

NO. 63

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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WEDNESDAY, APRIL 28, 2021

**Wednesday, April 28, 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:

Matthew 23:40

We read in Matthew that: "The King will answer them, 'Truly, I tell you just as you did it to one of the least of these who are members of my family, you did it to me.'"

Let us pray: O Loving Lord, You have given to each of these leaders a heavy responsibility, one that surely is emphasized here while budget decisions are being made. This burden, of course, is the very fact that each financial conclusion this Body comes to will have heavy impact on those citizens who, sadly, are not always able to make good decisions for themselves. Indeed, those among us who are poor, powerless, and disadvantaged are counting on all who serve them in this place to make decisions that are fair and that are good for all. So allow these leaders to act in ways that are just and worthy, O Lord. Bless each Senator as You alone can, granting her and him the courage to do those things that are not only pleasing in Your sight, dear God, but that are also beneficial to all. Also, Lord embrace in Your loving care two of our staff members, Stephanie Jones-Fitts and her daughter, Lauren Biggerstaff, as they go through major medical procedures this very day. In Your name we humbly pray, O Savior. Amen.

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

**Point of Quorum**

At 12:06 A.M., Senator LEATHERMAN 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:

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Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Malloy
Martin	Massey	Matthews
Peeler	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Williams	Young	

A quorum being present, the Senate resumed.

**RATIFICATION OF ACTS**

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on April 28, 2021, at 9:00 A.M. and the following Acts and Joint Resolution were ratified:

(R38, S. 38) -- Senators Grooms, Rice, Hembree, Verdin, Kimbrell, Corbin, Loftis, Campsen, Bennett and Young: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “REINFORCING COLLEGE EDUCATION ON AMERICA’S CONSTITUTIONAL HERITAGE ACT” OR THE “REACH ACT”; TO AMEND SECTION 59-29-120, RELATING TO THE STUDY OF THE UNITED STATES CONSTITUTION REQUIRED FOR GRADUATION, SO AS TO PROVIDE PUBLIC HIGH SCHOOLS SHALL PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE DECLARATION OF INDEPENDENCE, THE EMANCIPATION PROCLAMATION, AND THE FEDERALIST PAPERS TO EACH STUDENT FOR AT LEAST ONE YEAR; TO AMEND SECTION 59-29-130, RELATING TO THE DURATION OF INSTRUCTION IN THE ESSENTIALS OF THE UNITED STATES CONSTITUTION, SO AS TO PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL REQUIRE STUDENTS TO COMPLETE AT LEAST THREE CREDIT HOURS OF INSTRUCTION THAT PROVIDES A COMPREHENSIVE OVERVIEW OF THE MAJOR EVENTS AND TURNING POINTS OF AMERICAN HISTORY AND GOVERNMENT, TO INCLUDE SPECIFIC REQUIREMENTS FOR SUCH INSTRUCTION, TO

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PROVIDE PUBLIC INSTITUTIONS OF HIGHER LEARNING MAY NOT GRANT CERTIFICATES OF GRADUATION FOR BACCALAUREATE DEGREE PROGRAMS TO STUDENTS WHO FAIL TO SUCCESSFULLY COMPLETE THIS INSTRUCTION REQUIREMENT, TO PROVIDE EXEMPTIONS, TO PROVIDE RELATED IMPLEMENTATION REQUIREMENTS OF THE GOVERNING BOARDS OF PUBLIC INSTITUTIONS OF HIGHER LEARNING, TO PROVIDE RELATED OVERSIGHT AND COMPLIANCE REPORTING REQUIREMENTS OF THE COMMISSION OF HIGHER EDUCATION, AND TO SPECIFY THE STUDENTS TO WHICH THESE PROVISIONS APPLY; TO REPEAL SECTION 59-29-140 RELATING TO THE ENFORCEMENT OF THE PROGRAM OF STUDY OF THE UNITED STATES CONSTITUTION BY THE STATE SUPERINTENDENT OF EDUCATION; AND TO MAKE THE PROVISIONS OF THIS ACT EFFECTIVE BEGINNING WITH THE 2021-2022 SCHOOL YEAR.  
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(R39, S. 147) -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms, Bennett, Corbin and Martin: A JOINT RESOLUTION TO ENACT THE “SOUTH CAROLINA COVID-19 LIABILITY IMMUNITY ACT” SO AS TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO DEFINE NECESSARY TERMS; TO PROVIDE LIABILITY PROTECTION FOR CERTAIN COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS-RELATED CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; AND TO PROVIDE A TIMEFRAME THAT THIS LIABILITY PROTECTION IS IN EFFECT.  
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(R40, H. 3101) -- Reps. Allison, Felder and Govan: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 40 TO CHAPTER 5, TITLE 56 SO AS TO DEFINE THE TERM “SALVAGE POOL OPERATOR” AND PROVIDE FOR THE DISPOSITION OF A MOTOR VEHICLE IN THE POSSESSION OF A SALVAGE POOL OPERATOR WHO,

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UPON THE REQUEST OF AN INSURANCE COMPANY, TAKES POSSESSION OF A MOTOR VEHICLE THAT IS THE SUBJECT OF AN INSURANCE CLAIM AND SUBSEQUENTLY THE INSURANCE COMPANY DENIES MOTOR VEHICLE INSURANCE COVERAGE OR 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.

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**MESSAGE FROM THE GOVERNOR**

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

**Statewide Appointments**

**Local Appointment**

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2021, and to expire April 30, 2023

Matthew Skinner, 38 South Main Street, Inman, SC 29349-1673 *VICE*  
Kenneth Harold Dover

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**Doctor of the Day**

Senator CROMER introduced Dr. Jimmy Wells of Lexington, S.C., Doctor of the Day.

**Leave of Absence**

At 6:44 P.M., Senator VERDIN requested a leave of absence for Senator GROOMS for the balance of the day.

**Leave of Absence**

At 7:05 P.M., Senator KIMBRELL requested a leave of absence for Thursday, April 29, 2021 until 1:45 P.M.

**CO-SPONSORS ADDED**

The following co-sponsors were added to the respective Bill:  
S. 290 Sens. Davis, Hembree, Gustafson, Grooms

**RECALLED**

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-870, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO PERSONAL WATERCRAFT AND BOATING SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A MOORED OR ANCHORED VESSEL, WHARF, DOCK, BULKHEAD, PIER, OR PERSON IN THE WATER.

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

There was no objection and the Bill was recalled from the Committee on Fish, Game and Forestry and ordered placed on the calendar.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 772 -- Senators Gambrell and Garrett: A SENATE RESOLUTION TO RECOGNIZE THE SALVATION ARMY AND CELEBRATE ITS ONE HUNDRED YEARS OF DEDICATED SERVICE TO THE PEOPLE OF GREENWOOD, SOUTH CAROLINA.

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The Senate Resolution was adopted.

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S. 773 -- Senators Garrett and Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE LANDER UNIVERSITY WOMEN'S BASKETBALL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN EXTRAORDINARY SEASON, TO CONGRATULATE THEM FOR WINNING THE 2021 PEACH BELT CONFERENCE TOURNAMENT CHAMPIONSHIP TITLE AND THE NCAA SOUTH REGION CHAMPIONSHIP, AND TO FURTHER COMMEND THEM FOR MAKING THE FIRST NCAA TOURNAMENT FINAL FOUR APPEARANCE IN PROGRAM HISTORY.

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The Senate Resolution was adopted.

S. 774 -- Senator Talley: A BILL TO AMEND ARTICLE 25, CHAPTER 6, TITLE 12 OF THE 1976 CODE, RELATING TO CREDITS UNDER THE SOUTH CAROLINA INCOME TAX ACT, BY ADDING SECTION 12-6-3810, TO PROVIDE FOR AN INCOME TAX CREDIT TO A PROPERTY OWNER WHO ENCUMBERS HIS PROPERTY WITH A PERPETUAL RECREATIONAL TRAIL EASEMENT.

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

H. 3927 -- Reps. Stavrinakis, Murphy and Weeks: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT, SO AS TO PROVIDE THAT CRIMINAL CASES IN WHICH THE PENALTY DOES NOT EXCEED THREE YEARS, RATHER THAN ONE YEAR, MAY BE TRANSFERRED FROM GENERAL SESSIONS COURT.

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

H. 4075 -- Reps. Wetmore, Stavrinakis and Weeks: A BILL TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR.

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

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H. 4241 -- Reps. Anderson and Hewitt: A BILL TO AMEND ACT 907 OF 1962, AS AMENDED, RELATING TO THE GEORGETOWN COUNTY SCHOOL DISTRICT AND THE GEORGETOWN COUNTY BOARD OF EDUCATION, SO AS TO, AMONG OTHER THINGS, CONFORM LOCAL ELECTION PROCEDURES FOR MEMBERS OF THE BOARD OF EDUCATION TO THE CONTROLLING 2008 CONSENT JUDGMENT AND DECREE; TO DEFINE RELEVANT TERMS; TO PROVIDE THAT THE GEORGETOWN COUNTY SCHOOL DISTRICT MUST BE GOVERNED BY A BOARD OF EDUCATION CONSISTING OF NINE MEMBERS WHO MUST BE ELECTED IN NONPARTISAN ELECTIONS CONDUCTED AT THE SAME TIME AS THE GENERAL ELECTION AND EVERY FOUR YEARS THEREAFTER, EXCEPT AS PROVIDED IN THIS ACT TO STAGGER THE MEMBERS' TERMS; TO PROVIDE THAT WHEN A VACANCY OCCURS IN OFFICE, BY REASON OF DEATH, RESIGNATION, OR REMOVAL, THE VACANCY IN OFFICE SHALL BE FILLED BY A SPECIAL ELECTION FOR THE REMAINDER OF THE UNEXPIRED TERM; TO PROVIDE THAT PERSONS DESIRING TO QUALIFY AS A CANDIDATE FOR THE GEORGETOWN COUNTY BOARD OF EDUCATION SHALL FILE WRITTEN NOTICE OF CANDIDACY WITH THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS; TO ESTABLISH THE APPLICABLE CANDIDATE FILING PERIOD; TO PROVIDE THAT THE GEORGETOWN COUNTY BOARD OF VOTER REGISTRATION AND ELECTIONS SHALL CONDUCT AND SUPERVISE THE ELECTIONS FOR MEMBERS OF THE GEORGETOWN COUNTY BOARD OF EDUCATION IN THE MANNER GOVERNED BY THE ELECTION LAWS OF THIS STATE, MUTATIS MUTANDIS; AND TO REPEAL ACT 237 OF 1983.

