

NO. 54

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, APRIL 13, 2021

Tuesday, April 13, 2021
(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:

Isaiah 64:8

In Isaiah we read:

“O Lord, you are our Father; we are the clay, and you are our potter; we are all the work of your hand.”

Bow with me, if you will: Truly, O Lord, at this point of this Senate’s 124th Regular Session, challenges indeed continue for this Body. And so many of the tasks which remain to be settled are formidable; they are likely not going to be resolved in the blink of an eye, much less overnight. All of this, dear God, means that there is a great deal of molding and shaping yet to be done by You upon these leaders as they strive to determine the best courses of action and the final and proper resolution of major issues. So guide these Senators and their staff members. Allow them to lean on You for added wisdom, energy, and resolve, so that they ultimately do what is best for all of our citizens. And as always, to You be the glory, O 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 ALEXANDER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Grooms
Gustafson	Harpoottlian	Hembree

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Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Malloy
Martin	Massey	McElveen
Peeler	Rice	Sabb
Scott	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	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, Director of Department of Health & Human Services, with term coterminous with Governor

Robert M. Kerr, 3117 Monroe Street, Columbia, SC 29295-2636

Referred to the Committee on Medical Affairs.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2020, and to expire April 1, 2024

Low Country - Recipient/Donor/Family:

Michael F. Cuenin, 1513 Appling Drive, Mount Pleasant, SC 29464-4689 *VICE* Debra Yasenka

Referred to the Committee on Medical Affairs.

Reappointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2019, and to expire June 30, 2023

At-Large:

Suzanne S. Prosser, 697 Wedgewood Dr., Murrells Inlet, SC 29576

Referred to the Committee on Corrections and Penology.

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Initial Appointment, South Carolina Board of Juvenile Parole, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

Cindy Risher, 1061 Blue Bird Court, Summerton, SC 29148-7276
VICE Barbara W. Mishoe - resigned

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina State Athletic Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

4th Congressional District:

Paul H. Kennemore, III, 200 Regents Gate Court, Simpsonville, SC 29681-3612

Referred to the Committee on Labor, Commerce and Industry.

Initial Appointment, South Carolina State Board of Financial Institutions, with the term to commence June 30, 2020, and to expire June 30, 2024

Banker:

Tommy Bouchette, 3370 Johnsonville Highway, Lake City, SC 29560-6468 *VICE* F. Justin Strickland

Referred to the Committee on Banking and Insurance.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Mark W. Buyck, Jr., 1439 Cherokee Road, Florence, SC 29501

Referred to the Committee on Transportation.

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2021, and to expire February 13, 2026

At-Large:

William A. Coates, 177 Marshall Bridge Dr., Greenville, SC 29605-1256 *VICE* Kenneth R. Jackson

Referred to the Committee on Transportation.

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Reappointment, South Carolina State Ports Authority, with the term to commence June 4, 2018, and to expire June 4, 2023

At-Large:

Kurt D. Grindstaff, 20 Manor Court Lane, Hilton Head Island, SC 29926

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Willie E. Jeffries, 85 Nance Drive, Elloree, SC 29047

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

Pamela P. Lackey, 1672 Tanglewood Road, Columbia, SC 29204

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence March 19, 2019, and to expire March 19, 2024

At-Large:

Whitemarsh Seabrook Smith, III, 6 Concord Street, Charleston, SC 29401

Referred to the Committee on Transportation.

Reappointment, South Carolina State Ports Authority, with the term to commence February 13, 2020, and to expire February 13, 2025

At-Large:

William H. Stern, 2134 Bermuda Hills, Columbia, SC 29223

Referred to the Committee on Transportation.

REGULATION WITHDRAWN

The following was received:

Document No. 4974

Agency: Department of Health and Environmental Control

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Chapter: 61

Statutory Authority: 1976 Code Sections 44-1-140 et seq.

SUBJECT: Licensed Midwives

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Medical Affairs

Legislative Review Expiration: Permanently Withdrawn

Permanently Withdrawn April 12, 2021

Doctor of the Day

Senator K. JOHNSON introduced Dr. Robert L. Ridgeway, III of Manning, S.C., Doctor of the Day.

