

NO. 41

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



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

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TUESDAY, MARCH 22, 2022

**Tuesday, March 22, 2022**  
**(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:

Luke 15:21

We read in the familiar story of the Prodigal Son: “The son said to him, ‘Father, I have sinned against heaven and against you. I am no longer worthy to be called your son.’ ”

Please join me as we pray: Dear God, the age-old story of the Prodigal continues to speak to each and every one of us in telling fashion. After all, how typical it is for us to say and do things that we know we ought not say or do. Again and again we -- just like the Prodigal -- cave in to pressures surrounding us; how we sometimes get ourselves wrapped up in pridefulness; even perhaps how we -- again, in our very humanness -- simply fail to act in those very moments when we know so well that we should do just that: act. Therefore, today we ask for Your loving forgiveness, O Father. Embrace us afresh. Lead us by Your grace to be the women and men You truly want us to be, so that in this Senate we all might prove to be a blessing to the people of this State. In Your wondrous name we pray, Lord. Amen.

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

**Point of Quorum**

At 12:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

**Call of the Senate**

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

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Fanning	Garrett
Goldfinch	Grooms	Gustafson

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Hembree	Hutto	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Martin
Massey	Peeler	Rice
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

**REGULATION WITHDRAWN AND RESUBMITTED**

The following was received:

Document No. 4993

Agency: South Carolina Jobs-Economic Development Authority

Chapter: 68

Statutory Authority: 1976 Code Section 41-43-90

SUBJECT: South Carolina Jobs-Economic Development Authority

Received by Lieutenant Governor January 12, 2021

Referred to Committee on Labor, Commerce and Industry

Legislative Review Expiration May 12, 2021

Withdrawn and Resubmitted March 21, 2022

**Leave of Absence**

On motion of Senator CROMER, at 12:15 P.M., Senator CAMPSER was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SABB, at 12:18 P.M., Senator MATTHEWS was granted a leave of absence until 2:00 P.M.

**Leave of Absence**

On motion of Senator KIMPSON, at 12:20 P.M., Senator McLEOD was granted a leave of absence until 1:00 P.M.

**Leave of Absence**

On motion of Senator MASSEY, at 12:21 P.M., Senator MALLOY was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator HUTTO, at 12:34 P.M., Senator HARPOOTLIAN was granted a leave of absence for today.

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**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 1181 -- Senator McElveen: A SENATE RESOLUTION TO RECOGNIZE AND HONOR SINGER LEE BRICE FOR AN EXCEPTIONAL MUSICAL CAREER AND TO WELCOME HIM TO SUMTER COUNTY.

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The Senate Resolution was adopted.

S. 1182 -- Senator Scott: A SENATE RESOLUTION TO EXPRESS PROFOUND SORROW UPON THE PASSING OF JEFFREY B. SMOAK AND TO EXTEND THE DEEPEST SYMPATHY TO HIS FAMILY AND MANY FRIENDS.

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The Senate Resolution was adopted.

S. 1183 -- Senator Verdin: A CONCURRENT RESOLUTION TO CONGRATULATE THE LAURENS COMMISSION OF PUBLIC WORKS UPON THE OCCASION OF ITS ONE HUNDREDTH ANNIVERSARY AND TO COMMEND THE ORGANIZATION FOR ITS MANY YEARS OF DEDICATED SERVICE TO THE LAURENS COMMUNITY AND THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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

S. 1184 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR HEATHER DANLEY, THE NATIONAL PRESIDENT OF THE JAYCEES, AND TO CONGRATULATE HER FOR OUTSTANDING SERVICE TO THE JAYCEES.

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The Senate Resolution was adopted.

S. 1185 -- Senator Cromer: A SENATE RESOLUTION TO RECOGNIZE AND HONOR ALLEN HUTTO FOR HIS HEROIC ACTIONS.

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The Senate Resolution was adopted.

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**Message from the House**

Columbia, S.C., March 22, 2022

Mr. President and Senators:

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

STATEWIDE APPOINTMENT

Appointment, State Ethics Commission, with term to commence April 1, 2020, and to expire April 1, 2026:

Mr. Xavier Starkes, PO Box 1497, Columbia, SC 29202 *VICE*  
Ashleigh R. Wilson

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 22, 2022

Mr. President and Senators:

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

STATEWIDE APPOINTMENT

Appointment, House Majority Party Appointment, with term to commence April 1, 2022, and to expire April 1, 2027:

State Ethics Commission

Matthew N. Tyler, 411 Rosewood Dr., Florence, SC 29501 *VICE*  
Donald H. Jackson

Very respectfully,  
Speaker of the House

Received as information.

**Message from the House**

Columbia, S.C., March 22, 2022

Mr. President and Senators:

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

STATEWIDE APPOINTMENT

Appointment, State Ethics Commission, with term to commence April 1, 2022, and to expire April 1, 2027:

Governor's Party

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Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

Very respectfully,  
Speaker of the House  
Received as information.

**Message from the House**

Columbia, S.C., March 22, 2022

Mr. President and Senators:

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

**STATEWIDE APPOINTMENT**

Appointment, Governor's Party, with term to commence April 1, 2022, and to expire April 1, 2027:

Governor's Appointee

Mary Hunter B. Tomlinson, 415 Randall Street, Greenville, SC 29609-5410 *VICE* Brian M. Barnwell

Very respectfully,  
Speaker of the House

Received as information.

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

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

The following Resolution was read the third time and ordered sent to the House of Representatives:

S. 1106 -- Senators Peeler, Alexander, Scott and Campsen: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM FIVE TO SEVEN PERCENT IN INCREMENTS OF ONE-HALF OF ONE PERCENT OVER FOUR FISCAL YEARS THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE GENERAL RESERVE FUND AND THE MANNER THE SEVEN PERCENT REQUIREMENT MUST BE MAINTAINED; AND PROPOSING

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ANOTHER AMENDMENT TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE, RELATING TO THE GENERAL RESERVE FUND AND THE CAPITAL RESERVE FUND, SO AS TO INCREASE FROM TWO TO THREE PERCENT THE AMOUNT OF STATE GENERAL FUND REVENUE IN THE LATEST COMPLETED FISCAL YEAR REQUIRED TO BE HELD IN THE CAPITAL RESERVE FUND AND TO PROVIDE THAT THE FIRST USE OF THE CAPITAL RESERVE FUND MUST BE TO OFFSET MIDYEAR BUDGET REDUCTIONS.

**HOUSE BILL RETURNED**

The following Bill was read the third time and ordered returned to the House with amendments.

