

From: Chip <chiphuggins@schouse.gov>
To: Lt. Governor's OfficeLtGov@scstatehouse.gov
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February 16, 2018
Representative Chip Huggins
District 85
Serving Irmo and Chapin

The House of Representatives took up legislation that draws upon the work of the special House Utility Ratepayer Protection Committee which was appointed by the Speaker of the House following the announcement from Santee Cooper and SCANA's South Carolina Electric and Gas that construction on the V.C. Summer nuclear reactors in Fairfield County was being abandoned after billions of dollars in fees had been collected from South Carolina's ratepayers under the Base Load Review Act to support the failed nuclear power project. The House gave second reading approval to **H.4377**, a bill providing **REFORMS FOR THE PUBLIC SERVICE COMMISSION**, the body that provides oversight and renders decisions in public utility matters. The legislation ends the terms of those currently serving on the Public Service Commission and sets up new staggered terms so that the General Assembly is scheduled to hold elections to fill some of the seven PSC seats this year and the rest of the seats next year. The legislation requires all the members of the Public Service Commission to meet the qualifications established for educational attainment or technical experience by eliminating an exception that allows the criteria to be waived through a supermajority vote of those screening PSC candidates. Continuing education requirements are expanded to require the commissioners and their employees to attend at least six hours of classes each year with a curriculum which directly relates to the subject matter for which the commission is responsible. New restrictions and reporting requirements are imposed on reimbursements for such costs as travel, food, and lodging incurred in fulfilling continuing education requirements in order to avoid the appearance of impropriety and prevent payments that could influence the performance of official duties. The legislation eases restrictions on communications with members or staff of the Public Utilities Review Committee or any other legislative committee charged with review of the commission. The PSC is afforded more expansive authority to conduct examinations, including physical inspection of facilities, of all those who are subject to its jurisdiction. The legislation provides that, before making a determination, the commissioners shall question the parties thoroughly during hearings of contested cases when appropriate.

The House amended, approved, and sent the Senate **H.4727**, legislation **RESTRUCTURING AND REAUTHORIZING THE SOUTH CAROLINA CONSERVATION BANK** on a permanent basis. The legislation revises the composition of Board that governs the South Carolina Conservation Bank which acquires interests from willing sellers in real property that is worthy of conservation for environmental, aesthetic, or historical reasons. These revisions include an

expansion of the fourteen-member board to fifteen, by adding the Commissioner of Agriculture and the Secretary of Commerce, or their designees, and eliminating one of the Governor's at-large appointments. The members from the Department of Natural Resources, the Forestry Commission, the Department of Parks, Recreation and Tourism, the Department of Agriculture, and the Department of Commerce are afforded voting privileges, but may not serve as chairman. Effective July 1, 2018, the South Carolina Conservation Bank board must be made up of members selected under the revised provisions of the legislation so that current members would need to be reappointed in order to continue serving on the board. The legislation charges the Conservation Bank with the duty of creating and updating a conservation prioritization map. The legislation makes revisions to place a greater emphasis on public access to conserved land. The Conservation Bank is authorized to coordinate all the environmental mitigation that has been required of various state agencies. The legislation prohibits the award of a grant or loan unless the funds are presently available in the trust fund. The Bank may not authorize the purchase of a conservation easement of more than \$1 million without obtaining approval from the State Fiscal Accountability Authority. The Bank may award grant money to the Department of Natural Resources, the Department of Parks, Recreation and Tourism, or the Forestry Commission for the purpose of improving public access to conserved land. The legislation eliminates provisions for funding the Conservation Bank with a portion of deed recording fees that has served as a dedicated revenue stream, and instead provides for the Bank to be funded through appropriations like most state agencies. The legislation eliminates the requirements for the General Assembly to reauthorize the Conservation Bank periodically in order for it to continue to exist.