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

H. 4280 -- Reps. Wooten, 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,



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Herbkersman, Hewitt, Hill, Hiott, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, K. O. Johnson, Jones, Jordan, Kimmons, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Martin, 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, Stringer, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE RIVER BLUFF HIGH SCHOOL WE THE PEOPLE TEAM, THE TEAM SUPERVISORS, AND SCHOOL OFFICIALS AND TO CONGRATULATE THEM FOR A WINNING PERFORMANCE AT THE WE THE PEOPLE STATE LEVEL COMPETITION.

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

**REPORT OF STANDING COMMITTEE**

Senator HEMBREE from the Committee on Education submitted a favorable report on:

H. 3612 -- Reprs. Lucas, Allison, M.M. Smith, Calhoon, Govan, Davis, Murray, Gilliard, Carter, Anderson and Weeks: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "SOUTH CAROLINA COMPUTER SCIENCE EDUCATION INITIATIVE ACT" BY ADDING SECTION 59-29-250 SO AS TO PROVIDE FOR THE EXPANSION AND ENHANCEMENT OF COMPUTER SCIENCE EDUCATION IN PUBLIC HIGH SCHOOLS THROUGH THE CREATION AND IMPLEMENTATION OF A STATEWIDE COMPUTER SCIENCE EDUCATION PLAN AND THE REQUIREMENT THAT EACH PUBLIC SCHOOL OFFERS AT LEAST ONE COMPUTER SCIENCE COURSE THAT MEETS CERTAIN CRITERIA.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., April 28, 2021

Mr. President and Senators:

The House respectfully informs your Honorable Body that it has confirmed the appointment:

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**STATEWIDE APPOINTMENT**

Appointment, State Ethics Commission, with term to expire April 1, 2025:

Mr. Scott Frick 33 Sunset Drive Greenville, SC 29605

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., April 28, 2021

Mr. President and Senators:

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

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE

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QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION 56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW,

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TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

On motion of Senator BENNETT, the Senate agreed to waive the provisions of Rule 32A requiring the Bill to be printed on the Calendar, proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

### **CONCURRENCE**

S. 510 -- Senators Grooms, Verdin, Davis, Adams, Bennett, Campsen, Climer, Corbin, Cromer, Gambrell, Hembree, Hutto, K. Johnson, Kimbrell, Loftis, Massey, McElveen, Peeler, Senn, Shealy, Talley, Turner, Williams, Young, Alexander, Goldfinch, Harpootlian, Jackson, M. Johnson, Kimpson, Matthews, Rice, Sabb, Setzler, Stephens, Rankin, Scott, Garrett, Fanning, Leatherman, Gustafson, Cash, Allen and Malloy: A BILL TO AMEND SECTION 56-15-10 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR THE REGULATION OF MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS, AND DEALERS, TO AMEND AND ADD DEFINITIONS, TO AMEND ARTICLE 1, CHAPTER 15, TITLE 56 OF THE 1976 CODE BY ADDING SECTION 56-15-35, TO PROVIDE FOR HOW A FRANCHISOR, MANUFACTURER, DISTRIBUTOR, OR A THIRD PARTY AFFILIATE MUST HANDLE CONSUMER DATA; TO AMEND SECTION 56-15-40 OF THE 1976 CODE, RELATING TO SPECIFIC ACTS DEEMED UNFAIR METHODS OF COMPETITION AND UNFAIR OR DECEPTIVE ACTS OR PRACTICES, TO AMEND A VIOLATION FOR TAKING ANY ADVERSE ACTION AGAINST A DEALER FOR OFFERING OR DECLINING TO OFFER PROMOTIONS, SERVICE CONTRACTS, DEBT CANCELLATION AGREEMENTS, MAINTENANCE AGREEMENTS, OR OTHER SIMILAR PRODUCTS; AND TO ADD AND PROVIDE FOR

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ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-45(A)(3) AND (D) OF THE 1976 CODE, RELATING TO OWNERSHIP, OPERATION OR CONTROL OF COMPETING DEALERSHIPS BY MANUFACTURER OR FRANCHISOR, TO PROVIDE FOR A DATE CHANGE, TO DELETE QUALIFICATIONS FOR AN EXEMPTION, AND TO ADD THAT A MANUFACTURER MAY NOT LEASE OR ENTER INTO A SUBSCRIPTION AGREEMENT EXCEPT TO A NEW DEALER HOLDING A FRANCHISE IN THE LINE MAKE THAT INCLUDES THE VEHICLE; TO AMEND SECTION 56-15-46 OF THE 1976 CODE, RELATING TO THE NOTICE OF INTENT TO ESTABLISH OR RELOCATE COMPETING DEALERSHIP, TO AMEND THE RADIUS AND ADD A TIME REQUIREMENT FOR NOTICE; TO AMEND SECTION 56-15-50 OF THE 1976 CODE, RELATING TO THE REQUIREMENT THAT MANUFACTURERS MUST SPECIFY DELIVERY AND PREPARATION OBLIGATIONS OF DEALERS, FILING OF COPY OF OBLIGATIONS, AND SCHEDULE OF COMPENSATION, TO ADD A PROVISION FOR INDEMNIFICATION; TO AMEND SECTION 56-15-60 OF THE 1976 CODE, RELATING TO THE FULFILLMENT OF WARRANTY AGREEMENTS AND A DEALERS' CLAIMS FOR COMPENSATION, TO PROVIDE THAT IT IS UNLAWFUL FOR A NEW MOTOR VEHICLE MANUFACTURER TO RECOVER ANY PORTION OF ITS COSTS FOR COMPENSATING DEALERS FOR RECALLS OR WARRANTY PARTS AND SERVICE, EITHER BY REDUCTION IN THE AMOUNT DUE TO THE DEALER, OR BY SEPARATE CHARGE, SURCHARGE, OR OTHER IMPOSITION, TO PROVIDE FOR COMPENSATION AND A COMPENSATION SCHEDULE, TO PROVIDE EXCLUSIONS, TO PROHIBIT A MANUFACTURER FROM TAKING CERTAIN ADVERSE ACTION AGAINST A DEALER TO SEEKING TO OBTAIN COMPENSATION, TO PROVIDE FOR A PROTEST PROCEDURE, TO PROVIDE FOR CLAIMS AND VIOLATIONS, TO PROVIDE FOR AUDITS, AND TO PROVIDE FOR USED MOTOR VEHICLES; TO AMEND SECTION 56-15-65 OF THE 1976 CODE, RELATING TO REQUIREMENTS FOR A CHANGE OF LOCATION OR ALTERATION OF A DEALERSHIP, TO PROVIDE ADDITIONAL VIOLATIONS; TO AMEND SECTION 56-15-70 OF THE 1976 CODE, RELATING TO CERTAIN UNREASONABLE RESTRICTIONS ON DEALERS OR FRANCHISEES THAT ARE UNLAWFUL, TO ADD RELOCATION; TO AMEND SECTION

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56-15-75 OF THE 1976 CODE, RELATING TO REQUIREMENTS THAT THE DEALER REFRAIN FROM ACQUIRING ANOTHER LINE OF NEW MOTOR VEHICLES, TO DELETE THE EVIDENTIARY STANDARD; TO AMEND SECTION 56-15-90 OF THE 1976 CODE, RELATING TO THE FAILURE TO RENEW, TERMINATION OR RESTRICTION OF TRANSFER OF FRANCHISE AND DETERMINING REASONABLE COMPENSATION FOR THE VALUE OF A DEALERSHIP FRANCHISE, TO EXPAND FAIR MARKET VALUE CONSIDERATIONS; TO AMEND SECTION 56-15-140 OF THE 1976 CODE, RELATING TO VENUE, AND TO DECLARE THAT VENUE IS IN STATE COURTS IN SOUTH CAROLINA RATHER THAN THE STATE OF SOUTH CAROLINA.

The House returned the Bill with amendments.

The question then was concurrence with the House amendments.

Senator BENNETT explained the amendments.

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	Corbin	Cromer
Davis	Fanning	Gambrell
Garrett	Goldfinch	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Malloy	Massey	Matthews
McElveen	Peeler	Rankin
Rice	Senn	Setzler
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

**Total--40**

**NAYS**

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Total--0

ABSTAIN

Martin

Total--1

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.

**THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4100, THE GENERAL APPROPRIATIONS BILL.**

**AMENDED, DEBATE INTERRUPTED**

H. 4100 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

The Senate proceeded to a consideration of the Bill, the question being the third reading of the Bill.

**Point of Order**

Senator MASSEY raised a Point of Order under Rule 24A that Proviso 108.13 of Part 1B was out of order inasmuch as it was not germane to the Bill.