H. 3346 -- Reps. W. Cox, White, Fry, Haddon, Long, Forrest, G.M. Smith, Caskey, Gagnon, Hyde, West, Thayer, Ligon, Daning, Erickson, Bradley, Weeks, B. Newton, McGarry, Carter, Calhoun and Hixon: A BILL TO AMEND SECTION 11-11-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE STATUTORY GENERAL RESERVE FUND, SO AS TO PROVIDE THAT THE GENERAL RESERVE FUND OF FIVE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR MUST BE INCREASED EACH YEAR BY ONE-HALF OF ONE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR UNTIL IT EQUALS SEVEN PERCENT OF SUCH REVENUES; TO AMEND SECTION 11-11-320, RELATING TO THE STATUTORY CAPITAL RESERVE FUND OF TWO PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR, SO AS TO INCREASE IT TO THREE PERCENT OF GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR; AND TO PROVIDE THAT THE ABOVE PROVISIONS TAKE EFFECT UPON RATIFICATION OF AMENDMENTS TO SECTION 36, ARTICLE III OF THE CONSTITUTION OF THIS STATE PROVIDING FOR THE ABOVE.

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

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

S. 888 -- Senators M. Johnson, Kimbrell, Garrett, Adams, Climer and Young: A BILL TO AMEND CHAPTER 11, TITLE 40 OF THE 1976 CODE, RELATING TO CONTRACTORS, TO PROVIDE FOR A

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VOLUNTARY CONTRIBUTION TO BE MADE UPON APPLICATION FOR A CONTRACTOR'S LICENSE TO BE APPLIED TO ACCREDITED PUBLIC INSTITUTIONS OF HIGHER LEARNING OFFERING COURSES IN BUILDING SCIENCE OR CIVIL ENGINEERING; TO PROVIDE FOR DISTRIBUTION; AND TO IMPOSE A REPORTING REQUIREMENT.

S. 1117 -- Senator Climer: A BILL TO AMEND ARTICLE 2, CHAPTER 41, TITLE 46 OF THE 1976 CODE, RELATING TO THE SOUTH CAROLINA GRAIN PRODUCERS GUARANTY FUND, TO EXPAND THE FUND TO INCLUDE COTTON PRODUCERS, TO ADD AN ASSESSMENT ON COTTON, TO INCREASE THE AMOUNT THE FUND MUST ACCUMULATE IN ORDER TO SUSPEND ASSESSMENTS, TO ESTABLISH THE SOUTH CAROLINA AGRICULTURAL COMMODITIES COMMISSION AS A SUCCESSOR TO THE STATE AGRICULTURAL COMMISSION AND TO PROVIDE FOR THE MEMBERSHIP, POWERS, AND DUTIES OF THE NEW COMMISSION, AND TO DEFINE NECESSARY TERMS; TO AMEND SECTION 46-41-60 OF THE 1976 CODE, RELATED TO SURETY BONDS FOR LICENSEES, TO PROVIDE THAT THE SURETY BOND VALUE IS BASED UPON A TIERED SYSTEM; AND TO AMEND SECTION 46-41-170 OF THE 1976 CODE, RELATED TO PENALTIES, TO MAKE CONFORMING CHANGES.

S. 1167 -- Senator Peeler: A BILL TO AMEND SECTION 7-7-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN CHEROKEE COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO REMOVE ARCHAIC LANGUAGE.

**CARRIED OVER**

S. 295 -- Senators Climer, Fanning, Bennett and Allen: A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR



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CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

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

**OBJECTION**

S. 976 -- Senator Jackson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 37-6-513 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO UTILIZE FUNDS AND FEES PAID TO THE DEPARTMENT OF CONSUMER AFFAIRS; AND BY ADDING SECTION 37-6-610 SO AS TO ALLOW THE DEPARTMENT OF CONSUMER AFFAIRS TO CARRY FORWARD CERTAIN FUNDS.

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 1095 -- Senators Climer, Massey, Verdin, Kimbrell, M. Johnson, McElveen and Fanning: A BILL TO AMEND ARTICLE 1, CHAPTER 119, TITLE 59 OF THE 1976 CODE, RELATING TO CLEMSON UNIVERSITY'S ORGANIZATION, POWERS, PROPERTY, INCOME AND THE LIKE, TO PROVIDE THAT ALL OF THE REGULATIONS PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; AND TO AMEND SECTIONS 46-1-140, 46-9-50, 46-10-30, 46-13-30, 46-23-90, 46-25-40, 46-25-45, 46-26-160, 46-35-10, 46-37-20, AND 46-37-25 TO CONFORM TO THE REQUIREMENT THAT ALL REGULATIONS

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PROMULGATED BY THE DIVISION OF REGULATORY AND PUBLIC SERVICE PROGRAMS MUST BE PROMULGATED IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURES ACT.

The Senate proceeded to a consideration of the Bill.

The Committee on Agriculture and Natural Resources proposed the following amendment (1095R002.KMM.ASM), which was adopted:

Amend the bill, as and if amended, on page 1, line 40 by adding:

/ (C) The division may promulgate emergency regulations pursuant to Section 1-23-130 if warranted under the circumstances. However, notwithstanding the provisions contained in Section 1-23-130(C), emergency regulations filed pursuant to this section will expire in one hundred and eighty days unless the filed emergency regulation expires while the General Assembly is not in session. If the filed emergency regulation expires while the General Assembly is not in session, then the division may refile the emergency regulation. A refiled emergency regulation expires ninety days after the date upon which it was refiled. An emergency regulation that has been refiled once may not be refiled again.” /

Amend the bill further, as and if amended, on page 2, by striking line 26 and inserting:

/ contained in Article 1, Chapter 23, Title 1 and Section 59-119-170(C).”

Amend the bill further, as and if amended, on page 2, by striking line 42 and inserting:

/ Article 1, Chapter 23, Title 1 and Section 59-119-170(C) designating plant pests. ~~In the~~ /

Amend the bill further, as and if amended, on page 3, by striking line 14 and inserting:

/ accordance with Article 1, Chapter 23, Title 1 and Section 59-119-170(C) as are necessary for /

Amend the bill further, as and if amended, on page 3, by striking line 42 and inserting:

/ accordance with Article 1, Chapter 23, Title 1 and Section 59-119-170(C) for carrying out the /

Amend the bill further, as and if amended, on page 4, by striking line 36 and inserting:

/ Article 1, Chapter 23, Title 1 and Section 59-119-170(C) in conformity with the primary /

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Amend the bill further, as and if amended, on page 5, by striking line 13 and inserting:

/ 23, Title 1 and Section 59-119-170(C). ~~The director is the final decision authority in the~~ /

Amend the bill further, as and if amended, on page 5, by striking line 26 and inserting:

/ Chapter 23, Title 1 and Section 59-119-170(C) regarding the inspection, analysis, distribution, /

Amend the bill further, as and if amended, on page 5, by striking line 38 and inserting:

/ with Article 1, Chapter 23, Title 1 and Section 59-119-170(C).” /

Amend the bill further, as and if amended, on page 6, by striking line 3 and inserting:

/ Title 1 and Section 59-119-170(C) regard ~~to~~ regarding the inspection, analysis, distribution, and /

Amend the bill further, as and if amended, on page 6, by striking line 29 and inserting:

/ Title 1 and Section 59-119-170(C) to implement the provisions of this chapter.” /

Amend the bill further, as and if amended, on page 6, by striking line 39 and inserting:

/ be promulgated in accordance with Article 1, Chapter 23, Title 1 and Section 59-119-170(C).”

