



SINE DIE 6/01/06

Update on Eminent Domain

For the time being, the Eminent Domain legislation has stalled in conference committee. However the legislature is scheduled to meet on Wednesday, June 14, 2006 to take up budget vetoes and at that time we believe the Eminent Domain Legislation will be discussed by the conference committee again. The conference committee is using the House approved bill, **H.4503** as the vehicle. **More importantly, the bill 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 if you are concerned with the Budget and Control Board approving your power to condemn, please contact your House and Senate Member.

Members of the Conference Committee include: (Chairman) Senator Gregory, Senator Sheheen, Senator Campsen, Representative Harrison, Representative Edge, and Representative Coleman.

S.1031, is the Senate bill that amends the State Constitution and provides for a referendum on the Eminent Domain issue. For the time being, the bill is stalled in conference committee. This bill does not change the way SPD's can exercise their power of Eminent Domain.

S.1030, currently this bill does not change the way SPD's can exercise their power of Eminent Domain. Also, the bill does not include the "takings legislation". The bill was referred to the House Judiciary Committee.

Property tax reform plan, H.4449 the Senate and House both agreed to a plan that would increase the state sales tax from 5% to 6% and the revenue generated would pay for school operating taxes on homes. Any additional revenues would be used to help state spending on schools in twenty districts and provide relief on county operating taxes. Also, a constitutional amendment passed that limits how much a home's taxable value could increase to fifteen percent every five years. State residents will vote on this in the fall.

H.3285, *Wilkins*, 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 passed both bodies and was enrolled for ratification.

H.4404, *LCI Committee*, this bill would provide a safety net program for electric and natural gas customers 65 or older, disabled, or seriously ill with limited income. The bill has been ratified and signed by the governor.