108.13. (PEBA: Optional Payment of Employee Contributions by Employer) No later than July 1, 2021, an employer in the South Carolina Retirement System or the Police Officers Retirement System may elect to pay all or a portion of the employee contribution set out in Sections 9-1-1085 and 9-11-225, respectively, of the 1976 Code with respect to its employees during the fiscal year. In lieu of the deductions from compensation required by Sections 9-1-1020, 9-1-1160, and 9-11-210, as applicable, an employer electing to pay employee contributions under this provision hereby elects to pick up all or a portion of the employee contributions required by Sections 9-1-1085 and 9-11-225, as applicable, for the fiscal year without a reduction or offset from its employees' compensation. Employee contributions picked up without such reduction or offset from the employee's compensation shall be treated as employer contributions in determining federal tax treatment under Section 414(h)(2) of the United States Internal Revenue Code, but shall be credited as employee contributions for the purposes of the South Carolina Retirement System or the Police Officers Retirement System. An employer making the election provided by this provision shall be deemed to have taken

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formal action to provide that the contributions on behalf of its employees, although designated as employee contributions, shall be paid by the employer in lieu of employee contributions. The employer shall pay these employee contributions from the same source of funds which is used in paying earnings to the employee. The employee, however, must not be given any option of choosing to receive the contributed amount of the pick ups directly instead of having them paid by the employer to the South Carolina Retirement System or the Police Officers Retirement System. An employer's election to pick up contributions without a reduction or offset from its employees' compensation pursuant to this proviso may not be changed during the fiscal year. Employee contributions picked up by an employer pursuant to this provision without a reduction or offset from the member's compensation are: 1) not earnable compensation for the purposes of the South Carolina Retirement System or the Police Officers Retirement System; and 2) shall be deposited in the employee's South Carolina Retirement System or Police Officers Retirement System individual accumulated contribution account described in Sections 9-1-10(1), 9-11-10(2) and (6), and 9-11-260(2), as applicable, of the 1976 Code.

The PRESIDENT sustained the Point of Order.

Proviso 108.13 was ruled out of order.

### **Point of Order**

Senator MASSEY raised a Point of Order under Rule 24A that Proviso 108.14 of Part 1B was out of order inasmuch as it was not germane to the Bill.

108.14. (PEBA: Non-State Agency Furloughs) For the current fiscal year, a participating employer in the South Carolina Retirement System or Police Officers Retirement System that is not a state agency or institution of higher learning may make employee and employer contributions for a period of not more than ninety working days during a furlough program that was implemented as a result of and took place during the COVID-19 Public Health Emergency and if the terms of the furlough program are consistent with the requirements for an approved mandatory furlough program established by a state agency or institution of higher learning under state law. The participating employer shall make such contributions in order to ensure that a furloughed employee's retirement benefits are not interrupted as a result of the furlough, and the period for which such contributions are made will not be considered a break in consecutive employment.

The PRESIDENT sustained the Point of Order.

Proviso 108.14 was ruled out of order.

### **Decision of the PRESIDENT**

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 27, 2021, that Proviso 78.4 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.



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Proviso 78.4 was ruled out of order.

**Decision of the PRESIDENT**

The PRESIDENT took up the Point of Order raised by Senator MARTIN on April 27, 2021, that Proviso 1A.75 of Part 1B was out of order inasmuch as it was violative of Rule 24A.

The PRESIDENT sustained the Point of Order.

Proviso 1A.75 was ruled out of order.

**Amendment No. 2**

Senator HEMBREE proposed the following amendment (BH NAT GUARD COLLEGE ASSISTANCE), which was adopted (#8):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 537, proviso 117.167, line 9, by striking /members shall be required to meet satisfactory academic progress as defined by the institution./ and inserting /members shall be required to meet all other requirements./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

**Amendment No. 7**

Senator DAVIS proposed the following amendment (BH REGIONAL TRANSMISSION STUDY), which was adopted (#9):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/(GP: Regional Transmission Organization Report) The Regional Transmission Organization Report required by Act 187 of 2020 shall be completed by March 1, 2022./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator DAVIS spoke on the amendment.

The amendment was adopted.

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**Amendment No. 17**

Senators CASH and RICE proposed the following amendment (4100R007.KMM.RJC.DOCX), which was adopted (#10):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, line 29, by adding an appropriately numbered new proviso to read:

/ 117. . (GP: Fetal Remains) No funds appropriated or authorized by this act may be used by the State's public colleges or universities to purchase fetal remains resulting from an abortion for the purpose of research or experimentation. The State's public colleges and universities are further prohibited from accepting donated fetal remains resulting from an abortion for the purpose of research or experimentation. A public college or university that purchases or accepts donated fetal remains in violation of this proviso shall return to the General Fund an amount equal to ten percent of the funds appropriated to the college or university under Part IA of this act. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

The amendment was adopted.

**Amendment No. 36A**

Senator SCOTT proposed the following amendment (AGM ELECTRONIC MONITORING PROGRAM V.2), which was not adopted:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/ (GP: Electronic Monitoring Program) County and municipal authorities, in conjunction with appropriate state agencies, may create a pilot project for an electronic monitoring program which shall include a wristband device that must be worn by an offender or other individual designated by the agency which connects to a cellular device. The vendor shall supply the wristband and cellular device. The vendor's software shall provide a Key Performance indicators (KPI) format to display the offender's or designee's daily compliance to the agency or officer. The vendor shall supply a 24/7 call center. The vendor shall upload, train, and have a standard operating procedure provided to each agency. The device shall alert a domestic victim and the appropriate

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agency when a domestic violent offender is within a certain distance of the protected person or protected premises. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

Senator MARTIN spoke on the amendment.

The question then was the adoption of the amendment.

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

**Ayes 15; Nays 27**

**AYES**

Allen	Gustafson	Harpoottian
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	Sabb	Scott
Setzler	Stephens	Williams

**Total--15**

**NAYS**

Adams	Bennett	Campsen
Cash	Climer	Corbin
Cromer	Davis	Gambrell
Garrett	Goldfinch	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	McLeod
Peeler	Rankin	Rice
Senn	Shealy	Talley
Turner	Verdin	Young

**Total--27**

The amendment failed.

**Amendment No. 49**

Senators BENNETT AND HEMBREE proposed the following amendment (DAD FIRST STEPS FTES), which was adopted (#11):

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Amend the bill, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, opposite /COORDINATOR I/ line 29, by:

	COLUMN 7	COLUMN 8
/ STRIKING:	(1.00)	
and		
INSERTING:	(2.00)	/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, line 31, opposite /EDUCATION ASSOCIATE/ by:

	COLUMN 7	COLUMN 8
/ STRIKING:	(3.00)	
and		
INSERTING:	(9.00)	/

Amend the bill further, as and if amended, Part IA, Section 1, DEPARTMENT OF EDUCATION, page 9, by inserting after line 31,

	COLUMN 7	COLUMN 8
/NEW POSITIONS - SENIOR CONSULTANT	(1.00)	/

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

The amendment was adopted.

**Amendment No. 48**

Senators CLIMER, TURNER, SENN, KIMBRELL and HARPOOTLIAN proposed the following amendment (4100R009.KMM.WC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IA, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 93, line 13, by

	COLUMN 7	COLUMN 8
/ STRIKING:	/771,228	474,550/
and		
INSERTING:	/0	0/

Amend the bill further, as and if amended, Part IA, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 93, line 15, by

	COLUMN 7	COLUMN 8
--	----------	----------

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STRIKING: /6,877 4,300/

and

INSERTING: /0 0/

Amend the bill further, as and if amended, Part IA, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 93, line 16, by

STRIKING: COLUMN 7 COLUMN 8  
/1,107,597 161,989/

and

INSERTING: /0 0/

Amend the bill further, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, page 382, line 11, by adding an appropriately numbered new proviso to read:

/ 34. (DHEC: Suspend Certificate of Need Program) The requirements contained in Article 3, Chapter 7, Title 44 of the 1976 Code, related to the State Certification of Need and Health Facility Licensure Act, are suspended during the current fiscal year. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

**Objection**

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the calendar.

Senator SCOTT objected.

Senator CLIMER continued speaking on the amendment.

**Objection**

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the calendar.

Senator MARTIN objected.

Senator CLIMER continued speaking on the amendment.

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**Objection**

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the calendar.

Senator MALLOY objected.

Senator CLIMER continued speaking on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

**Amendment No. 10**

Senator HEMBREE proposed the following amendment (AGM 1.96 STUDENT ASSESSMENT V.2), which was adopted (#12):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 309, proviso 1.96, line 3, by inserting a line at the beginning to read:

/ For the 2021-2022 school year, districts must ensure all students in first through ninth grades are assessed using a state approved interim assessment tool during the fall, winter, and spring. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

On motion of Senator HEMBREE, with unanimous consent, Amendment Nos. 9 and 15A were withdrawn.

**Amendment No. 37**

Senator HEMBREE proposed the following amendment (DAD 1.103 VIRTUAL SCHOOLS V3), which was adopted (#13):

Amend the bill, as and if amended, Part IB, Section 1, DEPARTMENT OF EDUCATION, page 310, proviso 1.103 (SDE: Public School Virtual Program Funding), lines 25 - 34, by striking the proviso in its entirety, and inserting

/ 1.103. (SDE: Public School Virtual Program Funding) For Fiscal Year 2021-22, school districts shall be permitted to offer a virtual education program for up to five percent of its student population based on the most recent 135 day ADM count without impacting any state funding. The Department of Education shall establish guidelines for the

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virtual program and parameters students must meet in order to participate in the virtual program. School districts must submit their plans for the virtual program to the State Board of Education for approval.

School districts offering a virtual program must report their ADM counts for students participating in their virtual program and the number of students participating face to face for the 5<sup>th</sup>, 45<sup>th</sup>, 90<sup>th</sup>, and 135<sup>th</sup> day to the Department of Education.

