**Tuesday, March 7, 2023**

**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 2:00 P.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:

I Samuel 17:4

In I Samuel we read this familiar story: “…there came from the camp of the Philistines a champion named Goliath of Gath, whose height was six cubits and a span.”

Please join your heart with mine as we pray: Most Holy God, we realize fully that giant issues arise before this Senate on a regular basis. Some are huge problems highlighting wickedly complex issues, such as highway system concerns and many other infrastructure challenges. And others can be viewed as positive matters like welcoming new investment and bringing further development to our ever-growing State. But whether they are negative matters or positive ones, these are indeed giant tasks which need the full attention and wisdom of these Senators and their staff members. All of this is why today we pray for Your blessing and guidance upon this Senate, O God, as these leaders wrestle with how to best address each issue and bring about meaningful results for our citizens. So we pray in Your wondrous name, dear Lord. Amen.

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

**RECESS**

At 2:05 P.M., on motion of Senator PEELER, the Senate receded from business until 2:15 P.M.

At 2:13 P.M., the Senate resumed.

**MESSAGE FROM THE GOVERNOR**

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

**Local Appointments**

Reappointment, Cherokee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Robert Barton Howell, 149 Ledge Stone Lane, Gaffney, SC 29341-4439

Initial Appointment, Pickens County Master-in-Equity, with the term to commence July 1, 2023, and to expire July 1, 2029

Adam Lambert, 122 New Haven Court, Easley, SC 29640 *VICE* New Seat

**Doctor of the Day**

Senator KIMBRELL introduced Dr. H. Fritz Butehorn III of Spartanburg, S.C., Doctor of the Day.

**Leave of Absence**

On motion of Senator SETZLER, at 3:26 P.M., Senator HUTTO was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator SETZLER, at 3:26 P.M., Senator McELVEEN was granted a leave of absence for today.

**Leave of Absence**

On motion of Senator MASSEY, at 3:25 P.M., Senator MARTIN was granted a leave of absence for the week.

**Expression of Personal Interest**

Senator MALLOY rose for an Expression of Personal Interest.

**Expression of Personal Interest**

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

**Remarks by Senator HARPOOTLIAN**

Thank you. I originally got up here to say that I received a number of emails and texts. Especially from Senator SHEALY who wanted to know how I was. She always wants to know, if I am eating well. Am I sleeping well? I really appreciate those who reached out to me in this maelstrom of a trial. It was hard to focus on anything except for the trial. We stayed in Walterboro, South Carolina -- for six weeks we stayed down there. We pretty much did not go anywhere, or do anything, except for work on this case and I want to say a couple of things about this process.

First, my personal observations are that I have been doing this for almost half a century, and it is still as enjoyable today for me as it was almost fifty years ago when I first began this process of trying cases. I have tried hundreds and hundreds of them -- big cases, little cases. I have won cases. I have lost cases, but that process -- if it operates correctly -- can be so satisfying to the lawyers. If the client loses, they are not satisfied. If they win, typically they feel like they should have won anyway. So, it is really not particularly fun or satisfying for them.

The second point I make is this, Senator CAMPSEN has questions about the integrity of the system. I disagree with Judge Newman on some of the rulings he made. He ruled. We objected. It is in the record. The Supreme Court of Appeals has a chance to look at it, and so does the federal court. That is not based on bias, he just had a different view of the law than I had.

