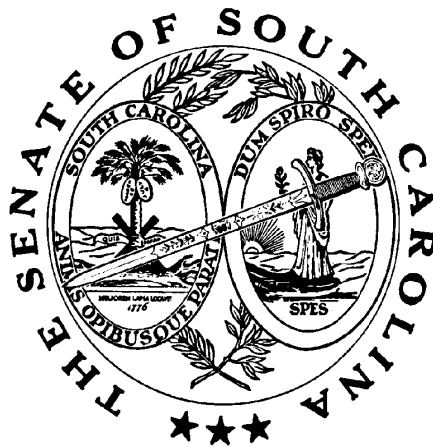


NO. 55

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

THURSDAY, APRIL 13, 2023

Thursday, April 13, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

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

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

Isaiah 12:2

Isaiah the prophet tells us: "Surely God is my salvation; I will trust and will not be afraid, for the Lord God is my strength and my might; he has become my salvation."

Bow with me as we pray, please: It never fails, O Lord, as these Senators know so very well. From all sides -- often at every hour of the day -- people call, wanting this, seeking that, complaining about goodness only knows. And at times it all surely can be too much. Even tried and true legislators speak to that reality. So we pray that You will embrace these leaders in Your loving care, dear God. Grant them all not just the stamina to get through every new day of public service, but also the wisdom and grace to carry on, assisting the people of our State while each Senator and aide at the same time trusts in Your strength and Your might while they faithfully serve others. In Your loving name we pray, Lord. Amen.

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

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	Gambrell
Gustafson	Harpootlian	Hembree
Hutto	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice

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Senn	Setzler	Shealy
Stephens	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

The following appointment was transmitted by the Honorable Henry Dargan McMaster:

Local Appointment

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Richard Arlen Brooks, 21 Cedar Point Dr., Beaufort, SC 29907-2065

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5142

Agency: State Board of Financial Institutions - Consumer Finance Division

Chapter: 15

Statutory Authority: 1976 Code Sections 34-41-10 to 34-41-130

SUBJECT: Check-Cashing Service: Record-Keeping Requirements

Received by President of the Senate January 10, 2023

Referred to Committee on Banking and Insurance

Legislative Review Expiration May 10, 2023

Withdrawn and Resubmitted April 13, 2023

Document No. 5164

Agency: Department of Employment and Workforce

Chapter: 47

Statutory Authority: 1976 Code Sections 41-27-510, 41-35-720, and 41-35-760

SUBJECT: Representation before Appeal Tribunal and the Appellate Panel

Received by President of the Senate January 10, 2023

Referred to Committee on Labor, Commerce and Industry

Legislative Review Expiration May 10, 2023

Withdrawn and Resubmitted April 13, 2023

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Leave of Absence

On motion of Senator CLIMER, at 11:07 A.M., Senator GOLDFINCH was granted a leave of absence until Wednesday, May 10, 2023.

Leave of Absence

On motion of Senator STEPHENS, at 11:07 A.M., Senator SABB was granted a leave of absence for today.

Leave of Absence

On motion of Senator TURNER, at 11:07 A.M., Senator TALLEY was granted a leave of absence for today.

Leave of Absence

On motion of Senator FANNING, at 11:41 A.M., Senator KIMPSON was granted a leave of absence for today.

Expression of Personal Interest

Senator SETZLER rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator McELVEEN rose for an Expression of Personal Interest.

Expression of Personal Interest

Senator McLEOD rose for an Expression of Personal Interest.

CO-SPONSORS ADDED

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

S. 305 Sen. Stephens
S. 714 Sen. Gambrell

RECALLED AND ADOPTED

S. 715 -- Senator Davis: A SENATE RESOLUTION TO PROCLAIM WEDNESDAY, APRIL 26, 2023, AS "SOUTH CAROLINA PROFESSIONAL LAND SURVEYORS DAY" THROUGHOUT THE STATE AND TO RECOGNIZE THE IMPORTANCE OF THE SERVICES PROVIDED BY THIS GROUP OF PROFESSIONALS TO THE PALMETTO STATE.

Senator DAVIS asked unanimous consent to make a motion to recall the Resolution from the Committee on Labor, Commerce and Industry.

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The Resolution was recalled from the Committee on Labor, Commerce and Industry.