For every student participating in the virtual program above the five percent threshold, the school district will not receive 47.22% of the State per pupil funding provided to that district as reported in the latest Revenue and Fiscal Affairs revenue per pupil report pursuant to Proviso 1.3. This amount shall be withheld from the EFA portion of the State Aid to Classroom's district allocation and, if necessary, the state minimum teacher salary schedule portion of State Aid to Classrooms.

The five percent threshold shall not apply to students whose IEP or 504 status requires their participation in a program administered in a virtual format. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

#### **Amendment No. 45**

Senators CASH, ADAMS, RICE and KIMBRELL proposed the following amendment (4100R040.KMM.RJC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 340, line 8, by adding an appropriately numbered new proviso to read:

/ 1A. (SDE-EIA: Same Sex School Athletic Team Participation)

(A) A middle school-level or high school-level interscholastic or intramural athletic team or sport that is sponsored by a public school or a private school, if the school's students or teams compete against a public school, must be expressly designated as one of the following based on biological sex:

(1) 'males', 'men', or 'boys';

(2) 'females', 'women', or 'girls'; or

(3) 'coed' or 'mixed'.

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(B) An athletic team or sport that is designated for 'females', 'women', or 'girls' must not be open to students of the male sex. A student's original birth certificate shall be used to determine the student's biological sex.

(C) A school district that allows a school to field a team in violation of this proviso is prohibited from drawing down funds appropriated by this act while the violation continues. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

#### **Point of Order**

Senator HUTTO raised a Point of Order under Rule 24A that the amendment was out of order inasmuch as it was not germane to the Bill.

The PRESIDENT overruled the Point of Order.

Senator CASH spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator HEMBREE spoke on the amendment.

On motion of Senator CASH, the amendment was carried over.

#### **Amendment No. 16**

Senators CASH proposed the following amendment (4100R032.KMM.RJC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 33, DEPARTMENT OF HEALTH & HUMAN SERVICES, page 370, after line 33, by adding an appropriately numbered new proviso to read:

/33. (DHHS: Defunding Planned Parenthood) None of the state funds appropriated for family planning may be expended to directly or indirectly subsidize abortion services, procedures, or administrative functions. Furthermore, none of the state funds appropriated herein may be paid or granted to an organization that provides abortion services. An otherwise qualified organization may not be disqualified from the receipt of these funds because of its affiliation with an organization that provides abortion services, provided that the affiliated organization that provides abortion services is independent of the qualified organization. An independent affiliate that provides abortion services must be separately incorporated from any organization that receives these funds. An organization that provides abortion services in which the life of a



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mother is at risk and the termination of a pregnancy is incidental to the lifesaving intervention is excepted from the above restriction on state family planning funds and may receive state family planning funds, provided that physicians shall act in accordance with the standard of care to preserve both the life of the mother and the life of the pre-born child. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CASH spoke on the amendment.

Senator HUTTO spoke on the amendment.

Senator HUTTO moved to lay the amendment on the table.

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

**Ayes 23; Nays 23**

**AYES**

Alexander	Allen	Bennett
Davis	Fanning	Harpootlian
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	Kimpson	Leatherman
Malloy	Matthews	McElveen
McLeod	Rankin	Sabb
Scott	Senn	Setzler
Stephens	Williams	

**Total--23**

**NAYS**

Adams	Campsen	Cash
Climer	Corbin	Cromer
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Rice
Shealy	Talley	Turner
Verdin	Young	

**Total--23**

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The motion to table failed.

On motion of Senator HUTTO, the amendment was carried over.

**Statement by Senator ALEXANDER**

Reluctantly, I felt I needed to vote to table Senator CASH's Amendment 16. While I fully support the effort to defund Planned Parenthood and protect taxpayers from funding abortions and I also fully supported S. 1, the Fetal Heartbeat Bill, both in the Medical Affairs Committee and throughout the process until its final passage. Senator CASH's amendment as drafted would ban women who had been raped or were victims of incest from being able to utilize Medicaid services. By not including victims of rape and incest, the amendment could jeopardize hundreds of millions of federal dollars we receive for medical services for our citizens, which could include funding for nursing homes and for citizens with disabilities and special needs. While I agree with Senator CASH's goal, for the reasons listed above, I voted to table the amendment.

**Amendment No. 13**

Senator CLIMER proposed the following amendment (4100R030.SP.WC.DOCX), which was adopted (#14):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 382, proviso 34.58, line 9-10, by striking:

/ 34.58. (DHEC: E-Waste Extension) The Department of Health and Environmental Control shall administer the provisions of Chapter 60, Title 48 of the 1976 Code until the end of the current fiscal year./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

The amendment was adopted.

**RECALLED**

S. 290 -- Senators Climer, Senn, Campsen, Loftis, Rice, Peeler, Turner, Davis, Hembree, Gustafson and Grooms: A BILL TO AMEND SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320 OF THE 1976 CODE, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE,

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TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; TO REPEAL SECTIONS 44-7-160, 44-7-170, 44-7-180, 44-7-190, 44-7-200, 44-7-210, 44-7-220, 44-7-225, 44-7-230, AND 44-7-240 OF THE 1976 CODE, ALL RELATING TO THE CERTIFICATE OF NEED PROGRAM; AND TO RENAME ARTICLE 3, CHAPTER 7, TITLE 44 OF THE 1976 CODE AS THE “STATE HEALTH FACILITY LICENSURE ACT”.

Senator CLIMER asked unanimous consent to make a motion to recall S. 290 from the Committee on Medical Affairs and have it placed on the calendar.

The Bill was recalled from the Committee on Medical Affairs and placed on the calendar.

On motion of Senator CLIMER, with unanimous consent, Amendment No. 48 was withdrawn.

**Amendment No. 51**

Senators M. JOHNSON, CLIMER, FANNING and PEELER proposed the following amendment (4100R031.SP.MJ.DOCX), which was adopted (#15):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/34. . (DHEC: Permitted Emissions) For the current fiscal year, the Department of Health and Environmental Control shall not allow an increase in permitted or actual emissions for any facilities in York County handling or processing pulp for paper products./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator M. JOHNSON spoke on the amendment.

The amendment was adopted.

**Amendment No. 55**

Senators KIMBRELL, CLIMER and FANNING proposed the following amendment (4100R043.SP.JK.DOCX), which was adopted (#16):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL,

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page 382, after line 10, by adding an appropriately numbered new proviso to read:

/34. . (DHEC: Home-based Food Production) For the current Fiscal Year, the provisions of Section 44-1-143(A)(1) are suspended./

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator KIMBRELL spoke on the amendment.

The amendment was adopted.

**Amendment No. 43A**

Senator SCOTT proposed the following amendment (SA\4100C011.NBD.SA21.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 42, HOUSING FINANCE & DEVELOPMENT AUTHORITY, page 396, after line 11, by adding an appropriately numbered new proviso to read:

/(HFDA: South Carolina Economic Growth Study Committee):(A)

There is created the South Carolina Economic Growth Study Committee charged with studying the housing shortage's affect on affordable housing in the State and what factors are limiting affordable housing.

(B) Membership of the study committee is comprised of nine members as follows:

(1) a representative from the South Carolina Bankers Association;

(2) a representative from the South Carolina Association of Realtors;

(3) a representative from the South Carolina Chapter of the National Association of Real Estate Brokers;

(4) a representative from the Home Builders Association of South Carolina;

(5) a representative from the South Carolina Mortgage Brokers Association;

(6) a representative from the South Carolina State Housing Finance and Development Authority;

(7) a representative from the South Carolina Sheriff's Association;

(8) a representative of the Senate Labor, Commerce and Industry Committee; and

(9) a representative of the House Labor, Commerce and Industry Committee.

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Each representative in items (1) through (7) must be appointed by the governing body of each respective organization. Each representative in items (8) and (9) must be appointed by the chairman of the respective committee.

(C) The study committee must be staffed by the Senate Labor, Commerce and Industry Committee and the House Labor, Commerce and Industry Committee.

(D) The study committee shall provide a report to the General Assembly by June 30, 2022, at which time the study committee is dissolved. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

On motion of Senator SCOTT, the amendment was carried over.

#### **Amendment No. 1**

Senator HEMBREE proposed the following amendment (MO DRUG COURT FUNDING), which was adopted (#17):

Amend the bill, as and if amended, Part IB, Section 60, PROSECUTION COORDINATION COMMISSION, page 414, after line 28, by adding an appropriately numbered new proviso to read:

/ (PCC: Drug Court Funding) The funds appropriated to the Prosecution Coordination Commission for drug court funding and distributed to the Offices of Solicitor shall be used for the purpose of operating drug courts and other diversion programs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

#### **Amendment No. 39**

Senator MASSEY proposed the following amendment (4100R037.SP.ASM.DOCX), which was adopted (#18):

Amend the bill, as and if amended, Part IB, Section 85, INFRASTRUCTURE BANK BOARD, page 443, proviso 85.1, lines 3 - 5, by striking the proviso in its entirety, and inserting /85.1. (IBB: Board Meeting Coverage) Of the funds authorized for the State

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Transportation Infrastructure Bank Board, the Bank must provide live-streamed coverage of all Board meetings to ensure transparency and access for the public. The Board meetings shall be recorded and archived and made available on the South Carolina Transportation Infrastructure Bank's website./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

**Amendment No. 41**

Senator CROMER proposed the following amendment (BH AG USE OF CAPITAL FUNDS), which was carried over and subsequently withdrawn:

Amend the bill, as and if amended, Part IB, Section 100, ADJUTANT GENERAL'S OFFICE, page 462, after line 3, by adding an appropriately numbered new proviso to read:

/(ADJ: Use of Capital Funds) For the current fiscal year, the Adjutant General may exercise the condemnation authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint National Guard Base and utilize funding for the "McEntire Joint National Guard Base - Land" received in Act 91 of 2019 for this and related purposes. The Adjutant General may accept a license on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use funds received for "Armory Construction and Revitalizations" in Act 91 of 2019 for the state's share for construction and related costs./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

On motion of Senator MARTIN, the amendment was carried over.

