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2018 March 9  
Representative Chip Huggins  
District 85  
*Serving Irmo and Chapin*

The House of Representatives returned **S.954** to the Senate with amendments **ELIMINATING ALL CHARGES ON THE ELECTRIC BILLS OF SCE&G CUSTOMERS THAT SUPPORT THE FAILED V.C. SUMMER NUCLEAR POWER PROJECT**. As approved by the Senate, this joint resolution affords the Public Service Commission additional time to make a decision on whether the Base Load Review Act has been properly used to finance the failed nuclear power project in Fairfield County by providing for a PSC hearing on the matter no earlier than November 1, 2018, and requiring a PSC ruling by December 21, 2018. The House amended the legislation to provide that, while the PSC is conducting its review and rendering its decision under this timeline and during any appeals of decisions that could follow, the nuclear premium charge is to be removed from the power bills of SCE&G customers. The legislation orders new electricity rates for customers of SCANA Corporation's South Carolina Electric and Gas to be reduced by eliminating all of the increases that have been imposed in recent years under the Base Load Review Act to finance the failed V.C. Summer nuclear power project in Fairfield County. These lower experimental rates would no longer include the increases, amounting to around 18% to 19.5%, that have been included on the power bills of SCE&G customers to fund construction of the nuclear reactors in Jenkinsville which have now been abandoned.

The House amended and gave second reading approval to **H.4628**, a bill enacting the "**SOUTH CAROLINA TELEPHONE PRIVACY PROTECTION ACT**" to replace current provisions for regulating unsolicited consumer telephone calls with updated and enhanced consumer protection provisions relating to telemarketers. The legislation establishes provisions governing the conduct of telephone solicitations that include requirements for a telephone solicitor to provide identifying information, contact information, and the option to be added to the telephone solicitor's in house 'do not call' list. The legislation establishes prohibitions on directing telephone solicitations to telephone numbers that have been added to in house 'do not call' lists or the National Do Not Call Registry maintained by the federal government. The legislation prohibits the practice of falsifying caller identification system information known as spoofing, by disallowing a telephone solicitor from making a consumer telephone call with a telephone number that displays a South Carolina area code on the recipient's caller identification system unless the telephone solicitor maintains a physical presence in the state. A telephone solicitor is also prohibited from displaying the receiving party's telephone number on the contacted party's caller identification system. A private cause of action is established for those harmed by violations. The Attorney General is authorized to investigate and enforce violations.

The House returned **H.4612**, legislation authorizing **SURETY BONDS FOR GENERAL AND MECHANICAL LICENSURE APPLICANTS**, to the Senate with amendments. Rather than providing financial statements showing a minimum net worth, this legislation affords applicants for general and mechanical licensure the option of satisfying financial requirements by providing a surety bond in an amount equal to the required net worth for the applicant's license group. The surety bond option is offered as a means of accommodating those who operate under an employee option stock program arrangement which makes it difficult to satisfy minimum asset requirements.

The House amended, approved, and sent the Senate to **H.3197**, a bill **PROHIBITING THE CHARGING OF FEES FOR PERMITS FOR CREMATION, REMOVAL, TRANSIT, OR BURIAL OF A BODY**.

The House amended and gave second reading approval to **H.3064**, a bill **AUTHORIZING A LICENSED PHYSICIAN TO PRESCRIBE CONTRACEPTIVE DRUGS THAT MAY BE DISPENSED OVER A PERIOD OF UP TO THREE YEARS AFTER THE ORDER IS ISSUED**. These contraceptive drugs include all drugs approved by the United States Food and Drug Administration that are used to prevent pregnancy, including hormonal drugs administered orally, transdermally, or transvaginally.

The House amended, approved, and sent the Senate **H.4644**, a bill making revisions to **SOLID WASTE MANAGEMENT** provisions. The legislation makes revisions to the Solid Waste Management Trust Fund that includes recommendations from the House Legislative Oversight Committee's review of the Department of Health and Environmental Control. The legislation establishes a **SOLID WASTE EMERGENCY FUND**, administered by DHEC, that is to be used to address a substantial release or threat of substantial release into the environment of any pollutant or other circumstance which may present an imminent and substantial danger to human health and the environment from a regulated solid waste facility. Two and one-half percent of the funds collected each quarter for the Solid Waste Management Trust Fund must be transferred to the Solid Waste Emergency Fund until the emergency fund reaches an unencumbered balance of \$1.5 million. The legislation also provides that a permit to construct a new solid waste management facility or to expand an existing solid waste management facility may not be issued until the applicant provides documentation from the applicable local government of compliance with local land use and zoning ordinances along with the permit application. The legislation establishes permitting, registration, and oversight provisions for facilities that recycle construction and demolition debris.

