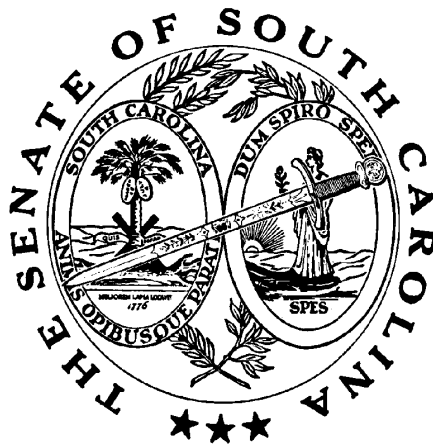


NO. 62

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 10, 2023

WEDNESDAY, APRIL 26, 2023

Wednesday, April 26, 2023
(Statewide Session)

~~Indicates Matter Stricken~~

Indicates New Matter

The Senate assembled at 1:00 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:

Psalm 9:1

The Psalmist proclaims: "I will praise you, O Lord, with all my heart; I will tell of all your wonders."

Let us pray: O gracious God, amid all of the issues and pressures and conflicts which often confront them, may these Senators and aides, like the Psalmist, never fail to cherish the wonders You have created. For indeed, the glory of creation is on full display everywhere we turn. So, loving Lord, let us all routinely praise You for the natural beauty that surrounds us -- from the foothills to the sea. Truly, no matter what debates or controversies unfold, may no one ever stop caring for and protecting the incredible but fragile world You have given us. Further, grant that these leaders likewise do all they can to bring rich and marvelous blessings to each and every one of our citizens, as well. And as always, to You be the glory, O 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	Cash	Climer
Corbin	Cromer	Davis
Fanning	Gambrell	Garrett
Grooms	Gustafson	Harpootlian
Hutto	<i>Johnson, Michael</i>	Kimbrell
Kimpson	Loftis	Malloy
Martin	Massey	McElveen
Peeler	Reichenbach	Rice
Senn	Setzler	Shealy

WEDNESDAY, APRIL 26, 2023

Talley
Young

Turner

Williams

A quorum being present, the Senate resumed.

MESSAGE FROM THE GOVERNOR

April 24, 2023

The Honorable Thomas C. Alexander
President of the Senate
State House, Second Floor
Columbia, South Carolina 29201

Dear Mr. President and members of the Senate:

I write to withdraw my April 5, 2023 appointment of Hugh L. Wilcox, Jr., Esquire to serve as a member of the Board of Directors of the South Carolina Public Service Authority (“Santee Cooper”), representing the Seventh Congressional District. For ease of reference, a copy of my April 5, 2023, correspondence regarding Mr. Wilcox’s appointment is enclosed herewith.

I appreciate Mr. Wilcox’s willingness to serve the State of South Carolina in the capacity, and I trust that the Senate would have given favorable consideration to his nomination to serve as a member of Santee Cooper’s Board of Directors; however, due to unanticipated health concerns, Mr. Wilcox has requested that I withdraw the aforementioned appointment at this time. I intend to submit a new appointment to the Senate as soon as is practicable.

By copy of this letter, I am simultaneously notifying the State Regulation of Public Utilities Review Committee (“PURC”) of this action. Should the Senate or PURC have any questions regarding this matter, please do not hesitate to contact me.

Yours very truly,
Henry McMaster

Enclosure

Cc w/enc: State Regulation of Public Utilities Review Committee

WEDNESDAY, APRIL 26, 2023

MESSAGE FROM THE GOVERNOR

State of South Carolina Office of the Governor

April 24, 2023

Mr. President and Members of the Senate:

I am transmitting herewith notice of my intent to withdraw my nomination of Mr. Hugh L. Wilcox, Jr. for appointment to the SC Public Service Authority.

Respectfully,

Henry Dargan McMaster

Withdrawal of Statewide Appointment

On motion of Senator RANKIN, the Senate acceded to the Governor's request and the Clerk was directed to return the appointment to the Governor.

