

First Two Weeks — 2020 Legislative Session

The second regular session of the 123rd South Carolina General Assembly convened on January 14, 2020. Some of the areas of focus this session will be education reform, what to do with Santee Cooper, and how best to spend the additional \$1.8 billion in the budget.

The Senate began this session with a focus on education. They set S. 419, the SC Career Access and Opportunity for All Act (education reform bill) for Special Order on the calendar. Much of their time so far has been spent debating this bill.

The House Ways and Means (W&M) Committee began working on the budget, which includes an additional \$1.8 billion for them to determine how best to allocate around the state. GR staff delivered a letter to W&M members and House leadership from Charles Wingard, SCFB Water Committee Chair, urging them to consider the idea of DHEC being the one state agency in charge of water resource management and regulation as they begin the process of allocating resources across state agencies for water resource management. SCFB will continue to monitor budget request affecting agriculture as the budget process continues.

Safe Yield Workgroup: DHEC has put together a group of stakeholders to discuss and review “alternatives” to using safe yield in allocations of permits under the surface water act. This was not something the General Assembly asked DHEC to review but rather is the agency’s own initiative. Fortunately, the agricultural community was asked to have representatives in the room. This is concerning as there is no indication that the current law is not working well for the state and that it needs to be changed.

H. 3596 Rollback Taxes: Senate Finance gave a favorable report to bill H. 3596 — a bill that would change the rollback tax from 5 years to 3 years on properties changing from agricultural use.

Hemp in the Budget: SCDA presented their budget to the House W&M subcommittee this week where they requested \$1.1 million recurring funds for the administration of the hemp program. This is in addition to the \$630,000 requested for lab equipment for hemp testing.

Clemson PSA requested \$1.3 million to establish an industrial hemp research program.

SC State PSA requested \$1.5 million for hemp research and funds to become a DEA-certified lab so they can be an option for hemp farmers for testing per the new USDA hemp regulations.

H. 4431 - Business License Tax Reform: The LCI Business License Fees Ad Hoc Subcommittee met and heard over 3 hours of testimony on business license taxes and the need for reform. Gary Youmans testified on behalf of SC Farm Bureau about the complexity and lack of standardization across municipalities taxing farmers delivering farm products directly to buyers. SCFB joins a coalition of other business groups asking the General Assembly to fix this broken system. More information about this effort can be found at: <https://www.scchamber.net/media-center/article/south-carolina-chamber-commerce-forms-coalition-calling-business-license-tax>

Introductions:

S. 894 (Word version) -- Senator Shealy: A BILL TO AMEND SECTION 47-22-60(C) OF THE 1976 CODE, RELATING TO LOCATION AND EQUIPMENT REQUIREMENTS FOR VEHICLES USED TO TRANSFER RAW MATERIALS, TO PROVIDE THAT VEHICLES MUST BE COMPLETELY COVERED FOR BIOSECURITY PURPOSES. Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 992 (Word version) -- Senator Peeler: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 46-1-135 SO AS TO PROHIBIT A PERSON WILFULLY CAUSING OR ALLOWING CERTAIN AERIAL VEHICLES TO ENTER UPON OR ABOVE THE FARM OF ANOTHER, TO PROVIDE AN EXCEPTION, TO PROVIDE PENALTIES FOR VIOLATIONS, AND TO DEFINE THE TERM "FARM". Read the first time and referred to the Committee on Agriculture and Natural Resources.

S. 996 (Word version) -- Senators Alexander, Rankin and Hutto: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC UTILITIES REVIEW COMMITTEE SHALL EXTEND THE SCREENING FOR CANDIDATES FOR THE PUBLIC SERVICE COMMISSION, SEATS 1, 3, 5, AND 7; TO PROVIDE FOR ADVERTISEMENT FOR THESE POSITIONS FOR AN ADDITIONAL TIME PERIOD AND FOR CERTAIN PROCESS REQUIREMENTS; TO ACCEPT APPLICATIONS FROM FEBRUARY 3, 2020 THROUGH NOON ON FEBRUARY 28, 2020; TO PROVIDE WHO THE PUBLIC UTILITIES REVIEW COMMITTEE MAY CONSIDER; AND TO PROVIDE WHEN TRANSCRIPTS FROM PUBLIC HEARINGS MAY BE RELEASED.

Read the first time and referred to the Committee on Judiciary.