Amend the bill further, as and if amended, on page 7, by striking line 6 and inserting:

/ Chapter 23, Title 1 and Section 59-119-170(C).” /

Renumber sections to conform.

Amend title to conform.

Senator MASSEY explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill as amended.

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

**Ayes 39; Nays 0**

**AYES**

Adams  
Bennett

Alexander  
Cash

Allen  
Climer

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Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Goldfinch	Grooms	Gustafson
Hembree	Hutto	Jackson
<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Martin
Massey	McElveen	Peeler
Rice	Sabb	Scott
Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**CARRIED OVER**

S. 90 -- Senator Malloy: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 3, ARTICLE XII OF THE CONSTITUTION OF SOUTH CAROLINA, RELATING TO THE REQUIREMENT THAT THE GENERAL ASSEMBLY PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM OLDER CONFINED PERSONS, TO CHANGE THE AGE FOR WHICH THE GENERAL ASSEMBLY SHALL PROVIDE FOR THE SEPARATE CONFINEMENT OF JUVENILE OFFENDERS FROM "UNDER THE AGE OF SEVENTEEN" TO "UNDER THE AGE OF EIGHTEEN".

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

**CARRIED OVER**

S. 366 -- Senators Talley, Hutto and Malloy: A BILL TO AMEND SECTION 42-15-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE TIME PERIOD MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED, SO AS TO CLARIFY THAT MEDICAL TREATMENT AND SUPPLIES ARE FURNISHED FOR ANY ADDITIONAL TIME THAT THE JUDGMENT OF THE

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WORKERS' COMPENSATION COMMISSION ESTABLISHED, BY THE PREPONDERANCE OF EVIDENCE CONTAINED IN THE MEDICAL RECORDS OR BY THE OPINION OF A MEDICAL PROVIDER, WILL LESSEN THE PERIOD OF DISABILITY; AND TO AMEND SECTION 42-17-40, RELATING TO THE CONDUCT OF A WORKERS' COMPENSATION COMMISSION HEARING SO AS TO PROVIDE THAT MEDICAL RECORDS AND OPINIONS OF MEDICAL PROVIDERS ARE ADMISSIBLE WITHOUT REGARD TO THE RULES OF EVIDENCE.

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

**CARRIED OVER**

S. 471 -- Senators Rankin and Sabb: A BILL TO AMEND SECTION 14-7-1050, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO JURY VOIR DIRE, SO AS TO PROVIDE FOR ATTORNEY CONDUCTED JURY VOIR DIRE BY ORAL AND DIRECT QUESTIONING; TO AMEND SECTION 14-7-1060, RELATING TO THE DRAWING OF A JURY PANEL, SO AS TO PROVIDE THAT THE NUMBER OF JURORS TO BE DRAWN IS WITHIN THE DISCRETION OF THE TRIAL JUDGE; AND TO AMEND SECTION 14-7-1080, RELATING TO THE DRAWING OF A SECOND JURY PANEL, SO AS TO DELETE THE REQUIREMENT THAT THE PANEL MUST BE MADE UP OF TWENTY JURORS.

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

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 659 -- Senator Shealy: A BILL TO AMEND SECTION 44-48-40(B) OF THE 1976 CODE, RELATING TO THE EFFECTIVE DATE OF PAROLE OR RELEASE, TO PROVIDE AN EFFECTIVE DATE FOR SUPERVISED RE-ENTRY FOR A PERSON CONVICTED OF A SEXUALLY VIOLENT OFFENSE; TO AMEND SECTION 44-48-50 OF THE 1976 CODE, RELATING TO THE MULTIDISCIPLINARY TEAM, APPOINTMENTS, THE REVIEW OF RECORDS, AND THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM, TO PROVIDE FOR AN ASSESSMENT OF WHETHER OR NOT THERE IS PROBABLE CAUSE TO BELIEVE THAT A PERSON SATISFIES THE DEFINITION OF A SEXUALLY VIOLENT PREDATOR, TO PROVIDE REPORTING REQUIREMENTS, AND TO PROVIDE

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FOR THE MEMBERSHIP OF THE MULTIDISCIPLINARY TEAM; TO AMEND SECTION 44-48-80(D) OF THE 1976 CODE, RELATING TO TAKING A PERSON INTO CUSTODY, HEARINGS, AND EVALUATIONS, TO PROVIDE FOR AN EVALUATION BY A COURT-APPOINTED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, TO PROVIDE FOR AN INDEPENDENT EVALUATION BY AN INDEPENDENT QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD, AND TO PROVIDE FOR AN EXTENSION IN EXTRAORDINARY CIRCUMSTANCES; TO AMEND SECTION 44-48-90(B) AND (C) OF THE 1976 CODE, RELATING TO A TRIER OF FACT, THE CONTINUATION OF A TRIAL, THE ASSISTANCE OF COUNSEL, THE ACCESS OF EXAMINERS TO A PERSON, AND THE PAYMENT OF EXPENSES, TO MAKE CONFORMING CHANGES, TO PROVIDE THAT CERTAIN CASES SHALL BE GIVEN PRIORITY STATUS, AND TO PROVIDE FOR COUNSEL AND THE PAYMENT AND COSTS FOR AN INDEPENDENT QUALIFIED EVALUATOR FOR AN INDIGENT PERSON; TO AMEND SECTION 44-48-100(B) OF THE 1976 CODE, RELATING TO PERSONS INCOMPETENT TO STAND TRIAL, TO PROVIDE THAT A COURT SHALL CONDUCT A NON-JURY HEARING FOR A PERSON CHARGED WITH A SEXUALLY VIOLENT OFFENSE WHO HAS BEEN FOUND INCOMPETENT TO STAND TRIAL, WHO IS ABOUT TO BE RELEASED, AND WHOSE COMMITMENT IS SOUGHT; TO AMEND SECTION 44-48-110 OF THE 1976 CODE, RELATING TO THE PERIODIC MENTAL EXAMINATION OF COMMITTED PERSONS, REPORTS, PETITIONS FOR RELEASE, HEARINGS, AND TRIALS TO CONSIDER RELEASE, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR AN EVALUATION BY A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR WITHIN A CERTAIN TIME PERIOD AND UNDER CERTAIN CONDITIONS, AND TO PROVIDE FOR PERIODIC REVIEW HEARINGS AND THE PRESENCE OF THE RESIDENT AND THE DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT HEARINGS; TO AMEND CHAPTER 48, TITLE 44 OF THE 1976 CODE, RELATING TO THE SEXUALLY VIOLENT PREDATOR ACT, BY ADDING SECTION 44-48-115, TO PROVIDE THAT A RESIDENT SHALL HAVE THE RIGHT TO CHALLENGE COMMITMENT UNDER CERTAIN CIRCUMSTANCES AND TO PROVIDE CERTAIN CONDITIONS THEREOF; TO AMEND

