Sumter County in 1992 and served for 10 years. After retirement from the bench, he worked for 15 years in a private law practice. Judge Gray was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator CAMPSSEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Harry “Buck” Limehouse, Jr. of Johns Island, S.C. Buck was a graduate of The Citadel. He was founder and owner of Limehouse Properties for many years before becoming South Carolina’s first Secretary of Transportation in 2007. Buck served on numerous boards including the State Infrastructure Bank, Charleston Board of Realtors, The Citadel Board of Visitors and was a longtime member of the Hibernian Society. He was an avid sportsman and enjoyed spending time with his family. Buck was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 2:19 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

* * *

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