

NO. 33

JOURNAL
OF THE
SENATE
OF THE
STATE OF SOUTH CAROLINA



REGULAR SESSION BEGINNING TUESDAY, JANUARY 12, 2021

TUESDAY, MARCH 8, 2022

Tuesday, March 8, 2022
(Statewide Session)

~~Indicates Matter Stricken~~
Indicates New Matter

The Senate assembled at 2:00 P.M., the hour to which it stood adjourned, and was called to order by the PRESIDENT.

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

I Samuel 3:4-5

We read in I Samuel: "Then the Lord called, 'Samuel! Samuel!' and he said, 'Here I am!' and ran to Eli, and he said, 'Here I am, for you called me.' But he said, 'I did not call; lie down again.' So he went and lay down."

Bow with me in prayer, if you will: Glorious Lord, in many different ways everyone here in this Chamber, here in this State House, has been called, called to serve the people of South Carolina. And yes, for some, as it was with Samuel, the response was not always a clear, "Here I am!" But indeed these servants did finally answer the call. And since these women and men are here, dear God, we pray this afternoon that You will bless and guide each individual, so that he or she actively carries out his or her duties with diligence, faithfulness, and honor. We also pray, O God, that You continue to embrace in Your care the people of Ukraine; may that unsettling war in their nation soon come to a peaceful resolution. We pray all this in Your loving name, dear Lord. Amen.

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

Point of Quorum

At 2:05 P.M., Senator SETZLER made the point that a quorum was not present. It was ascertained that a quorum was not present.

Call of the Senate

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

Adams	Alexander	Bennett
Campsen	Cash	Climer
Corbin	Cromer	Davis
Fanning	Garrett	Goldfinch

TUESDAY, MARCH 8, 2022

Grooms	Gustafson	Harpootlian
Jackson	<i>Johnson, Kevin</i>	<i>Johnson, Michael</i>
Kimbrell	Kimpson	Loftis
Massey	Peeler	Rice
Scott	Senn	Setzler
Shealy	Stephens	Talley
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:

Statewide Appointment

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

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

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

Referred to the Committee on Medical Affairs.

REGULATION RECEIVED

The following was received and referred to the appropriate committee for consideration:

Document No. 5105

Agency: Department of Motor Vehicles

Chapter: 90

Statutory Authority: 1976 Code Section 56-23-100

SUBJECT: Driver Training Schools

Received by President of the Senate March 3, 2022

Referred to Committee on Transportation

REGULATION WITHDRAWN

The following was received:

Document No. 5047

Agency: State Board of Education

Chapter: 43

TUESDAY, MARCH 8, 2022

Statutory Authority: 1976 Code Sections 59-5-60(1), 59-18-110, 59-18-710, 59-18-1110, 59-20-60, 59-25-110, and 59-26-10 et seq.

SUBJECT: Accreditation Criteria

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Education

Legislative Review Expiration: Permanently Withdrawn

Withdrawn and Resubmitted March 7, 2022

REGULATIONS WITHDRAWN AND RESUBMITTED

The following were received:

Document No. 5044

Agency: Commission of Forestry

Chapter: 55

Statutory Authority: 1976 Code Section 48-23-200

SUBJECT: General Regulations on South Carolina Forestry
Commission Lands

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Fish, Game and Forestry

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 7, 2022

Document No. 5045

Agency: Commission of Forestry

Chapter: 55

Statutory Authority: 1976 Code Section 48-23-200

SUBJECT: Hunting and Fishing Regulations on State Forest Lands
Established as Wildlife Management Areas

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Fish, Game and Forestry

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 7, 2022

Document No. 5058

Agency: Department of Health and Environmental Control

Chapter: 61

Statutory Authority: 1976 Code Sections 44-56-10 et seq.

SUBJECT: Hazardous Waste Management Regulations

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Medical Affairs

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 8, 2022

TUESDAY, MARCH 8, 2022

Document No. 5072

Agency: Department of Natural Resources

Chapter: 123

Statutory Authority: 1976 Code Sections 50-1-60, 50-1-200, 50-1-220, 50-9-650, 50-11-10, 50-11-105, 50-11-310, 50-11-315, 50-11-320, 50-11-365, 50-11-390, 50-11-410, 50-11-430, 50-11-500, 50-11-520, 50-11-525, 50-11-530, 50-11-580, 50-11-2200, and 50-11-2210

SUBJECT: Wildlife Management Area Regulations

Received by Lieutenant Governor January 11, 2022

Referred to Committee on Fish, Game and Forestry

Legislative Review Expiration May 11, 2022

Withdrawn and Resubmitted March 7, 2022

Leave of Absence

On motion of Senator SETZLER, at 2:05 P.M., Senator HUTTO was granted a leave of absence for today.

Leave of Absence

On motion of Senator K. JOHNSON, at 2:06 P.M., Senator McELVEEN was granted a leave of absence for today.

Leave of Absence

On motion of Senator MASSEY, at 2:08 P.M., Senator MARTIN was granted a leave of absence for March 8, 2022, through March 10, 2022.

Leave of Absence

On motion of Senator KIMPSON, at 2:09 P.M., Senator MATTHEWS was granted a leave of absence for March 8, 2022, through March 10, 2022.

Leave of Absence

On motion of Senator WILLIAMS, at 2:12 P.M., Senator MALLOY was granted a leave of absence for today.