The House approved and sent the Senate **H.4376, LIQUOR SALES** legislation which follows a South Carolina Supreme Court ruling that found limitations placed on the issuance of retail liquor licenses to be unconstitutional. Through this legislation, the General Assembly affirms its police power to regulate the business of retail liquor sales in the interest of the public's health, safety, and welfare. The legislation specifies that this police power includes regulating the number and localities of retail dealer licenses that a person may be issued in order to prevent monopolies and avoid problems associated with indiscriminate price cutting, excessive advertising of alcoholic products, and concentration of retail liquor stores in close proximity. Under the legislation, an individual continues to be subject to the limitation that no more than three retail dealer licenses may be issued to any one licensee. The legislation includes authority for a licensed wholesaler to deliver new alcoholic liquor in certain size bottles directly to those licensed to sell alcoholic liquors for on premises consumption, in such places as bars and restaurants, for a limited period following the product's introduction.

The House amended, approved, and sent the Senate **H.4643**, a bill facilitating **DIRECT PRIMARY CARE AGREEMENTS** between patients, or their legal representatives, and health care providers, who in exchange for a fee, agree to provide routine health care services, such as screening, assessment, diagnosis, laboratory work, and the provision of medical supplies and prescription drugs that are prescribed or dispensed in a health care provider's office. As a means of ensuring that these direct arrangements between patients and physicians are available as an option and free from undue regulation, the legislation provides that a direct primary care agreement is not a contract of insurance and is not subject to regulation by the Department of Insurance.

The House approved and sent the Senate **H.4858**, a bill designating the twenty first day of October of each year as "**DR. RONALD MCNAIR DAY**" so that the anniversary of McNair's birth in Lake City, South Carolina, may be used to pay tribute to his distinguished career as a NASA astronaut and to memorialize his tragic death as a member of the Challenger crew on the fateful day of January 28, 1986, when the space shuttle exploded shortly after liftoff from the Kennedy

Space Center.

The House amended, approved, and sent the Senate **H.4077**, a bill **CODIFYING INCOME TAX CREDITS FOR THE EDUCATION OF CHILDREN WITH EXCEPTIONAL NEEDS**. These provisions have been included as a budget proviso in general appropriation acts for the last five years.

The House approved and sent the Senate **H.4675**, a bill **UPDATING AND ENHANCING CAPTIVE INSURANCE PROVISIONS**. The legislation enacts changes recommended by the Department of Insurance as a means of making South Carolina more competitive in the captive insurance marketplace.

The House amended, approved, and sent the Senate **H.4657**, a bill **UPDATING ADMINISTRATIVE PENALTIES FOR INSURERS** which enacts recommendations of the Department of Insurance.

The House amended, approved, and sent the Senate **H.4828**, legislation providing for **SOUTH CAROLINA YOUTH HUNTING DAY** to be held on the Saturday before the regular Game Zone season framework for hunting antlered deer only. The daily bag limit on this day is one antlered deer.

The House amended, approved, and sent the Senate **H.4807**, legislation providing an extension for **WILD TURKEY HUNTING SEASON** and bag limit revisions while the Department of Natural Resources conducts its required study of the state's wild turkey population.

The House approved and sent the Senate **H.4272**, a bill providing another **EXTENSION FOR THE LEXINGTON COUNTY SCHOOL DISTRICT PROPERTY TAX RELIEF ACT**, Act 378 of 2004, so that the one percent special sales and use tax imposed by the legislation is extended for an additional seven years.

The House approved and sent the Senate **H.4478**, a bill providing the Director of the Criminal Justice Academy explicit authority to determine the **LOCATIONS WHERE LAW ENFORCEMENT OFFICER TRAINING IS PROVIDED**. The House Legislative Oversight Committee has recommended the legislation to affirm that the director is authorized to set up training that is offered, not only at the academy, but also in locations throughout the state.

The House approved and sent the Senate **H.4411**, a bill that codifies a budget proviso that has been included in recent appropriation acts by eliminating the **COASTAL ZONE MANAGEMENT APPELLATE PANEL** as obsolete. The House Legislative Oversight Committee has recommended the repeal of the appellate panel provisions since contested cases and appeals are now handled under a uniform procedure at the Department of Health and Environmental Control.

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Our mailing address is:

Chip Huggins, House District 85

1105 Pendleton St.

Post Office Box 11867

Columbia, SC 29211

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