

NO. 19

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

THURSDAY, FEBRUARY 10, 2022

Thursday, February 10, 2022
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

A quorum being present, the proceedings were opened with a devotion by the Chaplain as follows:

Proverbs 16:22

We read in the Book of Proverbs: "Wisdom is a fountain of life to one who has it, but folly is the punishment of fools."

Join me as we pray: Most blessed God, we lift up to You today all in South Carolina who are involved in every aspect of education, all who are dedicated to bringing the gifts of wisdom and knowledge to every one of our children, and even to many adults. This Senate has always been determined to place a high value upon assuring that our citizens have the very best tools conceivable -- and the most dedicated teachers possible -- in order for learners to succeed here in the twenty-first Century. Therefore, O God, unfailingly guide this Body as these Senators and their aides continue to do all that is necessary to be certain that education will always thrive here in South Carolina. In Your holy name we pray, Lord. Amen.

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

Doctor of the Day

Senator MARTIN introduced Dr. Greg Colbath of Spartanburg, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator GARRETT, at 11:18 A.M., Senator GAMBRELL was granted a leave of absence for today.

Leave of Absence

On motion of Senator KIMPSON, at 11:18 A.M., Senator McLEOD was granted a leave of absence until 11:30 A.M.

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Leave of Absence

On motion of Senator K. JOHNSON, at 11:18 A.M., Senator SABB was granted a leave of absence for today.

Leave of Absence

On motion of Senator SCOTT, at 11:42 A.M., Senator JACKSON was granted a leave of absence for today.

Leave of Absence

On motion of Senator McLEOD, at 11:42 A.M., Senator MATTHEWS was granted a leave of absence for today.

Leave of Absence

On motion of Senator WILLIAMS, at 11:44 A.M., Senator MALLOY was granted a leave of absence for today.

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator KIMPSON rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 961 Sen. Alexander

S. 984 Sen. Gustafson

RECALLED

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

Senator SHEALY asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Family and Veterans' Services.

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The Senate Resolution was recalled from the Committee on Family and Veterans' Services and ordered placed on the Calendar for consideration tomorrow.

Motion to Ratify Adopted

At 11:32 A.M., Senator MASSEY asked unanimous consent to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1068 -- Senator Shealy: A BILL TO AMEND SECTION 63-7-20 OF THE 1976 CODE, RELATING TO TERMS DEFINED IN THE CHILDREN'S CODE, TO DEFINE "TORTURE" AND TO INCLUDE TORTURE IN THE DEFINITION OF "CHILD ABUSE OR NEGLECT"; AND TO AMEND SECTIONS 63-7-1640 AND 63-7-2570 OF THE 1976 CODE, RELATING TO THE RIGHT TO FOREGO REASONABLE EFFORTS TOWARD REUNIFICATION AND GROUNDS FOR TERMINATION OF PARENTAL RIGHTS, RESPECTIVELY, AND TO MAKE CONFORMING CHANGES.

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Read the first time and referred to the Committee on Family and Veterans' Services.

S. 1069 -- Senator Shealy: A CONCURRENT RESOLUTION TO REQUEST THAT THE DEPARTMENT OF TRANSPORTATION NAME US 1 BETWEEN I-20 AND THE TOWN OF LEXINGTON IN LEXINGTON COUNTY "SCHP TROOPER FIRST CLASS ROBERT P. PERRY, JR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THE DESIGNATION.

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The Concurrent Resolution was introduced and referred to the Committee on Transportation.

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

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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

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

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The Senate Resolution was introduced and ordered placed on the Calendar without reference.

H. 4504 -- Reps. Hewitt, Huggins, Forrest, McKnight, Wooten, M. M. Smith, Bennett, Lowe, Bailey, Kirby, Ligon and Davis: A BILL TO AMEND SECTION 12-36-2110, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM SALES TAX, SO AS TO PROVIDE THAT A WATERCRAFT TRAILER AND A WATERCRAFT MOTOR MAY NOT BE TAXED MORE THAN THE MAXIMUM TAX.