Leave of Absence

At 12:05 P.M., Senator ALEXANDER requested a leave of absence for Senator LEATHERMAN for the day.

Leave of Absence

At 12:32 P.M., Senator KIMPSON requested a leave of absence for Senator MATTHEWS for the day.

Expression of Personal Interest

Senator MALLOY rose for an Expression of Personal Interest.

Remarks to be Printed

On motion of Senator HUTTO, with unanimous consent, the remarks of Senator MALLOY, when reduced to writing and made available to the Desk, would be printed in the Journal.

Expression of Personal Interest

Senator ALEXANDER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator CROMER rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 635 Sen. Scott

S. 730 Sen. Turner

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RECALLED

H. 4099 -- Regulations and Administrative Procedures Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Senator CAMPSEN asked unanimous consent to make a motion to recall the Resolution from the Committee on Fish, Game and Forestry.

The Resolution was recalled from the Committee on Fish, Game and Forestry and ordered placed on the Calendar for consideration tomorrow.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 746 -- Senator Shealy: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF CLABIE CECIL EDMOND AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 747 -- Senators Kimbrell and Talley: A SENATE RESOLUTION TO CONGRATULATE THE SPARTANBURG CHRISTIAN ACADEMY ATHLETIC TEAMS, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING 2020-2021 SEASON AND TO HONOR THEM FOR WINNING MULTIPLE STATE CHAMPIONSHIPS.

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The Senate Resolution was adopted.

S. 748 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, 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.

REPORTS OF STANDING COMMITTEES

Senator ALEXANDER from the Committee on Labor, Commerce and Industry submitted a favorable report on:

S. 562 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION-AUCTIONEERS' COMMISSION, RELATING TO AUCTIONEERS' COMMISSION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5010, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Ordered for consideration tomorrow.

Senator GROOMS from the Committee on Transportation submitted a favorable with amendment report on:

H. 3805 -- Reprs. B. Cox, Erickson, Davis, Allison, Wooten, McGarry, Hill, Pope, Caskey, McCabe, Oremus, T. Moore, W. Newton, Ligon, Blackwell, R. Williams, Jefferson, Hixon, Taylor, S. Williams and Matthews: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 147 TO CHAPTER 3, TITLE 56 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ISSUE VARIOUS MILITARY SPECIAL LICENSE PLATES; AND TO REPEAL ARTICLES 7, 8, 14, 15, 16, 33, 38, 43, 53, 55, 56, 57, 59, 63, 68, 74, 84, 88, 99, 101, 102, 103, 104, 106, 107, 110, 111, 112, 115, 116, 117, 129, 131, 132, 143, and 144, CHAPTER 3 OF TITLE 56, RELATING TO THE ISSUANCE OF "WARTIME DISABLED VETERAN SPECIAL LICENSE PLATES", FREE VEHICULAR REGISTRATION FOR FORMER PRISONERS OF WAR, THE ISSUANCE OF SPECIAL LICENSE PLATES FOR MEMBERS OF THE UNITED STATES MILITARY RESERVES AND NATIONAL GUARD, MEDAL OF HONOR RECIPIENTS, PURPLE HEART RECIPIENTS, MEMBERS OF THE AMERICAN LEGION, RETIRED MEMBERS OF THE UNITED STATES ARMED FORCES, AND NORMANDY INVASION AND PEARL HARBOR SURVIVORS, THE ISSUANCE OF MEMBERS OF THE UNITED STATES ARMED SERVICES, UNITED STATES NAVAL ACADEMY, UNITED STATES AIR FORCE ACADEMY, SUPPORT OUR TROOPS, KOREAN WAR VETERANS, VIETNAM VETERANS, MARINE CORPS LEAGUE, WORLD WAR II

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VETERANS, GOLD STAR FAMILY OPERATION DESERT STORM-DESERT SHIELD, OPERATION ENDURING FREEDOM VETERAN, OPERATION IRAQI FREEDOM VETERAN, SILVER STAR, BRONZE STAR, UNITED STATES, NAVY CHIEF PETTY OFFICER, UNITED STATES MARINE CORPS, DISTINGUISHED SERVICE MEDAL, DISTINGUISHED SERVICE CROSS, DEPARTMENT OF NAVY, PARENTS AND SPOUSES OF ACTIVE-DUTY OVERSEAS VETERANS, ACTIVE DUTY MEMBERS OF THE UNITED STATES ARMED FORCES, COMBAT-RELATED DISABLED VETERAN, RECIPIENTS OF THE DISTINGUISHED FLYING CROSS, PALMETTO CROSS, AND LEGION OF MERIT SPECIAL LICENSE PLATES.