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SECTION 44-48-120(B) OF THE 1976 CODE, RELATING TO HEARINGS ORDERED BY A COURT, EXAMINATION BY A QUALIFIED EXPERT, AND THE BURDEN OF PROOF, TO MAKE CONFORMING CHANGES, TO PROVIDE FOR THE PRESENCE OF A DEPARTMENT OF MENTAL HEALTH-DESIGNATED QUALIFIED EVALUATOR AT A HEARING OR TRIAL, AND TO PROVIDE THAT A RESIDENT MAY SEEK ANOTHER EVALUATION AT HIS OWN EXPENSE; TO AMEND SECTION 44-48-150 OF THE 1976 CODE, RELATING TO EVIDENTIARY RECORDS AND A COURT ORDER TO OPEN SEALED RECORDS, TO PROVIDE FOR THE RELEASE OF RECORDS TO THE ATTORNEY GENERAL AND COUNSEL OF RECORD; TO AMEND SECTION 24-21-32(C) OF THE 1976 CODE, RELATING TO REENTRY SUPERVISION AND REVOCATION, TO PROVIDE THAT CERTAIN INMATES ARE NOT ELIGIBLE FOR SUPERVISED RE-ENTRY UNTIL THE RESOLUTION OF CERTAIN PROCEEDINGS; AND TO DEFINE NECESSARY TERMS.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD0659.001), which was adopted:

Amend the bill, as and if amended, by striking line 21 through line 23 on page 6, in Section 44-48-90(B), as contained in SECTION 6, and inserting therein the following:

/ only if the respondent will not be substantially prejudiced. The Attorney General must /

Amend the bill further, as and if amended, by striking line 34 on page 6, in Section 44-48-90(C), as contained in SECTION 6, and inserting therein the following:

/ ~~expert~~ to perform a subsequent ~~examination~~ evaluation. If the court-appointed /

Amend the bill further, as and if amended, by striking line 15 on page 7, in Section 44-48-90(C), as contained in SECTION 6, and inserting therein the following:

/ access to the person for the purpose of the evaluation, as well as /

Amend the bill further, as and if amended, by striking lines 11 and 12 on page 12, in Section 44-48-115(J), as contained in SECTION 9, and inserting therein the following:

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/ (J) Upon receipt by the Supreme Court of the findings and conclusions of the designated judge, the /

Amend the bill further, as and if amended, beginning on page 12 and ending on page 13, by striking SECTION 10 in its entirety, and inserting therein the following:

/ SECTION 10. Section 44-48-120 of the 1976 Code is amended to read:

“(A) If the Director of the Department of Mental Health determines that the ~~person's resident's~~ mental abnormality or personality disorder has so changed that the ~~person resident~~ is safe to be at large and, if released, is not likely to commit acts of sexual violence, the director must certify such determination in writing with the specific basis thereof, authorize the ~~person resident~~ to petition the court for release, and notify the Attorney General of the certification and authorization. ~~The petition must be served upon the court and the Attorney General. Upon receipt of the certification and authorization, the resident or the Attorney General may file a petition for release, which must be served upon the court and the Attorney General, or on opposing counsel if filed by the Attorney General.~~ The Attorney General must notify the victim of the proceeding.

(B) The court, upon receipt of the petition for release filed pursuant to subsection (A), must order a hearing within thirty days unless the Attorney General, with notice to the resident, requests an ~~examination evaluation~~ by a qualified ~~expert evaluator~~ as to whether the ~~petitioner's resident's~~ mental abnormality or personality disorder has so changed that the ~~resident petitioner~~ is safe to be at large and, if released, is not likely to commit acts of sexual violence, or the ~~resident petitioner~~ or the Attorney General requests a trial before a jury. The Attorney General must represent the State and has the right to have the ~~petitioner resident~~ examined by a qualified ~~experts~~ evaluator chosen by the State. If the petition is filed with the authorization of the Department of Mental Health as provided by in subsection (A), then the Department of Mental Health's-designated qualified evaluator must appear as a witness at the hearing or trial. If the Attorney General's qualified evaluator determines that the resident still meets the criteria for confinement as a sexually violent predator, then the resident may seek another evaluation at the resident's personal expense. No public funds shall be authorized for the subsequent evaluation sought by the resident or for the testimony provided by this evaluator. All qualified evaluators are permitted to have reasonable access to the resident for the purpose of the examination, as well as reasonable access to all relevant medical, psychological, criminal



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~~offense, and disciplinary records and reports, and the court shall order the resident to comply with any testing and assessments deemed necessary by a qualified evaluator. Attorney General retains a qualified expert who concludes that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and, if released, is likely to commit acts of sexual violence, the petitioner may retain a qualified expert of his own choosing to perform a subsequent examination. In the case of an indigent petitioner who would like an expert of his own choosing, the court must determine whether the services are necessary. If the court determines that the services are necessary and the expert's requested compensation for the services is reasonable, the court must assist the petitioner in obtaining the expert to perform an examination or participate in the hearing or trial on the petitioner's behalf. The court must approve payment for the services upon the filing of a certified claim for compensation supported by a written statement specifying the time expended, services rendered, expenses incurred on behalf of the petitioner, and compensation received in the case or for the same services from any other source. The burden of proof is upon the Attorney General to show beyond a reasonable doubt that the resident's petitioner's mental abnormality or personality disorder remains such that the resident petitioner is not safe to be at large and, that if released, is likely to commit acts of sexual violence."~~ /

Amend the bill further, as and if amended, page 14, line 14, by adding an appropriately numbered SECTION to read:

/ SECTION \_\_. Chapter 48 of Title 44 of the 1976 Code is amended by adding:

"Section 44-48-180. All cases pursuant to this chapter shall be given priority status for the purposes of scheduling any hearings or trials." /

Renumber sections to conform.

Amend title to conform.

Senator HUTTO explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill as amended.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**OBJECTION**

S. 1031 -- Senators Campsen, Grooms, Senn, Loftis and Verdin: A BILL TO AMEND SECTION 30-5-10 OF THE 1976 CODE, RELATING TO THE OFFICE OF REGISTER OF DEEDS, SO AS TO PROVIDE QUALIFICATIONS TO BE ELIGIBLE TO HOLD THE OFFICE OF REGISTER OF DEEDS.

Senator MALLOY objected to consideration of the Bill.

**OBJECTION**

S. 1032 -- Senators Martin, Verdin, Kimbrell and Garrett: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 23-3-80 SO AS TO CREATE THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, TO PROVIDE FOR ITS ADMINISTRATION AND DUTIES, AND TO REQUIRE A MEMORANDUM OF AGREEMENT WITH UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; AND TO REPEAL SECTION 23-6-60 RELATING TO THE CREATION OF

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THE ILLEGAL IMMIGRATION ENFORCEMENT UNIT WITHIN  
THE DEPARTMENT OF SAFETY.

Senator MALLOY objected to consideration of the Bill.