Leave of Absence

On motion of Senator RICE, at 2:12 P.M., Senator GAMBRELL was granted a leave of absence for today.

Expression of Personal Interest

Senator HARPOOTLIAN rose for an Expression of Personal Interest.

TUESDAY, MARCH 8, 2022

Remarks to be Printed

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

RECALLED

S. 1122 -- Senator Massey: A SENATE RESOLUTION TO RECOGNIZE MAY 2022 AS “BETTER HEARING AND SPEECH MONTH” IN SOUTH CAROLINA AND TO ENCOURAGE ALL SOUTH CAROLINIANS TO BECOME INFORMED ABOUT THIS CRITICAL HEALTH ISSUE.

Senator VERDIN asked unanimous consent to make a motion to recall the Senate Resolution from the Committee on Medical Affairs.

The Senate Resolution was recalled from the Committee on Medical Affairs and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1085 -- Senator Williams Adams, Alexander, Allen, Bennett, Campsen, 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, Rice, Sabb, Scott, Senn, Setzler, Shealy, Stephens, Talley, Turner, Verdin and Young : A CONCURRENT RESOLUTION TO REQUEST THE DEPARTMENT OF TRANSPORTATION NAME THE ROUNDABOUT LOCATED ON GASQUE ROAD IN THE CITY OF MARION IN MARION COUNTY “JAMES M. JORDAN, SR. ROUNDABOUT” AND ERECT APPROPRIATE MARKERS OR SIGNS AT THIS LOCATION CONTAINING THESE WORDS.

Senator GROOMS asked unanimous consent to make a motion to recall the Concurrent Resolution from the Committee on Transportation.

The Concurrent Resolution was recalled from the Committee on Transportation and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 953 -- Senator Verdin: A BILL TO AMEND SECTION 7-7-360, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN

TUESDAY, MARCH 8, 2022

LAURENS COUNTY, SO AS TO UPDATE THE MAP NUMBER ON WHICH THE NAMES AND BOUNDARIES OF THE LAURENS COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1024 -- Senators Rankin, Goldfinch, Hembree, Sabb and Williams: A BILL TO AMEND SECTION 7-7-320, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN HORRY COUNTY, SO AS TO DELETE SIX PRECINCTS, TO ADD SEVEN PRECINCTS, AND TO REDESIGNATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

H. 4269 -- Rep. Gilliam: A BILL TO AMEND SECTION 7-7-510, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN UNION COUNTY, SO AS TO MERGE THE MONARCH BOX 1 PRECINCT WITH THE MONARCH BOX 2 PRECINCT WITH THE RESULTING COMBINED PRECINCT TO BE KNOWN AS THE MONARCH PRECINCT, TO ELIMINATE THE EAST BUFFALO VOTING PRECINCT, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THESE PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

TUESDAY, MARCH 8, 2022

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED

S. 1060 -- Senators Young and Massey: A BILL TO AMEND SECTION 7-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DESIGNATION OF VOTING PRECINCTS IN AIKEN COUNTY, SO AS TO ADD CREEK NO. 85 AND COMMUNITY NO. 86 VOTING PRECINCTS, AND TO UPDATE THE MAP NUMBER ON WHICH THE NAMES OF THE AIKEN COUNTY VOTING PRECINCTS MAY BE FOUND AND MAINTAINED BY THE REVENUE AND FISCAL AFFAIRS OFFICE.

Senator RANKIN asked unanimous consent to make a motion to recall the Bill from the Committee on Judiciary.

The Bill was recalled from the Committee on Judiciary and ordered placed on the Calendar for consideration tomorrow.

RECALLED AND ADOPTED

S. 1005 -- Senators Verdin and Kimbrell: A SENATE RESOLUTION TO RECOGNIZE MARCH 9, 2022, AS "SOUTH CAROLINA OSTEOPATHIC MEDICINE DAY" IN SOUTH CAROLINA.

Senator VERDIN asked unanimous consent to make a motion to recall the Resolution from the Committee on Medical Affairs.

The Resolution was recalled from the Committee on Medical Affairs.

Senator VERDIN 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 VERDIN, the Resolution was adopted and ordered sent to the House.

TUESDAY, MARCH 8, 2022

INTRODUCTION OF BILLS AND RESOLUTIONS

The following were introduced:

S. 1123 -- Senator Stephens: A SENATE RESOLUTION TO CONGRATULATE IDELLA COULTER ON THE OCCASION OF HER ONE HUNDRED AND THIRD BIRTHDAY AND TO WISH HER A JOYOUS BIRTHDAY CELEBRATION AND MUCH HAPPINESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1124 -- Senator Harpootlian: A SENATE RESOLUTION TO CONGRATULATE THE DUTCH FORK HIGH SCHOOL VARSITY DAZZLERS DANCE TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON AND TO HONOR THEM FOR BEING NAMED STATE CHAMPIONS IN VARSITY HIP HOP AT THE SOUTH CAROLINA DANCE ASSOCIATION 2022 STATE DANCE TEAM CHAMPIONSHIP.

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The Senate Resolution was adopted.