Ordered for consideration tomorrow.

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

OBJECTION

S. 628 -- Senator Davis: A BILL TO ENACT THE "PHARMACY ACCESS ACT"; TO AMEND CHAPTER 43, TITLE 40 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA PHARMACY PRACTICE ACT, BY ADDING SECTIONS 40-43-210 THROUGH 40-43-280, TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT DOES NOT CREATE A DUTY OF CARE FOR A PERSON WHO PRESCRIBES OR DISPENSES A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT CERTAIN PHARMACISTS MAY DISPENSE A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTER AN INJECTABLE HORMONAL CONTRACEPTIVE PURSUANT TO A STANDING PRESCRIPTION DRUG ORDER, TO PROVIDE A JOINT PROTOCOL FOR DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE WITHOUT A PATIENT-SPECIFIC WRITTEN ORDER, TO REQUIRE CONTINUING EDUCATION FOR A PHARMACIST DISPENSING A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR ADMINISTERING AN INJECTABLE HORMONAL CONTRACEPTIVE, TO IMPOSE REQUIREMENTS ON A PHARMACIST WHO DISPENSES A SELF-ADMINISTERED

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HORMONAL CONTRACEPTIVE OR ADMINISTERS AN INJECTABLE HORMONAL CONTRACEPTIVE, TO PROVIDE THAT A PRESCRIBER WHO ISSUES A STANDING PRESCRIPTION DRUG ORDER FOR A SELF-ADMINISTERED HORMONAL CONTRACEPTIVE OR INJECTABLE HORMONAL CONTRACEPTIVE IS NOT LIABLE FOR ANY CIVIL DAMAGES FOR ACTS OR OMISSIONS RESULTING FROM THE DISPENSING OR ADMINISTERING OF THE CONTRACEPTIVE, AND TO PROVIDE THAT THE SOUTH CAROLINA PHARMACY PRACTICE ACT SHALL NOT BE CONSTRUED TO REQUIRE A PHARMACIST TO DISPENSE, ADMINISTER, INJECT, OR OTHERWISE PROVIDE HORMONAL CONTRACEPTIVES; AND TO AMEND ARTICLE 1, CHAPTER 6, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, BY ADDING SECTION 44-6-115, TO PROVIDE FOR PHARMACIST SERVICES COVERED UNDER MEDICAID; AND TO DEFINE NECESSARY TERMS.

Senator KIMBRELL objected to consideration of the Bill.

OBJECTION

S. 464 -- Senators Rankin, McElveen, Adams, Talley, Matthews, Garrett, Goldfinch, Gambrell, Hutto, Harpootlian, Williams, Young, Campsen, Hembree, Gustafson, Shealy, Stephens, Verdin, Alexander, Davis, K. Johnson, Cromer and Turner: A BILL TO AMEND SECTION 58-31-20 OF THE 1976 SOUTH CAROLINA CODE OF LAWS TO PROVIDE A MEMBER OF THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY SHALL NOT BE APPOINTED FOR MORE THAN TWO UNEXPIRED CONSECUTIVE TERMS AND FOR EDUCATION AND EXPERIENCE REQUIREMENTS FOR A BOARD MEMBER; TO ADD SECTION 58-31-225 TO PROVIDE THAT THE OFFICE OF REGULATORY STAFF HAS AUTHORITY TO MAKE INSPECTIONS, AUDITS AND EXAMINATIONS OF THE PUBLIC SERVICE AUTHORITY FOR ELECTRIC AND WATER RATES; TO AMEND SECTION 58-31-380 TO ESTABLISH A PROCESS TO RECEIVE PUBLIC COMMENT AND A PUBLIC HEARING IN SETTING ELECTRIC RATES, AND FOR THE OFFICE OF REGULATORY STAFF TO REVIEW THE PROPOSED RATES AND COMMENT BEFORE THE RATES GO INTO EFFECT; TO AMEND SECTION 58-33-20 TO INCLUDE THE PUBLIC SERVICE AUTHORITY IN THE REQUIREMENTS FOR UTILITY FACILITY