Initial Appointment, Board of Directors of the South Carolina Public Service Authority, with the term to commence January 1, 2023, and to expire January 1, 2027

7th Congressional District:

Hugh L. Wilcox, Jr., 500 East Howe Springs Street, Florence, SC 29505 *VICE* Merrell W. Floyd

COMMUNICATION

1st Congressional District Legislative Delegation



The Honorable Henry D. McMaster	The Honorable Jeffrey S. Gossett
State House, First Floor	401 Gressette Building
Columbia, SC 29201	Columbia, SC 29201

The Honorable Mark Hammond	The Honorable Charles F. Reid
1205 Pendleton Street	213 Blatt Building
Columbia SC 29201	Columbia, SC 29201

WEDNESDAY, APRIL 26, 2023

April 26, 2023

RE: Approval of Mr. T.J. Johnson, 1st District DOT Commission

Gentlemen:

Pursuant to Section 57-1-325 et. seq., members of the General Assembly representing the 1st Congressional District met to consider the above referenced appointment on Wednesday, April 26, 2023. The meeting was publicly posted and members of the Senate and House of Representatives met jointly.

As Chairman of the 1st District Delegation, I certify that Mr. T.J. Johnson received a majority of the weighted vote of only the Senators in the delegation and a majority of the weighted vote of only the members of the House of Representatives in the delegation. Details of the appointment are below:

Initial appointment to the South Carolina Department of Transportation Commission, with a term to commence February 15, 2020, and to expire February 15, 2024

1st Congressional District:

Mr. Thomas J. Johnson, 1303 Kings Court, Mt. Pleasant, S.C. 29464

Vice: Robby Robbins

Thank you for your attention to this matter. Please contact me if you have any questions.

Sincerely,



Larry Grooms

REGULATION WITHDRAWN

The following was received:

Document No. 5134

Agency: South Carolina Aeronautics Commission

Chapter: 4

Statutory Authority: 1976 Code Sections 55-1-1 et seq., 55-5-80(A), 55-5-80(N), and 55-5-280(D)

SUBJECT: Use of the State Aviation Fund; Procedure for Compliance with Land Use in the Vicinity of Airports

Received by President of the Senate January 10, 2023

Referred to Committee on Transportation

Legislative Review Expiration: Permanently Withdrawn

WEDNESDAY, APRIL 26, 2023

Permanently Withdrawn April 25, 2023

REGULATION WITHDRAWN AND RESUBMITTED

The following was received:

Document No. 5145

Agency: Department of Social Services

Chapter: 114

Statutory Authority: 1976 Code Sections 43-5-580(b), 63-17-470(D),
and 45 CFR 302.56

SUBJECT: Child Support Guidelines

Received by President of the Senate January 10, 2023

Referred to Committee on Judiciary

Legislative Review Expiration May 10, 2023

Withdrawn and Resubmitted April 26, 2023

Doctor of the Day

Senator SETZLER introduced Dr. Melanie Lobel of West Columbia,
S.C., Doctor of the Day.

Leave of Absence

On motion of Senator ALLEN, at 4:08 P.M., Senator SCOTT was
granted a leave of absence until 6:20 P.M.

CO-SPONSORS ADDED

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

S. 305 Sen. Rankin

S. 634 Sen. Grooms

S. 739 Sens. Williams and Davis

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 751 -- Senator Turner: A SENATE RESOLUTION TO
RECOGNIZE THE RED CLAY STRAYS, TO CONGRATULATE
THEM ON THEIR RECENT SUCCESS, AND TO WELCOME THEM
TO THE CITY OF GREENVILLE.

sr-0384km-vc23.docx : b87b9657-7efb-4301-987f-10df3e16bea1

The Senate Resolution was adopted.

WEDNESDAY, APRIL 26, 2023

S. 752 -- Senator Gustafson: A SENATE RESOLUTION TO CONGRATULATE NICOLE FOULKS UPON THE OCCASION OF HER RETIREMENT AS MIDLANDS REGIONAL DIRECTOR OF THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, TO COMMEND HER FOR HER TWENTY-NINE YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0381km-hw23.docx : bcde8eba-3744-43d8-bbdc-3d4673e80230

The Senate Resolution was adopted.

S. 753 -- Senator Alexander: A SENATE RESOLUTION TO CONGRATULATE LYNN LOCKABY WILSON UPON THE OCCASION OF HER RETIREMENT, TO COMMEND HER FOR HER THIRTY-SEVEN YEARS OF DEDICATED SERVICE, AND TO WISH HER MUCH HAPPINESS AND FULFILLMENT IN THE YEARS AHEAD.

sr-0383km-hw23.docx : 2a838a8a-3470-4ecb-8212-082e6eecb7de

The Senate Resolution was adopted.