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

REPORTS OF STANDING COMMITTEE

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 961 -- Senators Senn, Campsen, Loftis and Bennett: A BILL TO AMEND SECTION 39-25-20(T) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "HONEY," TO PROVIDE THAT BEEKEEPERS PRODUCING NO MORE THAN FOUR HUNDRED GALLONS OF HONEY MAY FILE FOR AN EXEMPTION FROM INSPECTIONS AND REGULATIONS REQUIRING HONEY TO BE PROCESSED, EXTRACTED, AND PACKAGED IN AN INSPECTED FOOD PROCESSING ESTABLISHMENT, OR FROM BEING REQUIRED TO OBTAIN A REGISTRATION VERIFICATION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE; AND TO PROVIDE THAT BEEKEEPERS WHO FILE FOR AND OBTAIN THE EXEMPTION CERTIFICATE FROM THE DEPARTMENT OF AGRICULTURE MAY SELL DIRECTLY TO INSPECTED FOOD PROCESSING ESTABLISHMENTS THAT MAINTAIN A REGISTRATION VERIFICATION CERTIFICATE FOR SUBSEQUENT WHOLESALE OR RESALE SALES.

Ordered for consideration tomorrow.

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Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

S. 1010 -- Senators Gambrell, Alexander and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-3-60 SO AS TO PROVIDE THAT AN ENTITY THAT HAS CONTRACTED FOR THE RIGHT TO STORE WATER IN A RESERVOIR OWNED BY THE UNITED STATES ARMY CORPS OF ENGINEERS HAS EXCLUSIVE RIGHTS TO ANY RETURN FLOWS GENERATED TO THAT RESERVOIR.

Ordered for consideration tomorrow.

Senator CLIMER from the Committee on Agriculture and Natural Resources submitted a favorable report on:

H. 4872 -- Reps. Hiott, Alexander, Allison, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bennett, Bernstein, Blackwell, Bradley, Brawley, Brittain, Bryant, Burns, Bustos, Calhoon, Carter, Caskey, Chumley, Clyburn, Cobb-Hunter, Cogswell, Collins, B. Cox, W. Cox, Crawford, Dabney, Daning, Davis, Dillard, Elliott, Erickson, Felder, Finlay, Forrest, Fry, Gagnon, Garvin, Gatch, Gilliam, Gilliard, Govan, Haddon, Hardee, Hart, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hill, Hixon, Hosey, Howard, Huggins, Hyde, Jefferson, J.E. Johnson, J.L. Johnson, K.O. Johnson, Jones, Jordan, King, Kirby, Ligon, Long, Lowe, Lucas, Magnuson, Matthews, May, McCabe, McCravy, McDaniel, McGarry, McGinnis, McKnight, J. Moore, T. Moore, Morgan, D.C. Moss, V.S. Moss, Murphy, Murray, B. Newton, W. Newton, Nutt, Oremus, Ott, Parks, Pendarvis, Pope, Rivers, Robinson, Rose, Rutherford, Sandifer, Simrill, G.M. Smith, G.R. Smith, M.M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Weeks, West, Wetmore, Wheeler, White, Whitmire, R. Williams, S. Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO RECOGNIZE AND COMMEND SOUTH CAROLINA'S FFA MEMBERS, FORMERLY KNOWN AS FUTURE FARMERS OF AMERICA, AND ALL WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 19 THROUGH 26, 2022.

Ordered for consideration tomorrow.

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

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

S. 717 -- Senators Jackson and Verdin: A BILL TO AMEND SECTION 44-7-170(B) OF THE 1976 CODE, RELATING TO INSTITUTIONS AND TRANSACTIONS EXEMPT FROM THE STATE CERTIFICATION OF NEED AND HEALTH FACILITY LICENSURE ACT, TO ADD DIABETES SCREENING FACILITIES.

The Senate proceeded to a consideration of the Bill.

The question then being the third reading of the Bill.

The Bill was read the third time, passed and ordered sent to the House.

**AMENDED, READ THE THIRD TIME
HOUSE BILL RETURNED**

H. 3211 -- Reps. Bernstein, Collins and Kimmons: A BILL TO AMEND SECTION 63-1-50, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN, SO AS TO REAUTHORIZE THE COMMITTEE THROUGH DECEMBER 31, 2030.

The Senate proceeded to a consideration of the Bill.

Senators MALLOY, SHEALY, HUTTO and YOUNG proposed the following amendment (3211R003.SP.GM), which was adopted:

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

/SECTION 2. Section 63-1-50(F) of the 1976 Code is repealed. /

Renumber sections to conform.

Amend title to conform.

Senator YOUNG explained the amendment.

The amendment was adopted.

The question then being the third reading of the Bill.