Now, the third thing I want to say is this: of course, people feel compelled to express their opinion on things through the internet. I guess it is on my website, my email. Some people said, I really wanted that big case you had, but that is not what they chose to send me. Most of the emails and messages were very positive. A lot of them were people that were watching the trial in Germany, England, or the Netherlands. Many people here also gave me suggestions, on a daily basis, on what we should do or how we screwed up yesterday. But to the people that sent me the -- you are a rotten piece of scum and I hope you die of rectal cancer -- you know what? They have a misapprehension of the system. They have a misapprehension of our justice system. While they are very familiar with the second amendment apparently, they have not read the fourth, fifth, sixth, or eighth amendment that guarantees us freedom. We are guaranteed freedom of ourselves and our property. John Adams was the 2nd President of the United States. Eight British soldiers were charged with murdering colonial activist demonstrators who charged them. Eight of them were indicted and charged with murder. John Adams represented them in 1770. Six were acquitted. Two were convicted of manslaughter. None of them were hung. John Adams said that everybody deserves the presumption of innocence and the benefit of counsel. What I do not understand is why this presumption of innocence is such an alien concept. But trust me, there are literally hundreds, if not thousands of emails, that my co-counsel and I received. Not all of them wished rectal cancer on me, but most of them were fairly critical. These are people that do not understand the Constitution. They do not understand one thing: I took an oath forty-nine years ago and I pull it out from time to time and read it as a lawyer because oath matters. Your word matters. I will maintain the respect and courtesy due to the courts of justice, judicial officials and those who system to my clients. I pledge faithfulness, competence, diligence, good judgment, and prompt communication. To opposing parties and their counsel, I pledge fairness, integrity, and civility, not only in court but also in all written and oral communications. I have not always upheld that particular oath promise there, but God knows I have tried. I will maintain the dignity of the legal system and advance no fact prejudicial to the honor and reputation of a party or witness unless required by the justice of the cause of which I am charged. I will assist the defenseless or oppressed by ensuring that justice is available to all citizens that will not delay any person’s cause for profit or malice, so help me God. This is an oath I took forty-nine years ago, and I take it seriously. And by the way, you do not have to convince me that you are innocent for me to represent you. That is not the issue. The issue is, can the State prove your guilt beyond a reasonable doubt? When you decide that position, once you decide on that position, you are free to do what is in your client's best interest. If your mind is muddled with, “Is he innocent or guilty,” then you cannot do your job. I have prosecuted. I put a man in the electric chair. I have defended a man who went to the electric chair. I have done both sides. I am not a Red Sox fan or Yankees fan. That is not what this is about. This is doing your job. So, to those out there -- this may appear on YouTube somewhere -- who do not understand that, go read a book. Abraham Lincoln represented twenty murder defendants. Not all of them were acquitted but he fought for every one of them. This is about a system. By the way, that system does not exist in this State without us. That is the attractiveness of being in this Body. We shape how that system works. So, I have come back from six weeks overseas (Walterboro, SC) and Margie is not here. Margie Matthews was very kind in letting us use her office to have lunch every day to avoid the -- I know this sounds so vain -- paparazzi who surrounded the Walterboro Colleton County Courthouse. By the way, people that slept outside for nights to get into the courtroom -- get some help, please.

So, thank you for being nice to me while I was gone. You took care of abortion. You have not taken care of guns, Majority Leader. You could have done it all, brought me back without having to deal with that kind of stuff. But I appreciate you at least getting some of the stuff cleared out. Thank you.

On motion of Senator SABB, with unanimous consent, the remarks of Senator HARPOOTLIAN were ordered printed in the Journal.

**Expression of Personal Interest**

Senator GUSTAFSON rose for an Expression of Personal Interest.

**Remarks by Senator GUSTAFSON**

This statement of personal interest is a statement of public interest.  We are bombarded with negative and toxic messages and news too much.  Today I am sharing a brief chronicle about our people, our community leaders, our state representatives, and SCDOT collaborating towards a positive common purpose in District 27.

There has been an intense public outcry to address the steady stream of accidents at the crossroads of Love’s Travel Stop and Dove Sutton Road in Pageland. Lynches River Industrial Park, Love’s, and Walmart Distribution Center are all located on a short stretch of Highway 601 punctuated by hills and hindered sight areas. We all agree adequate sight distance is needed to have safe and efficient traffic. There are no current stops, lights, or intersections that would slow traffic enough to avoid vehicle accidents.

The problems there pre-date Love’s opening on April 21, 2022. For well over a year, many of us have been requesting the installation of a traffic light. My first official written request to SCDOT is dated February 22, 2022.

As a mother of three, I know the heartbreak of a hurting child, so when I was contacted on Friday, December 23, 2022, about yet another serious incident, I felt compelled to get in touch with the family immediately.  Quanicka Robinson is the mother of Quadazhia Blakeney who was injured in December. They both use this road to get to work. I caught Ms. Robinson at the hospital, and she tearfully explained that Quadazhia was in surgery and would have several more by Sunday, Christmas Day. Perhaps there would be comfort in knowing the state government cares and the intersection was in the middle of serious scrutiny.

Quadahzia was released from the hospital on January 5th but readmitted the same night at a different hospital. She cannot walk. She cannot bear any weight on her legs, so rehab is not possible right now. She cannot work, and she has received two paychecks since this accident. She is but ONE accident victim from this deadly intersection and there have been fatalities. Along the way, there was a petition signed by almost 2,000 people, online complaints on social media, newspaper reports, elected officials’ statements, and calls.