S. 1125 -- Senators Cromer and Grooms: A SENATE RESOLUTION TO CONGRATULATE LIEUTENANT COLONEL GEOFFREY R. "GEOFF" PENLAND OF LEXINGTON UPON HIS PROMOTION TO THE RANK OF COLONEL IN THE SOUTH CAROLINA ARMY NATIONAL GUARD, TO COMMEND HIM FOR HIS TWENTY-TWO YEARS OF DISTINGUISHED MILITARY SERVICE, AND TO EXTEND BEST WISHES FOR MUCH SUCCESS IN THE DAYS AHEAD.

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The Senate Resolution was adopted.

S. 1126 -- Senator Peeler: A SENATE RESOLUTION TO CONGRATULATE THE GAFFNEY HIGH SCHOOL FOOTBALL TEAM, COACHES, AND SCHOOL OFFICIALS ON AN OUTSTANDING SEASON, TO HONOR THEM FOR WINNING THE SOUTH CAROLINA CLASS AAAAA FOOTBALL STATE CHAMPIONSHIP, AND TO CONGRATULATE COACH DON JONES FOR BEING NAMED COACH OF THE YEAR BY THE SOUTH CAROLINA FOOTBALL COACHES ASSOCIATION.

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TUESDAY, MARCH 8, 2022

The Senate Resolution was adopted.

S. 1127 -- Senators Cash, Rice, Verdin, Grooms and Adams: A BILL TO ENACT THE EQUAL PROTECTION FOR UNBORN BABIES ACT; TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROHIBIT THE PERFORMANCE OR INDUCTION OF ABORTIONS IN THIS STATE, TO PROVIDE PENALTIES FOR VIOLATING THE PROHIBITION, TO DEFINE NECESSARY TERMS; AND TO PROVIDE THAT THE PROVISIONS CONTAINED IN THIS ACT ARE EFFECTIVE UPON AN ACTION TAKEN BY THE FEDERAL GOVERNMENT THAT HAS THE EFFECT OF ACKNOWLEDGING THAT THE STATE OF SOUTH CAROLINA HAS THE AUTHORITY TO REGULATE ABORTION TO THE EXTENT SET FORTH IN THIS ACT.

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

S. 1128 -- Senator Shealy: A BILL TO AMEND CHAPTER 5, TITLE 52 OF THE 1976 CODE, RELATING TO HORSE RACING, TO ENACT THE SOUTH CAROLINA EQUINE ADVANCEMENT ACT TO ESTABLISH A GRANT PROGRAM TO ASSIST THE GROWTH AND DEVELOPMENT OF THE EQUINE INDUSTRY IN SOUTH CAROLINA, TO PROVIDE FOR PARI-MUTUEL WAGERING ON APPLICATIONS OPERATED BY A LICENSED ADVANCED DEPOSIT WAGERING ENTITY, TO ESTABLISH SOUTH CAROLINA EQUINE COMMISSION TO REGULATE THE INDUSTRY, TO PROVIDE FOR MEMBERSHIP ON THE COMMISSION, TO PROVIDE FOR THE POWERS, DUTIES, AND OBLIGATIONS OF THE COMMISSION, TO PROVIDE FOR LICENSE FEES, AND TO DEFINE NECESSARY TERMS.

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

S. 1129 -- Senator Shealy: A BILL TO AMEND SECTION 16-17-501 OF THE 1976 CODE, RELATING TO DEFINITIONS FOR OFFENSES AGAINST PUBLIC POLICY, TO PROVIDE DEFINITIONS FOR NICOTINE PRODUCTS; AND TO AMEND ARTICLE 1, CHAPTER 17, TITLE 16 OF THE 1976 CODE, RELATING TO OFFENSES AGAINST PUBLIC POLICY, TO ADD

TUESDAY, MARCH 8, 2022

SECTION 16-17-507 TO PROVIDE FOR THE FORMATION OF A VAPOR PRODUCT DISPENSARY AND TO ADD SECTION 16-17-508 TO PROHIBIT THE SALE OF FLAVORED VAPOR PRODUCTS.

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

S. 1130 -- Senator Kimbrell: A BILL TO AMEND TITLE 44 OF THE 1976 CODE, RELATING TO HEALTH, BY ADDING CHAPTER 139 TO PROVIDE THAT LOCAL LAWS AND ORDINANCES RELATED TO THE REGULATION AND ENFORCEMENT OF THE RIGHT OF MEDICAL PRACTITIONERS, HEALTH CARE INSTITUTIONS, AND HEALTH CARE PAYERS TO EXERCISE THEIR CONSCIENCE, WHETHER SUCH CONSCIENCE IS INFORMED BY RELIGION, MORAL, ETHICAL, OR PHILOSOPHIC BELIEFS, ARE PREEMPTED AND SUPERSEDED BY LAWS ENACTED BY THE GENERAL ASSEMBLY AND REGULATIONS PROMULGATED BY STATE AGENCIES PURSUANT TO THOSE LAWS.

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

S. 1131 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO EMERGENCY MEDICAL SERVICES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5055, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1132 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO ONSITE WASTEWATER SYSTEMS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5103, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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TUESDAY, MARCH 8, 2022

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

S. 1133 -- Medical Affairs Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, RELATING TO STANDARDS FOR LICENSING HOME HEALTH AGENCIES, DESIGNATED AS REGULATION DOCUMENT NUMBER 5057, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

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

S. 1134 -- Senator Climer: A SENATE RESOLUTION TO RECOGNIZE MARCH 8, 2022 AS "4-H DAY" IN SOUTH CAROLINA AND TO COMMEND THE 4-H MEMBERS, ALUMNI, AND LEADERSHIP FOR THEIR ACCOMPLISHMENTS AND THEIR SERVICE TO THE PEOPLE AND THE STATE OF SOUTH CAROLINA.

