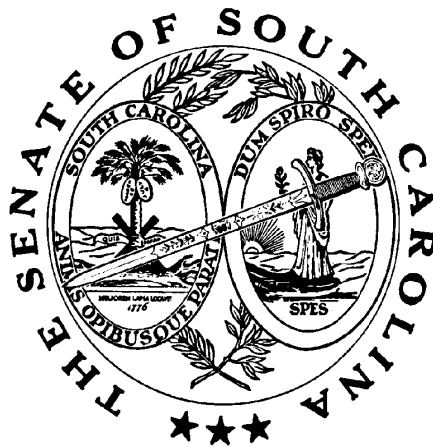


NO. 5

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

TUESDAY, JANUARY 17, 2023

Tuesday, January 17, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 12:00 Noon, the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

Isaiah 40:36

In the writings of Isaiah we read:

“ . . .but those who hope in the Lord will renew their strength. They will soar on wings like eagles; they will run and not grow weary, they will walk and not be faint.”

Bow with me as we pray: O glorious Lord, we come to this Chamber today seeking to honor You, taking seriously the roles bestowed upon us as Your servants, desiring indeed to be the faithful leaders who want more than anything else to provide for the needs of the people of this State. To that end, dear God, grant to each Senator and every staff member the caring spirit of the late Martin Luther King, Jr. May these leaders, as did King typically, strive to do what they can to bring Your blessings upon each woman, man, and child here in South Carolina -- thereby doing all that they can do to keep the dream alive for everyone. All this, dear Lord, we humbly pray in Your loving and gracious name. Amen.

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

CORRECTION TO THE JOURNAL

The following Regulation 5120 was inadvertently referred to Medical Affairs in the Journal of January 10, 2023 and the corrected entry reads as follows:

Document No. 5120

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Section 43-5-930

SUBJECT: WIC Vendors

Received by President of the Senate January 10, 2023

Referred to Committee on Family and Veterans' Services

TUESDAY, JANUARY 17, 2023
MESSAGE FROM THE GOVERNOR

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

Statewide Appointments

Initial Appointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2017, and to expire March 15, 2023

6th Congressional District:

Geraldine P. Miro, 1106 Ellis Avenue, Orangeburg, SC 29115-4406
VICE Dr. Lonnie Randolph

Referred to the Committee on Corrections and Penology.

Reappointment, South Carolina Board of Probation, Parole and Pardon Services, with the term to commence March 15, 2023, and to expire March 15, 2029

6th Congressional District:

Geraldine P. Miro, 1106 Ellis Avenue, Orangeburg, SC 29115-4406

Referred to the Committee on Corrections and Penology.

Point of Quorum

At 12:06 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	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Garrett
Goldfinch	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Malloy	Massey
Peeler	Reichenbach	Rice
Sabb	Scott	Setzler
Shealy	Stephens	Talley
Turner	Williams	

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A quorum being present, the Senate resumed.

Statement by Senator YOUNG

I am not attending session today because I am assisting my family after my father's recent death.

Doctor of the Day

Senator CAMPSSEN introduced Dr. Ghazala Javed of Charleston, S.C., Doctor of the Day.

Leave of Absence

On motion of Senator SETZLER, at 12:06 P.M., Senator YOUNG was granted a leave of absence for the balance of the day.

Leave of Absence

On motion of Senator SETZLER, at 12:06 P.M., Senator VERDIN was granted a leave of absence until 12:35 P.M.

Leave of Absence

On motion of Senator SHEALY, at 12:06 P.M., Senators SENN and MARTIN were granted a leave of absence for today.

Expression of Personal Interest

Senator STEPHENS rose for an Expression of Personal Interest.

Remarks to be Printed

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

Expression of Personal Interest

Senator GROOMS rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 164 Sens. Grooms, Garrett
S. 234 Sens. Grooms, Bennett
S. 260 Sen. Hutto
S. 285 Sen. Rice
S. 304 Sen. Climer
S. 330 Sen. Verdin
S. 331 Sen. Verdin

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S. 380 Sen. McElveen
S. 381 Sen. Verdin
S. 393 Sen. Stephens

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 386 -- Senator Campsen: A RESOLUTION TO CONGRATULATE JOSEPH WASHINGTON UPON THE OCCASION OF HIS RETIREMENT, TO COMMEND HIM FOR HIS FORTY-TWO YEARS OF DEDICATED SERVICE, AND TO WISH HIM MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0216km-vc23.docx : 2411b791-859b-4ab8-886e-f87e73eef83f

The Senate Resolution was adopted.

S. 387 -- Senator Allen: A RESOLUTION TO COMMEND THE GREENVILLE (SC) CHAPTER OF THE LINKS, INCORPORATED, FOR SEVENTY YEARS OF COMMITTED COMMUNITY SERVICE AND TO EXTEND BEST WISHES TO THIS FINE ORGANIZATION AS ITS MEMBERS CONTINUE TO SERVE.

lc-0160wab-rm23.docx : ecdf1641-6b46-4622-9c00-00dfec389c4

The Senate Resolution was adopted.

S. 388 -- Senator Reichenbach: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR THE SOUTH FLORENCE HIGH SCHOOL TEAM, COACHES, AND SCHOOL OFFICIALS FOR AN HISTORIC SEASON AND TO CONGRATULATE THEM FOR WINNING THE 2022 SOUTH CAROLINA CLASS AAAA STATE CHAMPIONSHIP TITLE.

lc-0154wab-gm23.docx : 7bf6ec15-db5e-4f7b-8f3b-b453a6b7ecde

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

S. 389 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING CHAPTER 81 TO TITLE 2 SO AS TO CREATE THE "JOINT COMMITTEE ON FEDERALISM" TO EVALUATE CERTAIN FEDERAL LAWS, TO PROVIDE FOR THE MEMBERSHIP OF THE COMMITTEE, TO SPECIFY THE PROCESS OF EVALUATION, AND TO SET FORTH OTHER DUTIES.