Senator DAVIS asked unanimous consent to make a motion to take the Resolution up for immediate consideration.

There was no objection.

The Senate proceeded to a consideration of the Resolution. The question then was the adoption of the Resolution.

On motion of Senator DAVIS, the Resolution was adopted.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 726 -- Senator Reichenbach: A SENATE RESOLUTION TO RECOGNIZE AND HONOR THE CITY OF FLORENCE AND THE FLORENCE DOWNTOWN DEVELOPMENT CORPORATION ON DOWNTOWN FLORENCE MAIN STREET'S RECEIPT OF THE PRESTIGIOUS 2023 GREAT AMERICAN MAIN STREET AWARD AND TO CONGRATULATE THE PROGRAM ON THE ACHIEVEMENT.

lc-0242vr-gm23.docx : bae4810e-35cd-4b4d-8968-73503acaaf80

The Senate Resolution was adopted.

S. 727 -- Senators Davis and Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 33-7-101 AND 33-31-701, BOTH RELATING TO MEETINGS, SO AS TO ALLOW FOR REMOTE PARTICIPATION.

lc-0272ph23.docx : 5611ca60-3fba-4bf6-bcc9-373713adc9e4

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

S. 728 -- Senator Gustafson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 23-9-197(A)(3), RELATING TO THE FIREFIGHTER CANCER HEALTH CARE BENEFIT PLAN, SO AS TO PROVIDE THAT THE DEFINITION OF "FIREFIGHTER" SHALL INCLUDE NON-RESIDENTS OF SOUTH CAROLINA WHO WORK IN THE STATE.

sr-0352km23.docx : f9a3c485-e953-41d2-9781-8048fffcf2ee

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

S. 729 -- Senator Gambrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-29-80(A), RELATING TO COURSES IN PHYSICAL EDUCATION AND ALTERNATIVES, SO AS TO PROVIDE THAT TRAINING IN ROTC DURING THE EIGHTH GRADE SATISFIES THE PHYSICAL EDUCATION REQUIREMENT FOR HIGH SCHOOL GRADUATION.

sr-0340km23.docx : bc3e75b3-7eee-4521-9d2b-03f50cac826d

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

S. 730 -- Senator Turner: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 44-7-262, RELATING TO MINIMUM RESIDENT-STAFF RATIOS FOR NURSING HOMES, SO AS TO ALLOW FOR THE DIVISION OF MEMORY CARE FACILITIES AND ASSISTED LIVING FACILITIES AND TO REQUIRE SUFFICIENT STAFF TO PROVIDE APPROPRIATE CARE FOR THE RESIDENTS.

sr-0072jg23.docx : 23671b7b-0651-434e-8464-632f16fcfd2

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

S. 731 -- Senator Goldfinch: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 38-7-20, RELATING TO THE ALLOCATION OF INSURANCE PREMIUM TAXES, SO AS TO DIRECT FIFTEEN PERCENT TO THE SOUTH CAROLINA OFFICE OF RESILIENCE.

lc-0271ph23.docx : 7a7d0fdd-662e-4ddb-8e37-a8170521892d

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

S. 732 -- Education Committee: A JOINT RESOLUTION REGULATION TO APPROVE REGULATIONS OF THE STATE BOARD OF EDUCATION, RELATING TO DEFINED PROGRAM, GRADES 9-12 AND GRADUATION REQUIREMENTS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5130, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

lc-0319wab-dbs23.docx : 77e8a6eb-4cab-4173-9de3-20031e3a65bb

Read the first time and ordered placed on the Calendar without reference.

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S. 733 -- Senators McElveen, Adams, Alexander, Allen, Bennett, Campsen, Cash, Climer, Corbin, Cromer, Davis, Fanning, Gambrell, Garrett, Goldfinch, Grooms, Gustafson, Harpootlian, Hembree, Hutto, Jackson, K. Johnson, Kimbrell, Kimpson, Loftis, M. Johnson, Malloy, Martin, Massey, Matthews, McLeod, Peeler, Rankin, Reichenbach, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin, Williams and Young: A CONCURRENT RESOLUTION TO ACKNOWLEDGE, WITH GREAT PRIDE AND GREATER GRATITUDE, THE ENORMITY OF THE SACRIFICE AND PERSONAL CONVICTION EXPRESSED BY THOUSANDS OF MEN AND WOMEN WHO FOUGHT THE REVOLUTIONARY WAR ON THE PLAINS AND VALLEYS, RIVERS AND COAST, MOUNTAINS AND SWAMPS, FIELDS AND FORESTS, THROUGHOUT THE BACKCOUNTRY AND LOWLANDS IN SOUTH CAROLINA AND TO PROCLAIM APRIL 22, 2023, "CAMDEN BURIALS DAY" THROUGHOUT THE STATE.