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

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Ayes 36; Nays 0

AYES

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

Total--36

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

OBJECTION

S. 376 -- Senators Talley, Hembree and Setzler: A BILL TO ENACT THE "STATE INSTITUTION OF HIGHER EDUCATION EFFICIENCY ACT"; TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 157, TO ALLOW THE BOARD OF TRUSTEES OF AN INSTITUTION OF HIGHER EDUCATION TO ESTABLISH BY RESOLUTION AN AUXILIARY DIVISION AS PART OF THE COLLEGE OR UNIVERSITY, TO PROVIDE THAT THE AUXILIARY DIVISION IS EXEMPT FROM VARIOUS STATE LAWS, TO REQUIRE THAT CERTAIN PERMANENT IMPROVEMENT PROJECTS MUST BE SUBMITTED TO THE JOINT BOND REVIEW COMMITTEE AND THE EXECUTIVE BUDGET OFFICE, TO PROVIDE THAT A BOARD OF TRUSTEES MAY ADOPT FOR AN AUXILIARY DIVISION A PROCUREMENT POLICY, AND TO PROVIDE REPORTING REQUIREMENTS; TO AMEND SECTION 8-11-260

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OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM CERTAIN REQUIREMENTS FOR STATE OFFICERS AND EMPLOYEES, TO PROVIDE THAT EMPLOYEES OF CERTAIN RESEARCH UNIVERSITIES AND NON-RESEARCH, FOUR-YEAR COLLEGES AND UNIVERSITIES ARE EXEMPT; TO AMEND SECTION 11-35-710(A)(6) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA CONSOLIDATED PROCUREMENT CODE, TO PROVIDE THAT THE STATE FISCAL ACCOUNTABILITY AUTHORITY MAY EXEMPT PRIVATE GIFTS, AUXILIARY DIVISIONS, AND OTHER SALES AND SERVICES; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 248 -- Senators Young, Hembree, Turner, McElveen, Bennett, Massey, Rankin, M. Johnson and Shealy: A BILL TO ENACT THE "SOUTH CAROLINA HANDS-FREE ACT"; TO AMEND SECTION 56-5-3890 OF THE 1976 CODE, RELATING TO THE UNLAWFUL USE OF A WIRELESS TELECOMMUNICATIONS DEVICE WHILE OPERATING A MOTOR VEHICLE, TO REVISE THE CIRCUMSTANCES UNDER WHICH IT IS UNLAWFUL TO USE A WIRELESS TELECOMMUNICATIONS DEVICE, TO CREATE THE OFFENSE OF DISTRACTED DRIVING AND PROVIDE PENALTIES, AND TO MAKE TECHNICAL REVISIONS; TO AMEND SECTION 56-1-720 OF THE 1976 CODE, RELATING TO POINTS THAT MAY BE ASSESSED AGAINST A PERSON'S DRIVING RECORD FOR MOTOR VEHICLE DRIVING VIOLATIONS, TO PROVIDE THAT A SECOND OR SUBSEQUENT OFFENSE OF DISTRACTED DRIVING IS A TWO-POINT

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VIOLATION; TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION SHALL NOTIFY MOTORISTS OF THE HANDS-FREE REQUIREMENTS AT CERTAIN POINTS ALONG THE STATE'S INTERSTATE HIGHWAYS; AND TO DEFINE NECESSARY TERMS.

Senator MALLOY objected to consideration of the Bill.

OBJECTION

S. 908 -- Senators Rankin and Grooms: A BILL TO AMEND SECTION 56-5-4445 OF THE 1976 CODE, RELATING TO THE RESTRICTION OF ELEVATING OR LOWERING A MOTOR VEHICLE, TO PROHIBIT MOTOR VEHICLE MODIFICATIONS THAT RESULT IN THE MOTOR VEHICLE'S FRONT FENDER BEING RAISED FOUR OR MORE INCHES ABOVE THE HEIGHT OF THE REAR FENDER.

The Senate proceeded to a consideration of the Bill.

Senator RICE explained the Bill.

Senator SCOTT objected to consideration of the Bill.

CARRIED OVER

S. 712 -- Senator Davis: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

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

CARRIED OVER

S. 946 -- Senator Goldfinch: A BILL TO AMEND SECTION 59-5-63, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DUTY-FREE LUNCH PERIODS FOR PUBLIC ELEMENTARY SCHOOL TEACHERS, SO AS TO INSTEAD PROVIDE UNENCUMBERED TIME FOR ELEMENTARY SCHOOL TEACHERS AND TEACHERS WHO INSTRUCT CERTAIN STUDENTS REMOVED FROM THE GENERAL EDUCATION SETTING, AND TO PROVIDE RELATED REQUIREMENTS OF

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STATE BOARD OF EDUCATION POLICIES AND LOCAL SCHOOL BOARDS; AND TO PROVIDE THE PROVISIONS OF THIS ACT MUST BE COMPLETELY IMPLEMENTED BEFORE JULY 1, 2023.