The House amended, approved, and sent the Senate **H.4889**, a bill addressing **CONSERVATION EASEMENT CONDEMNATIONS**. This legislation allows conservation easement holders to contest actions, under specified circumstances, to condemn property restricted by a conservation easement. In addition, when a court determines that a prudent and feasible alternative to condemnation has been presented by a condemnee, or a conservation easement holder, the condemnation proceedings must cease.

The House amended, approved, and sent the Senate **H.4683**, the "**BEACHFRONT MANAGEMENT REFORM ACT**". The legislation makes revisions to the limitations placed on the development of oceanfront property and other coastal areas. The legislation provides that, between the establishment cycle of January 1, 2016, and December 31, 2019, the Department of Health and Environmental Control must use the established baselines and setback lines that were established by January 31, 2012. After December 31, 2023, the department must initiate

baselines and setback lines for all geographic areas where baselines and setback lines were established by January 31, 2012. The legislation includes provisions for how DHEC is to evaluate oceanfront areas that incur extraordinary erosion due to the impact of a storm system or event named by the National Weather Service when making its reviews to establish new lines. The appeals process is revised to allow property owners to have one year to be granted a review of the baseline and setback line.

The House approved and sent the Senate **H.3211**, a bill **ADDING THE ATTORNEY GENERAL TO THOSE OFFICIALS WHO ARE AUTHORIZED TO FILE MOTIONS FOR REDUCTION OF SENTENCES AFTER DEFENDANTS HAVE PROVIDED SUBSTANTIAL ASSISTANCE TO THE STATE** within one year of their sentencing.

The House amended, approved, and sent the Senate **H.4830**, a bill establishing a **UNIFORM APPLICATION PROCESS FOR INDIGENT DEFENDANTS TO BE REPRESENTED BY PUBLIC DEFENDERS OR OTHER APPOINTED LEGAL COUNSEL**. The legislation requires all affidavits of indigency, and application for counsel forms, to contain certifications that they do not contain any wilfully-provided false information. All forms would have to be notarized. In the event a court, the SC Department of Probation, Parole, and Pardon Services [SCDPPPS], or an appointed attorney discovers that a defendant is financially able to employ counsel or contribute to the costs of employing counsel, a procedure for informing the court and terminating the appointed counsel is set out. Defendants who fraudulently obtain a public defender--or other appointed legal counsel--must pay a reasonable attorney fee to the South Carolina Commission on Indigent Defense. The legislation creates the criminal offense of wilfully providing false, misleading, or incomplete information on an affidavit of indigency and application for counsel form. The South Carolina Court Administration is directed to revise the affidavits of indigency and application for counsel forms. SCDPPPS is required to report annually to the General Assembly, by January 15<sup>th</sup>, on the number of these affidavits both accepted and rejected. As part of this annual report, an explanation of those rejected affidavits, including the grounds for rejecting them, would be made. In addition, existing General Assembly legislative oversight committees are to review these reports as part of their regularly scheduled review of SCDPPPS. Appointed attorneys are to be held to the requirements of Rule 407 of the Rules of Professional Conduct. This legislation initiates these reforms as a pilot project in six counties: Chester, Colleton, Edgefield, Horry, Lee, and Richland.

The House amended, approved, and sent the Senate **H.4931**, a bill authorizing the state's technical colleges to offer an **APPLIED BACCALAUREATE IN MANUFACTURING DEGREE** if the degree is approved first by the Board for Technical and Comprehensive Education and then the Commission on Higher Education.

The House amended, approved, and sent the Senate **H.4976**, a bill **PROVIDING LOCAL GOVERNMENT OFFICIALS WITH AUTHORITY TO REMOVE ABANDONED WATERCRAFT** if the South Carolina Department of Natural Resources does not exercise its authority to remove watercraft abandoned in the state's public lands and waterways.

The House amended, approved and sent the Senate **H.3970**, a bill making revisions to the **ENFORCEMENT OF SELF SERVICE STORAGE FACILITY LIENS**, including requirements for conducting commercially reasonable sales.

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