lc-0308sa-gm23.docx : d7437cb7-86b2-481a-91a1-55b7eb10cc43

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

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

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

The following Bill was read the third time and ordered sent to the House:

S. 335 -- Senator Davis: A BILL TO AMEND ACT 596 OF 1969, RELATING TO THE MEMBERSHIP OF THE HILTON HEAD NO. 1 PUBLIC SERVICE DISTRICT COMMISSION, TO PROVIDE FOR SEVEN APPORTIONED ELECTION DISTRICTS, AND TO PROVIDE FOR THE ELECTION OF CANDIDATES IN 2024 AND 2026.

On motion of Senator DAVIS.

ORDERED ENROLLED FOR RATIFICATION

The following Bills were read the third time and, having received three readings in both Houses, it was ordered that the title be changed to that of an Act and enrolled for Ratification:

H. 4215 -- Rep. Hyde: A BILL TO AMEND ACT 106 OF 2015, RELATING TO THE ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL

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DISTRICT 5 BOARD OF TRUSTEES MUST BE ELECTED, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

H. 4216 -- Rep. Hyde: A BILL TO AMEND ACT 107 OF 2015, RELATING TO THE ELECTION DISTRICTS FROM WHICH MEMBERS OF THE SPARTANBURG COUNTY SCHOOL DISTRICT 7 BOARD OF TRUSTEES MUST BE ELECTED, SO AS TO REAPPORTION THESE ELECTION DISTRICTS, TO REDESIGNATE THE MAP NUMBER ON WHICH THESE DISTRICTS ARE DELINEATED AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE, AND TO PROVIDE DEMOGRAPHIC INFORMATION REGARDING THESE REVISED ELECTION DISTRICTS.

AMENDED, CARRIED OVER

S. 147 -- Senators Shealy, Gustafson, Senn, Goldfinch and Campsen: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 16-25-130 SO AS TO ESTABLISH THE ADDRESS CONFIDENTIALITY PROGRAM WHEREBY A VICTIM OF DOMESTIC VIOLENCE, DATING VIOLENCE, HUMAN TRAFFICKING, STALKING, HARASSMENT, OR SEXUAL OFFENSES MAY USE A DESIGNATED ADDRESS RATHER THAN HIS RESIDENTIAL ADDRESS TO CONCEAL HIS PLACE OF RESIDENCE FROM HIS ASSAILANTS OR PROBABLE ASSAILANTS, TO PROVIDE THAT THE PROGRAM SHALL BE ADMINISTERED BY THE ATTORNEY GENERAL, TO PROVIDE FOR THE PROCESS THROUGH WHICH A PERSON MAY PARTICIPATE IN THE PROGRAM, AND TO DEFINE NECESSARY TERMS; BY ADDING SECTION 16-3-1656 SO AS TO REQUIRE NONPROFIT VICTIM ASSISTANCE ORGANIZATIONS THAT SERVE VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, HUMAN TRAFFICKING, STALKING, HARASSMENT, OR SEXUAL OFFENSES TO PROTECT THE CONFIDENTIALITY AND PRIVACY OF CLIENTS, WITH EXCEPTIONS; AND BY ADDING SECTION 19-11-110 SO AS TO PROHIBIT EMPLOYEES, AGENTS, OR VOLUNTEERS OF SUCH

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ORGANIZATIONS FROM TESTIFYING IN ACTIONS OR PROCEEDINGS ABOUT COMMUNICATIONS MADE BY A CLIENT OR RECORDS KEPT DURING THE COURSE OF PROVIDING SERVICES TO THE CLIENT, WITH EXCEPTIONS, AND FOR OTHER PURPOSES.

The Senate proceeded to the consideration of the Bill.

Senator CORBIN proposed the following amendment (SR-147.JG0008S), which was adopted:

Amend the bill, as and if amended, SECTION 1, by deleting Section 16-25-130(A)(4).

