

REPORT OF THE SANTEE COOPER AD HOC COMMITTEE

HOUSE BILL 5335

H. 5335 -- Reps. Lucas, G.M. Smith, Simrill and Rutherford: A BILL TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY AND THE ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO CREATE A SPECIAL COMMITTEE OF THE GENERAL ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND CONDITIONS OF THE PREFERRED SALE RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY AND THE PREFERRED MANAGEMENT RECOMMENDATION OF THE DEPARTMENT OF ADMINISTRATION REGARDING THE PUBLIC SERVICE AUTHORITY, TO PROVIDE THAT THE SPECIAL COMMITTEE SHALL REPORT ONE RECOMMENDATION TO EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS APPROVAL, AND TO PROVIDE FOR THE MANNER IN WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT; AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR THE GOVERNANCE AND OPERATIONS OF THE AUTHORITY IN CERTAIN PARTICULARS.

Received by Ways and Means:

Summary of Bill:

This bill creates a special committee of six members, three from each House, to further negotiate the terms and conditions of a resolution of the future of the S.C. Public Service Authority (Santee Cooper) and recommend one proposal to the General Assembly which may be accepted and approved by each House in the same manner conference committee reports are accepted and approved.

Estimated Revenue Impact:

Pending

Subcommittee Recommendation:

N/A

Full Committee Recommendation:

Other Notes/Comments:

2nd Reading:

Amendments:

2nd Reading Vote:

"THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES, IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT".

Referred to Senate Finance:

Finance Subcomm. Hearing Date:

Subcommittee Recommendations:

Full Committee Recommendations:

Other Notes/Comments:

South Carolina General Assembly
123rd Session, 2019-2020

H. 5335

STATUS INFORMATION

General Bill

Sponsors: Reps. Lucas, G.M. Smith, Simrill and Rutherford

Document Path: I:\council\bill\ncd\11369sd20.docx

Introduced in the House on March 3, 2020

Currently residing in the House Committee on **Ways and Means**

Summary: Not yet available

HISTORY OF LEGISLATIVE ACTIONS

<u>Date</u>	<u>Body</u>	<u>Action Description with journal page number</u>
3/3/2020	House	Introduced and read first time (<u>House Journal-page 47</u>)
3/3/2020	House	Referred to Committee on Ways and Means (<u>House Journal-page 47</u>)

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VERSIONS OF THIS BILL

3/3/2020

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A BILL

11 TO AUTHORIZE THE SALE OF THE ASSETS OF THE SOUTH
12 CAROLINA PUBLIC SERVICE AUTHORITY AND THE
13 ASSUMPTION OR DEFEASMENT OF ITS LIABILITIES OR
14 THE MANAGEMENT OF THE OPERATIONS OF THE PUBLIC
15 SERVICE AUTHORITY BY A THIRD PARTY OR ENTITY; TO
16 CREATE A SPECIAL COMMITTEE OF THE GENERAL
17 ASSEMBLY TO FURTHER NEGOTIATE THE TERMS AND
18 CONDITIONS OF THE PREFERRED SALE
19 RECOMMENDATION OF THE DEPARTMENT OF
20 ADMINISTRATION REGARDING THE PUBLIC SERVICE
21 AUTHORITY AND THE PREFERRED MANAGEMENT
22 RECOMMENDATION OF THE DEPARTMENT OF
23 ADMINISTRATION REGARDING THE PUBLIC SERVICE
24 AUTHORITY, TO PROVIDE THAT THE SPECIAL
25 COMMITTEE SHALL REPORT ONE RECOMMENDATION TO
26 EACH HOUSE OF THE GENERAL ASSEMBLY FOR ITS
27 APPROVAL, AND TO PROVIDE FOR THE MANNER IN
28 WHICH THE SELECTED PROPOSAL SHALL TAKE EFFECT;
29 AND TO AMEND CHAPTER 31, TITLE 58, CODE LAWS OF
30 SOUTH CAROLINA, 1976, RELATING TO THE PUBLIC
31 SERVICE AUTHORITY, SO AS TO FURTHER PROVIDE FOR
32 THE GOVERNANCE AND OPERATIONS OF THE
33 AUTHORITY IN CERTAIN PARTICULARS.

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35 Be it enacted by the General Assembly of the State of South
36 Carolina:

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38 **Part I**
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40 SECTION 1. The General Assembly authorizes the sale of the
41 assets of the South Carolina Public Service Authority and the

1 assumption or defeasment of its liabilities or the management of the
2 operations of the Public Service Authority by a third party or entity.

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Part II

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6 SECTION 2. A special committee is hereby created to be
7 composed of six members, three from each House, to be selected by
8 each body in the same manner members of conference committees
9 are selected by that body. The duties and responsibilities of the
10 special committee are to further negotiate the terms and conditions
11 of the preferred sale proposal of Santee Cooper as recommended by
12 the Department of Administration and the terms and conditions of
13 the preferred management proposal for Santee Cooper as
14 recommended by the Department of Administration pursuant to Act
15 95 of 2019. The special committee shall adopt and set its own rules
16 of procedure. The special committee at the conclusion of its
17 deliberations shall recommend one proposal to either sell or manage
18 the South Carolina Public Service Authority which may be accepted
19 and approved by each House in the same manner conference
20 committee reports are accepted and approved. Upon approval of the
21 special committee report by the General Assembly, the report must
22 also be transmitted to the Governor for his approval in the same
23 manner enactments are presented to him under Article IV of the
24 Constitution of this State. The Department of Administration shall
25 execute on behalf of the State of South Carolina the documents
26 necessary to effectuate the proposal approved in the manner
27 provided in this section.

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29 SECTION 3. In the event the provisions of this act and the
30 provisions of Act 95 of 2019 conflict, the provisions of this act shall
31 control.

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Part III

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35 SECTION 4. Chapter 31, Title 58 of the 1976 Code is amended in
36 the following particulars:

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Part IV

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41 SECTION 5. This act takes effect upon approval by the Governor.

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