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The Senate Resolution was adopted.

S. 1135 -- Senator Campsen: A BILL TO AMEND SECTION 12-36-2110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE MAXIMUM SALES TAX, SO AS TO INCLUDE LIVESTOCK TRAILERS.

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

S. 1136 -- Senators Loftis, Talley, Turner and Climer: A BILL TO ENACT THE "AUDIOLOGY AND SPEECH-LANGUAGE INTERSTATE COMPACT ACT", TO AMEND CHAPTER 67, TITLE 40 OF THE 1976 CODE, RELATING TO SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS, BY ADDING ARTICLE 5, TO OUTLINE STATE PARTICIPATION IN THE COMPACT, TO OUTLINE PRIVILEGES FOR AUDIOLOGISTS AND SPEECH-LANGUAGE PATHOLOGISTS RESULTING FROM THE COMPACT, TO ALLOW FOR THE PRACTICE OF TELEHEALTH, TO PROVIDE ACCOMMODATIONS FOR ACTIVE-DUTY MILITARY PERSONNEL AND THEIR SPOUSES, TO PROVIDE A

TUESDAY, MARCH 8, 2022

MECHANISM FOR TAKING ADVERSE ACTIONS AGAINST LICENSEES, TO ESTABLISH THE AUDIOLOGY AND SPEECH-LANGUAGE PATHOLOGY COMPACT COMMISSION, TO ESTABLISH A DATA SYSTEM, TO OUTLINE THE RULEMAKING PROCESS, TO ADDRESS OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT DUTIES AND RESPONSIBILITIES, TO ESTABLISH THE DATE OF IMPLEMENTATION OF THE COMMISSION, RULES, WITHDRAWAL, AND AMENDMENTS, TO ADDRESS STATUTORY CONSTRUCTION, SEVERABILITY, AND THE BINDING EFFECT OF THE COMPACT; TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 67, TITLE 40 AS ARTICLE 1, ENTITLED "GENERAL PROVISIONS"; AND TO DEFINE NECESSARY TERMS.

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

S. 1137 -- Senator Hembree: A SENATE RESOLUTION TO COMMEND THE ROTARY CLUB OF LITTLE RIVER FOR ITS EXEMPLARY EFFORTS TO EDUCATE CHILDREN AND THEIR PARENTS ABOUT WATER SAFETY, TO ENCOURAGE ALL CITIZENS OF THIS GREAT STATE TO BECOME BETTER INFORMED ABOUT PREVENTION OF CHILD DROWNINGS AND THE PRACTICE OF WATER SAFETY, AND TO DECLARE SATURDAY, APRIL 2, 2022, AS "JOSH THE OTTER WATER SAFETY DAY" IN SOUTH CAROLINA.

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The Senate Resolution was introduced and referred to the Committee on Fish, Game and Forestry.

H. 3679 -- Reprs. Taylor, Clyburn, Blackwell and Oremus: A JOINT RESOLUTION TO AUTHORIZE THE AIKEN COUNTY COUNCIL AND THE AIKEN CITY COUNCIL TO TRANSFER THE VIETNAM WAR MEMORIAL, ETERNAL FLAME, AND UNITED STATES FLAG INSTALLATIONS TO THE AIKEN COUNTY VETERANS MEMORIAL PARK.

Read the first time and ordered placed on the Local and Uncontested Calendar.

TUESDAY, MARCH 8, 2022

H. 5081 -- Reps. Simrill, Cobb-Hunter and Finlay: A CONCURRENT RESOLUTION TO RECOGNIZE WEDNESDAY, APRIL 6, 2022, AS "HIGHER EDUCATION DAY" IN SOUTH CAROLINA.

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

REPORT OF STANDING COMMITTEE

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

S. 1087 -- Senators Peeler, Alexander, Kimbrell, Shealy, Turner, Climer, M. Johnson, Martin, Corbin, Davis, Massey, Rice, Adams, Garrett, Cash, Young, Malloy, Williams, Loftis, Gambrell, Talley, Cromer, Scott, Jackson, Stephens, Campsen, Verdin, Grooms and McElveen: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE "COMPREHENSIVE TAX CUT ACT OF 2022"; TO AMEND SECTION 12-6-510, RELATING TO THE INDIVIDUAL INCOME TAX, SO AS TO REDUCE THE TOP MARGINAL RATE TO 5.7 PERCENT; TO AMEND SECTION 12-6-1171, RELATING TO THE MILITARY RETIREMENT DEDUCTION, SO AS TO EXEMPT ALL MILITARY RETIREMENT INCOME; TO AMEND SECTION 12-37-220, AS AMENDED, RELATING TO PROPERTY TAX EXEMPTIONS, SO AS TO INCREASE A PROPERTY TAX EXEMPTION FOR CERTAIN MANUFACTURING PROPERTY; TO APPROPRIATE ONE BILLION DOLLARS FROM THE CONTINGENCY RESERVE FUND TO THE TAXPAYER REBATE FUND TO PROVIDE REBATES TO TAXPAYERS; AND TO REPEAL SECTION 12-6-515 RELATING TO AN ARCHAIC INDIVIDUAL INCOME TAX PROVISION.