S. 754 -- Senators Alexander, Bennett, Turner, Setzler, Kimpson, Senn, Grooms and Rankin: A SENATE RESOLUTION TO RECOGNIZE AND HONOR CATHERINE SANDLIN DORITY, VICE PRESIDENT OF MARKETING FOR EXPLORE CHARLESTON, AND TO COMMEND HER FOR TWENTY-FIVE YEARS OF OUTSTANDING SERVICE IN SOUTH CAROLINA'S TOURISM INDUSTRY.

sr-0382km-hw23.docx : b9085cd5-72a9-4f50-be22-f964274ed590

The Senate Resolution was adopted.

REPORTS OF STANDING COMMITTEES

Senator PEELER from the Committee on Finance submitted a favorable report on:

S. 634 -- Senators Kimbrell, Rice, Climer, Loftis, Corbin, M. Johnson, Peeler, Turner and Grooms: A SENATE RESOLUTION TO EXPRESS THE SENSE OF THE SENATE THAT PUBLIC FUNDS SHOULD NOT BE DEDICATED TO ECONOMIC DEVELOPMENT PROJECTS THAT BENEFIT A CORPORATION THAT IS ACTIVELY ENGAGED IN PROMOTING ENVIRONMENTAL, SOCIAL, OR POLITICAL GOALS, OBJECTIVES, OR OUTCOMES.

Ordered for consideration tomorrow.

WEDNESDAY, APRIL 26, 2023

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

S. 739 -- Senators Setzler, Alexander, Peeler, Williams and Davis: A JOINT RESOLUTION PROVIDING FOR A ONE-TIME AUTHORIZATION FOR USE OF CERTAIN REMAINING SOUTH CAROLINA HOUSING TAX CREDITS PROVIDED PURSUANT TO SECTION 1.B.1 OF ACT 202 OF 2022, CERTAIN REMAINING SOUTH CAROLINA HOUSING TAX CREDITS AUTHORIZED PURSUANT TO SECTION 12-6-3795 FOR THE TAX YEAR ENDING DECEMBER 31, 2023, AND NOT EXCEEDING \$25 MILLION IN ONE-TIME, NON-RECURRING FUNDING FROM THE SOUTH CAROLINA HOUSING TRUST FUND ESTABLISHED PURSUANT TO ARTICLE 4 OF CHAPTER 13, TITLE 31 OF THE SOUTH CAROLINA CODE, ALL FOR THE LIMITED PURPOSE OF PROVIDING SUPPLEMENTAL FINANCIAL SUPPORT TO ADDRESS ESCALATIONS AND OTHER COSTS FOR CERTAIN MULTI-FAMILY HOUSING DEVELOPMENTS.

Ordered for consideration tomorrow.

Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3691 -- Reps. G.M. Smith, M.M. Smith, Davis, B.L. Cox, Pace, Guest, Leber, J.E. Johnson, Pope, Brittain, McGinnis, Hardee, Hewitt, Jordan, Thayer, Anderson, Rutherford, Trantham, Bailey, Schuessler, Gagnon, Beach, Oremus, Forrest, S. Jones, Taylor, Hixon, Blackwell, Collins, Bannister, Hiott, Carter, O'Neal, Ligon, Guffey, Sessions, T. Moore, Nutt, Hayes, Yow, Mitchell, Connell, Hager, B. Newton, White, Landing, Kirby, Moss, Bustos, Long, Caskey, Cromer and Weeks: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 17-5-135 SO AS TO ALLOW CORONERS TO POSSESS AND ADMINISTER OPIOID ANTIDOTES UNDER CERTAIN CIRCUMSTANCES; BY ADDING SECTION 44-130-90 SO AS TO PROVIDE PROCEDURES FOR THE ADMINISTRATION OF OPIOID ANTIDOTES BY CORONERS AND THE REPORTING OF THEIR USE; AND BY AMENDING SECTION 17-5-510, RELATING TO DUTIES OF CORONERS AND MEDICAL EXAMINERS, SO AS TO PROVIDE THAT CORONERS ARE CONSIDERED PUBLIC SAFETY OFFICERS IF KILLED IN THE LINE OF DUTY.