lc-0110dg23.docx : f746b281-3faa-43f8-88e2-d826dcf506a2

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

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S. 390 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 6-1-330, RELATING TO LIMITATIONS ON THE IMPOSITION OF LOCAL FEES SO AS TO LIMIT THE AMOUNT OF A STORMWATER FEE TO FIFTEEN PERCENT OF THE AMOUNT OF AD VALOREM TAXES LEVIED ON THE PROPERTY BY THE LOCAL GOVERNING BODY IMPOSING THE FEE.

lc-0111dg23.docx : 15a1354e-150c-4376-9578-d080c634ae6c

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

S. 391 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 1-1-1520 SO AS TO REQUIRE COMMISSIONERS AND ALTERNATES TO A CONVENTION OF STATES OR TO A STATE RATIFICATION CONVENTION TO TAKE AN OATH, TO PROVIDE CRIMINAL PENALTIES FOR THOSE COMMISSIONERS AND ALTERNATES WHO ARE CONVICTED OF VIOLATING THE REQUIRED OATH, AND TO DEFINE RELEVANT TERMS.

lc-0113dg23.docx : 430397e7-ee3c-4475-8b9c-2e9cbd292480

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

S. 392 -- Senators Rice and Alexander: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 27-13-30, RELATING TO THE LIMITATION ON OWNERSHIP OR CONTROL OF LAND IN THIS STATE BY ALIENS OR CORPORATIONS OWNED BY ALIENS, SO AS TO REDUCE THE LIMITATION TO ONE THOUSAND ACRES.

lc-0165wab23.docx : 77953f86-7fd3-47c8-befb-f8c1ce4eac1b

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

S. 393 -- Senators Rice and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 56-5-750, RELATING TO THE OFFENSE OF FAILURE TO STOP MOTOR VEHICLES WHEN SIGNED BY LAW ENFORCEMENT VEHICLES, SO AS TO PROVIDE PENALTIES WHEN VEHICLES LEAD OFFICERS ON HIGH-SPEED PURSUITS WHICH HAVE BEEN VIDEO RECORDED.

lc-0191cm23.docx : 11277955-b31f-4be7-af3c-6ca602c86d41

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

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S. 394 -- Senator Rice: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-37-30, RELATING TO NEONATAL TESTING OF CHILDREN, SO AS TO PROVIDE FOR THE NOTIFICATION OF THE CHILD'S PRIMARY PROVIDER AND A QUALIFIED PEDIATRIC SPECIALIST OF ABNORMAL NEWBORN SCREENING RESULTS IN CERTAIN CIRCUMSTANCES.

lc-0136vr23.docx : 788382c7-7e48-408b-a804-ebe045f06564

Read the first time and referred to the Committee on Medical Affairs.

S. 395 -- Senators Climer, Massey, M. Johnson and Fanning: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 8-13-160 SO AS TO PROVIDE THAT THE CHAPTER APPLIES TO ALL PERSONS ELECTED OR APPOINTED TO A SPECIAL PURPOSE DISTRICT THAT CHARGES A FEE OR RATE TO A CONSUMER TO PROVIDE A SERVICE; BY AMENDING SECTION 8-13-1110, RELATING TO PERSONS REQUIRED TO FILE STATEMENT OF ECONOMIC INTERESTS, SO AS TO INCLUDE A PERSON ELECTED OR APPOINTED TO A SPECIAL PURPOSE DISTRICT THAT CHARGES A FEE OR RATE TO A CONSUMER TO PROVIDE A SERVICE; AND BY AMENDING SECTION 8-13-320(10)(L), RELATING TO DUTIES AND POWERS OF STATE ETHICS COMMISSION, SO AS TO PROVIDE THAT WRITTEN DECISIONS MUST BE POSTED TO THE STATE ETHICS COMMISSION'S WEBSITE.

sr-0214km23.docx : 8df5cb8a-3ed8-407a-9bbc-ecd2ab16adcc

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

S. 396 -- Senator Scott: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 1-13-40, RELATING TO CREATION OF SOUTH CAROLINA COMMISSION ON HUMAN AFFAIRS, SO AS TO DELETE CERTAIN REQUIREMENTS; BY AMENDING SECTION 1-13-90, RELATING TO COMPLAINTS, INVESTIGATIONS, HEARINGS AND ORDERS, SO AS TO PROVIDE REMEDIES ANALOGOUS WITH FEDERAL LAW AND AS ARE NECESSARY AND PROPER TO PROMOTE THE PUBLIC INTEREST AND ELIMINATE DISCRIMINATION; BY AMENDING SECTION 1-13-90, RELATING TO COMPLAINTS, INVESTIGATIONS, HEARINGS AND ORDERS, SO AS TO AMEND THE STATUTE OF LIMITATIONS FOR AN ACTION IN CIRCUIT COURT UNDER

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THIS SECTION; BY AMENDING SECTION 31-21-120, RELATING TO COMPLAINTS; PROCESS AND HANDLING; SO AS TO DELETE CERTAIN REQUIREMENTS; AND BY AMENDING SECTION 31-21-140, RELATING TO CIVIL ACTION; DAMAGES, SO AS TO CLARIFY THE STATUTE OF LIMITATIONS FOR A CIVIL ACTION BY AN INDIVIDUAL.

smin-0073aa23.docx : a0c42c82-5aa5-4df4-9554-158c1858795a

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

S. 397 -- Senator Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS SO AS TO REPEAL CHAPTER 75, TITLE 44 RELATING TO THE REGULATION OF ATHLETIC TRAINERS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL; AND BY ADDING ARTICLE 11, CHAPTER 47, TITLE 40, SO AS TO TRANSFER REGULATORY AUTHORITY OF ATHLETIC TRAINERS TO THE BOARD OF MEDICAL EXAMINERS.

sr-0031jg23.docx : 9f23c22c-c387-4814-873f-61d616aba1db

Read the first time and referred to the Committee on Medical Affairs.