Reaching for support, I got in touch with Laura Moore, General Manager of the Walmart Distribution Center. We discussed the situation, and ultimately, she agreed to request financial support for this possible project from the corporate office. I also suggested that her on- site employees write letters of support directly to SCDOT and offered to handle the coordination. When we touched base last week, she had discontinued that request for letters, since there had been an unofficial announcement of the traffic light moving forward. The question about financial assistance remains open this week.

I saw a quote from Calvin Coolidge, our thirtieth President, about persistence and I’m just going to read this and thank you for indulging me. “Persistence, passion, positive work, and support as well as collaboration, does happen in our State Government. It can happen and this is just a tiny example. Nothing in the world can take the place of persistence. Talent will not, nothing is more common than unsuccessful men with talent. Genius will not, unrewarded genius is almost a proverb. Education will not, the world is full of educated derelicts. Persistence and determination alone are omnipotent.” As we face our challenge of workforce development and economic development, let us persist together and collaborate. Let us work together with other elected officials to move good legislation and say thank you when it’s deserved. Thank you SCDOT and thank you for your time.

On motion of Senator BENNETT, with unanimous consent, the remarks of Senator GUSTAFSON were ordered printed in the Journal.

**CO-SPONSORS ADDED**

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

S. 150 Sen. Climer

S. 161 Sen. Climer

S. 302 Sens. Davis, Grooms and Campsen

S. 583 Sen. Young

S. 594 Sen. Shealy

**INTRODUCTION OF BILLS AND RESOLUTIONS**

The following were introduced:

S. 595 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE THE WEST-OAK HIGH SCHOOL WRESTLING TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS 3A WRESTLING STATE CHAMPIONSHIP.

sr-0304km-hw23.docx : a9c13233-bf71-407f-86d7-5abc84542045

The Senate Resolution was adopted.

S. 596 -- Senators Garrett and Gambrell: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE STAFF AND DONORS OF THE FOOD BANK OF GREENWOOD COUNTY FOR FOUR DECADES OF HELPING THOSE IN NEED WITH ESSENTIAL FOODS AND TO CONGRATULATE THEM UPON THE OCCASION OF THEIR FORTIETH ANNIVERSARY.

lc-0216ph-jn23.docx : 0c8d5bc6-f6cf-4a5d-83c1-58b87b96096d

The Senate Resolution was adopted.

S. 597 -- Senators Garrett and Gambrell: A SENATE RESOLUTION TO CELEBRATE THE CAMBRIDGE ACADEMY GIRLS BASKETBALL TEAM ON CAPTURING THE 2023 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 1A STATE CHAMPIONSHIP TITLE.

lc-0180dg-rm23.docx : ef61f44d-543d-4496-bff8-a7fea73e4da8

The Senate Resolution was adopted.

S. 598 -- Senators Garrett and Gambrell: A SENATE RESOLUTION TO CONGRATULATE GREENWOOD HIGH SCHOOL WRESTLERS AAJIA JONES, KENNEDI WASHINGTON, AND CASON HOWLE FOR WINNING THE 2023 SOUTH CAROLINA CLASS AAAA INDIVIDUAL STATE CHAMPIONSHIP TITLES.

lc-0094ha-gm23.docx : f9f6c3f1-2e97-4f07-89b2-3a3cf747cc99

The Senate Resolution was adopted.

S. 599 -- Senators Alexander, Peeler, Adams, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, M. Johnson, Kimbrell, Kimpson, Loftis, Malloy, Martin, Massey, Matthews, McElveen, McLeod, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A SENATE RESOLUTION TO RECOGNIZE MARCH 7, 2023, AS "CLEMSON DAY" IN SOUTH CAROLINA.

sr-0281km-vc23.docx : 1d17382c-6c06-42b3-9545-5e99bcb94558

The Senate Resolution was adopted.

S. 600 -- Senators Massey and Young: A SENATE RESOLUTION TO RECOGNIZE MARCH 7, 2023, AS "GERMAN AMERICAN FRIENDSHIP DAY" IN SOUTH CAROLINA AND TO EXTEND OUR BEST WISHES AND HOPES FOR A SUCCESSFUL VISIT TO OUR FRIENDS FROM GERMANY PARTICIPATING IN THE GERMAN AMERICAN PARTNERSHIP PROGRAM AT STROM THURMOND HIGH SCHOOL.

sr-0319km-vc23.docx : c52d0c8e-1b03-49b6-9638-c1181be57199

The Senate Resolution was adopted.