**Amendment No. 54**

Senator MASSEY proposed the following amendment (4100R042.SP.ASM.DOCX), which was adopted (#19):

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Amend the bill, as and if amended, Part IB, Section 108, PUBLIC EMPLOYEE BENEFIT AUTHORITY, page 474, proviso 108.12, by striking line 15 /and response to the COVID-19 virus./ and inserting /and response to the COVID-19 virus. This section is not intended to supersede or conflict with Act of 2021, R. 33, S. 704 of 2021. In the event of a conflict, the provisions of the Act control./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

The amendment was adopted.

**Amendment No. 46**

Senators LEATHERMAN and MARTIN proposed the following amendment (AGM BROADCASTERS APPORTIONMENT V.2), which was adopted (#20):

Amend the bill, as and if amended, Part IB, Section 109, DEPARTMENT OF REVENUE, page 478, proviso 109.16 (Broadcasters Apportionment), lines 6 - 12, by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MARTIN spoke on the amendment.

The amendment was adopted.

**Amendment No. 18**

Senators MASSEY, CLIMER, HARPOOTLIAN and GUSTAFSON proposed the following amendment (4100R033.SP.ASM.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.22, beginning at line 28, by striking the proviso in its entirety and inserting

/117.22. (GP: State-Owned Aircraft - Flight Logs) Each agency having in its custody one or more aircraft shall maintain a continuing log on all flights, which in order to promote accountability and transparency shall be open for public inspection and shall also be posted online. Any and all aircraft owned or operated by agencies of the State Government shall be used only for official business. The Division of Aeronautics and

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other agencies owning and operating aircraft may furnish transportation to the Governor, Constitutional Officers, members of the General Assembly, and members of state boards, commissions, and agencies and their invitees for official business only; ~~no~~. No member of the General Assembly, ~~no~~ member of a state board, commission, or committee, ~~and~~ ~~no~~ nor any state official shall use any state-owned or operated aircraft unless the member or official files a sworn statement to the agency providing the flight certifying and describing the official nature of his/her trip within twenty-four hours after the completion of the flight ~~with the agency that provided the flight a sworn statement certifying and describing the official nature of his trip;~~ and ~~no~~. No member of the General Assembly, ~~no~~ member of a state board, commission or committee, ~~and~~ ~~no~~ nor state official ~~shall~~ may be furnished air transportation by a state agency unless such agency prepares and maintains in its files a sworn statement from the highest ranking official of the agency or its designee certifying that the member's or state official's trip was in conjunction with the official business of the agency. Official business shall not include: routine transportation to and from meetings of the General Assembly ~~or;~~ attending a committee meetings meeting for which mileage is authorized. ~~Official business also does not include;~~ attending a press conference; attending a bill signing; or attending a conference or political function.

Unless a flight is initiated by a cabinet agency, members of the General Assembly may not use state-owned aircraft unless the member receives approval prior to the flight, in writing, from either the President of the Senate or Speaker of the House of Representatives, as appropriate. For flights initiated by cabinet agencies, the head of the initiating agency must certify, in writing, that the member of the General Assembly's attendance on the flight is in furtherance of the official business of the State.

Guests on flights who are unrelated to official state business shall be charged a comparable private commercial rate for like travel on a similar aircraft on a per seat basis for all flights taken. This comparable commercial rate for each aircraft must be established by the State Aeronautics Commission by August first and published on its website. Guests who are subject to this rate must be approved by the agency providing transportation within thirty days. Reimbursement not received within thirty-one days shall be subject to a penalty equal to five percent of the assessed cost of the guest's flight on that day and every subsequent thirty days. If it is determined that a passenger qualifies as a guest and is subject to this charger after a flight is taken, then the guest



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passenger and the inviting passenger shall be subject to an immediate ten percent penalty of the assessed cost of the guest flight and the aforementioned five percent penalty starting from the date of the flight. The appropriate ethics committee/commission shall be notified of any penalties issued.

Regardless of who initiated the flight, invitees of members of the General Assembly shall be considered guests not related to the official business of the State unless certified, in writing, by the President of the Senate or the Speaker of the House of Representatives. This paragraph does not apply to individuals employed by the Senate, the House of Representatives, or other legislative agencies.

All logs shall be signed by the parties using the flight and the signatures shall be maintained as part of the permanent record of any agency. All passengers shall be listed on the flight log by their legal name; passengers flying with an appropriate official of SLED or the Department of Commerce whose confidentiality must, in the opinion of SLED or the department, be protected shall be listed in writing on the flight log as “Confidential Passenger SLED or the Department of Commerce (strike one)” and the appropriate official of SLED or the department shall certify to the agency operating the aircraft the necessity for such confidentiality. The Division of Aeronautics shall post its flight logs on its website within one working day of completion of trips.

Violation of the above provisions of this section is prima facie evidence of a violation of Section 8-13-700(A) of the 1976 Code and shall subject a violating member of the General Assembly to the ethics procedure of his appropriate house and shall subject a violating member of a state board, commission or committee, or a state official to the applicable ethics procedure relating to them as provided by law. The above provisions do not apply to state-owned or operated aircraft when used by the Medical University of South Carolina, nor to aircraft of the athletic department or the educational foundations of any state-supported institution of higher education, nor to law enforcement officers when flying on state-owned aircraft in pursuit of fugitives, missing persons, or felons or for investigation of gang, drug, or other violent crimes.

Aircraft owned by agencies of state government shall not be leased to individuals for their personal use./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

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On motion of Senator MASSEY, the amendment was carried over.

**Amendment No. 40**

Senator CLIMER proposed the following amendment (4100R003.SP.WC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 23, by striking /review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives / and inserting /review and/or audit, when requested to do so by the State Fiscal Accountability Authority, a standing committee of the General Assembly, the Speaker of the House of Representatives, the President of the Senate, or not less than five members of the General Assembly. From the funds an organization receives /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

**Amendment No. 47**

Senators HEMBREE and BENNETT proposed the following amendment (4100R039.KMM.GH.DOCX), which was adopted (#21):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, after line 27, by inserting:

/ For the purposes of this paragraph, "nonprofit organization" means an organization recognized by the South Carolina Department of Revenue and the United States Internal Revenue Service as exempt from federal and state income taxation pursuant to Internal Revenue Code Section 501(c)(3), 501(c)(4), 501(c)(6), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d). Each nonprofit organization that receives a contribution from an entity that receives an appropriation in this act shall submit to the Executive Budget Office and the Revenue and Fiscal Affairs Office, by the end of this fiscal year, a detailed statement explaining the nature and function of the nonprofit organization, including programming descriptions; staffing information, including full and part time positions and the number of positions available versus positions filled; salaries for each position and any supporting documentation; and other information detailing the use of the total appropriated funds contributed to and expended by the organization, as

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well as a detailed statement explaining the use that was made of the contribution. The statements must be available at the Executive Budget Office and the Revenue and Fiscal Affairs Office for public inspection and must be provided to a member of the General Assembly upon request. A contribution must not be made to an organization until it agrees in writing to allow the State Auditor to audit or cause to be audited the contributed funds. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator HEMBREE spoke on the amendment.

The amendment was adopted.

**Amendment No. 42**

Senators JACKSON, HARPOOTLIAN and KIMPSON proposed the following amendment (4100 Proviso117.163.DOCX), which was withdrawn:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 536, by deleting proviso 117.163.

Renumber sections to conform.

Amend sections, totals and title to conform.

On motion of Senator JACKSON, with unanimous consent, the amendment was withdrawn.

**Amendment No. 56A**

Senators GROOMS, RANKIN, and SCOTT proposed the following amendment (4100R044.SP.LKG.DOCX), which was adopted (#22):

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 538, after line 28, by adding an appropriately numbered new proviso to read:

/117. . (GP: Funds Transferred to Santee Cooper) The funds held by the Department of Administration, related to the implementation of Act 91 of 2019, shall be transferred as follows and for the purposes of reforming Santee Cooper: \$2,000,000 to the Office of Regulatory Staff; \$1,000,000 to the Public Service Commission; and the balance to Santee Cooper./

Renumber sections to conform.

Amend sections, totals and title to conform.

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Senator GROOMS spoke on the amendment.

The amendment was adopted.

**Amendment No. 58**

Senator MASSEY proposed the following amendment (4100R046.SP.ASM.DOCX), which was tabled:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, beginning on page 545, proviso 118.18., by striking the proviso in its entirety.

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator MASSEY spoke on the amendment.

Senator CASH spoke on the amendment.

Senator LEATHERMAN spoke on the amendment.

Senator DAVIS spoke on the amendment.

Senator HARPOOTLIAN spoke on the amendment.

Senator LEATHERMAN moved to lay the amendment on the table.

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

**Ayes 41; Nays 5**

**AYES**

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

**Total--41**

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**NAYS**

Cash	Corbin	Massey
Rice	Senn	

**Total--5**

The amendment was laid on the table.

**OBJECTION**

Senator LEATHERMAN asked unanimous consent that no further amendments be placed on the desk after 6:00 P.M.

Senator MALLOY objected.

**Amendment No. 53**

Senators CASH and LEATHERMAN proposed the following amendment (SM NR DOLLY COOPER & ANDERSON CIVIC V. 2), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, proviso 118.18 , line 10, by inserting an appropriately numbered item to read:

<u>/( ) P280 - Departments of Parks, Recreation, and Tourism</u>	
<u>(a) Dolly Cooper Park Improvement</u>	<u>\$350,000;</u>
<u>(b) Anderson Civic Center Renovations</u>	<u>\$1,005,000 /</u>

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator CASH moved to carry over Amendment No. 53.