Ordered for consideration tomorrow.

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Senator RANKIN from the Committee on Judiciary submitted a favorable with amendment report on:

H. 3890 -- Reps. Rose, Murphy, Brewer, Mitchell, Robbins, Schuessler, Guest, King and B. Newton: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 22-5-920, RELATING TO YOUTHFUL OFFENDER ELIGIBILITY FOR EXPUNGMENT OF CERTAIN OFFENSES, SO AS TO ALLOW EXPUNGMENT FOR CONVICTIONS INVOLVING A DRIVING UNDER SUSPENSION OFFENSE.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable with amendment report on:

H. 3908 -- Reps. Collins, G.M. Smith, Bannister, Erickson, Whitmire, Felder, Bernstein, Ott, Haddon, W. Newton, Carter, Elliott, Crawford, Ballentine, Caskey, Wetmore, Stavrinakis, Mitchell, Yow, M.M. Smith, Willis, Vaughan, Cobb-Hunter, Oremus, McGinnis, Trantham, Calhoon, Gatch, Weeks, Rose, Alexander, Tedder, Garvin, Murphy, Sandifer, Hartnett, Robbins, Brewer, Pope, Pace, Henegan, Williams, Wheeler, Wooten, T. Moore, Hyde and Lawson: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ADDING SECTION 8-11-151 SO AS TO DEFINE TERMS AND TO PROVIDE PAID PARENTAL LEAVE UPON THE BIRTH OF A CHILD OR INITIAL LEGAL PLACEMENT OF A FOSTER CHILD FOR ELIGIBLE SCHOOL DISTRICT EMPLOYEES; AND BY ADDING SECTION 8-11-156 SO AS TO DEFINE TERMS AND TO PROVIDE PAID PARENTAL LEAVE UPON THE INITIAL LEGAL PLACEMENT OF A CHILD BY ADOPTION FOR ELIGIBLE SCHOOL DISTRICT EMPLOYEES.

Ordered for consideration tomorrow.

Senator PEELER from the Committee on Finance submitted a favorable report on:

H. 4017 -- Rep. Ballentine: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 12-6-40, RELATING TO APPLICATION OF FEDERAL INTERNAL REVENUE CODE TO STATE TAX LAWS, SO AS TO UPDATE THE REFERENCE TO THE INTERNAL REVENUE CODE TO THE YEAR 2022 AND TO PROVIDE THAT IF THE INTERNAL REVENUE CODE SECTIONS ADOPTED BY THIS STATE ARE

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EXTENDED, THEN THESE SECTIONS ALSO ARE EXTENDED FOR SOUTH CAROLINA INCOME TAX PURPOSES.

Ordered for consideration tomorrow.

Appointments Reported

Senator SHEALY from the Committee on Family and Veterans' Services submitted a favorable report on:

Statewide Appointments

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2022, and to expire May 10, 2026

6th Congressional District:

Mathias G. Chaplin, 7740 Exeter Lane, Columbia, SC 29223-2518
VICE Peter Smith

Received as information.

Initial Appointment, South Carolina Commission for the Blind, with the term to commence May 19, 2022, and to expire May 19, 2026

4th Congressional District:

Erica James, 901 Jenkins Street, Greenville, SC 29601-3920 *VICE*
Mary S. Sonksen

Received as information.

Appointment Reported

Senator RANKIN from the Committee on Judiciary submitted a favorable report on:

Statewide Appointment

Initial Appointment, South Carolina State Accident Fund, with the term to commence June 11, 2022, and to expire June 11, 2028

Director:

Erin Farrell Farthing, 213 Leventis Lane, Lexington, SC 29072-3961
VICE Amy Cofield

Received as information.

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Message from the House

Columbia, S.C., April 26, 2023

Mr. President and Senators:

The House respectfully informs your Honorable Body that it concurs in the amendments proposed by the Senate to:

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.

and has ordered the Bill enrolled for Ratification.

Very respectfully,

Speaker of the House

Received as information.

HOUSE CONCURRENCE

S. 750 -- Senator Grooms: A CONCURRENT RESOLUTION TO RECOGNIZE AND HONOR MRS. MARILYN MYERS BAKER ON HER FORTIETH ANNIVERSARY WORKING FOR THE TOWN OF MONCK'S CORNER

Returned with concurrence.