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SITING; TO AMEND SECTION 58-37-40 TO DELETE SUBSECTION (A)(3); AND TO ADD SECTION 58-37-45 TO REQUIRE THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO SUBMIT AN INTEGRATED RESOURCE PLAN TO THE PUBLIC SERVICE COMMISSION AND TO PROVIDE FOR PLAN REQUIREMENTS.

Senator MASSEY objected to consideration of the Bill.

OBJECTION

H. 3991 -- Reps. Rutherford, Wooten, Caskey, Thigpen, B. Cox, Elliott, Erickson, S. Williams and Rivers: A BILL TO AMEND SECTION 16-17-680, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERMITS TO PURCHASE NONFERROUS METALS, TRANSPORTATION AND SALE OF NONFERROUS METALS, AND VARIOUS OFFENSES ASSOCIATED WITH NONFERROUS METALS, SO AS TO INCLUDE IN THE PURVIEW OF THE STATUTE PROCEDURES FOR THE LAWFUL PURCHASE, SALE, AND POSSESSION OF USED, DETACHED CATALYTIC CONVERTERS OR ANY NONFERROUS PART OF ONE UNLESS PURCHASED, SOLD, OR POSSESSED UNDER CERTAIN DELINEATED CIRCUMSTANCES.

Senator MATTHEWS objected to consideration of the Bill.

CARRIED OVER

H. 3056 -- Reps. Hixon, Forrest and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTIONS 50-19-210 THROUGH 50-19-240 ALL RELATING TO THE PRESTWOOD LAKE WILDLIFE REFUGE BOARD; BY REPEALING SECTIONS 50-19-1710 THROUGH 50-19-1730 ALL RELATING TO THE CATAWBA-WATEREE FISH AND GAME COMMISSION; BY REPEALING ARTICLE 1 OF CHAPTER 19, TITLE 50 RELATING TO THE CHEROKEE FISH AND GAME CLUB; BY REPEALING ARTICLE 3 OF CHAPTER 19, TITLE 50 RELATING TO THE DARLINGTON COUNTY ADVISORY FISH AND GAME COMMISSION; BY REPEALING ARTICLE 17 OF CHAPTER 19, TITLE 50 RELATING TO THE DUTIES OF THE LEE COUNTY LEGISLATIVE DELEGATION TO PROTECT FISH AND GAME IN LEE COUNTY; BY REPEALING ARTICLE 19 OF CHAPTER 19, TITLE 50 RELATING TO THE MARION COUNTY FISH AND GAME COMMISSION AND THE ESTABLISHMENT OF THE SHELLY LAKE FISH SANCTUARY IN

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MARION COUNTY; BY REPEALING ARTICLE 21 OF CHAPTER 19, TITLE 50 RELATING TO FISH AND WILDLIFE PROJECTS IN MARLBORO COUNTY; BY REPEALING ARTICLE 23 OF CHAPTER 13, TITLE 51 RELATING TO THE ENOREE RIVER GREENWAY COMMISSION; BY REDESIGNATING ARTICLE 5 OF CHAPTER 19, TITLE 50 AS "SLADE LAKE FISHING"; AND BY REDESIGNATING ARTICLE 29 OF CHAPTER 19, TITLE 50 AS "FISHING AND HUNTING IN LAKE WATEREE".

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

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

READ THE SECOND TIME

H. 3548 -- Reps. Ott, Forrest, Jefferson and R. Williams: A BILL TO AMEND SECTION 50-13-670, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE POSSESSION OF NONGAME DEVICES, SO AS TO DELETE THE PROHIBITION ON THE POSSESSION OF A GAME FISH DEVICE WHILE POSSESSING OR USING A NONGAME DEVICE.