Amend the bill further, SECTION 1, Section 16-25-130, by adding a subsection to read:

(I) A participant in the address confidentiality program may not be mailed an absentee ballot unless the participant has requested an absentee ballot pursuant to Section 7-15-330. The participant's absentee ballot must be the same ballot used in the precinct assigned to the participant's residential street address. The request for an absentee ballot submitted by the participant is not a public record pursuant to Chapter 4, Title 30, the Freedom of Information Act, and must be kept confidential by the county board of voter registration and elections to which the request was made.

Amend the bill further, by striking SECTION 4 and inserting:
SECTION 4. This act takes effect on July 1, 2024.

Renumber sections to conform.

Amend title to conform.

Senator CORBIN explained the amendment.

The amendment was adopted.

The question then being third reading of the Bill, as amended.

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

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

The following Bill was read the third time and ordered sent to the House:

S. 593 -- Senator Hutto: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-440,

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RELATING TO DESIGNATION OF VOTING PRECINCTS IN ORANGEBURG COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

COMMITTEE AMENDMENT ADOPTED

AMENDED, READ THE SECOND TIME

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.

The Senate proceeded to the consideration of the Bill.

The Committee on Labor, Commerce and Industry proposed the following amendment (SR-3605.JG0005S), which was adopted:

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

SECTION X. This act may be cited as the “Earn and Learn Act of 2023”.

Amend the bill further, by adding an appropriately numbered SECTION to read:

SECTION X. Chapter 1, Title 40 of the S.C. Code is amended by adding:

Section 40-1-77.(A) The purpose of this section is to expand economic opportunities and build a skilled workforce according to industry standards by allowing a worker to earn a paycheck while he fulfills applicable licensing requirements.

(B) For purposes of this section:

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(1) “Apprenticeship” means a United States Department of Labor-approved and registered apprenticeship or an industry recognized apprenticeship for an occupation or profession licensed by a South Carolina regulatory board or commission under the South Carolina Department of Labor, Licensing and Regulation, as approved by the applicable licensing board.

(2) “Board” means a board, commission, or panel under the South Carolina Department of Labor, Licensing and Regulation that regulates a profession or occupation and issues a license to an individual. This definition of “board” does not include boards and commissions established and operating pursuant to Chapter 15, Title 54.

(3) “License” means a license, certificate, registration, permit, or other evidence that an individual is qualified to engage in an occupation or profession before that person may engage in or represent himself as a member of an occupation or profession.

(4) “Scope of practice” means the procedures, actions, processes, and work that a person may perform pursuant to a license issued by an occupation’s or profession’s regulatory board.

(C) A board shall issue an initial license pursuant to this section to an applicant, if the applicant:

(1) completes an apprenticeship in an occupation or profession that has a similar scope of practice, as determined by the board, to an occupation or profession regulated by this State through license requirements;

(2) successfully passes requisite examinations;

(3) submits a completed application and pays all applicable fees;

(4) is not otherwise disqualified from licensure because of an applicable criminal conviction; and

(5) completes all other requirements for initial licensure as required by the applicable licensing board in accordance with state law, only if the board imposes the same requirements on other license applicants. A board shall not require an applicant pursuant to this section to complete requirements that exceed the requirements of other license applicants for initial licensure.

(D) If a board denies a license to an applicant under this section, then the board shall:

(1) provide the applicant with a denial in writing; and

(2) explain the reason for the denial in the written decision, such as whether the licensing entity determined that the applicant’s apprenticeship program does not correspond to the profession or occupation or level of license for which the applicant applied.

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(E) A license issued pursuant to this section is subject to the same provisions of law governing a license for the occupation or profession.

(F) A board shall not require an applicant pursuant to this section to complete an apprenticeship for a greater duration of time than that which is required pursuant to federal law.

(G) A board may require an applicant pursuant to this section to successfully pass an examination only if the board imposes the same examination requirement on other license applicants. A board shall not require an applicant pursuant to this section to receive a higher score on an examination than the score required of other license applicants.

(H) A board may require an applicant pursuant to this section to pay a licensing fee only if the board imposes a licensing fee on other license applicants. A board shall not impose on an applicant pursuant to this section a licensing fee greater than the licensing fee imposed on other applicants.