Received as information.

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

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

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

S. 542 -- Senator Davis: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE “SOUTH CAROLINA COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY AND RESILIENCE ACT”; AND BY ADDING CHAPTER 39 TO TITLE 6 SO AS TO PROVIDE DEFINITIONS, CREATE AND ESTABLISH THE PROGRAM, PROVIDE FOR APPLICATION AND ADMINISTRATION, ESTABLISH A PROCESS FOR ASSESSING AND COLLECTING LIENS, PROVIDE FINANCING, AND TO DEVELOP STANDARDS, AMONG OTHER THINGS.

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 WILFUL 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

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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.

S. 610 -- Senators Cromer, Shealy and Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "PROFESSIONAL COUNSELING COMPACT ACT" BY ADDING ARTICLE 6 TO CHAPTER 75, TITLE 40 SO AS TO PROVIDE THE PURPOSE, FUNCTIONS, OPERATIONS, AND DEFINITIONS FOR THE COMPACT.

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.

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

OBJECTION

S. 95 -- Senators Campsen, Senn, Verdin, M. Johnson, Kimbrell, Gustafson, Young, Grooms, Fanning, Loftis and Garrett: 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.

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Senator CASH objected to consideration of the Resolution.

OBJECTION

S. 514 -- Senators Hutto, Jackson, Sabb, Senn and Shealy: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTIONS 16-17-500, 16-17-501, 16-17-502, 16-17-503, 16-17-504, AND 16-17-506, RELATING TO THE PREVENTION OF YOUTH ACCESS TO TOBACCO AND OTHER NICOTINE PRODUCTS, SO AS TO CHANGE THE DEFINITION OF "TOBACCO PRODUCT" AND ADD DEFINITIONS FOR "TOBACCO RETAIL ESTABLISHMENT" AND "TOBACCO RETAILER"; TO PROHIBIT MINORS FROM ENTERING A TOBACCO RETAIL ESTABLISHMENT; TO CHANGE CERTAIN PENALTIES FOR TOBACCO RETAILER VIOLATIONS; TO REQUIRE TOBACCO RETAILERS TO SECURE AND DISPLAY A TOBACCO RETAIL SALES LICENSE FROM THE DEPARTMENT OF REVENUE AND TO ESTABLISH AN ASSOCIATED FEE AND A PENALTY FOR A VIOLATION; TO MAKE TECHNICAL CORRECTIONS; AND FOR OTHER PURPOSES; AND BY AMENDING SECTION 59-1-380, RELATING TO THE MANDATORY PUBLIC SCHOOL TOBACCO-FREE CAMPUS POLICY, SO AS TO MAKE CONFORMING CHANGES.

Senator CASH objected to consideration of the Bill.

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 GAMBRELL, 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,

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PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23,
TITLE 1 OF THE SOUTH CAROLINA CODE OF LAWS.

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

OBJECTION

S. 305 -- Senators Young, M. Johnson, Kimbrell, Turner, Fanning, Climer, Stephens and Rankin: 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.

Senator SETZLER objected to consideration of the Bill.

CARRIED OVER

H. 3951 -- Reps. Haddon, G.M. Smith, Bannister, Hiott, Ligon, Hixon, Leber, Erickson, Forrest, Brewer, Murphy, Robbins, Willis, Calhoon, Pope, Davis and M.M. Smith: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY ENACTING THE "WORKING AGRICULTURAL LANDS PRESERVATION ACT" BY ADDING CHAPTER 57 TO TITLE 46 SO AS TO DEFINE TERMS, ESTABLISH A COMMITTEE, AND OUTLINE PROGRAM CRITERIA, AMONG OTHER THINGS.

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

CARRIED OVER

S. 639 -- Senator Climer: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 7-7-530, RELATING TO DESIGNATION OF VOTING PRECINCTS IN YORK COUNTY, SO AS TO REDESIGNATE THE MAP NUMBER ON WHICH THESE PRECINCTS MAY BE FOUND ON FILE WITH THE REVENUE AND FISCAL AFFAIRS OFFICE.