S. 398 -- Senator Jackson: A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE INTERSECTION LOCATED AT BELTLINE BOULEVARD AND SHOP ROAD IN RICHLAND COUNTY "LAURA TOLIVER JEFFERSON MEMORIAL INTERSECTION" AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

lc-0190cm-cm23.docx : 87f94a65-70a1-4ceb-b059-fe1912d16b67

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

S. 399 -- Senators Peeler and Alexander: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE S.C. CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SO AS TO RENAME THE CHAPTER THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH" AND TO REORGANIZE THE CHAPTER TO CREATE THE DIVISION OF PUBLIC HEALTH, TO DELEGATE TO THE DIVISION THE PUBLIC HEALTH RESPONSIBILITIES OF THE DEPARTMENT, TO ABOLISH THE DEPARTMENT AND BOARD OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR OF THE DEPARTMENT BY

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THE GOVERNOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT TO THE DIVISION OF ENVIRONMENTAL CONTROL OF THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF NATURAL RESOURCES, AS APPROPRIATE; TO AMEND CHAPTER 9, TITLE 44, RELATING, IN PART, TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO CREATE THE DIVISION OF MENTAL HEALTH WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, WITH EXCEPTIONS, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES WITHIN THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH, TO MAKE CONFORMING CHANGES REFLECTING THE TRANSFER OF RESPONSIBILITIES TO THE DIVISION, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 SO AS TO TRANSFER FROM THE DEPARTMENT OF MENTAL HEALTH TO THE DEPARTMENT OF VETERANS' AFFAIRS THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; TO AMEND SECTIONS 44-11-10, 44-11-60, 44-11-70, 44-13-20, 44-13-30, 44-13-40, 44-13-60, 44-15-10, 44-15-20, 44-15-30, 44-15-60, 44-15-70, 44-15-80, 44-15-90, 44-17-450, 44-17-460, 44-17-580, 44-17-860, 44-17-865, 44-17-870, 44-22-10, 44-22-110, 44-24-10, 44-25-30, 44-27-10, 44-27-30, 44-28-20, 44-28-40, 44-28-60, 44-28-80, 44-28-360, AND 44-28-370, RELATING TO THE DEPARTMENT OF MENTAL HEALTH, SO AS TO MAKE CONFORMING CHANGES; BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER TO THE DIVISION THE DIVISIONS, OFFICES, AND PROGRAMS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND SECTION 46-3-10, RELATING TO THE DUTIES OF THE DEPARTMENT OF AGRICULTURE, SO AS TO ADD THE ADMINISTRATION OF THE DIVISION OF ENVIRONMENTAL PROTECTION; TO AMEND SECTIONS 48-2-20, 48-2-70, 48-2-320, 48-2-330, 48-2-340, 48-14-20, 48-18-20, 48-18-

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50, 48-20-30, 48-20-40, 48-20-70, 48-21-20, 48-43-10, 48-46-30, 48-46-40, 48-46-50, 48-46-80, 48-46-90, 48-52-810, 48-52-865, 48-55-10, 48-56-20, 48-57-20, 48-60-20, 49-5-30, AND 49-5-60, RELATING TO ENVIRONMENTAL PROTECTION FUNDS, STORMWATER MANAGEMENT AND SEDIMENT REDUCTION, EROSION AND SEDIMENT REDUCTION, MINING, OIL AND GAS CONSERVATION AND PRODUCTION, RADIOACTIVE WASTE, ENVIRONMENTAL AWARENESS AND INNOVATION, INFORMATION TECHNOLOGY EQUIPMENT RECOVERY, AND GROUNDWATER, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND SECTIONS 48-1-10, 48-1-20, 48-1-55, 48-1-85, 48-1-95, 48-1-100, 48-1-280, 48-3-10, AND 48-3-140, RELATING TO THE POLLUTION CONTROL ACT OR POLLUTION CONTROL FACILITIES, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 48-4-10, RELATING TO THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO TRANSFER THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL'S COASTAL DIVISION AND OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTIONS 48-39-10, 48-39-35, 48-39-50, 48-39-270, 48-40-20, 48-40-40, 49-1-15, 49-1-16, 49-1-18, 49-3-30, 49-4-20, 49-4-80, 49-4-170, 49-6-30, 49-11-120, RELATING TO COASTAL TIDELANDS AND WETLANDS, THE BEACH RESTORATION AND IMPROVEMENT TRUST ACT, NAVIGABLE WATERS, WATER RESOURCES PLANNING, SURFACE WATER WITHDRAWAL REGULATION AND REPORTING, THE AQUATIC PLANT MANAGEMENT COUNCIL, DAM AND RESERVOIR SAFETY, ALL SO AS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO DEPARTMENTS OF STATE GOVERNMENT, SO AS TO DELETE THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, AND THE DEPARTMENT OF MENTAL HEALTH, AND TO ADD THE DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-20, RELATING TO THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, SO AS TO CHANGE THE REFERENCE TO THE

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DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH; TO AMEND SECTION 1-30-75, RELATING TO THE DEPARTMENT OF NATURAL RESOURCES, SO AS TO MAKE CONFORMING CHANGES; AND TO REPEAL SECTION 1-30-45 RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, SECTION 1-30-70 RELATING TO THE DEPARTMENT OF MENTAL HEALTH, AND SECTIONS 44-11-30 AND 44-11-40 RELATING TO VETERANS HOMES.

sf-0005ch23.docx : 210fe417-40d9-42b3-851d-b18d1ffa94f9

Read the first time and referred to the Committee on Medical Affairs.

S. 400 -- Senators Young, Massey, Setzler, Adams, Alexander, 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, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Shealy, Stephens, Talley, Turner, Verdin and Williams: A RESOLUTION TO RECOGNIZE AND HONOR LAW ENFORCEMENT OFFICERS OF THE AIKEN COUNTY SHERIFF'S OFFICE, THE SOUTH CAROLINA HIGHWAY PATROL, AND THE NORTH AUGUSTA DEPARTMENT OF PUBLIC SAFETY AND TO CONGRATULATE THEM FOR BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0092dg-gm23.docx : 7e631918-00dc-468d-b144-f9774cc18fbf

The Senate Resolution was adopted.