S. 601 -- Senator Young: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING ARTICLE 1, CHAPTER 73, TITLE 39 SO AS TO TRANSFER THE AUTHORITY TO EXECUTE THE STATE COMMODITY CODE TO THE SOUTH CAROLINA ATTORNEY GENERAL; BY AMENDING SECTION 39-73-310, RELATING TO THE AUTHORITY OF THE ADMINISTRATOR TO INVESTIGATE, THE PUBLICATION OF INFORMATION, POWERS AND PROCEDURES, AND COURT ORDERS TO COMPEL COMPLIANCE, SO AS TO PROVIDE GUIDELINES FOR THE ENFORCEMENT OF COMPLIANCE; BY AMENDING SECTION 39-73-315, RELATING TO ACTION BY THE ADMINISTRATOR TO PREVENT VIOLATION OR IMMINENT VIOLATION, SO AS TO PROVIDE THAT THE ADMINISTRATOR MAY ISSUE CEASE AND DESIST ORDERS AND TO PROVIDE GUIDELINES FOR THE ISSUANCE AND ENFORCEMENT; BY AMENDING SECTION 39-73-320 RELATING TO LEGAL, EQUITABLE, AND SPECIAL REMEDIES AVAILABLE TO A COURT FOR ENFORCEMENT, AND SECTION 39-73-325, RELATING TO PENALTIES FOR WILLFUL VIOLATION, SO AS TO PROVIDE GUIDELINES FOR ACTIONS TAKEN UPON VIOLATION OF THIS CHAPTER; BY AMENDING SECTION 39-73-350, RELATING TO APPLICABILITY OF SECTIONS 39-73-20, 39-73-50, AND 39-73-60 TO PERSONS WHO SELL, BUY, OR OFFER TO SELL OR BUY COMMODITIES IN THIS STATE, SO AS TO PROVIDE GUIDELINES FOR APPLICABLE RADIO AND TELEVISION COMMUNICATIONS; BY AMENDING SECTION 39-73-360, RELATING TO JUDICIAL REVIEW, SO AS TO PROVIDE GUIDELINES; BY ADDING SECTION 39-73-375 SO AS TO PROVIDE THAT THE OFFICE OF THE ATTORNEY GENERAL MAY RETAIN ALL FINES AND PENALTIES COLLECTED PURSUANT TO THIS CHAPTER; BY ADDING SECTION 39-73-400 SO AS TO PROVIDE A SEVERABILITY CLAUSE; AND BY REPEALING SECTION 39-73-355 RELATING TO ADMINISTRATIVE PROCEEDINGS, NOTICE, HEARING, AND ORDER.

sr-0279km23.docx : 6d3e2711-ebe5-40a6-a8f2-abdee8d25e28

Read the first time and referred to the Committee on Labor, Commerce and Industry.

S. 602 -- Senators Shealy, Alexander, Peeler, Garrett, Reichenbach, Rice, Hembree, Bennett, Cromer, Campsen, Massey, Cash, M. Johnson, Climer, Turner, Grooms, Talley, Gustafson, Davis, Setzler and Senn: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-30-35, RELATING TO THE COMPOSITION AND GOVERNANCE OF THE DEPARTMENT OF DISABILITIES AND SPECIAL NEEDS, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL BE HEADED BY A DIRECTOR WHO IS APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE; BY AMENDING TITLE 44 BY REMOVING CHAPTER 20 AND INSERTING IT INTO TITLE 43; TO AMEND CHAPTER 20 TO ELIMINATE THE COMMISSION AS THE GOVERNING BODY OF THE DEPARTMENT; TO REENACT THE ESTABLISHMENT OF THE DEPARTMENT AND ITS POWERS AND DUTIES; TO PROVIDE THAT THE DEPARTMENT'S ADMINISTRATIVE HEAD IS A DIRECTOR APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; TO TRANSFER THE POWERS AND DUTIES VESTED IN THE COMMISSION TO THE DIRECTOR; TO TRANSFER FROM THE COMMISSION OF THE DEPARTMENT THE AUTHORITY TO PROMULGATE REGULATIONS; TO MAKE CONFORMING CHANGES; AND TO DEFINE NECESSARY TERMS; AND BY REPEALING CHAPTER 20, TITLE 44.