(I) A board may promulgate regulations necessary for the implementation of this act.

(J) This section does not apply to:

(1) a licensing entity that does not license individual workers for which there is a board-approved apprenticeship program;

(2) a license that requires the educational equivalent of a bachelor's degree or higher; or

(3) apprenticeship programs that are established by state law.

Renumber sections to conform.

Amend title to conform.

Senator CLIMER explained the amendment.

The amendment was adopted.

Senators CASH and CLIMER proposed the following amendment (SR-3605.KM0007S), which was adopted:

Amend the bill, as and if amended, SECTION 3, by striking Section 40-1-140(A)(1) and inserting:

Section 40-1-140. (A)(1) A professional or occupational board may not deny a license to an applicant solely because of a prior criminal conviction, unless the criminal conviction directly relates to the duties, responsibilities, or fitness of the occupation or profession for which the applicant is seeking a license.

Renumber sections to conform.

Amend title to conform.

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Senator CLIMER 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	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Stephens	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. 640 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO WATER CLASSIFICATIONS AND STANDARDS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5119, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

CARRIED OVER

S. 641 -- Agriculture and Natural Resources Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION - BOARD OF VETERINARY MEDICAL EXAMINERS, RELATING TO DEFINITIONS; PRACTICE STANDARDS FOR LICENSED VETERINARY TECHNICIANS AND UNLICENSED VETERINARY AIDES; LICENSURE AND EXAMINATIONS FOR VETERINARIANS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5121, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

RECOMMITTED

S. 686 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO BOARD OF ACCOUNTANCY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5170, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 687 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR R.10-17, R.10-20, R.10-24, R.10-27, R.10-32, R.10-34, AND R.10-42, DESIGNATED AS REGULATION DOCUMENT NUMBER 5160, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

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Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

RECOMMITTED

S. 688 -- Labor, Commerce and Industry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION, RELATING TO FEE SCHEDULE FOR R.10-3, R.10-14, R.10-30, R.10-33, R.10-40, AND R.10-41, DESIGNATED AS REGULATION DOCUMENT NUMBER 5157, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator MASSEY explained the Resolution.

On motion of Senator MASSEY, the Resolution was recommitted to the Committee on Labor, Commerce and Industry.

OBJECTION

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning and Loftis: A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 7, ARTICLE VI OF THE CONSTITUTION OF SOUTH CAROLINA, 1895, RELATING TO THE CONSTITUTIONAL OFFICERS OF THIS STATE, SO AS TO DELETE THE COMPTROLLER GENERAL FROM THE LIST OF STATE OFFICERS WHICH THE CONSTITUTION REQUIRES TO BE ELECTED AND PROVIDE THAT THE COMPTROLLER GENERAL MUST BE APPOINTED BY THE GOVERNOR UPON THE ADVICE AND CONSENT OF THE SENATE FOR A TERM COTERMINOUS WITH THE GOVERNOR UPON THE EXPIRATION OF THE TERM OF THE COMPTROLLER GENERAL SERVING IN OFFICE ON THE DATE OF THE RATIFICATION OF THIS PROVISION.

Senator MALLOY objected to the consideration of the Resolution.

CARRIED OVER

H. 3209 -- Reps. Jordan, Murphy, Brewer, Williams, Henegan and Alexander: A JOINT RESOLUTION TO EXTEND CERTAIN

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GOVERNMENTAL APPROVALS AFFECTING ECONOMIC DEVELOPMENT WITHIN THE STATE.

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

READ THE SECOND TIME

S. 698 -- Education Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF CLEMSON UNIVERSITY, RELATING TO PARKING, TRAFFIC, AND PUBLIC SAFETY REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5108, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

The Senate proceeded to the consideration of the Resolution.

Senator HEMBREE explained the Resolution.

The question then being the second reading of the Resolution.

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

Ayes 39; Nays 0

AYES

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

Total--39

NAYS

Total--0

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

CARRIED OVER

S. 710 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK-CASHING SERVICE: PURCHASE OF GOODS OR SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5141, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

CARRIED OVER

S. 711 -- Banking and Insurance Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE STATE BOARD OF FINANCIAL INSTITUTIONS - CONSUMER FINANCE DIVISION, RELATING TO CHECK-CASHING SERVICE, DESIGNATED AS REGULATION DOCUMENT NUMBER 5140, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

POINT OF ORDER

S. 244 -- Senator Kimbrell: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59-19-40, RELATING TO CERTAIN SPECIAL PROVISIONS FOR THE ELECTION OR APPOINTMENT OF SCHOOL TRUSTEES, SO AS TO PROVIDE THAT ELECTIONS FOR SCHOOL TRUSTEES MUST BE HELD AT THE SAME TIME AS THE GENERAL ELECTION IN EVEN-NUMBERED YEARS.