Senator MARTIN moved to table the motion to carry over Amendment No. 53.

The motion to carry over the amendment was tabled.

Senator MARTIN spoke on the amendment.

**Expression of Personal Privilege**

Senator CASH rose for an Expression of Personal Privilege.

On motion of Senator MARTIN, the amendment was carried over.

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**ACTING PRESIDENT PRESIDES**

Senator GAMBRELL assumed the Chair.

**Amendment No. 57**

Senators HUTTO, HARPOOTLIAN, K. JOHNSON, SABB and JACKSON proposed the following amendment (SA\4100C015.NBD.SA21.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 118, STATEWIDE REVENUE, page 555, proviso 118.18, after line 10, by inserting an appropriately numbered item to read:

/( ) J040 - Department of Health and Environmental Control  
Vaccination Incentive Program \$50,000,000

( .1) From the funds appropriated to the Department of Health and Environmental Control (DHEC) in this item for the Vaccination Incentive Program, DHEC shall provide \$100 to the first 500,000 residents aged 16-35 who receive a complete COVID-19 vaccination during the current fiscal year. DHEC shall develop a plan to mail checks in a timely manner and to determine eligibility. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator HUTTO spoke on the amendment.

On motion of Senator HUTTO, the amendment was carried over.

**PRESIDENT PRESIDES**

At 4:44 P.M., the PRESIDENT assumed the Chair.

**Amendment No. 12**

Senator BENNETT proposed the following amendment (AGM 1A.73 RETIREE SALARY), which was adopted (#23):

Amend the bill, as and if amended, Part IB, Section 1A, DEPARTMENT OF EDUCATION - EIA, page 339, proviso 1A.73, line 20, after /districts./ by inserting / The department may not pay a retiree who qualifies for the earnings limitation exception under this provision more than \$125,000 per year. /

Re-number sections to conform.

Amend sections, totals and title to conform.

Senator BENNETT spoke on the amendment.

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The amendment was adopted.

**Amendment No. 65**

Senators CAMPSER, RANKIN, HUTTO, ALEXANDER and CLIMER proposed the following amendment (AGM SOLAR PROJECTS), which was adopted (#24):

Amend the bill, as and if amended, Part IB, Section 34, DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL, page 382, after line 10, by adding an appropriately numbered new proviso to read:

/ (DHEC: Solar Projects) From the funds appropriated to the Department of Health and Environmental Control, and within sixty days after the effective date of this act, the department shall establish regulations to guide all South Carolinians invested in, selling, installing, and using photovoltaic modules and energy storage system batteries in the management of end-of-life photovoltaic modules and energy storage system batteries on solar projects and the decommissioning of solar projects in excess of thirteen acres. Management of end-of-life photovoltaic modules and energy storage system batteries shall include both partial refurbishing of a solar project and complete decommissioning. In the development of these rules, the department shall collaborate with stakeholders and shall consider all of the following matters:

(1) Whether photovoltaic modules, energy storage system batteries, their materials, or other equipment used in utility-scale solar projects exhibit any of the characteristics of hazardous waste, as identified in 40 C.F.R. Part 261, or under rules adopted pursuant to the S.C. Hazardous Waste Management Act, Section 44-56-10 of the 1976 Code, or if any such equipment is properly characterized as solid waste under State and Federal law.

(2) Preferred methods to responsibly manage end-of-life photovoltaic modules, energy storage system batteries, or the constituent materials thereof, or other equipment used in utility-scale solar projects, including the extent to which such equipment may be:

(a) reused, if not damaged or in need of repair, for a similar purpose;

(b) refurbished, if not substantially damaged, and reused for a similar purpose;

(c) recycled with recovery of materials for similar or other purposes;

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(d) safely disposed of in construction and demolition or municipal solid waste landfills for material that does not exhibit any of the characteristics of hazardous waste under state or federal law; or

(e) safely disposed of in accordance with state and federal requirements governing hazardous waste for materials that exhibit any of the characteristics of hazardous waste under state or federal law.

(3) The volume of photovoltaic modules and energy storage system batteries currently in use in the State, and projections, based upon the data on life cycle identified currently on impacts that may be expected to the State's landfill capacity if landfill disposal is permitted for such equipment at end-of-life.

(4) Whether or not adequate financial assurance requirements are necessary to ensure proper decommissioning of solar projects in excess of thirteen acres upon cessation of operations.

(5) Infrastructure that may be needed to develop a practical, effective, and cost-effective means to collect and transport end-of-life photovoltaic modules, energy storage system batteries, and other equipment used in utility-scale solar projects for reuse, refurbishment, recycling, or disposal.

(6) Whether or not manufacturer or installer stewardship programs for the recycling of end-of-life photovoltaic modules and energy storage system batteries should be established for applications other than utility-scale solar project installations, and if so, fees that should be established for these manufacturers and installers to support the implementation of such requirements.

The department must require, as part of an application for local approval of a site plan for a solar farm in excess of thirteen acres, that an owner, lessee, or developer of real property upon which the site is situated must submit to the department a non-binding plan to manage and dispose of end-of-life photovoltaic modules and energy storage system batteries and decommission solar energy equipment, facilities, or devices. The department is authorized to, by regulation, establish a more formal or detailed process for receiving the plans submitted pursuant to this provision, to include increased reporting requirements.

The department shall submit interim reports to the Chairman of the Senate Judiciary Committee and the Chairman of the House Labor, Commerce and Industry Committee on all activities pursuant to this provision on a quarterly basis beginning July 1, 2021, and shall submit a final report with findings, including stakeholder input, to the to the Chairman of the Senate Judiciary Committee and the Chairman of the



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House Labor, Commerce and Industry Committee no later than June 30, 2022. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CAMPSSEN spoke on the amendment.

The amendment was adopted.

**Amendment No. 43B**

Senator SCOTT proposed the following amendment (SA\4100C016.NBD.SA21.DOCX), which was adopted (#25):

Amend the bill, as and if amended, Part IB, Section 42, HOUSING FINANCE & DEVELOPMENT AUTHORITY, page 396, after line 11, by adding an appropriately numbered new proviso to read:

/(HFDA: South Carolina Economic Growth Study Committee):(A)

There is created the South Carolina Economic Growth Study Committee charged with studying the housing shortage's affect on affordable housing in the State and what factors are limiting affordable housing.

(B) Membership of the study committee is comprised of twelve members as follows:

(1) a representative from the South Carolina Bankers Association, appointed by the President of the Senate;

(2) a representative from the South Carolina Association of Realtors, appointed by the President of the Senate;

(3) a representative from the South Carolina Chapter of the National Association of Real Estate Brokers, appointed by the President of the Senate;

(4) a representative from the Home Builders Association of South Carolina, appointed by the President of the Senate;

(5) a representative from the South Carolina Mortgage Brokers Association, appointed by the President of the Senate;

(6) a representative of the Senate Labor, Commerce and Industry Committee, appointed by the President of the Senate;

(7) a representative of the House Labor, Commerce and Industry Committee, appointed by the Speaker of the House of Representatives;

(8) a representative from the South Carolina State Housing Finance and Development Authority, appointed by the Speaker of the House of Representatives;

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(9) a representative from the South Carolina Sheriff's Association, appointed by the Speaker of the House of Representatives;

(10) a representative from the South Carolina Association of Counties, appointed by the Speaker of the House of Representatives;

(11) a representative from the Municipal Association of South Carolina, appointed by the Speaker of the House of Representatives; and

(12) a representative from the South Carolina Association for Community Economic Development, appointed by the Speaker of the House of Representatives.

(C) The study committee must be staffed by the Senate Labor, Commerce and Industry Committee and the House Labor, Commerce and Industry Committee.

(D) The study committee shall provide a report of its findings to the General Assembly by June 30, 2022, at which time the study committee is dissolved./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator SCOTT spoke on the amendment.

The amendment was adopted.

#### **Amendment No. 62**

Senators CLIMER, HARPOOTLIAN and GOLDFINCH proposed the following amendment (4100R048.SP.WC.DOCX), which was adopted (#26):

Amend the bill, as and if amended, Part IB, Section 50, DEPARTMENT OF COMMERCE, page 407, after line 4, by adding an appropriately numbered new proviso to read:

/ 50. . (CMRC: Coordinating Council Incentives) For the current fiscal year, the SC Coordinating Council for Economic Development is prohibited from granting extensions and from modifying or otherwise waiving conditions under which companies were awarded incentives or credits. At the expiration of incentives authorized by the coordinating council, the coordinating council may, upon giving notice to the Senate Finance Committee and the House of Representatives Ways and Means Committee, make recommendations to the State Fiscal Accountability Authority regarding whether a credit should be extended, repaid, modified, or waived. The State Fiscal Accountability Authority shall be responsible for making determinations regarding extensions, repayments, modifications, or waivers for credits or incentives

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authorized by the coordinating council and must make all determinations under the provisions of this section in a public meeting. Any economic development funds returned to the State shall be deposited in the General Fund of the State for future use./

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

The amendment was adopted.

**Amendment No. 60**

Senator CROMER proposed the following amendment (DAD AG MCENTIRE), which was adopted (#27):

Amend the bill, as and if amended, Part IB, Section 100, ADJUTANT GENERAL'S OFFICE, page 462, after line 3, by adding an appropriately numbered new proviso to read:

/ (ADJ: Use of Capital Funds-McEntire) For the current fiscal year, the Adjutant General may exercise the condemnation authority provided by Chapter 9, Title 55 of the 1976 Code to acquire property or air rights over private property near McEntire Joint National Guard Base and utilize funding for the "McEntire Joint National Guard Base - Land" received in Act 91 of 2019 for this and related purposes. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

**Recorded Vote**

Senator MARTIN desired to be recorded as voting against the adoption of the amendment.