**COMMITTEE AMENDMENT ADOPTED  
READ THE SECOND TIME**

S. 1092 -- Senator Martin: A BILL TO AMEND SECTION 23-23-60, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ISSUANCE OF CERTIFICATES OF COMPLIANCE AND QUALIFICATION TO LAW ENFORCEMENT OFFICERS AND PERSONS TRAINED BY THE CRIMINAL JUSTICE ACADEMY, AND THE LAW ENFORCEMENT TRAINING COUNCIL'S AUTHORITY TO OVERSEE THE OPERATION OF THE TRAINING OF LAW ENFORCEMENT OFFICERS AND RECEIPT OF CERTAIN INFORMATION FROM GOVERNING BODIES ABOUT CANDIDATES SEEKING CERTIFICATION, SO AS TO PROVIDE DETENTION AND CORRECTIONAL OFFICER CANDIDATES MUST BE AT LEAST EIGHTEEN YEARS OF AGE.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD1092.002), which was adopted:

Amend the bill, as and if amended, page 1, by striking lines 31-34 and inserting therein:

/ “(8) evidence satisfactory to the director that the candidate’s present age is ~~not~~ no less than twenty-one years. However, if the person is a candidate for detention or correctional officer, not to include officers for the Department of Juvenile Justice, then the candidate’s present age must be no less than eighteen years of age. /

Renumber sections to conform.

Amend title to conform.

Senator SENN explained the amendment.

The amendment was adopted.

The question then being second reading of the Bill as amended.

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

**Ayes 39; Nays 0**

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**AYES**

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

**Total--39**

**NAYS**

**Total--0**

There being no further amendments, the Bill, as amended, was read the second time, passed and ordered to a third reading.

**POINT OF ORDER**

S. 721 -- Senators Alexander and Grooms: A BILL TO AMEND ARTICLE 1, CHAPTER 5, TITLE 56 OF THE 1976 CODE, RELATING TO THE UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS, BY ADDING SECTION 56-5-100, TO PROVIDE THAT THE IMPLEMENTATION OR USE OF A MOTOR CARRIER SAFETY IMPROVEMENT THAT IS REQUIRED BY A COMPANY ENGAGING IN THE OPERATION OF A COMMERCIAL MOTOR VEHICLE SHALL NOT BE CONSIDERED IN ANY EVALUATION OF AN INDIVIDUAL'S STATUS AS AN EMPLOYEE, JOINT EMPLOYEE, OR INDEPENDENT CONTRACTOR OF THE COMPANY UNDER STATE LAW; AND TO DEFINE NECESSARY TERMS.

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**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

S. 1175 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO WILDLIFE MANAGEMENT AREA REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5072, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3037 -- Reps. Garvin, Robinson, Cobb-Hunter, Hosey, J.L. Johnson, Matthews, S. Williams, Rivers, Jefferson, R. Williams, Govan and King: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-3-117 SO AS TO PROVIDE THE DEPARTMENT OF MOTOR VEHICLES MAY ADD A NOTATION TO A PRIVATE PASSENGER-CARRYING MOTOR VEHICLE REGISTRATION TO INDICATE THE VEHICLE OWNER OR AN OCCUPANT OF THE VEHICLE SUFFERS FROM CERTAIN MEDICAL CONDITIONS AND TO PROVIDE THE CRIMINAL JUSTICE ACADEMY SHALL OFFER COURSES TO TRAIN LAW ENFORCEMENT OFFICERS ON HANDLING SITUATIONS THAT MAY ARISE FROM THE ENFORCEMENT OF THIS PROVISION.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

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**POINT OF ORDER**

H. 3729 -- Reps. Sandifer and Cogswell: A BILL TO AMEND SECTION 16-11-760, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO VEHICLES PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION, SO AS TO PROVIDE THAT ONLY CERTAIN STORAGE COSTS MAY BE CHARGED TO THE OWNER AND LIENHOLDER OF A VEHICLE FOUND PARKED ON PRIVATE PROPERTY WITHOUT PERMISSION; TO AMEND SECTION 29-15-10, RELATING TO LIENS FOR STORAGE, SO AS TO PROHIBIT THE COLLECTION OF STORAGE COSTS BY A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP PRIOR TO THE PERSON SENDING NOTICE TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5630, RELATING TO PAYMENTS FOR THE RELEASE OF ABANDONED VEHICLES, SO AS TO PROVIDE THAT A TOWING COMPANY AND STORAGE FACILITY MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; TO AMEND SECTION 56-5-5635, RELATING TO LAW ENFORCEMENT TOWING AND STORAGE PROCEDURES, SO AS TO PROVIDE THAT A TOWING COMPANY, STORAGE FACILITY, GARAGE, OR REPAIR SHOP MAY NOT CHARGE ANY STORAGE COSTS BEFORE NOTICE IS SENT TO THE OWNER AND LIENHOLDER; AND TO AMEND SECTION 56-5-5640, RELATING TO THE SALE OF UNCLAIMED VEHICLES, SO AS TO PROVIDE A REFERENCE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3730 -- Reps. R. Williams, Jefferson, Gilliard and Murray: A BILL TO AMEND SECTION 56-5-2710, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A DRIVER OF A MOTOR VEHICLE OBEYING A SIGNAL THAT INDICATES AN APPROACHING TRAIN, SO AS TO PROVIDE ADDITIONAL CIRCUMSTANCES THAT REQUIRE A DRIVER TO STOP A VEHICLE APPROACHING A RAILROAD GRADE CROSSING.

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**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 3889 -- Rep. Hewitt: A BILL TO AMEND SECTION 50-21-860, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO RESTRICTIONS ON THE USE OF AIRBOATS, SO AS TO PROHIBIT THE OPERATION OF AN AIRBOAT ON CERTAIN RIVERS IN GEORGETOWN AND HORRY COUNTIES DURING THE SEASON FOR HUNTING DUCK.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 4319 -- Reps. Calhoun, Huggins, Erickson, McCabe, Henderson-Myers, Crawford, Oremus, Henegan, McGarry, Matthews, Dillard, Allison, Bernstein, McDaniel, Murray, Felder, Bennett, R. Williams, Jefferson, Alexander and Kirby: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 56-1-88 SO AS TO PROVIDE UPON THE REQUEST OF A PERSON, THE DEPARTMENT OF MOTOR VEHICLES MUST ISSUE A REAL ID COMPLIANT DRIVER'S LICENSE THAT CONTAINS THE PERSON'S NAME AS IT APPEARS ON HIS CURRENT DRIVER'S LICENSE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 4618 -- Reps. Morgan and R. Williams: A BILL TO AMEND SECTION 56-5-2720, CODE OF LAWS OF SOUTH CAROLINA,

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1976, RELATING TO REQUIRING CERTAIN VEHICLES TO STOP BEFORE CROSSING ANY RAILROAD TRACKS, SO AS TO REVISE THE TYPES OF VEHICLES SUBJECT TO THIS SECTION, AND TO DEFINE THE TERM "BUS".