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

CARRIED OVER

H. 3606 -- Reps. G.M. Smith, Yow, Sandifer, Erickson and Bradley: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-59-265 SO AS TO EXEMPT CERTAIN IMPROVEMENTS MADE TO RESIDENTIAL PROPERTY FROM BUILDING PERMIT REQUIREMENTS, AND TO EXEMPT PROPERTY OWNERS WHO MAKE SUCH IMPROVEMENTS FROM RESIDENTIAL BUILDERS COMMISSION LICENSURE REQUIREMENTS; AND TO AMEND SECTION 40-59-20, RELATING TO DEFINITIONS CONCERNING THE RESIDENTIAL BUILDERS COMMISSION AND ITS LICENSEES, SO AS TO REVISE THE DEFINITION OF RESIDENTIAL SPECIALTY CONTRACTORS.

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

CARRIED OVER

S. 952 -- Senators Peeler and Alexander: A JOINT RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FEDERAL FUNDS DISBURSED TO THE STATE IN THE AMERICAN RESCUE PLAN ACT OF 2021, AND TO SPECIFY THE MANNER IN WHICH THE FUNDS MAY BE EXPENDED.

On motion of Senator PEELER, the Resolution was carried over.

READ THE SECOND TIME

H. 4495 -- Reps. B. Newton, McGarry and Yow: A BILL TO AMEND SECTION 7-7-350, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO REVISE THE NAMES OF FIVE PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to a consideration of the Bill.

Senator M. JOHNSON explained the Bill.

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The question then being second reading of the Bill.

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

Ayes 40; Nays 0

AYES

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

Total--40

NAYS

Total--0

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

H. 4495--Ordered to a Third Reading

On motion of Senator M. JOHNSON, H. 4495 was ordered to receive a third reading on Friday, February 11, 2021.

CARRIED OVER

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

On motion of Senator PEELER, the Resolution was carried over.

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

MOTION ADOPTED

At 11:45 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 203 -- Senators Hembree, Gustafson and Bennett: A BILL TO AMEND SECTION 59-19-60 OF THE 1976 CODE, RELATING TO THE REMOVAL OF SCHOOL DISTRICT TRUSTEES AND FILLING VACANCIES, TO PROVIDE THAT DISTRICT TRUSTEES GUILTY OF MALFEASANCE, MISFEASANCE, INCOMPETENCY, ABSENTEEISM, CONFLICTS OF INTEREST, MISCONDUCT, PERSISTENT NEGLECT OF DUTY IN OFFICE, OR INCAPACITY SHALL BE SUBJECT TO REMOVAL FROM OFFICE BY THE GOVERNOR, TO DELETE NOTICE REQUIREMENTS AND THE RIGHT TO APPEAL, AND TO MAKE CONFORMING CHANGES.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

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

S. 150 -- Senators Davis, Hutto, Malloy, Rankin, Goldfinch, Harpootlian, Fanning, Matthews, Kimpson, Jackson, Leatherman, Grooms, Stephens, Shealy and McLeod: A BILL TO ENACT THE "SOUTH CAROLINA COMPASSIONATE CARE ACT"; TO AMEND CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO POISONS, DRUGS, AND OTHER CONTROLLED SUBSTANCES, BY ADDING ARTICLE 20, TO PROVIDE FOR THE SALE OF MEDICAL CANNABIS PRODUCTS AND THE CONDITIONS UNDER WHICH A SALE CAN OCCUR; TO AMEND SECTION 12-36-2120(69) OF THE 1976 CODE, RELATING TO EXEMPTIONS FROM THE SOUTH CAROLINA SALES AND USE TAX, TO PROVIDE THAT CANNABIS SOLD BY A DISPENSARY TO A CARDHOLDER IS EXEMPT FROM A CERTAIN SALES TAX;

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TO REPEAL ARTICLE 4, CHAPTER 53, TITLE 44 OF THE 1976 CODE, RELATING TO CONTROLLED SUBSTANCES THERAPEUTIC RESEARCH; AND TO DEFINE NECESSARY TERMS.

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

The question then was third reading of the Bill.

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered sent to the House of Representatives with amendments.

Recorded Votes

Senators CORBIN, PEELER, YOUNG and LOFTIS desired to be recorded as voting against the third reading of the Bill.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed to go into Executive Session prior to adjournment.

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:

STATEWIDE APPOINTMENTS

Confirmations

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

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

At-Large:

Doug A. Snyder, 178A Queen Street, Charleston, SC 29401-1969
VICE Devron H. Edwards

On motion of Senator HEMBREE, the question was confirmation of Doug A. Snyder.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

The appointment of Doug A. Snyder was confirmed.

