Session 111 - (1995-1996)

S*1054 (Rat #0366, Act #0358 of 1996) General Bill, By J.V. Smith, Drummond, Elliott, Glover and Hayes
Similar (H 4467)

A Bill to amend Section 6-23-60, Code of Laws of South Carolina, 1976, relating to the filing of a petition prior to the acquisition of a project by a joint agency, so as to further allow the Public Service Commission to approve certain types of projects which consist of certain kinds of electric generating plants and provide that the Commission's approval is not necessary for projects for other transmission or generating facilities or for facilities for distribution or transformation of electric power and energy, and provide that joint agency may not acquire or purchase projects or capacity if, after purchase or acquisition, the joint power agency would own, contract for, or control generating resources exceeding one hundred eighty-five percent of the member municipalities historical territorial peak, delete as a determining factor as to whether it is beneficial to the joint agency references to an electrical supplier serving the counties or county within which any member municipalities are located; to amend Section 6-23-90, relating to the rights and powers of a joint agency, so as to delete the provision which provides for joint agencies to acquire not less than ten percent of rated capacity from an electric supplier, delete a reference to Section 6-23-120, and authorize any portion of a project to be acquired, provide for joint agencies to negotiate and enter contracts with any electric supplier within or without the State, authorizing joint agencies to enter into contracts making them obligated to make payments required by a contract where the facilities from which services are provided are completed, operable and operating, and that these payments are not subject to reductions and are not conditioned upon the performance or nonperformance of any party; to amend Section 6-23-170, relating to investments of a joint agency of monies pending disbursement, so as to provide that the Board of Directors or persons authorized to make investment decisions on behalf of joint agencies are considered to be trustees and subject to the prudent investor standard; to amend Section 6-23-20, relating to definitions used in the "Joint Municipal Electric Power and Energy Act", so as to redefine "electric supplier" and "project"; by adding Section 6-23-235 so as to make a portion of Section 6-21-400 not applicable to a joint agency issuing bonds pursuant to the provisions of Chapter 21 of Title 6 (Revenue Bond Act for Utilities); by adding Section 6-23-335 so as to provide that nothing in Chapter 23 of Title 6 may be interpreted to authorize a joint agency to provide, distribute, market, or sell electric energy or service to retail customers; by adding Section 6-23-340 so as to provide that nothing in this Act shall be deemed or construed to amend, supplement, modify, or otherwise alter or affect the provisions of contracts entered into a joint agency prior to the effective date of this Act; and to repeal Section 6-23-120, relating to the sale of excess power or output of a project not then required by any of the members of the joint agency.-amended title

01/24/96	**Senate**	**Introduced and read first time SJ-5**
01/24/96	**Senate**	**Referred to Committee on Judiciary SJ-5**
03/20/96	**Senate**	**Committee report: Favorable with amendment Judiciary SJ-13**
03/21/96	**Senate**	**Amended SJ-29**
03/21/96	**Senate**	**Read second time SJ-29**
03/21/96	**Senate**	**Ordered to third reading with notice of amendments SJ-29**
03/26/96	**Senate**	**Read third time and sent to House SJ-35**
03/27/96	**House**	**Introduced and read first time HJ-28**
03/27/96	**House**	**Referred to Committee on Labor, Commerce and Industry HJ-28**
05/01/96	**House**	**Committee report: Favorable with amendment Labor, Commerce and Industry HJ-1**
05/07/96	**House**	**Objection by Rep. Whatley, Fulmer, Hallman, Vaughn, Allison, Cato, Haskins, Easterday, Tripp, Davenport, Cain, Wells, Knotts & Lanford HJ-26**
05/07/96	**House**	**Amended HJ-64**
05/07/96	**House**	**Read second time HJ-66**
05/07/96	**House**	**Roll call Yeas-93 Nays-4 HJ-66**
05/08/96	**House**	**Read third time and returned to Senate with amendments HJ-39**
05/08/96	**Senate**	**Concurred in House amendment and enrolled SJ-19**
05/14/96		**Ratified R 366**
05/20/96		**Signed By Governor**
05/20/96		**Effective date 05/20/96**
06/14/96		**Copies available**
06/14/96		**Act No. 358**