**Amendment No. 61**

Senator CROMER proposed the following amendment (DAD AG JT BASE CHARLESTON), which was adopted (#28):

Amend the bill, as and if amended, Part IB, Section 100, ADJUTANT GENERAL'S OFFICE, page 462, after line 3, by adding an appropriately numbered new proviso to read:

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/ (ADJ: Use of Capital Funds-Joint Base Charleston) For the current fiscal year, the Adjutant General may accept a license on behalf of the State for the real estate to be utilized in construction of a National Guard facility at Joint Base Charleston and use the funds received for "Armory Construction and Revitalizations" in Act 91 of 2019 for the state's share for construction and related costs. /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CROMER spoke on the amendment.

The amendment was adopted.

#### **Amendment No. 40A**

Senator CLIMER proposed the following amendment (4100R049.SP.WC.DOCX), which was carried over:

Amend the bill, as and if amended, Part IB, Section 117, GENERAL PROVISIONS, page 491, proviso 117.21, line 23, by striking /review and/or audit, when requested to do so by the State Fiscal Accountability Authority. From the funds an organization receives / and inserting /review and/or audit, when requested to do so by the State Fiscal Accountability Authority, a standing committee of the General Assembly, the Speaker of the House of Representatives, the President of the Senate, or not less than five members of the Senate or ten members of the House of Representatives. From the funds an organization receives /

Renumber sections to conform.

Amend sections, totals and title to conform.

Senator CLIMER spoke on the amendment.

On motion of Senator CLIMER, the amendment was carried over.

#### **Call of the Senate**

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

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett

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Goldfinch	Gustafson	Harpootlian
Hembree	Hutto	Jackson
Johnson, Kevin	Johnson, Michael	Kimbrell
Leatherman	Loftis	Malloy
Martin	Massey	McElveen
McLeod	Peeler	Rankin
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

A quorum being present, the Senate resumed.

**Point of Order**

Senator HUTTO raised a Point of Order under Rule 24A that Proviso 117.162 of Part 1B was out of order inasmuch as it was not germane to the Bill.

117.162.(GP: Child Welfare Providers Protection) In the current fiscal year, no funds may be expended by the state government to take any discriminatory action against a person that advertises, provides, or facilitates adoption or foster care, wholly or partially on the basis that such person has provided or declined to provide any adoption or foster care service, or related service, based upon or in a manner consistent with a sincerely held religious belief or moral conviction.

In the current fiscal year, no funds may be expended by the state government to take any discriminatory action against a person to whom the State grants custody of a foster or adoptive child, or a person who seeks from the State custody of a foster or adoptive child, wholly or partially on the basis that the person guides, instructs, or raises a child, or intends to guide, instruct, or raise a child, based upon or in a manner consistent with a sincerely held religious belief or moral conviction.

The state government shall consider accredited, licensed, or certified any person that would otherwise be accredited, licensed, or certified, respectively, for any purposes under state law but for a determination against such person wholly or partially on the basis that the person believes, speaks, or acts in accordance with a sincerely held religious belief or moral conviction.

This provision must be construed in favor of a broad protection of free exercise of religious beliefs and moral convictions, to the maximum extent permitted by the state and federal constitutions.

The protection of free exercise of religious beliefs and moral convictions afforded by this provision are in addition to the protections provided under federal law, state law, and the state and federal constitutions.

Nothing in this provision may be construed to:

(1) preempt or repeal any state or local law that is equally or more protective of free exercise of religious beliefs or moral convictions;

(2) narrow the meaning or application of any state or local law protecting free exercise of religious beliefs or moral convictions; or

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(3)prevent state government from providing, either directly or through an individual or entity not seeking protection under this provision, any benefit or service authorized under state law.

This provision applies to, and in cases of conflict supersedes, any ordinance, rule, regulation, order, opinion, decision, practice, or other exercise of the state government's authority that impinges upon the free exercise of religious beliefs and moral convictions protected by this provision.

As used in this provision unless the context requires otherwise:

(1) 'Adoption or foster care' or 'adoption or foster care service' means social services provided to or on behalf of children, including:

(a)assisting abused or neglected children;

(b)teaching children and parents occupational, homemaking, and other domestic skills;

(c)promoting foster parenting;

(d)providing foster homes, residential care, group homes, or temporary group shelters for children;

(e)recruiting foster parents;

(f) placing children in foster homes;

(g)licensing foster homes;

(h)promoting adoption or recruiting adoptive parents;

(i) assisting adoptions or supporting adoptive families;

(j) performing or assisting home studies;

(k)assisting kinship guardianships or kinship caregivers;

(l) providing family preservation services;

(m) providing family support services; or

(n)providing temporary family reunification services.

(2) 'Discriminatory action' means any action taken by the state government to:

(a)alter in any way the tax treatment of, or cause any tax, penalty, or payment to be assessed against, or deny, delay, revoke, or otherwise make unavailable an exemption from taxation of any person referred to in Section 63 10 20 of the 1976 Code;

(b)disallow, deny, or otherwise make unavailable a deduction for state tax purposes of any charitable contribution made to or by such person;

(c)withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any state grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, or other similar benefit from or to such person;

(d)disqualify, disfavor, discredit, disregard, or otherwise make less competitive or qualifying any application, tender, offer, bid, proposal, or request for any state grant, contract, subcontract, cooperative agreement, guarantee, loan, scholarship, or other similar benefit from or to such person;

(e)withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any entitlement or benefit under a state benefit program from or to such person;

(f) disqualify, disfavor, discredit, disregard, or otherwise make less competitive or qualifying any application, tender, offer, bid, proposal, or request for any entitlement or benefit under a state benefit program from or to such person;

(g)withhold, reduce, exclude, terminate, materially alter the terms or conditions of, or otherwise make unavailable or deny any license, certification, accreditation, custody award or agreement, diploma, grade, recognition, or other similar benefit, position, or status from or to any person; or

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(h)refuse to hire or promote, force to resign, fire, demote, sanction, discipline, materially alter the terms or conditions of employment, or retaliate or take other adverse employment action against a person employed or commissioned by state government.

(3) 'Person' means:

(a)a natural person, in that person's individual capacity, regardless of religious affiliation or lack thereof, or in that person's capacity as a member, officer, owner, volunteer, employee, manager, religious leader, clergy, or minister of any entity described in this item;

(b)a religious organization;

(c)a sole proprietorship, partnership, trust, closely held corporation, or other closely held entity operating with a sincerely held religious belief or moral conviction described in Section 63 10 20; or

(d)cooperatives, ventures, or enterprises comprised of two or more individuals or entities described in this item regardless of nonprofit or for profit status.

(4) 'Religious organization' means:

(a)a house of worship including, but not limited to, churches, synagogues, shrines, mosques, and temples;

(b)a religious group, corporation, association, school or educational institution, ministry, order, society, or similar entity, regardless of whether affiliated with a church or other house of worship; or

(c)an officer, owner, employee, manager, religious leader, clergy, or minister of an entity or organization described in this item.

(5) 'State benefit program' means any program administered or funded by the State, or by any agent on behalf of the State, providing cash, payments, grants, contracts, loans, or in kind assistance.

(6) 'State government' means:

(a)the State or a political subdivision of the State;

(b)any agency of the State or of a political subdivision of the State, including a department, bureau, board, commission, council, court, or public institution of higher education;

(c)any municipality, county, or special purpose district, including a school district;

(d)any person acting under color of state law; or

(e)any private person suing under or attempting to enforce a law, rule, or regulation of the State or a political subdivision of the State.

The PRESIDENT took the Point of Order under advisement.

**Motion Adopted**

On motion of Senator MASSEY, the Senate agreed that if and when the Senate stands adjourned today, that it will adjourn to meet tomorrow morning at 10:00 A.M.

**EXECUTIVE SESSION**

On motion of Senator MASSEY, the seal of secrecy was removed, so far as the same relates to appointments made by the Governor and the following names were reported to the Senate in open session:

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**STATEWIDE APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Agriculture and Natural Resources Committee, the following appointment was confirmed in open session:

Initial Appointment, South Carolina State Board of Veterinary Medical Examiners, with the term to commence April 6, 2018, and to expire April 6, 2024

5th Congressional District:

Christine E. White, 1520 Highcrest Way, Rock Hill, SC 29730-6668  
*VICE* Dr. Gretchen Love

On motion of Senator CLIMER, the question was confirmation of Christine E. White.

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

**Ayes 42; Nays 0; Abstain 1**

**AYES**

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

**Total--42**

**NAYS**

**Total--0**



WEDNESDAY, APRIL 28, 2021

**ABSTAIN**

Goldfinch

**Total--1**

The appointment of Christine E. White was confirmed.

Having received a favorable report from the Corrections and Penology Committee, the following appointment was confirmed in open session:

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

4th Congressional District:

Reno R. Boyd, 107 Nightingale Lane, Greenville, SC 29607-5539  
VICE C. David Baxter

On motion of Senator SHANE MARTIN, the question was confirmation of Reno R. Boyd.

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

**Ayes 32; Nays 0; Abstain 11**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gustafson
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	

**Total--32**

**NAYS**

**Total--0**

WEDNESDAY, APRIL 28, 2021

**ABSTAIN**

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Malloy
McElveen	Rankin	Sabb
Senn	Young	

**Total--11**

The appointment of Reno R. Boyd was confirmed.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

5th Congressional District:

Henry S. Eldridge, 2040 Manila Bay Lane, Tega Cay, SC 29708-8524

On motion of Senator SHANE MARTIN, the question was confirmation of Henry S. Eldridge.