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

OBJECTION

H. 3952 -- Reps. G.M. Smith, Bannister, Bradley, Crawford, Herbkersman, W. Newton, Felder, Alexander, Wetmore, Hyde, Sessions, Guffey, Connell, Hager, Atkinson, Moss, Stavrinakis, Yow, Mitchell, Ligon, B. Newton, Williams, T. Moore, Robbins, Brewer,

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Murphy, Wooten, Cromer, Magnuson, Pope, Hixon, Forrest, M.M. Smith, Davis, Ballentine, Erickson, Guest, Ott, Willis, Sandifer, White, Lawson, Hardee and Long: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 37-1-102, RELATING TO THE PURPOSES OF THE CONSUMER PROTECTION CODE, SO AS TO INCLUDE THE PROMOTION OF EDUCATION FOR CONSUMERS, BEST PRACTICES FOR BUSINESSES, AND TO MEDIATE COMPLAINTS; BY AMENDING SECTION 37-6-106, RELATING TO INVESTIGATORY POWERS OF THE ADMINISTRATOR, SO AS TO REQUIRE THE PRESENTATION OF PROBABLE CAUSE BEFORE BEGINNING AN INVESTIGATION; BY AMENDING SECTION 37-6-108, RELATING TO ENFORCEMENT ORDERS OF THE ADMINISTRATOR, SO AS TO REQUIRE CERTAIN INFORMATION BE PROVIDED BEFORE A CEASE AND DESIST IS ISSUED TO A BUSINESS; AND BY AMENDING SECTION 37-2-307, RELATING TO MOTOR VEHICLE SALES CONTRACT CLOSING FEES, SO AS TO REQUIRE THE CLOSING FEE TO BE PROMINENTLY DISPLAYED WITH THE ADVERTISED PRICE.

Senator MALLOY objected to consideration of the Bill.

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

MOTION ADOPTED

At 1:44 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

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

CARRIED OVER

S. 120 -- Senators Hembree, Campsen and Martin: A BILL TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24-3-580, RELATING TO THE DISCLOSURE OF THE IDENTITIES OF EXECUTION TEAM MEMBERS AND THE PENALTIES FOR THE UNLAWFUL DISCLOSURE, SO AS TO DEFINE CERTAIN TERMS, TO PROVIDE CERTAIN INFORMATION PERTAINING TO THE IDENTITY OF PERSONS WHO PARTICIPATE IN THE PLANNING

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OR ADMINISTRATION OF AN EXECUTION OF A DEATH SENTENCE IS CONFIDENTIAL; TO MAKE TECHNICAL CHANGES; TO PROVIDE THE PURCHASE OR ACQUISITION OF DRUGS AND MEDICAL SUPPLIES USED IN THE ADMINISTRATION OF A DEATH SENTENCE IS EXEMPT FROM THE STATE PROCUREMENT CODE; TO PROVIDE THE OUT-OF-STATE ACQUISITION OF DRUGS INTENDED FOR USE FOR THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM ALL STATE LICENSING PROCESSES AND REQUIREMENTS ADMINISTERED BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL OR ANY OTHER AGENCY, AS WELL AS REGULATIONS PROMULGATED BY THE BOARD OF PHARMACY; TO PROVIDE PHARMACIES OR PHARMACISTS THAT ARE INVOLVED IN THE SUPPLYING, MANUFACTURING, OR COMPOUNDING OF DRUGS INTENDED FOR USE IN THE ADMINISTRATION OF THE DEATH PENALTY ARE EXEMPT FROM CERTAIN LICENSING PROCESSES AND REQUIREMENTS OF THE DEPARTMENT OF LABOR, LICENSING AND REGULATION; TO PROVIDE, UNDER CERTAIN CIRCUMSTANCES, NO GOVERNMENTAL AGENCY SHALL DISCLOSE IDENTIFYING INFORMATION OF MEMBERS OF EXECUTION TEAMS OR THE DETAILS REGARDING THE PROCUREMENT OF CERTAIN DRUGS USED IN THE ADMINISTRATION OF THE DEATH PENALTY; AND TO PROVIDE THE INTENT OF THIS SECTION IS TO ENSURE THE ABSOLUTE CONFIDENTIALITY OF IDENTIFYING INFORMATION OF PERSONS OR ENTITIES INVOLVED IN THE PLANNING OR EXECUTION OF A DEATH SENTENCE.