The Senate proceeded to a consideration of the Bill.

Senator CAMPSSEN explained the Bill.

The question being the second reading of the Bill.

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

Ayes 41; Nays 0

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rice

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Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

Total--41

NAYS

Total--0

The Bill was read the second time, passed and ordered to a third reading.

OBJECTION

S. 41 -- Senator Grooms: A BILL TO AMEND SECTION 31-12-70(A)(16) OF THE 1976 CODE, RELATING TO THE POWERS OF REDEVELOPMENT AUTHORITIES, TO PROVIDE THAT CERTAIN REDEVELOPMENT FEES MAY BE USED FOR FINANCING, ACQUIRING, DEVELOPING, SUPPORTING, AND OPERATING CERTAIN MUSEUM PROJECTS.

Senator PEELER objected to consideration of the Bill.

CARRIED OVER

S. 635 -- Senators Setzler and Scott: A BILL TO AMEND SECTION 13-17-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO MEMBERS OF THE SOUTH CAROLINA RESEARCH AUTHORITY BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD CONSISTS OF CERTAIN UNIVERSITY PRESIDENTS OR THEIR DESIGNEES, TO PROVIDE CERTAIN REQUIREMENTS FOR DESIGNEES, AND TO PROVIDE THAT THE EXECUTIVE COMMITTEE SHALL ELECT TWO ADDITIONAL MEMBERS WHO ARE NOT REQUIRED TO BE TRUSTEES AT THE TIME OF THEIR ELECTION; TO AMEND SECTION 13-17-70, RELATING TO THE POWERS OF THE BOARD OF TRUSTEES, SO AS TO PROVIDE THAT THE BOARD MAY INVEST IN CERTAIN OBLIGATIONS OF PRIVATE ENTITIES; TO AMEND SECTION 13-17-87, RELATING TO THE ESTABLISHMENT OF RESEARCH INNOVATION CENTERS, SO AS TO PROVIDE THAT THE SOUTH CAROLINA RESEARCH AUTHORITY MAY ALLOW A COMPANY TO REMAIN IN AN

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INNOVATION CENTER FOR UP TO FIVE YEARS OR UNTIL EXCEEDING FIVE MILLION DOLLARS BUT DOES NOT APPLY WITH RESPECT TO THIRTY-FIVE PERCENT OF THE SQUARE FEET IN AN INNOVATION CENTER; AND TO AMEND SECTION 12-6-3585, AS AMENDED, RELATING TO THE INDUSTRY PARTNERSHIP FUND TAX CREDIT, SO AS TO PROVIDE THAT IF THE AGGREGATE CREDIT AMOUNT IS NOT MET IN A CERTAIN TIMEFRAME THEN THE SINGLE TAXPAYER MAXIMUM CREDIT IS INCREASED TO ONE MILLION DOLLARS.

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

POINT OF ORDER

S. 736 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO BOATING, DESIGNATED AS REGULATION DOCUMENT NUMBER 5021, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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. 737 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO ALEXANDER SPRUNT, JR., WILDLIFE REFUGE AND SANCTUARY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5020, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution had not been on the desks of the members at least one day prior to second reading.

The PRESIDENT sustained the Point of Order.

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POINT OF ORDER

S. 738 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FRESHWATER FISHERIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5018, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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. 739 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO MARINE RESOURCES DIVISION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5016, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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. 740 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO SEA TURTLE PROTECTION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5019, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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.

POINT OF ORDER

S. 741 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO REGULATIONS FOR NONNATIVE WILDLIFE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5027, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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. 742 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS; TURKEY HUNTING RULES AND SEASONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5011, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Point of Order

Senator MARTIN raised a Point of Order under Rule 39 that the Resolution 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. 3101 -- Reps. Allison, Felder and Govan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO, UPON THE REQUEST OF AN INSURANCE COMPANY OR CHARITY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF

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AN INSURANCE CLAIM OR A CHARITY DONATION AND SUBSEQUENTLY INSURANCE COVERAGE IS DENIED OR THE CHARITY DOES NOT TAKE OWNERSHIP OF THE MOTOR VEHICLE; TO AMEND SECTION 56-1-10, AS AMENDED, RELATING TO CERTAIN TERMS AND THEIR DEFINITIONS CONTAINED IN THE PROVISIONS THAT PERTAIN TO THE DEPARTMENT OF MOTOR VEHICLES, SO AS TO CREATE ADDITIONAL TERMS AND DEFINITIONS RELATING TO SALVAGE, JUNK, AND OFF-ROAD-USE VEHICLES; TO AMEND SECTION 56-19-480, AS AMENDED, RELATING TO THE TRANSFER AND SURRENDER OF CERTIFICATES OF TITLE, LICENSE PLATES, REGISTRATION CARDS, AND MANUFACTURERS' SPECIAL PLATES FOR VEHICLES SOLD AS SALVAGE, ABANDONED, SCRAPPED, OR DESTROYED, SO AS TO DELETE AN OBSOLETE TERM, MAKE TECHNICAL CHANGES, TO PROVIDE THIS SECTION APPLIES ALSO TO SALVAGE FLOOD AND SALVAGE FIRE VEHICLES, AND TO DELETE THE PROVISION THAT REQUIRES CERTAIN VEHICLES TO UNDERGO AN INSPECTION; AND TO AMEND SECTION 56-19-485, RELATING TO THE TITLE BRAND DESIGNATION OF VEHICLES AS "WRECKAGE" OR "SALVAGE", SO AS TO DELETE THESE DESIGNATIONS AND TO PROVIDE THE TITLE BRAND DESIGNATION MUST BE ONE THAT IS CONTAINED IN SECTION 56-1-10.

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. 3505 -- Rep. Simrill: A BILL TO AMEND SECTION 56-3-627, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE ASSESSED AGAINST A VEHICLE OR OTHER ITEM UPON ITS FIRST REGISTRATION, SO AS TO PROVIDE THAT THIS FEE ALSO APPLIES TO THE FIRST TITLING OF A VEHICLE OR OTHER ITEM, TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY NOT ISSUE A TITLE UNTIL THE FEE HAS BEEN COLLECTED, TO PROVIDE IF A DEALER DOES NOT LICENSE,

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TITLE, OR REGISTER AN ITEM, THE CUSTOMER MUST PAY THE FEE TO THE DEPARTMENT OF MOTOR VEHICLES WHEN TITLING OR REGISTERING THE VEHICLE, TO PROVIDE IF THE LESSEE PURCHASES A VEHICLE HE ORIGINALLY LEASED AND THE REGISTRANT OF THE VEHICLE REMAINS THE SAME, THE PERSON DOES NOT OWE AN ADDITIONAL FEE, AND TO PROVIDE A FEE MUST BE ASSESSED AGAINST AN OWNER OR LESSEE WHO FIRST TITLES AN ITEM IN ANOTHER STATE AND SUBSEQUENTLY REGISTERS THE ITEM IN THIS STATE; AND TO AMEND SECTION 56-3-645, RELATING TO THE ROAD USE FEE IMPOSED UPON OWNERS OF VEHICLES NOT POWERED EXCLUSIVELY BY MOTOR FUEL, SO AS TO PROVIDE THIS FEE MUST BE COLLECTED AT THE TIME THE VEHICLE IS TITLED OR REGISTERED.

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. 3664 -- Reps. Hewitt, Hixon, Stavrinakis, Crawford, Kirby, B. Cox, Anderson, Erickson, Bradley, Murray and B. Newton: A BILL TO AMEND SECTION 40-57-115, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO CRIMINAL BACKGROUND CHECKS REQUIRED FOR INITIAL LICENSURE BY THE REAL ESTATE COMMISSION, SO AS TO REQUIRE SOCIAL SECURITY NUMBER-BASED CRIMINAL RECORDS CHECKS IN ADDITION TO EXISTING REQUIREMENTS.

