



LEGISLATIVE UPDATE SINE DIE 6/2/2011

Since this is the first year of a two year legislative session all bills will be carried over to next year and resume the same position on the calendar and in committee. The House and Senate agreed to come June 14th to take up vetoes issued by Governor Haley, the state budget, appointments, and redistricting. They must wrap their session by 5 p.m. July 1st.

H.3470, Rep. Pitts, this bill will add household dishwashing detergents to the cleaning products included in the restriction on phosphates. The bill was recalled from the Senate Medical Affairs Committee placed on the calendar and received second reading.

H.3617, Rep. Pitts, this bill provides that a sewage system or treatment facility that has had ~~three~~ **two** or more **significant** sewage spills in a twelve month period must complete a comprehensive review of their operations. The Senate Medical Affairs Committee gave the bill a favorable report and it received second reading on the Senate Floor. The bill was amended in subcommittee to delete a DHEC approved CMOM. It also deletes a licensed engineer updating the CMOM.

H.4013, Rep. Cooper, this bill relates to election procedures for selecting members of the governing body of a public service district providing water and sewer services that was converted from a non-profit corporation. Beginning with the 2012 election the governing body of the district must be elected in nonpartisan elections conducted during the general election, the bill reads further. The LCI Banking and Consumer Affairs Subcommittee adjourned debate on the bill.

H.4117, Rep. Bowen, this bill provides that political subdivisions in a county providing water service which is part of a joint regional water association and obtains its water from a regional producing center shall have a **special water board** to establish water rates for the entity and more. Representative Bowen has introduced several similar bills. The House Public Utility Subcommittee gave the bill an unfavorable report.

S.435, Senator Elliott, this bill will require local governmental entities, agencies, organizations, or individuals that receive, collect, or spend public funds that come from State or local taxes to file periodic expenditure reports with the State entity that provided, collected, or spent the public funds. The bill passed the Senate and remains on the House Calendar for debate.

The following bills were recently introduced before SINE DIE

H.4246, Rep. Nanney, this bill provides a commission for public works shall charge the same rate for a water service to each customer regardless of whether the customer is located within or outside of the city limits of the municipality of the commission. The bill was referred to the House LCI Committee.

H.4245, Rep. Sandifer, this bill will provide for procedures and requirements for the recall of state or local popularly elected public officials. The bill was referred to the House Judiciary Committee.

H.4349, Rep. Quinn, Within five days after the filing of a new or changed rate schedule for water or sewer service provided by a privately owned public utility, the utility shall provide to the public, the Office of Regulatory Staff, and the Public Service Commission independently audited financial statements and consolidated financial statements. The bill was referred to the House LCI Committee.

S.934, Knotts, this bill provides a municipality that utilizes the definition of 'contiguous' as provided consistent with Section [5-3-305](#) to annex property that is adjacent to a special purpose district, but not the special purpose district itself,

shall provide municipal services to the special purpose district at the same rate that individuals and entities within the municipality are charged for these services. The bill was referred to the Senate Judiciary Committee.

S.944, Peeler, this bill will require as part of the filing of a new or revised rate schedule for a water or sewer service provided by a privately owned public utility that the utility make available audited financial statements regarding individual and separable entities of the utility. The bill was referred to the Senate Judiciary Committee.

What Passed this Session

S.705, Senator Rankin, this bill will create the **“Underground Facility Damage and Prevention Act”**. The bill passed in both the House and Senate was ratified and signed by the governor.

Section 58-36-50. (A) Operators must maintain an association that will operate a notification center providing for the receipt of notice of excavation or demolition in a defined geographical area. The notification center must be governed by a board of directors composed of operators and damage prevention stakeholders that are members of the association. The by-laws of the association must provide for a board of directors with the following membership: (17) **one representative of a special purpose district providing natural gas.** **Section 58-36-110.** A person is exempt from the requirements of Section 58-36-60(A) when an excavation is performed under the following conditions: (4) when the Department of Transportation, a local government, **special purpose district or public service district** is carrying out maintenance activities within its designated right of way, which may include resurfacing, milling, emergency replacement of signs critical for maintaining safety, or the reshaping of shoulder and ditches to the original road profile.