sr-0075jg23.docx : f1c200c5-9e10-4a4a-acc2-88c94c8d079d

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

S. 603 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 46-41-230, RELATING TO THE SOUTH CAROLINA GRAIN AND COTTON PRODUCERS GUARANTY FUND'S AMOUNT AND CLAIMS, SO AS TO PROVIDE THAT, IF THERE IS AN INSUFFICIENT AMOUNT OF MONEY TO COVER ALL CLAIMS, THEN PAYMENTS MUST BE MADE ON A PRO RATA BASIS, AND THE PRO RATA DETERMINATION SHALL BE BASED UPON THE PRODUCER'S TOTAL LOSS AMOUNT AS WELL AS THE TOTAL NUMBER OF EXEMPTIONS GRANTED TO THE PRODUCER; AND BY AMENDING SECTION 46-41-250, RELATING TO THE SOUTH CAROLINA GRAIN AND COTTON PRODUCERS GUARANTY FUND, SO AS TO INCLUDE COTTON.

sr-0272km23.docx : 48ef85a6-cb76-487b-a002-b1f58b89df22

Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 604 -- Senators Peeler, Alexander and Setzler: 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.

sf-0020ch23.docx : 4b6ae2e3-63ac-4c38-a972-9de2e4ed17f0

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

S. 605 -- Senator Allen: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF AUGUSTA STREET IN THE CITY OF GREENVILLE FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 29 TO ITS INTERSECTION WITH SOUTH MAIN STREET "FRED D. GARRETT, SR. MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS ALONG THIS PORTION OF HIGHWAY CONTAINING THESE WORDS.

lc-0255cm-cm23.docx : 51f31c4d-e962-4ab0-bc23-bc090db6d2f1

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

S. 606 -- Senators Garrett and Gambrell: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE PORTION OF SOUTH CAROLINA HIGHWAY 34 IN THE CITY OF GREENWOOD IN GREENWOOD COUNTY FROM ITS INTERSECTION WITH UNITED STATES HIGHWAY 25 TO ITS INTERSECTION WITH VINTAGE COURT "JOHN MCELRATH MEMORIAL HIGHWAY" AND ERECT APPROPRIATE SIGNS OR MARKERS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0253cm-gt23.docx : e2ffd3ed-0584-4018-aa6c-f521f2737341

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

H. 3857 -- Rep. McGinnis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-103-15, RELATING TO CATEGORIES OF INSTITUTIONS OF HIGHER LEARNING IN THIS STATE AND THEIR RESPECTIVE MISSIONS, SO AS TO ADD A NEW CATEGORY FOR DOCTORAL/PROFESSIONAL UNIVERSITIES AND TO PROVIDE THEIR RELATED MISSIONS.

lc-0179wab23.docx : b12d6f07-63f3-4845-955c-4254db0e6d89

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

H. 3925 -- Reps. Bannister, Murphy, Gatch, Robbins, Mitchell and Caskey: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-7-920, RELATING TO THE MEMBERSHIP OF THE COMMISSION ON PROSECUTION COORDINATION, SO AS TO ADD THE ATTORNEY GENERAL FOR THE TERM FOR WHICH HE IS ELECTED OR HIS DESIGNEE TO THE MEMBERSHIP OF THE COMMISSION.