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 4904 -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 50-11-90 SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO OBTAIN AND USE SCHEDULE III NONNARCOTICS AND SCHEDULE IV CONTROLLED SUBSTANCES FOR WILDLIFE MANAGEMENT; AND TO AMEND SECTION 47-3-420, RELATING TO METHODS OF ANIMAL EUTHANASIA, SO AS TO REMOVE REFERENCES TO THE DEPARTMENT OF NATURAL RESOURCES.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 4906 -- Rep. Hixon: A BILL TO AMEND SECTION 50-11-105, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO WILDLIFE DISEASE CONTROL, SO AS TO ALLOW THE DEPARTMENT OF NATURAL RESOURCES TO TAKE ACTION REGARDING WILDLIFE DISEASE CONTROL.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.



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**POINT OF ORDER**

H. 4907 -- Rep. Hixon: A BILL TO AMEND SECTION 50-1-30, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITION OF FRESHWATER GAME FISH, SO AS TO INCLUDE ALL BLACK BASS AND TROUT HYBRIDS; TO AMEND SECTION 50-13-10, RELATING TO DEFINITIONS, SO AS TO DEFINE "LANDING NET (DIP NET)" AND TO ADD BARTRAM'S BASS, ALABAMA BASS, AND TROUT HYBRIDS; TO AMEND SECTION 50-13-80, RELATING TO TAKING FISH BY SNAGGING, SO AS TO PROHIBIT ALL TAKING OF FISH BY SNAGGING; TO AMEND SECTION 50-13-210, RELATING TO DAILY POSSESSION LIMITS, SO AS TO ADD BARTRAM'S BASS AND ALABAMA BASS; TO AMEND SECTION 50-13-310, RELATING TO GAME FISH CAUGHT WITH NETS AND OTHER NONGAME FISHING DEVICES, SO AS TO ALLOW FOR THE TAKING OF GAME FISH WITH A LANDING NET; TO AMEND SECTION 50-13-620, RELATING TO FLOATING MARKERS FOR FISHING DEVICES, SO AS TO REQUIRE THE INSPECTION OR REMOVAL OF A TROTLINE AFTER TWENTY-FOUR HOURS; TO AMEND SECTION 50-13-635, RELATING TO PERMISSIBLE FISHING DEVICES, SO AS TO ALLOW FOR THE USE OF A LANDING NET; TO AMEND SECTION 50-13-670, AS AMENDED, RELATING TO THE POSSESSION OF GAME FISH, SO AS TO PROVIDE THAT THE SECTION DOES NOT APPLY TO THE USE OF A LANDING NET; TO AMEND SECTION 50-13-675, AS AMENDED, RELATING TO PERMITTED NONGAME FISHING DEVICES, SO AS TO INCLUDE LANDING NETS, AMONG OTHER THINGS; AND TO AMEND SECTION 50-13-1610, RELATING TO THE PROHIBITION OF THE SALE OR TRAFFIC OF CERTAIN GAME FISH, SO AS TO PROHIBIT CERTAIN ACTIVITIES RELATED TO THE TAKING OF FISH FROM THE FRESHWATERS OF THIS STATE.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**POINT OF ORDER**

H. 4177 -- Reps. Lowe, Pope and Ligon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING

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SECTION 50-3-190 SO AS TO REQUIRE THE DEPARTMENT OF NATURAL RESOURCES TO HIRE A WATERFOWL PROGRAM MANAGER WITHIN THE WILDLIFE AND FRESHWATER FISHERIES DIVISION, TO PROVIDE CERTAIN DUTIES AND RESPONSIBILITIES FOR THE POSITION; BY ADDING SECTION 50-9-930 SO AS TO ESTABLISH THE WATERFOWL ADVISORY COMMITTEE TO ASSIST IN THE DEVELOPMENT, PROTECTION, AND PROPAGATION OF NATIVE WATERFOWL IN THIS STATE AND TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE; TO AMEND SECTION 50-9-510, AS AMENDED, RELATING TO MIGRATORY WATERFOWL PERMITS, SO AS TO INCREASE THE FEES FOR MIGRATORY WATERFOWL PERMITS; TO AMEND SECTION 50-9-920, AS AMENDED, RELATING TO REVENUES FROM THE SALE OF PRIVILEGES, LICENSES, PERMITS, AND TAGS, SO AS TO PROVIDE FOR CERTAIN EXPENDITURES FROM THE REVENUES OF RESIDENT AND NONRESIDENT MIGRATORY WATERFOWL PERMITS; AND TO PROVIDE THAT SECTIONS 3 AND 4 OF THIS ACT ARE REPEALED ON JANUARY 1, 2027.

**Point of Order**

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

The PRESIDENT sustained the Point of Order.

**ADOPTED**

S. 1169 -- Senator Williams: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF CLAUSSEN ROAD IN FLORENCE COUNTY FROM ITS INTERSECTION WITH PAMPLICO HIGHWAY TO ITS INTERSECTION WITH FRANCIS MARION ROAD "CHIEF DEPUTY JOHNNIE ABRAHAM, SR. MEMORIAL ROAD" AND ERECT APPROPRIATE MARKERS OR SIGNS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

The Resolution was adopted, ordered sent to the House.

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

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**MADE SPECIAL ORDER**

S. 935 -- Senators Grooms, Loftis, Goldfinch, Verdin, Rice, Cash, Adams, Climer, Peeler, Garrett, Kimbrell, Davis, Campsen, Hembree, Turner, Corbin, Bennett, Massey, Gambrell, Rankin and Senn: A BILL TO AMEND TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATION, BY ADDING CHAPTER 8, TO PROVIDE FOR THE CREATION OF EDUCATION SCHOLARSHIP ACCOUNTS, TO PROVIDE REQUIREMENTS FOR THE ACCOUNTS, TO CREATE AN EDUCATION SCHOLARSHIP ACCOUNT FUND TO FUND THE SCHOLARSHIPS, AND TO PROVIDE RELATED REQUIREMENTS OF THE EDUCATION OVERSIGHT COMMITTEE AND THE DEPARTMENT OF ADMINISTRATION, AMONG OTHER THINGS.

Senator MASSEY moved that the Bill be made a Special Order.

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

**Ayes 27; Nays 12**

**AYES**

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

**Total--27**

**NAYS**

Allen	Fanning	Hutto
Jackson	<i>Johnson, Kevin</i>	Kimpson
McElveen	Sabb	Scott
Setzler	Stephens	Williams

**Total--12**

The Bill was made a Special Order.

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**MOTION ADOPTED**

At 12:35 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

**HOUSE AMENDMENT AMENDED**

**RETURNED TO THE HOUSE WITH AMENDMENTS**

S. 1090 -- Senator Massey: A BILL TO AMEND SECTION 41-35-40 OF THE 1976 CODE, RELATING TO AN INSURED WORKER'S WEEKLY BENEFIT AMOUNT, TO PROVIDE THAT THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE MUST ANNUALLY ADJUST THE MAXIMUM WEEKLY BENEFIT AMOUNT BY AN AMOUNT BY THE RATE OF INFLATION AND TO RETROACTIVELY RATIFY AND AFFIRM THE DEPARTMENT OF EMPLOYMENT AND WORKFORCE'S INTERPRETATION AND EXECUTION OF SECTION 41-35-40 OF THE 1976 CODE.