S. 401 -- Senators Young, Massey, Setzler, Adams, Alexander, 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, Matthews, McElveen, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Shealy, Stephens, Talley, Turner, Verdin and Williams: A RESOLUTION TO RECOGNIZE AND HONOR MEMBERS OF THE AIKEN COUNTY SHERIFF'S OFFICE AND TO CONGRATULATE THEM FOR BEING AWARDED THE SOUTH CAROLINA SHERIFFS' ASSOCIATION MEDAL OF VALOR.

lc-0117ph-gm23.docx : fdea9d41-341e-413d-8567-a881981c07ff

The Senate Resolution was adopted.

TUESDAY, JANUARY 17, 2023

H. 3603 -- Rep. G. M. Smith: A CONCURRENT RESOLUTION INVITING HIS EXCELLENCY, HENRY DARGAN MCMASTER, GOVERNOR OF THE STATE OF SOUTH CAROLINA, TO ADDRESS THE GENERAL ASSEMBLY IN JOINT SESSION AT 7:00 P.M. ON WEDNESDAY, JANUARY 25, 2023, IN THE CHAMBER OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES.

lc-0075ahb-ahb23.docx : 19846fd4-fe32-4dd7-8e2a-a582a5a4a61e

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

H. 3621 -- Reps. Hyde, 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, 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, Pedalino, 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 IMPROVE THE CARE OF ATHEROSCLEROTIC CARDIOVASCULAR DISEASE IN THE STATE OF SOUTH CAROLINA.

lc-0114vr-vr23.docx : f875e283-07db-45ec-aba4-5d39abb6f0e6

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

H. 3704 -- Reps. Hixon, Hiott, 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,

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Hayes, Henderson-Myers, Henegan, Herbkersman, Hewitt, 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, Pedalino, 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 RECOGNIZE AND COMMEND THE MEMBERS OF SOUTH CAROLINA'S FFA, FORMERLY KNOWN AS THE FUTURE FARMERS OF AMERICA, AND ALL THOSE WHO SUPPORT, PROMOTE, AND ENCOURAGE THESE OUTSTANDING STUDENTS OF AGRICULTURAL EDUCATION, AND TO JOIN THEM IN OBSERVANCE OF NATIONAL FFA WEEK, FEBRUARY 18-25, 2023.

lc-0148sa-gm23.docx : 8417370d-f4c0-4121-9904-c6c96bc5b5b6

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

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

OBJECTION

S. 39 -- Senator Grooms: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-8-110 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 59-8-120 SO AS TO PROVIDE TIMELINE AND SCHOLARSHIP APPLICATION PROCESS GUIDELINES; BY ADDING SECTION 59-8-130 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND; BY ADDING SECTION 59-8-140 SO AS TO ESTABLISH AN ONLINE ELECTRONIC PAYMENT SYSTEM; BY ADDING SECTION 59-8-150 SO AS TO PROVIDE GUIDELINES FOR IF A PROGRAM OF ACADEMIC INSTRUCTION IS TERMINATED BEFORE THE END OF THE SEMESTER; BY ADDING SECTION 59-8-160 SO AS TO LIMIT THE NUMBER OF SCHOLARSHIP STUDENTS FOR SPECIFIED SCHOOL YEARS; BY ADDING SECTION 59-8-170 SO AS TO PROVIDE FOR THE APPLICATION PROCESS AND ESTABLISHMENT OF EDUCATION SERVICE PROVIDERS; BY

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ADDING SECTION 59-8-180 SO AS TO PROVIDE GUIDELINES FOR INFORMING STUDENTS AND THEIR PARENTS OF PROGRAM ELIGIBILITY; BY ADDING SECTION 59-8-190 SO AS TO ENSURE EQUITABLE TREATMENT AND PERSONAL SAFETY OF ALL SCHOLARSHIP STUDENTS; BY ADDING SECTION 59-8-200 SO AS TO REQUIRE THAT A SCHOLARSHIP STUDENT'S RESIDENT SCHOOL DISTRICT PROVIDE A PARENT AND THE EDUCATION SERVICE PROVIDER WITH THE STUDENT'S SCHOOL RECORDS; BY ADDING SECTION 59-8-210 SO AS TO ESTABLISH THE ESTF REVIEW PANEL; BY ADDING SECTION 59-8-220 SO AS TO PROVIDE THAT THE PROVISIONS OF THE CHAPTER DO NOT RESTRICT A SCHOOL DISTRICT'S ABILITY TO ENACT OR ENFORCE A DISTRICT'S STUDENT TRANSFER POLICY.

Senator FANNING objected of consideration of the Bill.

CARRIED OVER

S. 164 -- Senators Climer, Gustafson, Kimbrell, Senn, Loftis, Peeler, Grooms and Garrett: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY RENAMING ARTICLE 3, CHAPTER 7, TITLE 44 AS THE "STATE HEALTH FACILITY LICENSURE ACT"; BY AMENDING SECTIONS 44-7-110, 44-7-120, 44-7-130, 44-7-140, 44-7-150, AND 44-7-320, ALL RELATING TO THE REGULATION OF HEALTH CARE FACILITIES IN THE STATE, TO ELIMINATE REFERENCES TO CERTIFICATE OF NEED REQUIREMENTS; BY AMENDING SECTION 44-7-160, SO AS TO PROVIDE THAT THE CERTIFICATE OF NEED PROGRAM ONLY APPLIES TO NURSING HOMES; BY ADDING SECTION 44-7-161, TO PROVIDE THAT MUSC MUST APPEAR BEFORE THE JBRC AND OBTAIN APPROVAL FROM THE SFAA PRIOR TO TAKING CERTAIN ACTIONS; AND TO ESTABLISH THE CERTIFICATE OF NEED STUDY COMMITTEE TO ASSESS HEALTH CARE IN RURAL SOUTH CAROLINA.