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

S. 305 -- Senators Young, M. Johnson, Kimbrell, Turner, Fanning, Climer and Stephens: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 59-25-60 SO AS TO PROVIDE THAT AN INDIVIDUAL'S PRIOR WORK EXPERIENCE MAY BE AWARDED ON AN INITIAL TEACHING CERTIFICATE IF THE PRIOR EXPERIENCE IS IN OR RELATED TO THE CONTENT FIELD OF THE CERTIFICATE, AND TO PROVIDE THAT EXISTING CERTIFICATE HOLDERS MAY ALSO RECEIVE THE SAME CREDIT FOR PRIOR WORK EXPERIENCE.

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. 3797 -- Reps. B.J. Cox, G.M. Smith, Beach, W. Newton, Williams, McCravy, Long, Hixon, Taylor, Oremus, Blackwell, Erickson and Bradley: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "MILITARY TEMPORARY REMOTE SCHOOL ENROLLMENT ACT" BY ADDING SECTION 59-63-33 SO AS TO PROVIDE PUBLIC SCHOOL PUPILS COMPLY WITH SCHOOL ENROLLMENT REQUIREMENTS IF THEIR PARENTS ARE TRANSFERRED TO OR ARE PENDING TRANSFER TO MILITARY INSTALLATIONS IN THIS STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO OFFICIAL MILITARY ORDERS, TO PROVIDE SCHOOL DISTRICTS SHALL ACCEPT APPLICATIONS FOR ENROLLMENT AND COURSE REGISTRATION FROM SUCH PUPILS BY ELECTRONIC MEANS, TO PROVIDE PARENTS OF SUCH STUDENTS SHALL PROVIDE CERTAIN PROOF OF RESIDENCE WITHIN TEN DAYS AFTER THE ARRIVAL DATE, TO PROVIDE THE PROVISIONS OF THIS ACT APPLY NOTWITHSTANDING ANOTHER PROVISION OF LAW, TO PROVIDE AMBIGUITIES IN CONSTRUING THE PROVISIONS OF THIS ACT MUST BE RESOLVED IN FAVOR OF ENROLLMENT, AND TO DEFINE NECESSARY TERMINOLOGY.

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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.

AMENDED, READ THE SECOND TIME

H. 4099 -- Reps. B. Newton, Neese, Mitchell and Yow: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-350, RELATING TO DESIGNATION OF VOTING PRECINCTS IN LANCASTER COUNTY, SO AS TO ADD ONE PRECINCT AND TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

The Senate proceeded to the consideration of the Bill.

Senator M. JOHNSON proposed the following amendment (LC-4099.HDB0006S), which was adopted:

Amend the bill, as and if amended, SECTION 1, Section 7-7-350(A), by striking the twenty-second precinct and inserting:

~~Lancaster West~~

Amend the bill further, SECTION 1, Section 7-7-350(A), by striking the thirty-first precinct and inserting:

~~Shelley Mullis~~ Six Mile Creek

Amend the bill further, SECTION 1, by striking Section 7-7-350(B) and inserting:

(B) The precinct lines defining the above precincts are as shown on maps filed with the clerk of court of the county and also on file with the State Election Commission as provided and maintained by the Revenue and Fiscal Affairs Office designated as document ~~P-57-22~~P-57-23A.

Renumber sections to conform.

Amend title to conform.

Senator M. JOHNSON explained the amendment.

The amendment was adopted.

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

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

Ayes 39; Nays 0

AYES

Adams	Alexander	Allen
Bennett	Campsen	Cash
Climer	Corbin	Cromer
Davis	Fanning	Gambrell
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
<i>Johnson, Michael</i>	Kimbrell	Loftis
Malloy	Martin	Massey
McElveen	McLeod	Peeler
Rankin	Reichenbach	Rice
Scott	Senn	Setzler
Shealy	Stephens	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.