The House returned the Bill with amendments.

The Senate proceeded to a consideration of the Bill, the question being concurrence in the House amendments.

Senator MASSEY explained the House amendment.

Senator MASSEY proposed the following amendment (1090R005.KMM.ASM), which was adopted:

Amend the bill, as and if amended, by striking all after the title and inserting:

/ Whereas, it is the policy of the State of South Carolina that its unemployment benefits are intended to lighten the burden of economic insecurity for unemployed workers and their families; and

Whereas, the rate of inflation is increasing at a pace not seen in the United States for at least forty years, making it more difficult for individuals and families to make ends meet; and

Whereas, the spike in inflation has been particularly difficult to absorb by unemployed workers receiving unemployment benefits; and

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Whereas, increasing the maximum weekly unemployment benefit amount in order to account for inflation is necessary to lighten the burden of economic insecurity for unemployed workers and their families; and

Whereas, Section 41-35-40 sets the weekly benefit amounts that an employee may receive and allows the Department of Employment and Workforce to set a maximum weekly benefit amount; and

Whereas, there have been questions raised concerning the Department of Employment and Workforce's execution of, and the General Assembly's intent regarding, Section 41-35-40; and

Whereas, the General Assembly believes that any questions concerning the application of Section 41-35-40 need to be resolved in order to provide certainty to workers and employers; and

Whereas, the interpretation of Section 41-35-40 espoused by those critical of the Department of Employment and Workforce's execution would lead to the absurd result of allowing for weekly benefit amounts higher than those found in states like California and New York, much less our neighbors in North Carolina and Georgia; and

Whereas, the General Assembly finds that the long-standing interpretation of this statute by the Department of Employment and Workforce is in complete accordance with the unambiguous language contained in Section 41-35-40 and the policy intended by the legislature; and

Whereas, the General Assembly finds that its ratification of the interpretation of the statute given by the Department of Employment and Workforce is important so as to provide certainty that the actions of the department on behalf of our state's workers and businesses have been in accordance with the intent of the legislature; Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A. Section 41-35-40 of the 1976 Code is amended by adding an appropriately lettered new subsection to read:

“(B) The department must annually adjust the maximum weekly benefit amount set pursuant to the department's authority as provided in subsection (A) by an amount at least equal to the rate of inflation as measured by the national consumer price index published by the Bureau of Labor Statistics for the most recently completed calendar year prior to the date that the maximum weekly benefit amount goes into effect.”

B. This SECTION takes effect July 1, 2022.

SECTION 2. A. The General Assembly ratifies and affirms that the Department of Employment of Workforce has faithfully executed the provisions contained in Section 41-35-40 in accordance with the clear language of the statute and the General Assembly's intent and that this

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resolution be applied affirming the intent of the General Assembly be retroactive July 1, 2007.

B. The provisions contained in this SECTION are retroactive to July 1, 2007.

SECTION 3. Section 41-31-60(A) of the 1976 Code is amended to read:

“Section 41-31-60. (A) If on the computation date upon which an employer's tax rate is to be computed as provided in Section 41-31-40 there is a delinquent report, the tax class twenty rate must be assigned to the employer ~~for the period to which the computation applies~~ until the next computation date or until all outstanding tax reports have been filed.”

SECTION 4. This act takes effect upon approval by the Governor. /  
Renumber sections to conform.  
Amend title to conform.

Senator MASSEY explained the amendment.

The question then was the adoption of the amendment.

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

**Ayes 30; Nays 7; Abstain 1**

**AYES**

Adams	Alexander	Bennett
Cash	Climer	Corbin
Cromer	Davis	Fanning
Gambrell	Garrett	Goldfinch
Grooms	Gustafson	Hembree
<i>Johnson, Michael</i>	Kimbrell	Loftis
Martin	Massey	Peeler
Rice	Senn	Setzler
Shealy	Talley	Turner
Verdin	Williams	Young

**Total--30**

**NAYS**

Allen	Hutto	<i>Johnson, Kevin</i>
Kimpson	McElveen	Scott
Stephens		

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**Total--7**

**ABSTAIN**

Sabb

**Total--1**

The amendment was adopted.

There being no further amendments, the Bill, as amended, was ordered returned to the House of Representatives with amendments.

**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, Governor's School of Agriculture at John De la Howe School Board of Trustees, with the term to commence April 1, 2018, and to expire April 1, 2023

At-Large:

Yvonne C. Knight Carter, 1349 Old Cherry Hill Road, Monks Corner, SC 29461-4571 *VICE* Melissa A. Tilden

On motion of Senator HEMBREE, the question was confirmation of Yvonne C. Knight Carter.

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

**Ayes 39; Nays 0**

**AYES**

Adams

Alexander

Allen

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Yvonne C. Knight Carter was confirmed.

Having received a favorable report from the Family and Veterans' Services Committee, the following appointment was confirmed in open session:

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

David E. Finley, 419 Woodfield Dr., Piedmont, SC 29673-8373

On motion of Senator SHEALY, the question was confirmation of David E. Finley.

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

**Ayes 39; Nays 0**

**AYES**

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



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

**Total--39**

**NAYS**

**Total--0**

The appointment of David E. Finley was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Stephen L. Jones, DHA, 6815 Back Bay Drive, Isle of Palms, SC 29451-2837

On motion of Senator SHEALY, the question was confirmation of Stephen L. Jones, DHA.

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

**Ayes 39; Nays 0**

**AYES**

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

**TUESDAY, MARCH 22, 2022**

Senn	Setzler	Shealy
Stephens	Talley	Turner
Verdin	Williams	Young

**Total--39**

**NAYS**

**Total--0**

The appointment of Stephen L. Jones, DHA was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nikki Wooten, 465 Endenhall Dr., Columbia, SC 29229 *VICE* Bevin G. Studstill

On motion of Senator SHEALY, the question was confirmation of Nikki Wooten.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

TUESDAY, MARCH 22, 2022

NAYS

**Total--0**

The appointment of Nikki Wooten was confirmed.

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Nancy B. Dunn, 116 Wizard Way, Inman, SC 29349-7098 *VICE* John D. Wilcox, Jr.

On motion of Senator SHEALY, the question was confirmation of Nancy B. Dunn.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

NAYS

**Total--0**

The appointment of Nancy B. Dunn was confirmed.

**TUESDAY, MARCH 22, 2022**

Initial Appointment, Board of Trustees for the Veterans' Trust Fund of South Carolina, with term coterminous with Governor

At-Large:

Shawn T. Pinkston, 184 Scott Street, Charleston, SC 29492-7539

*VICE* Valerie A. Brunson

On motion of Senator SHEALY, the question was confirmation of Shawn T. Pinkston.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Shawn T. Pinkston was confirmed.