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

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

MOTION ADOPTED

At 12:46 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

POINT OF ORDER

S. 39 -- Senator Grooms: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-8-110 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 59-8-120 SO AS TO PROVIDE TIMELINE AND SCHOLARSHIP APPLICATION PROCESS GUIDELINES; BY ADDING SECTION 59-8-130 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND; BY ADDING SECTION 59-8-140 SO AS TO ESTABLISH AN ONLINE ELECTRONIC PAYMENT SYSTEM; BY ADDING SECTION 59-8-150 SO AS TO PROVIDE GUIDELINES FOR IF A PROGRAM OF ACADEMIC INSTRUCTION IS TERMINATED BEFORE THE END OF THE SEMESTER; BY ADDING SECTION 59-8-160 SO AS TO LIMIT THE NUMBER OF SCHOLARSHIP STUDENTS FOR SPECIFIED SCHOOL YEARS; BY ADDING SECTION 59-8-170 SO AS TO PROVIDE FOR THE APPLICATION PROCESS AND ESTABLISHMENT OF EDUCATION SERVICE PROVIDERS; BY ADDING SECTION 59-8-180 SO AS TO PROVIDE GUIDELINES FOR INFORMING STUDENTS AND THEIR PARENTS OF PROGRAM ELIGIBILITY; BY ADDING SECTION 59-8-190 SO AS TO ENSURE EQUITABLE TREATMENT AND PERSONAL SAFETY OF ALL SCHOLARSHIP STUDENTS; BY ADDING SECTION 59-8-200 SO AS TO REQUIRE THAT A SCHOLARSHIP STUDENT'S RESIDENT SCHOOL DISTRICT PROVIDE A PARENT AND THE EDUCATION SERVICE PROVIDER WITH THE STUDENT'S SCHOOL RECORDS; BY ADDING SECTION 59-8-210 SO AS TO ESTABLISH THE ESTF REVIEW PANEL; BY ADDING SECTION 59-8-220 SO AS TO PROVIDE THAT THE PROVISIONS OF THE CHAPTER DO NOT RESTRICT A SCHOOL DISTRICT'S ABILITY TO ENACT OR ENFORCE A DISTRICT'S STUDENT TRANSFER POLICY.

Point of Order

Senator MALLOY 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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DEBATE INTERRUPTED BY ADJOURNMENT

S. 39 -- Senator Grooms: TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-8-110 SO AS TO DEFINE NECESSARY TERMS; BY ADDING SECTION 59-8-120 SO AS TO PROVIDE TIMELINE AND SCHOLARSHIP APPLICATION PROCESS GUIDELINES; BY ADDING SECTION 59-8-130 SO AS TO ESTABLISH THE SOUTH CAROLINA EDUCATION SCHOLARSHIP TRUST FUND; BY ADDING SECTION 59-8-140 SO AS TO ESTABLISH AN ONLINE ELECTRONIC PAYMENT SYSTEM; BY ADDING SECTION 59-8-150 SO AS TO PROVIDE GUIDELINES FOR IF A PROGRAM OF ACADEMIC INSTRUCTION IS TERMINATED BEFORE THE END OF THE SEMESTER; BY ADDING SECTION 59-8-160 SO AS TO LIMIT THE NUMBER OF SCHOLARSHIP STUDENTS FOR SPECIFIED SCHOOL YEARS; BY ADDING SECTION 59-8-170 SO AS TO PROVIDE FOR THE APPLICATION PROCESS AND ESTABLISHMENT OF EDUCATION SERVICE PROVIDERS; BY ADDING SECTION 59-8-180 SO AS TO PROVIDE GUIDELINES FOR INFORMING STUDENTS AND THEIR PARENTS OF PROGRAM ELIGIBILITY; BY ADDING SECTION 59-8-190 SO AS TO ENSURE EQUITABLE TREATMENT AND PERSONAL SAFETY OF ALL SCHOLARSHIP STUDENTS; BY ADDING SECTION 59-8-200 SO AS TO REQUIRE THAT A SCHOLARSHIP STUDENT'S RESIDENT SCHOOL DISTRICT PROVIDE A PARENT AND THE EDUCATION SERVICE PROVIDER WITH THE STUDENT'S SCHOOL RECORDS; BY ADDING SECTION 59-8-210 SO AS TO ESTABLISH THE ESTF REVIEW PANEL; BY ADDING SECTION 59-8-220 SO AS TO PROVIDE THAT THE PROVISIONS OF THE CHAPTER DO NOT RESTRICT A SCHOOL DISTRICT'S ABILITY TO ENACT OR ENFORCE A DISTRICT'S STUDENT TRANSFER POLICY.

The Senate proceeded to the consideration of the Bill.

Senator HEMBREE explained the Bill.

Point of Quorum

At 2:16 P.M., Senator MALLOY made the point that a quorum was not present. It was ascertained that a quorum was not present.

Motion Adopted

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

TUESDAY, JANUARY 17, 2023

REPORT RECEIVED

College and University Trustee
Screening Commission

Sen. Thomas C.
Alexander
Sen. John L. Scott,
Jr.
Sen. Daniel B.
"Danny" Verdin,
III
Sen. Richard A.
"Dick" Harpootlian



Rep. William
R. Whitmire,
Chairman
Rep. John
King
Rep. Seth
Rose
Rep. Timothy
A. "Tim"
McGinnis

Staff:

Macey Webb

429 Blatt Building
P.O. Box 142
Columbia, South Carolina
29202
Phone: (803) 734-3054
Email: maceywebb@schouse.gov

**College and University Trustee Screening Commission
Report to the General Assembly
January 17, 2023**

The College and University Trustee Screening Commission found the following individuals qualified and nominated for the Trustee seats to which they applied. These individuals will be released to receive commitments on Wednesday, January 18, 2023 at 12:00 p.m. noon. The Joint Assembly to elect the trustees is currently set for Wednesday, February 1, 2023 at 12:00 p.m. (noon). A complete transcript of the hearings for these candidates will be printed in today's Senate and House Journals.