lc-0124ahb23.docx : d7eaeeeb-4fe6-46ed-b07b-42e62f634a3b

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

H. 4079 -- Reps. Pedalino, Alexander, Anderson, Atkinson, Bailey, Ballentine, Bamberg, Bannister, Bauer, Beach, Bernstein, Blackwell, Bradley, Brewer, Brittain, Burns, Bustos, Calhoon, Carter, Caskey, Chapman, Chumley, Clyburn, Cobb-Hunter, Collins, Connell, B. J. Cox, B. L. Cox, Crawford, Cromer, Davis, Dillard, Elliott, Erickson, Felder, Forrest, Gagnon, Garvin, Gatch, Gibson, Gilliam, Gilliard, Guest, Guffey, Haddon, Hager, Hardee, Harris, Hart, Hartnett, Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, Hiott, Hixon, Hosey, Howard, Hyde, Jefferson, J. E. Johnson, J. L. Johnson, S. Jones, W. Jones, Jordan, Kilmartin, King, Kirby, Landing, Lawson, Leber, Ligon, Long, Lowe, Magnuson, May, McCabe, McCravy, McDaniel, McGinnis, Mitchell, J. Moore, T. Moore, A. M. Morgan, T. A. Morgan, Moss, Murphy, Neese, B. Newton, W. Newton, Nutt, O'Neal, Oremus, Ott, Pace, Pendarvis, Pope, Rivers, Robbins, Rose, Rutherford, Sandifer, Schuessler, Sessions, G. M. Smith, M. M. Smith, Stavrinakis, Taylor, Tedder, Thayer, Thigpen, Trantham, Vaughan, Weeks, West, Wetmore, Wheeler, White, Whitmire, Williams, Willis, Wooten and Yow: A CONCURRENT RESOLUTION TO CONGRATULATE THE LAURENCE MANNING ACADEMY BASEBALL TEAM FOR AN IMPRESSIVE SEASON AND TO CELEBRATE THE SWAMPCATS' CAPTURE OF THE 2022 SOUTH CAROLINA INDEPENDENT SCHOOL ASSOCIATION CLASS 3A STATE CHAMPIONSHIP TITLE.

lc-0261sa-jn23.docx : 387dc7a9-e5e3-4d40-995a-eec520d121ce

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

**REPORT OF STANDING COMMITTEE**

Senator DAVIS from the Committee on Labor, Commerce and Industry submitted a favorable with amendment report on:

H. 3605 -- Reps. G.M. Smith, Sandifer, Carter, Kirby, Oremus, Magnuson, Pace, Long, Elliott, Burns, May, Beach, Forrest, Blackwell, B. Newton, Caskey and Ligon: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40-1-80, RELATING TO INVESTIGATIONS OF LICENSEES, SO AS TO REQUIRE THE DIRECTOR TO SEND INFORMATION REGARDING AN INVESTIGATION TO THE LICENSEE; BY ADDING SECTION 40-1-85 SO AS TO ESTABLISH INFORMAL CONFERENCES; BY AMENDING SECTION 40-1-90, RELATING TO DISCIPLINARY ACTION PROCEEDINGS, SO AS TO ALLOW A LICENSEE TO REQUEST CERTIFICATION OF AN INVESTIGATION FROM THE DIRECTOR; AND BY AMENDING SECTION 40-1-140, RELATING TO EFFECT OF PRIOR CRIMINAL CONVICTIONS OF APPLICANTS, SO AS TO PROHIBIT THE DENIAL OF A LICENSE BASED SOLELY OR IN PART ON A PRIOR CRIMINAL CONVICTION IN CERTAIN CIRCUMSTANCES.

Ordered for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 7, 2023

Mr. President and Senators:

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

S. 411 -- Senator Cromer: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE BRIDGE ON COLLEGE STREET IN THE CITY OF NEWBERRY IN NEWBERRY COUNTY “THE HONORABLE WALTON J. MCLEOD III BRIDGE” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Very respectfully,

Speaker of the House

Received as information.

Placed on Calendar for consideration tomorrow.

**Message from the House**

Columbia, S.C., March 7, 2023

Mr. President and Senators:

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

MASTER-IN-EQUITY

Appointment, Pickens County Master-in-Equity, with term to commence July 1, 2023, and to expire June 30, 2029:

Adam Lambert, 122 New Haven Court, Easley, South Carolina, 29640 *VICE* New Seat

Very respectfully,

Speaker of the House

Received as information.

**Motion Adopted**

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 12:15 P.M. tomorrow for the purpose of attending the Joint Assembly.