Ordered for consideration tomorrow.

Message from the House

Columbia, S.C., February 8, 2022

Mr. President and Senators:

The House respectfully informs your Honorable Body that the Report of the Committee of Conference having been adopted by both Houses, and this Bill having been read three times in each House, it was ordered that the title thereof be changed to that of an Act and that it be enrolled for Ratification:

TUESDAY, MARCH 8, 2022

H. 3308 -- Reps. Huggins, Hill, Forrest, Caskey and Hixon: A BILL TO AMEND SECTION 50-21-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS, SO AS TO DEFINE "WAKE SURF"; TO AMEND SECTION 50-21-870, RELATING TO PERSONAL WATERCRAFT SAFETY, SO AS TO INCREASE DISTANCE LIMITS BETWEEN A WATERCRAFT OPERATING IN EXCESS OF IDLE SPEED UPON CERTAIN WATERS OF THIS STATE AND A WHARF, DOCK, BULKHEAD, OR PIER.

Very respectfully,

Speaker of the House

Received as information.

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

HOUSE BILLS RETURNED

The following Bills were read the third time and ordered returned to the House with amendments.

H. 3590 -- Reps. Allison and Lucas: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-18-1115 SO AS TO PROVIDE PUBLIC SCHOOL DISTRICTS MAY HIRE NONCERTIFIED TEACHERS FOR ANY SCHOOLS AND CAREER AND TECHNOLOGY CENTERS THAT HAVE VACANT TEACHING POSITIONS FIVE BUSINESS DAYS BEFORE THE BEGINNING OF THE SCHOOL YEAR, TO PROVIDE THESE NONCERTIFIED TEACHERS MAY COMPRISE NO MORE THAN TWENTY-FIVE PERCENT OF THE ENTIRE TEACHING STAFF OF A SCHOOL OR CAREER AND TECHNOLOGY CENTER, TO PROVIDE ACADEMIC AND EXPERIENCE REQUIREMENTS FOR THESE NONCERTIFIED TEACHERS, AND TO PROVIDE RELATED REQUIREMENTS CONCERNING THE REGISTRATION AND TERMINATION OF THESE NONCERTIFIED TEACHERS.

H. 3821 -- Reps. W. Newton and Herbkersman: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 6 TO CHAPTER 5, TITLE 63 SO AS TO ENACT THE "SOUTH CAROLINA UNIFORM TRANSFERS TO MINORS ACT"; TO PROVIDE FOR THE UNIFORM MANNER IN WHICH AND PROCEDURES AND REQUIREMENTS UNDER WHICH

TUESDAY, MARCH 8, 2022

TRANSFERS OF CUSTODIAL PROPERTY MAY BE MADE FOR THE BENEFIT OF A MINOR; AND TO REPEAL ARTICLE 5 OF CHAPTER 5, TITLE 63 RELATING TO THE “SOUTH CAROLINA UNIFORM GIFTS TO MINORS ACT”.

The Senate proceeded to a consideration of the Bill.

The Committee on Judiciary proposed the following amendment (JUD3821.003), which was adopted:

Amend the bill, as and if amended, page 29, line 34, by adding appropriately numbered SECTIONS to read:

/ SECTION __. Section 62-1-201(49) is amended to read:

“(49) ‘Trust’ includes any express trust, private or charitable, with additions thereto, wherever and however created. It also includes a trust created or determined by judgment or decree under which the trust is to be administered in the manner of an express trust. ‘Trust’ excludes other constructive trusts, and it excludes resulting trusts, conservatorships, personal representatives, trust accounts as defined in Article 6 (Sections 62-6-101 et seq.), custodial arrangements pursuant to the ~~South Carolina Uniform Gifts to Minors Act, Article 5, Chapter 5, Title 63, South Carolina Uniform Transfer to Minors Act, Article 6, Chapter 5, Title 63,~~ South Carolina Uniform Transfer to Minors Act, Article 6, Chapter 5, Title 63, business trusts providing for certificates to be issued to beneficiaries, common trust funds, voting trusts, security arrangements, liquidation trusts, and trusts for the primary purpose of paying debts, dividends, interest, salaries, wages, profits, pensions, or employee benefits of any kind, and any arrangement under which a person is nominee or escrowee for another.”

SECTION __. Section 62-1-302(a)(2)(ii) is amended to read:

“(a)(2)(ii) gifts made pursuant to the ~~South Carolina Uniform Gifts to Minors Act under Article 5, Chapter 5, Title 63~~ South Carolina Uniform Transfer to Minors Act under Article 6, Chapter 5, Title 63;”

SECTION __. Section 62-5-103(A)(3) is amended to read:

“(A)(3) a financial institution incident to a deposit in a federally insured savings account in the sole name of the minor or for the minor under the ~~Uniform Gifts to Minors Act~~ Uniform Transfer to Minors Act and giving notice of the deposit to the minor.”

SECTION __. References to the “Uniform Gift to Minors Act” mean the “Uniform Transfer to Minors Act”, except as provided in Section 59-4-40. /

Re-number sections to conform.

Amend title to conform.

TUESDAY, MARCH 8, 2022

Senator SENN explained the amendment.

The amendment was adopted.

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

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

Ayes 37; Nays 0

AYES

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

Total--37

NAYS

Total--0

There being no further amendments, the Bill, as amended, was read the third time, passed and ordered returned to the House.