The Citadel

CANDIDATES FOUND QUALIFIED AND NOMINATED

One (1) at-large seat
-terms expires June 30, 2028

~~Benjamin D. Dixon~~
Withdrew 4/19/22
Dylan W. Goff

TUESDAY, JANUARY 17, 2023
Columbia

Kara Irvin
North Charleston

Clemson University

CANDIDATES FOUND QUALIFIED AND NOMINATED

Three (3) at-large seats
-terms expire June 30, 2026

Patricia H. McAbee
Greenville

John N. McCarter
N. Myrtle Beach

Sharka Marie Prokes
Inman
Joseph D. Swann
Greenville

Lander University

CANDIDATES FOUND QUALIFIED AND NOMINATED

At-Large - Seat 8
-term expires June 30, 2026

Robert A. Barber, Jr.
Charleston

At-Large - Seat 9
-term expires June 30, 2026

James C. Shubert
Simpsonville

At-Large - Seat 10
-term expires June 30, 2026

Peggy Makins
Lexington

At-Large - Seat 11
-term expires June 30, 2026

Donald H. Scott
Waterloo

At-Large - Seat 12
-term expires June 30, 2026

DeWitt B. Stone, Jr.
Clemson

At-Large - Seat 13
-term expires June 30, 2026

Raymond D. Hunt, Sr.
Chapin

At-Large - Seat 14
-term expires June 30, 2026

Marcia T. Hydrick
Seneca

At-Large - Seat 15
-term expires June 30, 2026

John E. Craig, Jr.
Lancaster

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Wil Lou Gray Opportunity School

CANDIDATES FOUND QUALIFIED AND NOMINATED

Two (2) At-Large seats
-terms expire June 30, 2026

J. Blake Lindsey
West Columbia

Marilyn E. Taylor
Columbia

University of South Carolina

CANDIDATES FOUND QUALIFIED AND NOMINATED

1st Judicial Circuit
-term expires June 30, 2026

Charles H. Williams
Orangeburg

3rd Judicial Circuit
-term expires June 30, 2026

C. Dorn Smith III
Lake City

5th Judicial Circuit
-term expires June 30, 2026

Alexander English
Blythewood

7th Judicial Circuit
-term expires June 30, 2026

~~D. Benjamin Graves~~
~~*Spartanburg*~~
Withdrew 4/25/22

Henry L. Jolly, Jr.
Gaffney

~~J. Patrick Anderson~~
~~*Spartanburg*~~
Withdrew 5/2/22

9th Judicial Circuit
-term expires June 30, 2026

John C. von Lehe
Mount Pleasant

11th Judicial Circuit
-term expires June 30, 2026

Thad H. Westbrook
Lexington

12th Judicial Circuit

C. Edward Floyd
Florence

13th Judicial Circuit
-term expires June 30, 2026

~~D. Hollis Felkel II~~ –
~~*Simpsonville*~~
Withdrew 4/25/22

TUESDAY, JANUARY 17, 2023

~~Brody Glenn~~
~~Greenville~~
Withdrew 4/28/22

Reid T. Sherard
Greenville

**STATE OF SOUTH CAROLINA
COLLEGE AND UNIVERSITY TRUSTEE
SCREENING COMMISSION**

**REVIEW OF THE UNIVERSITY OF SOUTH CAROLINA
TRUSTEE**

CANDIDATES IN CARRY OVER STATUS

TRANSCRIPT OF PUBLIC HEARINGS

Date: Tuesday, January 10, 2023
Time: 3:39 P.M.
Location: Blatt Building
1101 Pendleton Street
Columbia, South Carolina 29201

Committee Members Present:

Representative William R. Whitmire, Chairman
Senator Thomas C. Alexander, Vice-Chairman
Senator John L. Scott, Jr.
Senator Daniel B. "Danny" Verdin, III
Senator Richard A. "Dick" Harpootlian
Representative John King
Representative Seth Rose
Representative Timothy A. "Tim" McGinnis

Also Present:

Macey Webb, Staff Counsel

MR. CHAIRMAN: This is the January 10, 2023 Screening Committee for Colleges and Universities. At this time I would like to call on my good friend, President Alexander, for a brief prayer.

PRESIDENT ALEXANDER: Let us pray. Dear Heavenly Father, we just give you thanks for the opportunity to serve you and serve the people

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of this great state of South Carolina. Just be with us this afternoon in the deliberations and the opportunities that you provide. Be with us throughout this new year and in this new legislative session. In Thy holy name we pray. Amen.

MR. CHAIRMAN: Thank you, Mr. President. I'd like to introduce the Commission members. On my right, you've already met -- of course everybody knows President Alexander. Senator Scott to his right. Then Senator Verdin. So welcome -- oh, sorry. Senator Harpootlian. How did I forget him? Don't be mad at me. Now, on my left, is -- we have Representative John R. King, who is with us in the last few sessions. And we've got two new members, Representative Tim McGinnis, from the Myrtle Beach area and Representative Seth Rose, who is from the Columbia area. And I will now challenge the Senate to tennis match sometime in the spring. Because I think we've got a real chance. For our meeting today, our Commission's goal is to take a vote to ratify the previous Commission's work that we completed last session, in 2022. We'll take a vote to approve all of the trustee candidates that our Commission screened last session and found qualified and nominated. This way, those trustees will not have to be rescreened this session and can instead go to the floor, to be voted on in a Joint Assembly. We will also take a vote on the five University of South Carolina trustee members that we have in carry-over status. We're going to vote to approve last session's screening work so I would defer to our staff member, Macey Webb.

MS. WEBB: Good afternoon. So, bear with me. We have long list of candidates that I'm going to read through that we screened and gave a favorable report to last session. So, please be patient with me as we go thorough that. So, the College and University Trustee Screening Commission found the following individuals qualified and nominated for the Trustee seats to which they applied. For the Citadel: Benjamin D. Dixon, Dylan W. Goff, Kara Irvin. For Clemson University: Patricia H. McAbee, John N. "Nicky" McCarter, Sharka Marie Prokes, Joseph D. Swann. For Lander University: Robert A. Barber, Jr., James C. Shubert, Peggy Makins, Donald H. Scott, DeWitt B. Stone, Jr., Raymond D. Hunt, Sr., Marcia T. Hydrick, John E. Craig, Jr. For Wil Lou Gray Opportunity School: J. Blake Lindsey, Marilyn E. Taylor.

MR. CHAIRMAN: Any comments by members of the Commission? (No replies are heard.)

MR. CHAIRMAN: Hearing none, do I hear a motion to adopt.

SENATOR VERDIN: Mr. Chairman?

MR. CHAIRMAN: Yes, sir. VOTE:

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SENATOR VERDIN: I would move adoption of the Commission's report from the previous committee meeting.