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. 3689 -- Rep. Allison: A BILL TO AMEND SECTION 56-3-190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE REGISTRATION AND LICENSURE OF VEHICLES BY THE

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DEPARTMENT OF MOTOR VEHICLES, SO AS TO PROVIDE THAT IF A COMMERCIAL MOTOR VEHICLE IS REGISTERED THROUGH THE INTERNATIONAL REGISTRATION PLAN AND IS OPERATED UNDER A UNITED STATES DEPARTMENT OF TRANSPORTATION (USDOT) NUMBER ASSIGNED TO A PERSON OTHER THAN THE VEHICLE'S OWNER, THEN THE PERSON TO WHOM THE USDOT NUMBER IS ASSIGNED MAY REGISTER THE COMMERCIAL MOTOR VEHICLE BY SUBMITTING THE APPROPRIATE APPLICATION AND FEES TO THE DEPARTMENT OF MOTOR VEHICLES.

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 12:37 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 THE VETOES.

VETO OVERRIDDEN

(R8, H3584) -- Reps. Sandifer and Whitmire: AN ACT TO AMEND ACT 1041 OF 1970, AS AMENDED, RELATING TO THE ASSESSMENT OF TAXES IN OCONEE COUNTY, SO AS TO REVISE THE MEMBERSHIP AND COMPOSITION OF THE OCONEE COUNTY BOARD OF ASSESSMENT APPEALS.

The veto of the Governor was taken up for immediate consideration.

Senator ALEXANDER moved that the veto of the Governor be overridden.

The question was put, "Shall the Act become law, the veto of the Governor to the contrary notwithstanding?"

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

Ayes 42; Nays 0

AYES

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

Total--42

NAYS

Total--0

The necessary two-thirds vote having been received, the veto of the Governor was overridden, and a message was sent to the House accordingly.

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

CONCURRENCE

S. 515 -- Senators Stephens and Hutto: A BILL TO AMEND SECTION 3(B)(5) OF ACT 280 OF 2018, RELATING TO THE ORANGEBURG COUNTY SCHOOL DISTRICT BOARD OF TRUSTEES' DUTY TO ADOPT ATTENDANCE ZONES, TO PROVIDE THAT THE BOARD'S DUTY TO ADOPT ATTENDANCE ZONES AND RELATED PROVISIONS SHALL NOT APPLY IF THE BOARD DETERMINES THAT A BUILDING OR STRUCTURE IS AN IMMINENT THREAT TO THE HEALTH

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OR SAFETY OF STUDENTS OR STAFF, THE NEEDED UPGRADES AND REPAIRS TO MAINTAIN A BUILDING OR STRUCTURE ARE ECONOMICALLY UNFEASIBLE, OR A BUILDING OR STRUCTURE IS UNDERUTILIZED AND THE USE OF ANOTHER BUILDING OR STRUCTURE IS FEASIBLE.

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

Senator HUTTO explained the amendments.

On motion of Senator HUTTO, the Senate concurred in the House amendments and a message was sent to the House accordingly. Ordered that the title be changed to that of an Act and the Act enrolled for Ratification.

Motion Adopted

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned Wednesday, April 14, 2021, that it will adjourn to meet Thursday, April 15, 2021, at 11:00 A.M., under the provisions of Rule 1B.

Motion Adopted

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

MOTION ADOPTED

On motion of Senator GOLDFINCH, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Bill Chandler of Murrells Inlet, S.C. Bill graduated from the University of South Carolina with a degree in mechanical engineering. He worked for NASA and helped develop systems used on the Apollo XI lunar module. Bill received the Golden Oyster Award for his environmental stewardship and was created Preserve Murrells Inlet. He was active in the community representing property owners, restaurants and preservationists. Bill was a champion shooter and enjoyed playing golf. Bill cherished his family and will be dearly missed.

and

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MOTION ADOPTED

On motion of Senator ALEXANDER, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Virginia Lee Cole Skelton of Clemson, S.C. Virginia was a graduate of Clemson University and earned her master's degree in math education from the University of Georgia. She taught chemistry and math in Easley. Virginia later started a real estate company where she worked for over 20 years. She was an accomplished pianist who enjoyed playing golf, bridge and growing orchids. She served on the YMCA Board and raised money for the American Heart Association. Virginia was an active member of Clemson First Baptist Church for over 62 years. Virginia was a loving wife, devoted mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 12:40 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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