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

**Ayes 32; Nays 0; Abstain 11**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gustafson
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	

**Total--32**

**NAYS**

**Total--0**

**WEDNESDAY, APRIL 28, 2021**

**ABSTAIN**

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Malloy
McElveen	Rankin	Sabb
Senn	Young	

**Total--11**

The appointment of Henry S. Eldridge was confirmed.

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2021, and to expire March 15, 2027

3rd Congressional District:

Frank Daniel Wideman, 126 Stratford Road, Greenwood, SC 29649-9110 *VICE* Re. Dan Lindsay Batson

On motion of Senator SHANE MARTIN, the question was confirmation of Frank Daniel Wideman.

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

**Ayes 32; Nays 0; Abstain 11**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Gustafson
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Leatherman
Loftis	Martin	Massey
Matthews	McLeod	Peeler
Rice	Scott	Shealy
Stephens	Talley	Turner
Verdin	Williams	

**Total--32**

**NAYS**

**Total--0**

WEDNESDAY, APRIL 28, 2021

ABSTAIN

Allen	Garrett	Goldfinch
Harpootlian	Hembree	Malloy
McElveen	Rankin	Sabb
Senn	Young	

**Total--11**

The appointment of Frank Daniel Wideman was confirmed.

Having received a favorable report from the Education Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Commission on Higher Education, with the term to commence July 1, 2020, and to expire July 1, 2024

At-Large/Chairman:

Robert Wesley Hayes, 1486 Cureton Dr., Rock Hill, SC 29732-7754

On motion of Senator HEMBREE, the question was confirmation of Robert Wesley Hayes.

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

**Ayes 43; Nays 0**

AYES

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

**WEDNESDAY, APRIL 28, 2021**

**Total--43**

**NAYS**

**Total--0**

The appointment of Robert Wesley Hayes was confirmed.

Reappointment, South Carolina Commission on Higher Education,  
with the term to commence July 1, 2020, and to expire July 1, 2025

At-Large :

Charles E. Dalton, 11 Harvest Court, Greenville, SC 29601-4409

On motion of Senator HEMBREE, the question was confirmation of Charles E. Dalton.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

**WEDNESDAY, APRIL 28, 2021**

The appointment of Charles E. Dalton was confirmed.

Having received a favorable report from the Judiciary Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina Workers' Compensation Commission Chairman, with the term to commence June 30, 2020, and to expire June 30, 2022

Chairman:

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

On motion of Senator RANKIN, the question was confirmation of Thomas Scott Beck.

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

**Ayes 30; Nays 0; Abstain 13**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	McLeod
Peeler	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

**Total--30**

**NAYS**

**Total--0**

**ABSTAIN**

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

WEDNESDAY, APRIL 28, 2021

**Total--13**

The appointment of Thomas Scott Beck was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,  
with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large :

Thomas Scott Beck, 422 Gold Nugget Point, Prosperity, SC 29127

On motion of Senator RANKIN, the question was confirmation of Thomas Scott Beck.

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

**Ayes 30; Nays 0; Abstain 13**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	McLeod
Peeler	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

**Total--30**

**NAYS**

**Total--0**

**ABSTAIN**

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

**Total--13**

**WEDNESDAY, APRIL 28, 2021**

The appointment of Thomas Scott Beck was confirmed.

Reappointment, South Carolina Workers' Compensation Commission,  
with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large :

Avery B. Wilkerson, 329 Tamwood Circle, Cayce, SC 29033-1907

On motion of Senator RANKIN, the question was confirmation of Avery B. Wilkerson.

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

**Ayes 29; Nays 0; Abstain 13**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpootlian
Jackson	<i>Johnson, Kevin</i>	Kimbrell
Leatherman	Loftis	Martin
Massey	McLeod	Peeler
Rice	Scott	Senn
Shealy	Stephens	Turner
Verdin	Williams	

**Total--29**

**NAYS**

**Total--0**

**ABSTAIN**

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

**Total--13**

The appointment of Avery B. Wilkerson was confirmed.



**WEDNESDAY, APRIL 28, 2021**

Reappointment, South Carolina Workers' Compensation Commission,  
with the term to commence June 30, 2020, and to expire June 30, 2026

At-Large :

Aisha K. Taylor, 156 Seaton Ridge Drive, Blythewood, SC 29016

On motion of Senator RANKIN, the question was confirmation of Aisha K. Taylor.

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

**Ayes 30; Nays 0; Abstain 13**

**AYES**

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Fanning
Gambrell	Gustafson	Harpoottian
Hembree	Jackson	<i>Johnson, Kevin</i>
Kimbrell	Leatherman	Loftis
Martin	Massey	McLeod
Peeler	Rice	Scott
Senn	Shealy	Stephens
Turner	Verdin	Williams

**Total--30**

**NAYS**

**Total--0**

**ABSTAIN**

Allen	Davis	Garrett
Goldfinch	<i>Johnson, Michael</i>	Kimpson
Malloy	Matthews	McElveen
Rankin	Sabb	Talley
Young		

**Total--13**

The appointment of Aisha K. Taylor was confirmed.

**WEDNESDAY, APRIL 28, 2021**

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2020, and to expire April 1, 2025

Senate - Majority:

Scott E. Frick, 33 Sunset Drive , Greenville, SC 29605 *VICE* Samuel L. Erwin (resigned)

On motion of Senator RANKIN, the question was confirmation of Scott E. Frick.

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

**Ayes 39; Nays 0; Abstain 4**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

**ABSTAIN**

Malloy	Rankin	Sabb
Young		

**Total--4**

The appointment of Scott E. Frick was confirmed.

**WEDNESDAY, APRIL 28, 2021**

Having received a favorable report from the Labor, Commerce and Industry Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 19, 2019, and to expire March 20, 2023

Cosmetologist:

LaQuita W. Horton, 1210 Cheraw Road, Cassatt, SC 29032

On motion of Senator ALEXANDER, the question was confirmation of LaQuita W. Horton.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

The appointment of LaQuita W. Horton was confirmed.

**WEDNESDAY, APRIL 28, 2021**

Reappointment, South Carolina Residential Builders Commission,  
with the term to commence June 30, 2018, and to expire June 30, 2023  
5th Congressional District:

Christy B. Rhyne, 2170 Westbrook Road, Edgemoor, SC 29712-6736

On motion of Senator ALEXANDER, the question was confirmation of Christy B. Rhyne.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

The appointment of Christy B. Rhyne was confirmed.

Reappointment, South Carolina Residential Builders Commission,  
with the term to commence June 30, 2019, and to expire June 30, 2023  
3rd Congressional District:

Timothy W. Roberts, 2907 Rambling Path, Anderson, SC 29621

**WEDNESDAY, APRIL 28, 2021**

On motion of Senator ALEXANDER, the question was confirmation of Timothy W. Roberts.

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

The appointment of Timothy W. Roberts was confirmed.

Having received a favorable report from the Medical Affairs Committee, the following appointment was confirmed in open session:

Reappointment, South Carolina State Board of Nursing, with the term to commence December 31, 2019, and to expire December 31, 2023

3rd Congressional District:

Wilma Kay Swisher, 110 Cedar Court, Laurens, SC 29360

On motion of Senator VERDIN, the question was confirmation of Wilma Kay Swisher.

**WEDNESDAY, APRIL 28, 2021**

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

**Ayes 41; Nays 0; Abstain 2**

**AYES**

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

**Total--41**

**NAYS**

**Total--0**

**ABSTAIN**

Allen                      Goldfinch

**Total--2**

The appointment of Wilma Kay Swisher was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2018, and to expire December 31, 2022

At-Large, Licensed Practical Nurse :

Tamara Day, 3439 Calks Ferry Road, Pelion, SC 29123-9389 *VICE*  
vacant

On motion of Senator VERDIN, the question was confirmation of Tamara Day.

**WEDNESDAY, APRIL 28, 2021**

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

**Ayes 41; Nays 0; Abstain 2**

**AYES**

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

**Total--41**

**NAYS**

**Total--0**

**ABSTAIN**

Allen                      Goldfinch

**Total--2**

The appointment of Tamara Day was confirmed.

Reappointment, South Carolina Board of Long Term Health Care Administrators, with the term to commence June 9, 2021, and to expire June 9, 2024

Residential Care Administrator:

Melissa T. Yetter, 202 Player Way, Simpsonville, SC 29681

On motion of Senator VERDIN, the question was confirmation of Melissa T. Yetter.

**WEDNESDAY, APRIL 28, 2021**

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

**Ayes 43; Nays 0**

**AYES**

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

**Total--43**

**NAYS**

**Total--0**

The appointment of Melissa T. Yetter was confirmed.

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2018, and to expire September 30, 2021

Occupational Therapist:

Lesly Wilson James, 135 Garden Brooke Dr., Irmo, SC 29063

On motion of Senator VERDIN, the question was confirmation of Lesly Wilson James.

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

**Ayes 43; Nays 0**

**AYES**



**WEDNESDAY, APRIL 28, 2021**

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

**Total--43**

**NAYS**

**Total--0**

The appointment of Lesly Wilson James was confirmed.

**LOCAL APPOINTMENT**

**Confirmation**

Having received a favorable report from the Senate, the following appointment was confirmed in open session:

Initial Appointment, Spartanburg County Magistrate, with the term to commence April 30, 2021, and to expire April 30, 2023

Matthew Skinner, 38 South Main Street, Inman, SC 29349-1673 *VICE*  
Kenneth Harold Dover

**Motion Adopted**

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

**ADJOURNMENT**

At 7:07 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 10:00 A.M.

\* \* \*

**WEDNESDAY, APRIL 28, 2021**

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