

## Session 116 - (2005-2006)

**S\*0573 (Rat #0082, Act #0137 of 2005) General Bill, By McConnell, Verdin, Rankin, Courson, Elliott and Ford**

**Similar (H 3732)**

**Summary:** Public Service Authority

AN ACT TO AMEND SECTION 1-3-240, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO OFFICERS WHO MAY BE REMOVED BY THE GOVERNOR FOR CAUSE, SO AS TO DELETE THE COMMISSION OF THE DEPARTMENT OF REVENUE, TO ADD THE DIRECTORS OF THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY; TO ESTABLISH CONDITIONS UNDER WHICH DIRECTORS MAY BE REMOVED; TO AMEND SECTION 15-78-60, RELATING TO GOVERNMENTAL IMMUNITY, SO AS TO PROVIDE THAT THE PUBLIC SERVICE AUTHORITY IS NOT LIABLE FOR CERTAIN LOSSES RESULTING FROM CONDUCT OF A DIRECTOR OF THE AUTHORITY; TO AMEND SECTION 15-78-70, RELATING TO THE LIABILITY OF A GOVERNMENTAL EMPLOYEE, SO AS TO PROVIDE THAT A DIRECTOR OF THE PUBLIC SERVICE AUTHORITY IS NOT IMMUNE FROM LIABILITY FOR CERTAIN CONDUCT AND TO PROVIDE THAT THE INSURANCE RESERVE FUND IS PROHIBITED FROM PROVIDING INSURANCE COVERAGE FOR THAT INDIVIDUAL LIABILITY; TO AMEND SECTION 58-3-530, RELATING TO THE DUTIES AND FUNCTIONS OF THE STATE REGULATIONS OF PUBLIC UTILITIES REVIEW COMMITTEE, SO AS TO ADD THE DUTY TO SCREEN CANDIDATES FOR THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY; TO AMEND SECTION 58-31-20, RELATING TO THE BOARD OF DIRECTORS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO SET FORTH QUALIFICATIONS AND REQUIREMENTS FOR DIRECTORS AND TO PROVIDE FOR THE SCREENING OF DIRECTORS; TO AMEND SECTION 58-31-30, AS AMENDED, RELATING TO THE POWERS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROHIBIT THE AUTHORITY FROM DISPOSING OF CERTAIN PROPERTY WITHOUT PRIOR APPROVAL OF THE GENERAL ASSEMBLY OR FROM INQUIRING INTO THE FEASIBILITY OF DISPOSING OF ITS PROPERTY; BY ADDING SECTION 58-31-55 SO AS TO PROVIDE STANDARDS OF CONDUCT FOR DIRECTORS OF THE PUBLIC SERVICE AUTHORITY; BY ADDING SECTION 58-31-56 SO AS TO DEFINE CONFLICT OF INTEREST TRANSACTION; BY ADDING SECTION 58-31-57 SO AS TO PERMIT CUSTOMERS OF THE PUBLIC SERVICE AUTHORITY TO SUE DIRECTORS OF THE AUTHORITY FOR BREACH OF DUTY AND TO PROVIDE DAMAGES; TO AMEND SECTION 58-31-110, RELATING TO THE TRANSFER OF NET EARNINGS OF THE PUBLIC SERVICE AUTHORITY, SO AS TO PROVIDE THAT ONLY THE NET EARNINGS NOT NECESSARY FOR THE OPERATION OF AND IN THE BEST INTEREST OF THE PUBLIC SERVICE AUTHORITY SHALL BE PAID TO THE STATE TREASURER AND USED TO REDUCE THE TAX BURDENS ON THE PEOPLE OF THE STATE AND PROVIDE THAT NOTHING IN THIS SECTION PROHIBITS THE AUTHORITY FROM PAYING CERTAIN AMOUNTS TO THE STATE; AND TO AMEND SECTION 58-31-320, RELATING TO THE PROVISION OF ELECTRIC SERVICE BY THE AUTHORITY TO CERTAIN CUSTOMERS, SO AS TO AUTHORIZE THE AUTHORITY TO EXCHANGE OR INTERCHANGE SERVICE WITH, PURCHASE ELECTRIC ENERGY FROM, OR SELL ELECTRIC ENERGY TO ANY JOINT AGENCY ORGANIZED AND OPERATING PURSUANT TO THE PROVISIONS OF CHAPTER 23 OF TITLE

6. - ratified title

03/03/05	Senate	Introduced and read first time SJ-8
03/03/05	Senate	Referred to Committee on Judiciary SJ-8
03/22/05		Scrivener's error corrected
04/13/05	Senate	Recalled from Committee on Judiciary SJ-2
04/14/05	Senate	Special order, set for 04/14/05
04/18/05	Senate	Amended SJ-46
04/18/05	Senate	Read second time SJ-46
04/19/05	Senate	Read third time and sent to House SJ-42
04/19/05		Scrivener's error corrected SJ-42
04/19/05		Scrivener's error corrected
04/20/05	House	Introduced and read first time HJ-12
04/20/05	House	Referred to Committee on Labor, Commerce and Industry HJ-13
05/11/05	House	Committee report: Favorable with amendment Labor, Commerce and Industry HJ-2
05/12/05	House	Amended HJ-11
05/12/05	House	Read second time HJ-16
05/17/05	House	Read third time and returned to Senate with amendments HJ-16
05/17/05	Senate	Concurred in House amendment and enrolled SJ-28
05/18/05		Ratified R 82
05/24/05		Vetoed by Governor

05/25/05	Senate	Veto overridden by originating body Yeas-43 Nays-1
05/25/05	House	Veto overridden Yeas-104 Nays-5 HJ-321
06/13/05		Copies available
06/13/05		Effective date See Act for Effective Date
06/16/05		Act No. 137