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Indicates New Matter

INTRODUCED

May 8, 2018

**S. 1218**

Introduced by Senator Gregory

L. Printed 5/8/18--H.

Read the first time May 8, 2018.

**A** **BILL**

TO AMEND ACT 879 OF 1954, AS AMENDED, RELATING TO THE CREATION OF THE LANCASTER COUNTY NATURAL GAS AUTHORITY, SO AS TO ALTER THE METHOD OF APPOINTING MEMBERS TO THE BOARD OF DIRECTORS.

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

SECTION 1. The General Assembly finds that:

(A) The Lancaster County Natural Gas Authority (“authority”) was created pursuant to Act 879 of 1954 and last amended by Act 579 of 1963. Act 879 authorized the authority to serve persons, residing in or nearby any of the incorporated municipalities of Lancaster, Kershaw, Heath Springs, and any other incorporated town or densely populated area near these cities and towns in Lancaster County. Act 879 further provided that the authority would consist of a board of seven members, two members each to be appointed from the City of Lancaster and the Lancaster Cotton Mills area, which included Ervin Farms, the Bleachery, and surrounding areas, and one each from the Town of Kershaw, the Town of Heath Springs, and Lancaster County at large. The appointments were to be made by the Governor, upon the recommendation of a majority of the Lancaster County Delegation, (including the Lancaster County Senator).

(B) Act 1127 of 1958 amended Act 879 of 1954, authorizing the authority to service ~~to~~ an area that included all of Lancaster County and School District No. 40 located in neighboring Kershaw County.

(C) At the time of Act 879’s enactment, board membership was assigned in approximate proportion to the size of each segment’s population. Since that time, both the boundaries of the service area and the population of each segment have changed significantly.

(D) As a result of the changes in the service area’s boundaries and population distribution, the General Assembly believes it is in the authority’s and its customers’ best interests that it alter the method whereby the members of the authority’s governing board are appointed.

(E) In order to better serve the populations residing within the authority’s service area, the General Assembly has determined that Act 879 of 1954, as amended, should be amended as provided in SECTION 2 of this act.

SECTION 2. Section 3 of Act 879 of 1954, as last amended by Act 579 of 1963, is further amended to read:

“Section 3. ~~The Authority shall consist of a board of nine members. Two members shall be appointed from the City of Lancaster, two members from the Lancaster Cotton Mills area, including Ervin Farms, the Bleachery and surrounding areas, one from the Town of Kershaw, one from the Town of Heath Springs and three from Lancaster County at large. The board members shall be appointed by the Governor upon the recommendation of a majority of the Lancaster County Delegation, including the Senator. The incorporated municipalities and unincorporated towns and other areas may recommend may recommend members to the delegation through their respective governing bodies. The initial terms of office shall begin as of the effective date of this act and shall continue for a term of four years and until their successors have been appointed and qualify. Any vacancy in office shall be filled for the unexpired term in the manner of the original appointment. The members of the Authority shall serve without salary, and shall be compensated only for actual expenses incurred on official business of the Authority, and a full record of all expenses that may be incurred by the members of the Authority shall be kept and shall at all reasonable times be open to public inspection. As soon as convenient, the members of the Authority shall convene and shall elect one of their number as chairman and another as secretary, each of whom shall hold office for terms to be fixed by the Authority. A determination by the Authority that for the present no supply of gas is available upon a feasible and practicable basis for any one or more of the designated municipalities shall~~ *~~ipso facto~~* ~~suspend all voting powers of the member from any such municipality concerning all matters dealing with the provision of service to those municipalities for which a supply of gas is available on a feasible and practicable basis.~~ The authority shall consist of a board of nine members. The board members must be appointed by the Governor upon the recommendation of a majority of the Lancaster County Delegation, including the Senator. The initial terms of office shall begin as of the effective date of this act and shall continue for a term of four years and until their successors have been appointed and qualify. A vacancy in office must be filled for the unexpired term in the manner of the original appointment. The members of the authority shall serve without salary, and must be compensated only for actual expenses incurred on official business of the authority and otherwise as provided by state law. A full record of all expenses that may be incurred by the members of the authority must be kept and must at all reasonable times be open to public inspection. As soon as convenient, the members of the authority shall convene and shall elect one of their number as chairman and another as secretary, each of whom shall hold office for terms to be fixed by the authority.”

SECTION 3. The intended purpose of this act is to amend and replace Section 3 of Act 879 of 1954, as amended. Upon the effective date of this act, Section 3 of Act 879 of 1954 shall exist exclusively as set forth in this act, and all other provisions of Act 879 of 1954, as previously amended, shall remain unaltered and unaffected by this act, except in the event of a conflict between this act and other provisions of Act 879 of 1954, as amended, the provisions of this act shall govern and control.

SECTION 4. This act takes effect upon approval by the Governor.

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