

NO. 36

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 8, 2019

---

FRIDAY, MARCH 8, 2019

**Friday, March 8, 2019**  
**(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 SETZLER.

**ADDENDUM TO THE JOURNAL**

The following remarks by Senator SCOTT were ordered printed in the Journal of February 26, 2019:

**Remarks by Senator SCOTT**

Thank you, Mr. PRESIDENT, members of the Senate. I didn't realize that the leader would put me in this position. Yesterday morning, I was in Orangeburg somewhere around 7:45 A.M. I was trailing some other board members going to a board meeting and decided to take a short cut. I was in line at the light, and someone says, "Take the shortcut". So, I took the short cut to go down Old Orangeburg Road. Approximately five blocks away from the time I made the turn, less than a mile, there was a vehicle in the left-hand lane coming down. I noticed the vehicle was driving completely out of control. I slowed my vehicle down and if I had stayed the same pace that vehicle probably would have had a great chance of either hitting me head-on or hitting me through the door. The vehicle then came across the right lane that I was in, hit the guardrail, flipped over, and went down into a ravine. In the ravine two ladies were trapped in a car and the car was already in flames. I went down into the ravine and tried to get others to go. There was hesitation because the car was on fire. We got down, and the driver was trapped by the door. We opened the door and tried to jam the door open but the driver's foot was caught because of where the foot was placed at the time of the accident, probably because the car had flipped over. Somehow the door caught her. I screamed and hollered. Eventually I got some help. They helped me to pry the door open. So I drug the driver, who was an older female, from the car -- probably 10 or 15 feet away from the vehicle. Then we heard another cry inside the car. There was another female on the opposite side. The car was so torn up you couldn't look across the driver's seat to even see the other person. So we screamed and hollered. By the time another gentleman had come down, I screamed to him, "Get the lady out of the other side" and we were able to get her out -- drug her to

[SJ]

**FRIDAY, MARCH 8, 2019**

the same space. By the time I looked in the car, it had already been engulfed in flames. I said to myself, if we had only hesitated another five minutes, both those ladies' lives would have been taken. So I thank God for allowing me to be that public servant on that day to save those ladies lives. I'll tell you, when a situation happens like that, at first I was a little upset because nobody wanted to help. But people become afraid of their own lives. Sometimes we have to go beyond that point in our lives and put our lives in God's hand because God is trying to use us to do something good for somebody else. I have called the Orangeburg Hospital. One of the ladies was sent to Richland Providence, a new name in Greenville, Richland Providence Hospital, whatever the name we call ourselves now. I'm not so sure whether or not it was because of trauma she may have received to the face. She was very, very bloody. The lady who got drug out -- of course she filled my shirt and pants with a lot of blood too. And so as I got back up the hill, the fire engine came. And of course a lot of police came and eventually the ambulance came. That was as much as I could stand. I got back in my vehicle and of course, I went on to my meeting. So I will say to you, never be surprised at what may happen right in front of you. Just be careful. Always look on both sides, because it could happen to you at any time. Thank you.

\*\*\*

**ADDENDUM TO THE JOURNAL**

The following remarks by Senator CASH were ordered printed in the Journal of February 6, 2019:

**Remarks by Senator CASH**

Thank you. Today is Personhood Day at the Capitol. If you are unaware, we had a rally in the first floor rotunda -- the Governor kicked it off speaking for us. We had quite a number of speakers, preachers, politicians and prayer leaders. It was the best church service I have been in for quite a while. Sorry if you were not able to be there. Today I introduced the Personhood Bill for this session. I hope to gain your support of it. I hope that some of you who have not been willing to consider it in the past would consider it this session. I want to try very briefly to answer the question, why is the idea of personhood important? What is it that makes it different from any other piece of pro-life legislation? What is the word personhood and what's that got to do with trying to bring an end to the killing of unborn babies? I want to read you a very brief quote from the Roe v. Wade ruling. Because this is kind of

**FRIDAY, MARCH 8, 2019**

where personhood goes back to. In *Roe v. Wade*, the state of Texas argued that a fetus is a person within the language and the meaning of the 14th Amendment to which Justice Harry Blackmun responded if the suggestion of personhood is established, the appellant's case of course collapses -- for the fetus' right to life would be guaranteed specifically by the amendment. However, Justice Blackmun came to the conclusion that the word person as used in the 14th Amendment does not include the unborn. He was making a legal argument. He was basically just saying, I don't think that the unborn child is included in the word person in the 14th Amendment. Therefore, there's no constitutional protection of life. I hardly know what to call it -- amazing, ironic, perverse. It was the 14th Amendment that Justice Blackmun used to say that a whole class of people weren't persons. Without a civil war, without a 13th and 14th Amendment, people who had been slaves would not have been guaranteed due process and equal protection of the laws. That is what the 14th Amendment was all about. To guarantee the right of life, liberty and property for due process and stating that no state could deprive any person or deny to any person that equal protection of the laws.

What we are involved in here for the past 46 years is just a repetition of a different class of people of the gravest moral error this nation ever made. The founders could not come to agreement in the Constitutional Convention about what to do about slavery. Those who were slaves were counted as three-fifths of a person but only for the purpose of proportional representation. Some of our founders held slaves -- Thomas Jefferson and George Washington both held slaves -- all of their adult life. Jefferson knew it was wrong. He was quite a philosopher. Jefferson said this, "Indeed I tremble for my country when I reflect that God is just and as just his patience cannot endure forever." He was talking about slavery --14th Amendment due process guaranteeing your right to life and mine -- equal protection of the laws -- guaranteed for every person - - regardless of race, socio-economic status, religion or age. So that's what personhood at its heart is all about. We are simply trying to say that that an unborn child deserves the same protection of the 14th Amendment that we all have. In fact, I would go so far as to say we are arguing for our own life. Each one of us was once an embryo. Each one of us was once two weeks, four weeks, six weeks in the womb when our heart began to beat. When I argue for the protection of the unborn I argue for your rights as well as my own, as well as those who have not yet been born. That's what personhood is all about. I hope this Bill will get a hearing in Judiciary. I wish this Bill could be debated on the floor of this

[SJ]

**FRIDAY, MARCH 8, 2019**

Senate. I wish someone could show me where I am wrong in my contention that a human life begins at fertilization and deserves legal protection from that moment forward through every stage of biological development into old age and natural death. It's the most pressing issue. It is the most important issue. It is an issue we don't really want to take up. It is an issue we would prefer to ignore. It is an issue that I pray and hope we will have the courage to deal with in this session. Thank you.

\*\*\*

**MOTION ADOPTED**

On motion of Senator NICHOLSON, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Gus Wilson of Abbeville, S.C. Gus was a City Councilman in Abbeville and a radio disc jockey. He served his community well and will be dearly missed.

and

**MOTION ADOPTED**

On motion of Senator HEMBREE, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Henry Nichols of Loris, S.C. Henry was a retired lieutenant colonel in the U.S. Marine Corp and the first African American Mayor for the town of Loris. He attended Silent Grove Baptist Church and had a great love for the Loris community. Henry was a loving husband, devoted father and doting grandfather who will be dearly missed.

**ADJOURNMENT**

At 11:05 A.M., on motion of Senator McELVEEN, the Senate adjourned to meet next Tuesday, March 12, 2019, at 2:00 P.M.

\* \* \*