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

Initial Appointment, South Carolina Residential Builders Commission, with the term to commence June 30, 2020, and to expire June 30, 2024

At-Large:

James Graves, 127 High Hampton Drive, Columbia, SC 29209-1222
VICE Monte A. Lemmon

On motion of Senator DAVIS, the question was confirmation of James Graves.

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

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Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

The appointment of James Graves was confirmed.

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

2nd Congressional District:

Edwin M. Estridge, 121 Pamela Court, Chapin, SC 29036-9481

On motion of Senator DAVIS, the question was confirmation of Edwin M. Estridge.

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

Ayes 39; Nays 0

AYES

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

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Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Edwin M. Estridge was confirmed.

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 28, 2020, and to expire July 28, 2023

3rd Congressional District:

Richard K. Blackwell, 308 Devon Way, Seneca, SC 20672-6819

On motion of Senator DAVIS, the question was confirmation of Richard Blackwell.

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Kimpson
Loftis	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Rice	Scott
Senn	Setzler	Shealy

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Stephens	Talley	Turner
Verdin	Williams	Young

Total--39

NAYS

Total--0

The appointment of Richard Blackwell was confirmed.

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

Initial Appointment, Board of the South Carolina Department of Health and Environmental Control, with the term to commence June 30, 2021, and to expire June 30, 2025

At-Large/Chairman:

John Robert Bolchoz, PO Box 6989, Columbia, SC 29260-6989 *VICE*
Mark Elam

On motion of Senator VERDIN, the question was confirmation of John Robert Bolchoz.

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

Ayes 33; Nays 0; Abstain 6

AYES

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

Total--33

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NAYS

Total--0

ABSTAIN

Campsen	Davis	Goldfinch
Rankin	Setzler	Young

Total--6

The appointment of John Robert Bolchoz was confirmed.

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

Initial Appointment, South Carolina State Ports Authority, with the term to commence February 13, 2022, and to expire February 13, 2027

At-Large:

Felicia Rhue Howard, 127 King Charles Road, Columbia, SC 29209-2239 *VICE* William W. Jones, Jr.

On motion of Senator GROOMS, the question was confirmation of Felicia Rhue Howard.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

THURSDAY, FEBRUARY 10, 2022

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Felicia Rhue Howard was confirmed.

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Kurt D. Grindstaff.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

THURSDAY, FEBRUARY 10, 2022

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Kurt D. Grindstaff was confirmed.

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of William A. Coates.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

NAYS

THURSDAY, FEBRUARY 10, 2022

Total--0

ABSTAIN

Campsen

Total--1

The appointment of William A. Coates was confirmed.

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Whitemarsh Seabrook Smith III.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

NAYS

Total--0

THURSDAY, FEBRUARY 10, 2022

ABSTAIN

Campsen

Total--1

The appointment of Whitemarsh Seabrook Smith III was confirmed.

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Pamela P. Lackey.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

NAYS

Total--0

ABSTAIN

Campsen

THURSDAY, FEBRUARY 10, 2022

Total--1

The appointment of Pamela P. Lackey was confirmed.

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of William H. Stern.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

THURSDAY, FEBRUARY 10, 2022

The appointment of William H. Stern was confirmed.

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Mark W. Buyck, Jr..

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Mark W. Buyck, Jr. was confirmed.

THURSDAY, FEBRUARY 10, 2022

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

At-Large:

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

On motion of Senator GROOMS, the question was confirmation of Willie E. Jeffries.

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

Ayes 38; Nays 0; Abstain 1

AYES

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

Total--38

NAYS

Total--0

ABSTAIN

Campsen

Total--1

The appointment of Willie E. Jeffries was confirmed.

THURSDAY, FEBRUARY 10, 2022

RATIFICATION OF ACTS

Pursuant to an invitation the Honorable Speaker and House of Representatives appeared in the Senate Chamber on February 10, 2022, at 12:00 P.M. and the following Act and Joint Resolution was ratified:

(R124, H. 4576) -- Reps. Tedder, G.R. Smith, Govan, B. Newton and Thigpen: AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 53-3-260 SO AS TO DECLARE THE THIRD TUESDAY IN FEBRUARY OF EACH YEAR AS "HISTORICALLY BLACK COLLEGES AND UNIVERSITIES DAY".

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Motion Adopted

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

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Raymond Richard Haynesworth of Sumter, S.C. Raymond was a loving husband and devoted son who was loved by many and will be dearly missed.

ADJOURNMENT

At 12:15 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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