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

**COMMITTED**

S. 311 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 40‑68‑55, RELATING TO THE ABILITY OF THE DEPARTMENT OF INSURANCE TO REGULATE THE ACCEPTANCE OF AFFIDAVIT OR CERTIFICATION OF APPROVAL OF QUALIFIED ASSURANCE ORGANIZATIONS, SO AS TO DELETE THE REQUIREMENT THAT THESE FUNCTIONS BE PROVIDED BY REGULATION; BY AMENDING SECTION 40‑68‑60, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND ASSIGNED EMPLOYEES, SO AS TO PROVIDE ORGANIZATIONS SHALL PROVIDE ASSIGNED EMPLOYEES WITH CERTAIN WRITTEN NOTICE OF HOW THE AGREEMENT AFFECTS THEM; BY AMENDING SECTION 40‑68‑70, RELATING TO THE REQUIREMENTS OF PROFESSIONAL EMPLOYMENT ORGANIZATION SERVICES AGREEMENTS BETWEEN PROFESSIONAL EMPLOYER ORGANIZATIONS AND CLIENT COMPANIES, SO AS TO PROVIDE THAT THE TERMS OF THE AGREEMENT MUST BE ESTABLISHED BY WRITTEN CONTRACT; BY ADDING SECTION 40‑68‑145 SO AS TO PROVIDE FOR THE DETERMINATION OF TAX CREDITS AND ECONOMIC INCENTIVES BASED ON EMPLOYMENT WITH RESPECT TO CLIENT COMPANIES OF PROFESSIONAL EMPLOYER ORGANIZATIONS; BY AMENDING SECTION 40‑68‑150, RELATING TO CERTAIN PROHIBITED ACTS, SO AS TO PROVIDE PROFESSIONAL EMPLOYER ORGANIZATIONS SHALL NOT ENGAGE IN THE SALE OF INSURANCE OR ACT AS THIRD‑PARTY ADMINISTRATORS, AND TO PROVIDE THAT THE SPONSORING AND MAINTAINING OF EMPLOYEE BENEFIT PLANS FOR THE BENEFIT OF ASSIGNED EMPLOYEES DOES NOT CONSTITUTE THE SALE OF INSURANCE; AND BY ADDING SECTION 12‑10‑108 SO AS TO PROVIDE CIRCUMSTANCES IN WHICH PROFESSIONAL EMPLOYER ORGANIZATIONS MAY BE ELIGIBLE FOR CERTAIN TAX

CREDITS AND ECONOMIC INCENTIVES UNDER THE ENTERPRISE ZONE ACT OF 1995.

On motion of Senator DAVIS, the Bill was committed to the Committee on Finance.

**Motion Adopted**

Senator MASSEY asked unanimous consent to proceed to the Motion Period.

There was no objection.

**THE SENATE PROCEEDED TO THE MOTION PERIOD.**

**MADE SPECIAL ORDER**

S. 285 -- Senators Davis, Rice, Grooms, Goldfinch and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 12‑6‑3791 SO AS TO ALLOW AN INCOME TAX CREDIT FOR CONTRIBUTIONS TO A SCHOLARSHIP-FUNDING ORGANIZATION THAT PROVIDES GRANTS FOR STUDENTS TO ATTEND CERTAIN INDEPENDENT AND HOME SCHOOLS, TO SPECIFY THE MANNER IN WHICH THE CREDIT IS CLAIMED, TO SPECIFY THE PROCESS BY WHICH CERTAIN ORGANIZATIONS AND SCHOOLS BECOME ELIGIBLE, TO SPECIFY CERTAIN INFORMATION WHICH MUST BE MADE PUBLIC, AND TO ALLOW THE STATE TREASURER AND DEPARTMENT OF REVENUE TO ENFORCE THE PROVISIONS OF THE CREDIT; AND TO REPEAL SECTION 12‑6‑3790 RELATING TO THE EDUCATIONAL CREDIT FOR EXCEPTIONAL NEEDS CHILDREN’S FUND.

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

Senator FANNING spoke against the motion.

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

**Ayes 28; Nays 13**

**AYES**

Adams Alexander Bennett

Campsen Cash Climer

Corbin Cromer Davis

Gambrell Garrett Goldfinch

Grooms Gustafson Hembree

*Johnson, Michael* Kimbrell Loftis

Massey Peeler Reichenbach

Rice Senn Shealy

Talley Turner Verdin

Young

**Total--28**

**NAYS**

Allen Fanning Harpootlian

Jackson *Johnson, Kevin* Kimpson

Malloy McLeod Sabb

Scott Setzler Stephens

Williams

**Total--13**

The Bill was made a Special Order.

**MOTION ADOPTED**

At 3:27 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

**LOCAL APPOINTMENTS**

**Confirmations**

Having received a favorable report from the Senate, the following appointments were confirmed in open session:

Initial Appointment, Pickens County Master-in-Equity, with the term to commence July 1, 2023, and to expire July 1, 2029

Adam Lambert, 122 New Haven Court, Easley, SC 29640 *VICE* New Seat

Reappointment, Cherokee County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Robert Barton Howell, 149 Ledge Stone Lane, Gaffney, SC 29341-4439

**Motion Adopted**

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

**ADJOURNMENT**

At 3:29 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:15 P.M.

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