OBJECTION

S. 230 -- Senators Shealy, Hutto, Jackson and Gustafson: A BILL TO AMEND SECTION 16-3-2020(G) OF THE 1976 CODE, RELATING TO TRAFFICKING VICTIMS WHO ARE MINORS, TO PROVIDE THAT MINORS ENGAGED IN COMMERCIAL SEXUAL ACTIVITY OR TRAFFICKING ARE PRESUMED TO BE DOING SO UNDER COERCION OR AS THE RESULT OF A REASONABLE FEAR OF A THREAT, TO PROVIDE FOR AN AFFIRMATIVE

TUESDAY, MARCH 8, 2022

DEFENSE OF THESE VICTIMS, AND TO PROVIDE FOR EXPUNGEMENT FOR THESE VICTIMS.

Senator MALLOY objected to consideration of the Bill.

CARRIED OVER

S. 712 -- Senators Davis, Kimbrell and Hutto: A BILL TO AMEND CHAPTER 111, TITLE 59 OF THE 1976 CODE, RELATING TO EDUCATIONAL SCHOLARSHIPS, BY ADDING ARTICLE 11, TO ESTABLISH THE HEALTHCARE PROFESSIONAL LOAN FORGIVENESS PROGRAM, TO PROVIDE FOR THE ELIGIBILITY, ADMINISTRATION, AND FUNDING OF THE PROGRAM, TO CREATE AN ADVISORY COMMITTEE, AND TO DEFINE NECESSARY TERMS.

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

RECOMMITTED

S. 1076 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO PRICE CHANGES FOR FOREST TREE SEEDLINGS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5043, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1079 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE COMMISSION OF FORESTRY, RELATING TO ALLOCATION OF FOREST TREE SEEDLINGS IN SHORT SUPPLY, DESIGNATED AS REGULATION DOCUMENT NUMBER 5046, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1080 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO USE

TUESDAY, MARCH 8, 2022

OF WARNING TICKETS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5067, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1081 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO FIELD TRIAL REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5071, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1082 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO COMMERCIAL PERMIT DURATION, DESIGNATED AS REGULATION DOCUMENT NUMBER 5096, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1083 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO RULE AND REGULATION ADOPTING CERTAIN FEDERAL RULES AND REGULATIONS, DESIGNATED AS REGULATION DOCUMENT NUMBER 5079, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

RECOMMITTED

S. 1084 -- Fish, Game and Forestry Committee: A JOINT RESOLUTION TO APPROVE REGULATIONS OF THE DEPARTMENT OF NATURAL RESOURCES, RELATING TO

TUESDAY, MARCH 8, 2022

DISPLAY OF DECALS BEARING TITLE NUMBER, DESIGNATED AS REGULATION DOCUMENT NUMBER 5080, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

On motion of Senator CAMPSSEN, the Resolution was recommitted to Committee on Fish, Game and Forestry.

OBJECTION

S. 812 -- Senator Alexander: A BILL TO AMEND CHAPTER 2, TITLE 40 OF THE 1976 CODE, RELATING TO ACCOUNTANTS, TO PROVIDE FOR THE PRACTICE OF CERTIFIED PUBLIC ACCOUNTANTS.

Senator M. JOHNSON objected to consideration of the Bill.

OBJECTION

S. 2 -- Senators Peeler, Malloy, McElveen, Hembree, Senn and Kimbrell: A BILL TO AMEND CHAPTER 1, TITLE 44 OF THE 1976 CODE, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO RENAME AND REORGANIZE THE CHAPTER AS THE "DEPARTMENT OF BEHAVIORAL AND PUBLIC HEALTH", TO DELEGATE RESPONSIBILITIES, TO ABOLISH THE DEPARTMENT AND BOARD, TO PROVIDE FOR THE APPOINTMENT OF A DIRECTOR, AND TO TRANSFER ENVIRONMENTAL RESPONSIBILITIES OF THE DEPARTMENT; TO AMEND CHAPTER 9, TITLE 44, TO CREATE THE DIVISION OF MENTAL HEALTH, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF MENTAL HEALTH AND THE MENTAL HEALTH COMMISSION; TO AMEND CHAPTER 49, TITLE 44, TO CREATE THE DIVISION OF ALCOHOL AND OTHER DRUG ABUSE SERVICES, TO MAKE CONFORMING CHANGES, AND TO ABOLISH THE DEPARTMENT OF ALCOHOL AND OTHER DRUG ABUSE SERVICES; BY ADDING ARTICLE 7 TO CHAPTER 11, TITLE 25 TO TRANSFER THE AUTHORITY TO ESTABLISH AND OPERATE VETERANS HOMES; BY ADDING CHAPTER 57 TO TITLE 46 TO CREATE A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF AGRICULTURE AND TRANSFER THE DIVISIONS, OFFICES, AND PROGRAMS THAT PERFORM ENVIRONMENTAL FUNCTIONS, WITH EXCEPTIONS; TO AMEND APPROPRIATE SECTIONS TO TRANSFER

TUESDAY, MARCH 8, 2022

REGULATORY AUTHORITY TO THE DEPARTMENT OF AGRICULTURE; TO AMEND APPROPRIATE SECTIONS TO TRANSFER REGULATORY AUTHORITY TO THE DEPARTMENT OF NATURAL RESOURCES; TO AMEND APPROPRIATE SECTIONS TO MAKE CONFORMING CHANGES; AND TO REPEAL APPROPRIATE SECTIONS. (Abbreviated Title)

Senator HUTTO objected to consideration of the Bill.