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

**TUESDAY, MARCH 22, 2022**

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor Appointed:

Mary Hunter B. Tomlinson, 415 Randall Street, Greenville, SC 29609-5410 *VICE* Brian M. Barnwell

On motion of Senator RANKIN, the question was confirmation of Mary Hunter B. Tomlinson.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto	Young
-------	-------

**Total--2**

The appointment of Mary Hunter B. Tomlinson was confirmed.

**TUESDAY, MARCH 22, 2022**

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

House - Majority:

Matthew N. Tyler, 411 Rosewood Dr., Florence, SC 29501 *VICE*  
Donald H. Jackson

On motion of Senator RANKIN, the question was confirmation of Matthew N. Tyler.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto	Young
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**Total--2**

The appointment of Matthew N. Tyler was confirmed.

**TUESDAY, MARCH 22, 2022**

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

Governor:

F. Xavier Starkes, PO Box 1497, Columbia, SC 29202-1497 *VICE*  
Ashleigh R. Wilson

On motion of Senator RANKIN, the question was confirmation of F. Xavier Starkes.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto	Young
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**Total--2**

The appointment of F. Xavier Starkes was confirmed.

**TUESDAY, MARCH 22, 2022**

Initial Appointment, South Carolina State Ethics Commission, with the term to commence April 1, 2022, and to expire April 1, 2027

Governor Appointed:

Neal D. Truslow, 333 Laurel Springs Road, Columbia, SC 29206-2102 *VICE* Childs C. Thrasher

On motion of Senator RANKIN, the question was confirmation of Neal D. Truslow.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

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

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto	Young
-------	-------

**Total--2**

The appointment of Neal D. Truslow was confirmed.



**TUESDAY, MARCH 22, 2022**

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

Initial Appointment, Jobs Economic Development Authority, with the term to commence July 27, 2021, and to expire July 1, 2024

1st Congressional District:

Henry B. Fishburn, Jr., 105 Waterfront Plantation Drive, Charleston, SC 29412-2100 *VICE* William "Warner" Peacock

On motion of Senator DAVIS, the question was confirmation of Henry B. Fishburn, Jr..

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Henry B. Fishburn, Jr. was confirmed.

**TUESDAY, MARCH 22, 2022**

Reappointment, South Carolina State Board of Cosmetology, with the term to commence March 31, 2020, and to expire March 31, 2024

Cosmetologist:

Patricia C. Walters, 360 Canal Place Dr., Columbia, SC 29201

On motion of Senator DAVIS, the question was confirmation of Patricia C. Walters.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Patricia C. Walters was confirmed.

Reappointment, Board of Directors of the Jobs-Economic Development Authority, with the term to commence July 27, 2019, and to expire July 27, 2022

At-Large/Chairman:

Michael W. Nix, 108 White Oak Lane, Greenwood, SC 29646-9087

**TUESDAY, MARCH 22, 2022**

On motion of Senator DAVIS, the question was confirmation of Michael W. Nix.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Michael W. Nix was confirmed.

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

Reappointment, South Carolina Board of Occupational Therapy, with the term to commence September 30, 2021, and to expire September 30, 2024

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.

**TUESDAY, MARCH 22, 2022**

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Lesly Wilson James was confirmed.

Reappointment, South Carolina Commission on Disabilities and Special Needs, with the term to commence June 30, 2022, and to expire June 30, 2026

5th Congressional District:

Michelle M. Woodhead, 2030 Diamond Pointe Lane, York, SC 29745-9611

On motion of Senator VERDIN, the question was confirmation of Michelle M. Woodhead.

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

**Ayes 38; Nays 0; Abstain 1**

**AYES**

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

**Total--38**

**NAYS**

**Total--0**

**ABSTAIN**

Allen

**Total--1**

The appointment of Michelle M. Woodhead was confirmed.

Initial Appointment, South Carolina State Board of Nursing, with the term to commence December 31, 2021, and to expire December 31, 2025

General Public:

Lindsey K. Mitcham, 332 Clay Road, Camden, SC 29020-1622

On motion of Senator VERDIN, the question was confirmation of Lindsey K. Mitcham.

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

**Ayes 37; Nays 0; Abstain 2**

**AYES**

Adams	Alexander	Allen
Bennett	Cash	Climer
Corbin	Cromer	Davis

**TUESDAY, MARCH 22, 2022**

Fanning	Gambrell	Garrett
Goldfinch	Grooms	Hembree
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Martin	Massey	McElveen
McLeod	Peeler	Rice
Sabb	Scott	Senn
Shealy	Stephens	Talley
Turner	Verdin	Williams
Young		

**Total--37**

**NAYS**

**Total--0**

**ABSTAIN**

Hutto	Setzler
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**Total--2**

The appointment of Lindsey K. Mitcham was confirmed.

Reappointment, South Carolina Mental Health Commission, with the term to commence March 21, 2022, and to expire March 21, 2027

2nd Congressional District:

L. Gregory Pearce, Jr., 810 Hampton Hill Road, Columbia, SC 29209-1024

On motion of Senator VERDIN, the question was confirmation of L. Gregory Pearce, Jr..

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

**Ayes 39; Nays 0**

**AYES**

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

**TUESDAY, MARCH 22, 2022**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of L. Gregory Pearce, Jr. was confirmed.

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

Civic Organization:

Abbi Mason, 1126 Ambling Way, Mt. Pleasant, SC 29464

On motion of Senator VERDIN, the question was confirmation of Abbi Mason.

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

**Ayes 39; Nays 0**

**AYES**

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

**TUESDAY, MARCH 22, 2022**

Stephens	Talley	Turner
Verdin	Williams	Young

**Total--39**

**NAYS**

**Total--0**

The appointment of Abbi Mason was confirmed.

Initial Appointment, Donate Life South Carolina, with the term to commence April 1, 2018, and to expire April 1, 2022

Piedmont - organ and tissue recipient, family of tissue recipient, and family of donor:

Jason R. Chesney, 115 Summerwalk Place, Simpsonville, SC 29681-4649 *VICE* Lewis Cooley

On motion of Senator VERDIN, the question was confirmation of Jason R. Chesney.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**



**TUESDAY, MARCH 22, 2022**

**NAYS**

**Total--0**

The appointment of Jason R. Chesney was confirmed.

Reappointment, Donate Life South Carolina, with the term to commence April 1, 2022, and to expire April 1, 2026

Piedmont - organ and tissue recipient, family of tissue recipient, and family of donor:

Jason R. Chesney, 115 Summerwalk Place, Simpsonville, SC 29681-4649

On motion of Senator VERDIN, the question was confirmation of Jason R. Chesney.

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

**Ayes 39; Nays 0**

**AYES**

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

**Total--39**

**NAYS**

**Total--0**

The appointment of Jason R. Chesney was confirmed.

**TUESDAY, MARCH 22, 2022**

**Motion Adopted**

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

**ADJOURNMENT**

At 1:13 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 1:00 P.M.

\* \* \*

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