



LEGISLATIVE UPDATE 3/17/06

Update on Eminent Domain

The House spent the day Wednesday debating the controversial Eminent Domain Issue. The House approved bill, **H.4503** includes “takings legislation” which provides that the local governing body exercising regulations, or other activities that reduce the value of private property must reimburse the landowner.

The bill also provides that an SPD must apply and receive written approval from the Budget and Control Board to exercise the power of Eminent Domain. SPD’s use your voice and contact members of the Senate Judiciary Committee and urge them to exempt SPD’s from the Eminent Domain legislation. SPD’s use the powers of Eminent Domain to provide the services for which they were legislatively created.

Also, **H.4502** a bill that amends the State Constitution and provides for a referendum on the Eminent Domain issue was approved. The “takings legislation” was not included in this bill.

H.3184, *Harrison*, is a bill that provides appeals from the ALJ involving DHEC may be appealed to the Court of Appeals. The bill streamlines the appeal process cutting out a second opportunity for the DHEC board to review action on permits. The bill has been returned to the House with amendments.

H.3381, *Hagood*, is a bill that coordinates communication between local government entities about planning, zoning, and infrastructure design. The Senate Judiciary Committee gave the bill a favorable report.

Consensus was reached in the Senate Agriculture and Natural Resources Committee on **S.1206**, a bill that will provide protection for isolated wetlands in South Carolina. The Committee also gave approval to **S.1205**, the right to farm bill.