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

MOTION ADOPTED

At 11:53 A.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

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**HOUSE AMENDMENTS AMENDED
RETURNED TO THE HOUSE WITH AMENDMENTS**

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

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 GAMBRELL explained the House amendments.

Senators PEELER and SETZLER proposed the following amendment (SF-604.CH0005S), which was adopted:

Amend the joint resolution, as and if amended, by striking SECTIONS 5, 6, and 7 and inserting:

SECTION 5. Notwithstanding SECTION 14 of Act 244 of 2022, the funds in the ARPA Resilience Account also may be used to mitigate the potential release of contamination associated with the USS Yorktown, an asset of the Patriots Point Development Authority. The Office of Resilience must make an initial funding request for Phase I review and comment by the Joint Bond Review Committee that describes the project scope and provides an estimate of costs for the proposed improvements. Thereafter, the Office of Resilience must make a full funding request for Phase II review and comment by the Joint Bond Review Committee to establish final budget authorization and project scope. No funds may be expended toward the project in either phase until the Joint Bond Review Committee has provided review and comment. The Office of Resilience is authorized to engage and reimburse the services of other state agencies in the development of both phases of the project.

SECTION 6. This joint resolution takes effect upon approval by the Governor.

Renumber sections to conform.

Amend title to conform.

Senator GAMBRELL explained the amendment.

The question then was the adoption of the amendment.

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The amendment was adopted.

The Bill was ordered returned to the House of Representatives with amendments.

THE SENATE PROCEEDED TO A CONSIDERATION OF H. 4300, THE GENERAL APPROPRIATIONS BILL.

H. 4300 -- Ways and Means Committee: A BILL TO MAKE APPROPRIATIONS AND TO PROVIDE REVENUES TO MEET THE ORDINARY EXPENSES OF STATE GOVERNMENT FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, TO REGULATE THE EXPENDITURE OF SUCH FUNDS, AND TO FURTHER PROVIDE FOR THE OPERATION OF STATE GOVERNMENT DURING THIS FISCAL YEAR AND FOR OTHER PURPOSES.

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

H. 4301 -- Ways and Means Committee: A JOINT RESOLUTION TO APPROPRIATE MONIES FROM THE CAPITAL RESERVE FUND FOR FISCAL YEAR 2022-2023, AND TO ALLOW UNEXPENDED FUNDS APPROPRIATED TO BE CARRIED FORWARD TO SUCCEEDING FISCAL YEARS AND EXPENDED FOR THE SAME PURPOSES.

The Senate proceeded to a consideration of the Joint Resolution, the question being the second reading of the Joint Resolution.

Motion Adopted

Report of the Committee on Finance Adopted

Senator PEELER asked unanimous consent to make a motion that the Report of the Committee on Finance be adopted, with all members reserving the right to raise any Points of Order and to offer amendments without regard to questions of degree.

There was no objection.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, staff members from the Revenue and Fiscal Affairs office were authorized as necessary to be in that area behind the rail and, further, that Finance Committee staff and other staff designated by the PRESIDENT were

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admitted to the floor of the Senate Chamber while debate was in progress on H. 4300, the General Appropriations Bill.

There was no objection.

Motion Adopted

On motion of Senator PEELER, with unanimous consent, H. 4300 and H. 4301 were carried over.

LOCAL APPOINTMENT

Confirmation

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

Initial Appointment, Beaufort County Magistrate, with the term to commence April 30, 2022, and to expire April 30, 2026

Richard Arlen Brooks, 21 Cedar Point Dr., Beaufort, SC 29907-2065

Motion Adopted

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

MOTION ADOPTED

On motion of Senator McLEOD, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Ronald “Ron” Calhoun Fulmer, Sr. of Columbia, S.C. Ron served in the Army as first lieutenant in the Vietnam War. He was a Citadel graduate and loved his home church St. John’s Lutheran Church. Ron served in the House of Representatives in the late 1980s representing District 119 in Charleston County. He started Fulmer Public Relations, Inc. and later worked with State Capitol Group, LLC. Ron received many awards and accolades including the Order of the Palmetto. Ron was a loving husband, devoted father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 12:10 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M. under the provisions of Rule 1 for the purpose of taking up local matters and uncontested matters which have previously received unanimous consent to be taken up.

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