OBJECTION

S. 838 -- Senators Adams, Garrett, M. Johnson, Kimbrell, Rice, Cash and Corbin: A BILL TO AMEND SECTION 63-5-350 OF THE 1976 CODE, RELATING TO PROVIDING HEALTH SERVICES TO MINORS WITHOUT PARENTAL CONSENT, TO PROHIBIT THE ADMINISTRATION OF THE COVID-19 VACCINE WITHOUT PARENTAL CONSENT.

Senators HUTTO and KIMPSON objected to consideration of the Bill.

POINT OF ORDER

S. 992 -- Senators Rice, Kimbrell, Verdin, Shealy, Adams, Hutto, McElveen, Gambrell and Garrett: A BILL TO AMEND SECTION 44-37-30(B) OF THE 1976 CODE, RELATING TO INFORMATION OBTAINED FROM NEONATAL TESTING OF CHILDREN, TO PROVIDE THAT, AT THE SAME TIME INFORMATION IS RELEASED TO A CHILD'S PHYSICIAN, THE DEPARTMENT SHALL REFER CHILDREN WITH METABOLIC, GENETIC, OR CONGENITAL DISORDERS TO A QUALIFIED SPECIALIST FOR FOLLOW-UP SERVICES, INCLUDING TREATMENT, COUNSELING, AND EDUCATION.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1011 -- Senators Senn and Shealy: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA PARKINSON'S DISEASE RESEARCH COLLECTION ACT" BY ADDING SECTION 44-7-3240 SO AS TO

TUESDAY, MARCH 8, 2022

PROVIDE FOR THE COLLECTION OF DATA ON THE INCIDENCE OF PARKINSON'S DISEASE BY THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND TO ALLOW FOR DIAGNOSED PATIENTS TO PARTICIPATE VOLUNTARILY IN DATA COLLECTION; TO PROVIDE FOR THE CREATION OF A PARKINSON'S DISEASE ADVISORY BOARD AND TO PROVIDE FOR THE BOARD'S ROLES AND RESPONSIBILITIES; TO DEFINE TERMS; TO ESTABLISH REQUIREMENTS PERTAINING TO CONFIDENTIALITY AND DISSEMINATION OF COLLECTED INFORMATION AND RECORD KEEPING; TO REQUIRE REPORTING OF DATA BY HEALTH CARE FACILITIES AND PROVIDERS; TO ALLOW THE MEDICAL UNIVERSITY OF SOUTH CAROLINA TO ENTER INTO AGREEMENTS TO FURTHER THE PROGRAM; AND FOR OTHER PURPOSES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1025 -- Senators Shealy, Hutto and Jackson: A BILL TO AMEND SECTION 44-63-80 OF THE 1976 CODE, RELATING TO CERTIFIED COPIES OF BIRTH CERTIFICATES, TO EXPAND THE DEFINITION OF LEGAL REPRESENTATIVE AND TO ALTER THE PROCESS FOR OBTAINING BIRTH CERTIFICATES.

Point of Order

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

The PRESIDENT sustained the Point of Order.

POINT OF ORDER

S. 1034 -- Senator Gambrell: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-43-195 SO AS TO AUTHORIZE CENTRAL FILL PHARMACIES TO BE ESTABLISHED IN THIS STATE FOR THE PURPOSE OF FILLING PRESCRIPTIONS FOR, AND AT THE REQUEST OF, AN ORIGINATING PHARMACY; TO ESTABLISH CERTAIN

TUESDAY, MARCH 8, 2022

OPERATING PROCEDURES AND REQUIREMENTS FOR CENTRAL FILL PHARMACIES INCLUDING, AMONG OTHER THINGS, OBTAINING A CENTRAL FILL PHARMACY PERMIT AND A CONTROLLED SUBSTANCES REGISTRATION, IF APPROPRIATE, NOTIFYING PATIENTS OF CENTRAL FILL PROCESSING PROCEDURES, REQUIRING WRITTEN PRESCRIPTION DRUG INFORMATION AND A TOLL-FREE NUMBER, PROVIDING PRESCRIPTION LABELING AND RECORD KEEPING REQUIREMENTS, AND REQUIRING POLICIES AND PROCEDURES MANUALS.

Point of Order

Senator CORBIN 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.

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

MOTION ADOPTED

At 2:32 P.M., on motion of Senator MASSEY, the Senate agreed to dispense with the balance of the Motion Period.

THE SENATE PROCEEDED TO THE SPECIAL ORDERS.

COMMITTEE AMENDMENT ADOPTED

AMENDMENT PROPOSED

H. 3205 -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter, T. Moore and Kimmons: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING

TUESDAY, MARCH 8, 2022

AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

The Senate proceeded to a consideration of the Resolution.

Senator CAMPSSEN explained the Resolution.