PRESIDENT ALEXANDER: Second.

MR. CHAIRMAN: All right. All those in favor, please signify by raising your right hand. (Hands are raised.)

MR. CHAIRMAN: And it's unanimous, eight to zero. Okay. Thank you. All right. Next, we'll take up the five University of South Carolina Trustee candidates in carry-over status. But first, before we vote on them, I would like to let Senator Harpootlian make some remarks.

SENATOR HARPOOTLIAN: Thank you, Mr. Chairman. As everyone knows, I have been deeply involved examining the Board of Trustees. I had legislation last year that just didn't quite make it on the last day, of the legislation structure of the board. And let me say, sort of the good news/bad news. I have since then met with the new chairman of the board, Thad Westbrook. I'm impressed with his efforts to make sure the Board acts like a board. I've met with the new president. I'm impressed with his understanding that it's his job to talk to department heads, that board members talk to him, and not to department heads directly. I'm also impressed with their follow-through on a couple of issues that they got back to me on. So, not that you have to make me happy, but what does concern me is that, in my opinion, some members of this board -- I see Charles Williams out here. I have no problem with him whatsoever. I think he is a good board member. I know that he objected to the process by which they pick the President Caslen. I know he objected to the borrowing of general fund money -- or to use to buy off -- or pay off the contract for football coach, twelve million dollars. And I think he's been a good steward of the State's money and has acted in a responsible fashion. By contrast, I've spent since that last vote, looking -- serving FOIs on the University of South Carolina for emails and texts between the board members and department heads. I've done some additional searching in terms of residences. And as to the former chairman, Dorn Smith, I've determined a couple of things. He routinely bypassed the president of the University and talked to department heads, specifically on numerous occasions, the head of the athletic department, without going through the president, about matters that he had no business discussing. Secondly, I have huge questions about where he lives. His wife's residence is in Florence County. He claims to live in Lake City, in a different county, to qualify to be on the board. I've got to tell you -- and I'm going to vote no on him today. And if I'm able to, I'll vote no on him when he comes to the floor of the Joint Assembly. The last thing I'd say, one of the board members has been on that board since 1998. Another one of the board members has been on

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there not that long but thirty years. And I seriously hope that this legislation has been introduced by Senator Hembree that we come up with some restructuring, term limits, something, to insure that the board is the board and not twenty-something different presidents that communicate with department heads as to what they want, not what the majority of board wants. This is a problem that has plagued USC. Again, we have somebody here, Charles Williams, who has not done that. So it's not every board member. But a number of them have done this. So, Mr. Chairman, I appreciate the opportunity to express why I'm going to vote no on Dorn Smith today. And while I would do so again, I'm sure he's got the votes to get to the floor. And I will do so again, when it comes to the floor.

MR. CHAIRMAN: Thank you, Senator. Are there any other members of the Commission that would like to make remarks at this time. If not, we will proceed to the University of South Carolina candidates. First, we're going to take up the candidates that were found qualified last fall. And I will refer to Macey for that.

MR. WEBB: Yeah, so just for clarification of the record, I'm now going to read the University of South Carolina candidates that the Commission found as qualified and nominated last session and then we will move on to the other five USC candidates that we have in carry over status. So please bear with me as I read the names of the five University of South Carolina candidates that our Commission found qualified and nominated in 2022, and then we will take the vote on them. For the University of South Carolina: Alexander English, D. Benjamin Graves, Henry L. Jolly, Jr., J. Patrick Anderson, D. Hollis Felkel, C. Brody Glenn, and Reid T. Sherard. All received a favorable report from our Commission last session and were found qualified and nominated. VOTE:

MR. CHAIRMAN: Do I have a motion?

SENATOR SCOTT: I'd make a motion, Mr. Chairman.

MR. CHAIRMAN: And a second. All those in favor signify by raising your right hand. (Hands are raised.)

MR. CHAIRMAN: And it's unanimous. All right. On the other five, we're going to vote on each candidate individually, of course. And I will need a motion by a sitting member to insert the name of the candidate. And we will either vote to qualify or we will not vote qualified or if you don't want to, you don't have to vote at all.

SENATOR HARPOOTLIAN: Mr. Chairman, I would move to find Charles Williams qualified and nominated.

MR. CHAIRMAN: There's a motion to find Charles Williams qualified and nominated.

SENATOR SCOTT: And a second.

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MR. CHAIRMAN: And a second. All those in favor, signify by raising your right hand. (Hands are raised.)

MR. CHAIRMAN: It's unanimous, eight/zero. All right, next.

PRESIDENT ALEXANDER: Mr. Chairman, I would move that on the Third Judicial Circuit, that C. Dorn Smith, III be found qualified and nominated.

MR. CHAIRMAN: Is there a second?

SENATOR VERDIN: Second.

MR. CHAIRMAN: All those in favor of C. Dorn Smith, please raise your right hand. (Hands are raised.)

MR. CHAIRMAN: All those opposed? (A hand is raised.)

MR. CHAIRMAN: One? Okay. Seven to one. Thank you, Mr. President. All right.

SENATOR SCOTT: Mr. Chairman?

MR. CHAIRMAN: Yes, sir.

SENATOR SCOTT: The Ninth Judicial Circuit, John C. von Lehe in Mt. Pleasant, to find him qualified and nominated.

MR. CHAIRMAN: Second?

REPRESENTATIVE MCGINNIS: Second.

MR. CHAIRMAN: All those in favor, signify by raising your right hand. (Hands are raised.)

MR. CHAIRMAN: It's eight/zero. Thank you, Senator Scott. All right, next. We have Thad Westbrook.

SENATOR SCOTT: Mr. Chairman?

MR. CHAIRMAN: Yes, sir.

SENATOR SCOTT: For the 11th Judicial Circuit I would like to nominate Thad H. Westbrook, from Lexington, qualified and nominated.

MR. CHAIRMAN: Second?

REPRESENTATIVE ROSE: Second.

MR. CHAIRMAN: All of those in favor signify by raising your right hand. And it's eight/zero. All right last is Dr. C. Edward Floyd. Do I have someone making that nomination. Mr. President?