H. 4718 (Word version) -- Reps. Moore, Robinson, Clyburn, Hosey, Brawley and Pendarvis: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44-55-130 SO AS TO REQUIRE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO PROMULGATE REGULATIONS TO ESTABLISH MAXIMUM CONTAMINANT LEVELS FOR CERTAIN POLLUTANTS IN PUBLIC WATER SYSTEMS.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4751 (Word version) -- Reps. Henegan, Robinson and Hosey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-155 SO AS TO AUTHORIZE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO NOTIFY THE COUNTY WHEN THE OWNER OF A DAM CANNOT BE LOCATED AND THE COUNTY MAY ELECT TO REPAIR THE DAM WITH COUNTY FUNDS AND TO PROVIDE A METHOD FOR THE COUNTY TO RECOVER THE COSTS OF THE REPAIR.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4827 (Word version) -- Reps. Lucas, Sandifer, Forrester and Mack: A JOINT RESOLUTION TO PROVIDE THAT THE PUBLIC UTILITIES REVIEW COMMITTEE SHALL EXTEND CANDIDATE SCREENING FOR CANDIDATES FOR THE SOUTH CAROLINA PUBLIC SERVICE COMMISSION SEATS 1, 3, 5, AND 7, TO PROVIDE THAT THESE POSITIONS MUST BE ADVERTISED FOR AN ADDITIONAL TIME PERIOD AND IN ACCORDANCE WITH CERTAIN OTHER SPECIFIED REQUIREMENTS, TO PROVIDE THAT THE COMMITTEE SHALL ACCEPT APPLICATIONS FOR A TIME PERIOD BEGINNING MONDAY, FEBRUARY 3, 2020, THROUGH NOON ON FRIDAY, FEBRUARY 28, 2020, TO PROVIDE WHO THE PUBLIC UTILITIES REVIEW COMMITTEE MAY CONSIDER, AND TO PROVIDE WHEN TRANSCRIPTS FROM THE PUBLIC HEARINGS MUST BE RELEASED.

Referred to Committee on Labor, Commerce and Industry

H. 4830 (Word version) -- Reps. G. M. Smith and Sandifer: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 58-1-70 SO AS TO AUTHORIZE SOUTH CAROLINA MUNICIPALITIES TO CONTRACT WITH PROPERLY LICENSED, CERTIFIED, AND INSURED PUBLIC UTILITY-

ELECTRICAL CONTRACTORS OR MECHANICAL-ELECTRICAL CONTRACTORS TO BURY OR UNDERGROUND EXISTING OVERHEAD ELECTRICAL POWER TRANSMISSION LINES LOCATED WITHIN THE BOUNDARIES OF THE MUNICIPALITY, AND TO REQUIRE ELECTRIC UTILITIES AND ELECTRIC COOPERATIVES OPERATING IN THIS STATE TO COOPERATE FULLY WITH MUNICIPALITIES THAT SEEK TO BURY OR UNDERGROUND EXISTING OVERHEAD ELECTRICAL POWER TRANSMISSION LINES PURSUANT TO THIS ACT.

Referred to Committee on Labor, Commerce and Industry

H. 4833 (Word version) -- Rep. Hixon: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 3 TO CHAPTER 7, TITLE 58 SO AS TO PROVIDE PROCEDURES FOR THE EXERCISE OF EMINENT DOMAIN BY PIPELINE COMPANIES, TO PROVIDE NECESSARY DEFINITIONS, TO PROVIDE CERTIFICATION OR PERMITTING FUNCTIONS AT THE PUBLIC SERVICE COMMISSION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL, TO PROVIDE A METHOD BY WHICH A FORMER PROPERTY OWNER MAY REPURCHASE PROPERTY THAT WAS CONDEMNED, BUT NOT USED BY A PIPELINE COMPANY, AND TO REQUIRE A PERFORMANCE BOND, CONSTRUCTION BOND, OR ENVIRONMENTAL IMPACT BOND FOR PROPERTY CONDEMNED BY A PIPELINE COMPANY; AND TO DESIGNATE THE EXISTING SECTIONS OF CHAPTER 7, TITLE 58 AS ARTICLE 1 ENTITLED "GENERAL PROVISIONS".

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4952 (Word version) -- Reps. Ott and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-235 SO AS TO PROVIDE THAT THE OWNER OF A DAM WHICH FAILS OR FAILED ON OR AFTER OCTOBER 1, 2015, WHICH HAS A PUBLIC ROAD OR HIGHWAY IN THE STATE HIGHWAY SYSTEM RUNNING ACROSS THE TOP OF IT, MUST PROVIDE WRITTEN NOTIFICATION TO THE STATE DEPARTMENT OF TRANSPORTATION AND THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL INDICATING WHETHER OR NOT THE OWNER INTENDS TO REPAIR THE DAM AND THE DATE BY WHICH THE REPAIRS ARE ANTICIPATED TO BE COMPLETED, TO PROVIDE THE TIMELINES IN WHICH THIS NOTIFICATION MUST BE PROVIDED, AND TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PROCEED UNDER CERTAIN CONDITIONS AND IN A SPECIFIED MANNER WITH THE PROCESS OF REPAIRING THE PUBLIC ROAD OR HIGHWAY, IF THE DAM OWNER INDICATES THE OWNER DOES NOT INTEND TO REPAIR THE DAM.

Referred to Committee on Agriculture, Natural Resources and Environmental Affairs

H. 4993 (Word version) -- Rep. Bamberg: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING ARTICLE 25 TO CHAPTER 9, TITLE 58 ENTITLED "LOCAL GOVERNMENT-OWNED BROADBAND INTERNET ACCESS SERVICE" SO AS TO AUTHORIZE AND REGULATE LOCAL GOVERNMENT-OWNED BROADBAND INTERNET ACCESS SERVICE PROVIDERS.

Referred to Committee on Labor, Commerce and Industry