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

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

DEBATE INTERRUPTED

H. 3774 -- Reps. McCravy, G.M. Smith, Hiott, W. Newton, Pope, Yow, M.M. Smith, Hardee, J.E. Johnson, Hixon, Bustos, Erickson, Landing, Davis, Crawford, B.L. Cox, Connell, Vaughan, Ligon, T. Moore, Moss, Lawson, Hyde, Leber, B.J. Cox, Wooten, Whitmire, Long, Gagnon, Bradley, Herbkerman, Nutt, Mitchell, B. Newton, Jordan, Brewer, Murphy, Gilliam, Willis, Blackwell, Elliott, Guest, Oremus, Felder, Chapman, Haddon, S. Jones, Pace, Gibson, Robbins, Burns, Chumley and Forrest: A BILL TO AMEND THE SOUTH CAROLINA

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CODE OF LAWS BY ENACTING THE “HUMAN LIFE PROTECTION ACT”; BY ADDING ARTICLE 7 TO CHAPTER 41, TITLE 44 SO AS TO BAN ABORTIONS IN THIS STATE, TO PROVIDE FOR EXCEPTIONS TO THE BAN ON ABORTIONS, TO PROTECT THE USE OF CONTRACEPTIVES AND ALTERNATIVE REPRODUCTIVE TECHNOLOGIES, TO PROVIDE PENALTIES, TO PROVIDE A CIVIL CAUSE OF ACTION FOR FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ARTICLE, TO PROVIDE THAT A WOMAN CANNOT BE PROSECUTED FOR HAVING AN ABORTION, TO PROVIDE THAT PHYSICIANS OR OTHER LICENSED PROFESSIONALS SHALL LOSE THEIR LICENSE FOR VIOLATIONS OF THIS ARTICLE, AND TO PROVIDE THAT A WOMAN’S NAME MAY REMAIN ANONYMOUS IN PROCEEDINGS INITIATED PURSUANT TO THIS ARTICLE; BY ADDING SECTION 44-41-90 SO AS TO PROVIDE THAT THE STATE HEALTH INSURANCE PROGRAM MAY NOT PAY FOR ABORTIONS, TO PROHIBIT STATE FUNDS FROM BEING USED FOR THE PURCHASE OF FETAL TISSUE OR FETAL REMAINS OBTAINED FROM AN ABORTION, AND TO DEFUND PLANNED PARENTHOOD; BY ADDING SECTION 63-17-325 SO AS TO REQUIRE A BIOLOGICAL FATHER TO PAY CHILD SUPPORT BEGINNING AT CONCEPTION; BY ADDING SECTION 38-71-146 SO AS TO REQUIRE ALL INDIVIDUAL AND GROUP HEALTH INSURANCE AND HMO POLICIES TO COVER CONTRACEPTIVES; BY REQUIRING THE SOUTH CAROLINA PUBLIC EMPLOYEE BENEFIT AUTHORITY TO COVER PRESCRIBED CONTRACEPTIVES FOR DEPENDENTS; BY AMENDING SECTION 44-41-710, RELATING TO CONSTRUCTION AND APPLICATION OF THIS ARTICLE, SO AS TO REMOVE LANGUAGE RELATED TO IMPLICIT REPEAL; BY AMENDING SECTION 44-41-480, RELATING TO CONSTRUCTION AGAINST IMPLICIT REPEAL OF EXISTING LAW, SO AS TO REMOVE LANGUAGE RELATED TO IMPLICIT REPEAL; BY REPEALING SECTION 44-41-20 RELATING TO LEGAL ABORTIONS; BY AMENDING SECTION 44-41-70, RELATING TO PROMULGATION OF RULES AND REGULATIONS FOR CERTIFICATION OF HOSPITALS AND OTHER FACILITIES, SO AS TO DELETE A REFERENCE TO SECTION 44-41-20; AND BY PROVIDING AN UNCONDITIONAL RIGHT TO INTERVENE IN CHALLENGES TO THIS ACT BY THE

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PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

The Senate proceeded to a consideration of the Bill.

Senator CASH spoke on the Bill.

Point of Order

Senator HUTTO raised a Point of Order that the Senator speaking on the Bill was being tedious and superfluous.

The PRESIDENT took the Point of Order under advisement.