The Committee on Judiciary proposed the following amendment (JUD3205.004), which was adopted:

Amend the joint resolution, as and if amended, by striking all after the title and inserting therein the following:

/ Whereas, the Founders of our Constitution empowered State Legislators to be guardians of liberty against future abuses of power by the federal government, and

Whereas, the federal government has created a crushing national debt through improper and imprudent spending, and

Whereas, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent, and

Whereas, the federal government has ceased to live under a proper interpretation of the Constitution of the United States, and

Whereas, it is the solemn duty of the States to protect the liberty of our people—particularly for the generations to come—by proposing Amendments to the Constitution of the United States through a Convention of the States under Article V for the purpose of restraining these and related abuses of power. Now therefore,

Be it therefore resolved by the General Assembly of the State of South Carolina:

SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government,

TUESDAY, MARCH 8, 2022

limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.

SECTION 2. The Clerks of the South Carolina House of Representatives and the South Carolina Senate shall transmit copies of this resolution to the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United States House of Representatives, the members of the South Carolina Congressional Delegation, and the presiding officers of each of the legislative houses in the several states, attesting to the enactment of this joint resolution by the South Carolina General Assembly and requesting cooperation.

SECTION 3. This joint resolution constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

SECTION 4. This joint resolution takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

Senator SCOTT spoke on the committee amendment.

Point of Quorum

At 5:18 P.M., Senator HARPOOTLIAN made the point that a quorum was not present. It was ascertained that a quorum was present. The Senate resumed.

Senator HARPOOTLIAN spoke on the committee amendment.

The amendment was adopted.

Amendment No. 1

Senators HUTTO and SABB proposed the following amendment (3205AMEND10):

Amend the bill, as and if amended, by striking SECTION 1 and inserting the following:

/ SECTION 1. The General Assembly of South Carolina, by this joint resolution, hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing amendments to the Constitution of the United States that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for

TUESDAY, MARCH 8, 2022

members of Congress, and impose a penalty for specific crimes committed against a victim who was intentionally selected by an offender because of the offender's belief or perception regarding the victim's race, color, sex, gender, national origin, sexual orientation, or physical or mental disability, regardless of whether the offender's belief or perception is correct. /

Renumber sections to conform.

Amend title to conform.

Senator HARPOOTLIAN spoke on the amendment.

Debate was interrupted by adjournment.

Motion to Ratify Adopted

At 6:17 P.M., Senator MASSEY asked unanimous consent, with Senator HARPOOTLIAN retaining the floor, to make a motion to invite the House of Representatives to attend the Senate Chamber for the purpose of ratifying Acts at a mutually convenient time.

There was no objection and a message was sent to the House accordingly.

Motion Adopted

On motion of Senator MASSEY, with unanimous consent, the Senate agreed that, when the Senate adjourns today, it stand adjourned to meet at 12:15 P.M. tomorrow for the purpose of attending the Joint Assembly, and at the conclusion of the Joint Assembly, the Senate will reconvene at 2:00 P.M.

Motion Adopted

On motion of Senator MASSEY, with Senator HARPOOTLIAN retaining the floor on H. 3205, the Senate agreed to stand adjourned.

TUESDAY, MARCH 8, 2022

MOTION ADOPTED

On motion of Senator SCOTT, with unanimous consent, the Senate stood adjourned out of respect to the memory of Mr. Jeffrey B. Smoak of Columbia, S.C. Jeffrey was the father of our beloved Tucker Smoak, a Legislative Aide with the South Carolina Senate, and Miller Smoak, a Page with the Senate Finance Committee. Jeffrey attended the University of South Carolina and worked as a Geodetic Surveyor with the Office of Revenue and Fiscal Affairs for 28 years. He was a lifelong learner who enjoyed reading, surfing, fishing, sailing and was a proud Sandlapper. Jeffrey was a loving husband, devoted father and loyal friend who will be dearly missed.

and

MOTION ADOPTED

On motion of Senator McELVEEN, with unanimous consent, the Senate stood adjourned out of respect to the memory of Ms. Naomi Mickens of Sumter, S.C. Naomi was the mother of Chris Sumpter, II, a former beloved page in the South Carolina Senate. She attended Anointed Word Christian Ministries where she enjoyed southern gospel music and fellowship. Naomi enjoyed spending time with her family, gardening, baking and tailgating. Naomi was a loving mother and doting grandmother who will be dearly missed.

ADJOURNMENT

At 6:25 P.M., on motion of Senator MASSEY, the Senate adjourned to meet tomorrow at 12:15 P.M.

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TUESDAY, MARCH 8, 2022
SENATE JOURNAL INDEX

Amendment No. 1.....	24	S. 1123.....	8
S. 2.....	19	S. 1124.....	8
S. 230.....	16	S. 1125.....	8
S. 712.....	17	S. 1126.....	8
S. 812.....	19	S. 1127.....	9
S. 838.....	20	S. 1128.....	9
S. 953.....	5	S. 1129.....	9
S. 992.....	20	S. 1130.....	10
S. 1005.....	7	S. 1131.....	10
S. 1011.....	20	S. 1132.....	10
S. 1024.....	6	S. 1133.....	11
S. 1025.....	21	S. 1134.....	11
S. 1034.....	21	S. 1135.....	11
S. 1060.....	7	S. 1136.....	11
S. 1076.....	17	S. 1137.....	12
S. 1079.....	17		
S. 1080.....	17	H. 3205.....	22
S. 1081.....	18	H. 3308.....	14
S. 1082.....	18	H. 3590.....	14
S. 1083.....	18	H. 3679.....	12
S. 1084.....	18	H. 3821.....	14
S. 1085.....	5	H. 4269.....	6
S. 1087.....	13	H. 5081.....	13
S. 1122.....	5		