

NO. 52

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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FRIDAY, APRIL 8, 2022

**Friday, April 8, 2022**  
**(Local Session)**

~~Indicates Matter Stricken~~  
Indicates New Matter

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

**ADDENDUM TO THE JOURNAL**

The following remarks by Senator SABB were ordered printed in the Journal of March 9, 2022:

**Remarks by Senator SABB**

Thank you, I really was looking forward to having a serious debate on this issue. I believe it is an issue of importance. I think that a close examination of the legislation suggests it is a bridge too far and to not feel free to have that intellectual exchange is a classic example of how we should not do things but I have agreed not to address all matters of concern in the interest of time. Years ago, when I served in the House of Representatives, I did not have a practice of watching the Senate debate but for whatever reason I found myself watching the debate where a young senator had a concern -- so that young senator took to the well or the podium. As I examined those comments, because it came back to me as part of this debate when we were talking about the American Experiment of Democracy and how it was an experiment and then we likened it to the Constitution of States; and how it would in effect be an experiment -- I thought about the comments of the young senator who felt the Senate was engaging in an experiment because for the first time in its history one individual would have what the senator classified as being too much power; and too much power concentrated in one place could have an adverse impact on this institution. Therefore, when I looked back on those remarks I said to myself, I likened it to an experiment because it could have had significant impact. I say that because much of what we have talked about has been a discussion about power, authority, and where it belongs, and how it ought to be used and what kind of controls are there on it.

Here we are talking about the Constitution of the United States of America. The Constitution of the United States of America, the document that when I was in law school, Professor Winston Nagan and Professor Fletcher Baldwin traveled to various countries counting our

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Constitution as a basis upon which they ought build their own. That sacred document is what we are talking about ultimately. The document that allows us as Americans to declare our place in the world as members of the greatest Nation on the planet when we consider altering it a very limited time. I submit there is something fundamentally wrong with that thought process y'all. I do not know of a matter in my mind of greater importance. I know some of us suggest that it will not happen. That we are doing it as a threat and so something is going to happen in the not too distant future, where what we do today will never come into its -- well that the convention let me say it that way -- that the convention would not take place.

I want to mention a couple factual things and mention a couple philosophical things and then I will sit down. What is curious to me is that when you look at the states that this attempt is really being made in. Those states, 34 of them, of what I am looking at suggest would have 31.28% of the population. Thirty-four states agreeing to a constitutional convention could have less than a third of the people in the United States of America deciding that is what they want to do -- less than a third. Than half of that, less than a third can decide about the convention of states. You got 16% of Americans deciding what our Constitution ought to look like. If it does not happen then it does not happen, but if it does happen mathematically in my mind does not make sense. I am indebted to Senator Campsen who suffered, I mean that in a kind way, suffered my questions in order that at least some of what I wanted to talk about could be aired in these chambers because as far as I am concerned time no longer permits. I would be remiss if I did not talk about feelings that are invoked with this process. In my church, we sing a song about bearing our burdens in the heat of the day but know that the Lord will make a way. For a person like RONNIE SABB, when we start talking constitutionally that is where it takes me, you all. It takes me back to the beginning when every man wasn't considered a man constitutionally and from whence we've come; yet realizing we've got a long way to go. I stand here in these hallowed chambers I am more convinced than ever that we are but a few laws away from going back to where we were. You think about it, what is happening in America right now with voting rights being stripped, and voting is becoming more difficult. There is a movement in America to go backwards, now whether we all want to admit it or not it is happening under our noses. When you think about timing and the time to do this in my humble opinion, it could not be worse. I think about voting and the signal that South Carolina sends to

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the rest of the United States of America when we refuse to even debate the Hate Crime Bill. We won't even allow it to come to the floor and have a conversation about it and forty-eight other states have it in place, why? What does the world think? That we do not care if hate crime happens in South Carolina, that is the natural conclusion folks would reach. South Carolina is a significant State for many reasons not just because it is my home State it is a significant State. The impact we can have on the United States of America -- I submit it is a profound one. Our history gives us unique opportunities to show everybody who we are and whose we are. I think every time we miss on those opportunities we fall short of that which we have been powered to do.

Two points on the convention of states, and then I am going to leave it alone. So much to talk about and so many real issues that I would hope that some would take under consideration. My understanding is that there is an unwillingness to do that. I accept that from reliable sources whom I trust. The conclusion would be that it would be futile to engage, and so I will again, I simply accept that. As I listen to scholarly conversation rounding enforcement of what a delegate would be required to do three things come to mind and a couple were brought out in the scholarly conversation. One was the question as to whether or not, because persons are performing a federal duty, whether the State is allowed to criminalize their conduct. I wish I knew the answer to that question. This is a significant legal question if the desire of the Body is to have some teeth in the directives given to individuals. It is significant.

The other question I wonder about and I do not know the answer to is do the other states have similar enforcement laws? If they do not then they do not even have the opportunity to control that individual. I just wonder that from an academic standpoint. I leave you with this -- there is nothing profound about it. I believe that the Senate that I know and have come to respect is worth preserving. If we are to become a non-deliberative Body, I think that this moment requires us to search ourselves. To ask ourselves the question why did we come here, knowing it is a deliberative Body. Why did we come without the patience necessary to give those of us, who have legitimate points, that want to share with this Body, an opportunity to do that.

I'm appreciative for the dinner conversations that I had last night with some of my colleagues. I know the deep love I think that many of us have for each other as individuals, each as Senators. I firmly believe if we allow the roots of the Senate to take hold, we can preserve this Body. I read somewhere that power corrupts absolutely. When I say corrupt, I

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don't mean corrupt in an evil sense. I mean corrupt from the standpoint of a disregard for minority party, which I likened to a disregard for those less fortunate. When folks are in the minority party, I think they are less fortunate. I would urge serious consideration to what I believe is a significant moment in time. I leave with this point, if we can't debate the Constitution of the United States of America, what can we debate? Thank you, Mr. PRESIDENT.

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

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

S. 1241 -- Senator Matthews: A BILL TO ADD TWO MEMBERS TO THE WALTERBORO-COLLETON COUNTY AIRPORT COMMISSION.

On motion of Senator MATTHEWS.

S. 1119 -- Senator Fanning: A BILL TO AMEND SECTION 12-37-220, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO EXEMPT ALL REAL PROPERTY OWNED BY A NONPROFIT EDUCATIONAL FOUNDATION OF A PUBLIC SCHOOL DISTRICT AND WHICH IS DEVOTED TO PROVIDING HOUSING FOR CLASSROOM TEACHERS.

On motion of Senator VERDIN.

**ADJOURNMENT**

At 11:06 A.M., on motion of Senator SCOTT, the Senate adjourned to meet next Tuesday, April 12, 2022, at 12:00 Noon.

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