PRESIDENT ALEXANDER: Mr. Chairman, I would move that for the Twelfth Judicial Circuit that Dr. C. Edward Floyd be found qualified and nominated.

MR. CHAIRMAN: There's a second. All those in favor signify by raising your right hand. (Hands are raised.)

MR. CHAIRMAN: Unanimous. I'm sorry, seven and one no.

MS. WEBB: To clarify, on the record and for the court reporter, for the Twelfth Judicial Circuit, C. Edward Floyd, by a vote of seven to one, with Representative John King voting no.

SENATOR HARPOOTLIAN: And I'd like to change my vote to no.

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MS. WEBB: Okay. All right. By a vote of six to two, for the clarification of the record, with Representative King and Senator Harpootlian voting no on Dr. Floyd.

MR. CHAIRMAN: Okay. Our Commission will set a date and time for the Joint Assembly. We're going to try to hold a Joint Assembly on February 1, 2023, along with the judges. That should be a nice long day. The hope is that we can vote on all the candidates as well trustee candidates in the Joint Assembly. Does anyone have anything else to say? That it? I'm sorry, Mr. President.

PRESIDENT ALEXANDER: Before you do, I just want to thank you, Mr. Chairman, and the work of all of the Commission members to get us to this point. I thank everyone for their service and their time and energy from that standpoint.

MR. CHAIRMAN: Thank you, Mr. President. I have to say, this has been the most difficult year we've had as far screening out candidates and I've been on here a long time. So, hopefully we can get the votes with a yay or nay with the General Assembly and we'll see where it goes from there. And also, Macey, do you have any timetable when we will - I guess it depends on court decisions, on the

MS. WEBB: Yeah, so as far as where the Commission will proceed from here, I'll be working in close contact with Chairman Whitmire, President Alexander's office and Speaker Smith's office to determine where we will go from here. The next step from here will be getting all of these trustees that did receive a favorable report today, getting them included in the Joint Assembly for February 1st. That's going to be the goal so they can be elected on the floor in that Joint Assembly. And then from there we still have, I believe, eight at-large 2022 candidates that still need to be screened from 2022 as well several other 2022 congressional district seats, which we have not officially decided on the congressional districts. But the next goal will be to get the eight at-large 2022 candidates screened, at the very least.

MR. CHAIRMAN: Senator Scott.

SENATOR SCOTT: I know this process took a little longer than folk would like. But I think what's most important in all of that is to understand that this Committee will be doing checks and balances. Those days of rubber stamping and cutting through this process are long passed and gone. And I think that because of that time frame, folk have had to re-gather their behavior and their management practices back at the board. Although it may have one particular board that had had a lot of conversation, trust me, other boards have gone back and taken a look at their behavior and some of what's going on in these boards of trustees. Managing these boards, managing schools is big

TUESDAY, JANUARY 17, 2023

business. We want to make sure we're putting on boards of trustees who understand their responsibility and the separation between management and policy. Thank you, Mr. Chairman.

MR. CHAIRMAN: Representative Rose.

REPRESENTATIVE ROSE: Just briefly. I just want to say that I, too, favor and I supported the bill to restructure the USC board. I went to undergrad at USC. I also went to law school. I live very close to the campus and so obviously some of the things that have transpired have been very troubling. But I also recognize that there are a lot of good things that happen as well. But I think the way the board is made up, I think the size of the board, the lack of diversity on the board, are all things that trouble me. And that is also why I supported the bill that Senator Harpootlian referenced that unfortunately died in the Senate and I hope that there will be a push to have that come forward again. Thank you.

MR. CHAIRMAN: Any other members? First off, let me thank all of you, both Senators and Representatives for your hard work on this. And Macey, you did yeoman's work. Thank you for volunteering for this job. And I wish both the House and the Senate have very productive years this year. With that, we're adjourned. (There being nothing further, the proceeding concluded at 3:56 p.m.)

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MOTION ADOPTED

On motion of Senators SETZLER ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GROOMS, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SCOTT, SENN, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN and WILLIAMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Thomas Roy “Tom” Young, Sr. of Aiken, S.C. Tom was the father of our beloved Senator Tom Young. Tom attended Anderson College and the University of South Carolina. He served eight years in the South Carolina National Guard. Tom opened an Allstate Insurance Agency in 1982 and was inducted into the Allstate Insurance Company Hall of Fame in 2007. He served in many business, faith-based and civic organizations including the Aiken County Gamecock Club, Anderson University Board of Trustees, Aiken County Transportation Committee and Rotary Club to mention a few. Tom was a member of Millbrook Baptist Church where he faithfully served for fifty years on various committees. Tom was a passionate Gamecock fan and enjoyed spending time with family and friends. Tom was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

TUESDAY, JANUARY 17, 2023

MOTION ADOPTED

On motion of Senators GROOMS, ADAMS, ALEXANDER, ALLEN, BENNETT, CAMPSER, CASH, CLIMER, CORBIN, CROMER, DAVIS, FANNING, GAMBRELL, GARRETT, GOLDFINCH, GUSTAFSON, HARPOOTLIAN, HEMBREE, HUTTO, JACKSON, KEVIN JOHNSON, MICHAEL JOHNSON, KIMBRELL, KIMPSON, LOFTIS, MALLOY, MARTIN, MASSEY, MATTHEWS, McELVEEN, McLEOD, PEELER, RANKIN, REICHENBACH, RICE, SABB, SCOTT, SENN, SETZLER, SHEALY, STEPHENS, TALLEY, TURNER, VERDIN, WILLIAMS and YOUNG, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Arthur Ravenel, Jr. of Charleston, S.C. Arthur represented Charleston, Georgetown and Horry Counties in the South Carolina House of Representatives from 1953-1958 and in the Senate from 1981-1986. He then served in South Carolina's First Congressional District from 1987-1995 before serving as a state Senator from 1997-2003. He served in the United States Marine Corp and graduated from the College of Charleston in 1950. Arthur was a loving husband, devoted father and doting grandfather who served our State well and will be dearly missed.

ADJOURNMENT

At 2:16 P.M., on motion of Senator MALLOY, the Senate adjourned to meet tomorrow at 1:00 P.M.

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