Remarks to be Printed

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

Senator SHEALY spoke on the Bill.

Remarks to be Printed

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

Senator GUSTAFSON spoke on the Bill.

Remarks to be Printed

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

Senator SENN spoke on the Bill.

Point of Quorum

At 3:29 P.M., Senator SENN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator SENN resumed speaking on the Bill.

Motion Under Rule 15A Failed

Senator GROOMS moved under the provisions of Rule 15A that debate on the entire matter of H. 3774 be brought to a close.

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Call of the Senate

Senator DAVIS 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
Garrett	Grooms	Gustafson
Harpootlian	Hembree	Hutto
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Malloy	Martin	Massey
Matthews	McElveen	McLeod
Peeler	Rankin	Reichenbach
Rice	Sabb	Senn
Setzler	Shealy	Stephens
Talley	Turner	Verdin
Williams	Young	

A quorum being present, the Senate resumed.

The question being the motion to invoke Rule 15A.

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

Ayes 23; Nays 21

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Grooms	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Davis	Fanning
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Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Senn	Setzler
Shealy	Stephens	Williams

Total--21

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Senator SENN spoke on the Bill.

Motion Under Rule 15A Failed

At 5:25 P.M., Senator MASSEY moved under the provisions of Rule 15A that debate on the entire matter of H. 3774 be brought to a close.

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

Ayes 23; Nays 20

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Grooms	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Senn	Shealy
Stephens	Williams	

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Total--20

Having failed to receive the necessary vote, the motion under Rule 15A failed.

Senator SENN resumed speaking on the Bill.

Motion Under Rule 15A Failed

At 6:28 P.M., Senator MASSEY moved under the provisions of Rule 15A that debate on the entire matter of H. 3774 be brought to a close.

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

Ayes 23; Nays 22

AYES

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Grooms	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Talley	Turner
Verdin	Young	

Total--23

NAYS

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Williams		

Total--22

Having failed to receive the necessary vote, the motion under Rule 15A failed.

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Senator SENN resumed speaking on the Bill.

Senator SENN moved that the Senate stand adjourned.

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

Ayes 23; Nays 22

AYES

Allen	Davis	Fanning
Gustafson	Harpootlian	Hembree
Hutto	Jackson	<i>Johnson, Kevin</i>
Kimpson	Malloy	Matthews
McElveen	McLeod	Rankin
Sabb	Scott	Senn
Setzler	Shealy	Stephens
Talley	Williams	

Total--23

NAYS

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Gambrell
Garrett	Grooms	<i>Johnson, Michael</i>
Kimbrell	Loftis	Martin
Massey	Peeler	Reichenbach
Rice	Turner	Verdin
Young		

Total—22

Having received the necessary votes, the Senate agreed to stand adjourned.

Debate was interrupted by adjournment.

Motion Adopted

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

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MOTION ADOPTED

On motion of Senator GROOMS, with unanimous consent, the Senate stood adjourned out of respect to the memory of Dr. Moses Tucker Laffitte Jr. of Columbia, S.C. Dr. Laffitte was the father-in-law of our beloved Senator Chip Campsen. He attended The Citadel, University of South Carolina and the Medical College of South Carolina. After medical school, he served as a general medical officer at Fort Jackson and later worked over forty years with South Carolina OBGYN. He served on numerous boards including being chairman of the Richland Memorial Hospital Board and was a board member of Bankers Trust and Palmetto State Bank. Dr. Laffitte was an active member of First Presbyterian Church of Columbia for over 60 years where he served as a deacon and an elder. He loved spending time outdoors hunting, fishing and golfing. Dr. Laffitte was a loving husband, devoted father and doting grandfather who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator MALLOY, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Johnny Bobo Brown of Hartsville, S.C. Johnny began his career working in local government in Darlington County and helped establish The Darlington County Recreation Department. In 1973 he joined the Pee Dee Council of Governments and was promoted through the years to Executive Director. He was instrumental in the development of the McLeod Regional Hospital System and in receiving federal funding for the expansion of numerous highways in the Pee Dee Region. Johnny was a member of West Hartsville Baptist Church and enjoyed hunting, fishing, golfing and reading his Bible. Johnny was a loving father and doting grandfather who will be dearly missed.

ADJOURNMENT

At 6:36 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 11:00 A.M.

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