

Session 115 - (2003-2004)

H 4934 General Bill, By Witherspoon, Clemons, Loftis, Edge, Rhoad, Viers, Barfield, Lee, Snow, Duncan, Koon, Frye, Altman, Battle, R.L. Brown, Chellis, Coates, Davenport, Freeman, Hamilton, Harvin, Haskins, Hosey, Leach, McCraw, Miller, Phillips, Quinn, Sinclair, F.N. Smith, G.R. Smith, J.R. Smith, Stewart, Stille, Townsend, Tripp, Vaughn and Young

Summary: SC Isolated Wetlands Act of 2004

A BILL TO AMEND TITLE 48, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO ENVIRONMENTAL PROTECTION AND CONSERVATION, BY ADDING CHAPTER 38 SO AS TO ENACT THE "SOUTH CAROLINA ISOLATED WETLANDS ACT OF 2004" WHICH ESTABLISHES A PROGRAM TO REGULATE ISOLATED WETLANDS AND ACTIVITIES IN AND AROUND ISOLATED WETLANDS INCLUDING A REQUIREMENT FOR MITIGATION TO COMPENSATE FOR ISOLATED WETLAND DISTURBANCES, BY ADDING SECTION 12-6-1125 SO AS TO PROVIDE THAT GROSS INCOME SHALL NOT INCLUDE AN AMOUNT RECEIVED BY THE OWNER OF ISOLATED WETLANDS FOR ALLOWING A PERSON TO USE THE ISOLATED WETLANDS IN A COMPATIBLE USE; BY ADDING SECTION 12-6-3525 SO AS TO PERMIT A TAXPAYER TO ELECT TO CLAIM AN INCOME TAX CREDIT IN AN AMOUNT EQUAL TO TWENTY-FIVE PERCENT OF THE TOTAL AMOUNT OF THE FEDERAL DEDUCTION ATTRIBUTABLE TO THE DONATION OF THE ISOLATED WETLANDS LOCATED IN THIS STATE; BY ADDING SECTION 12-37-945 SO AS TO PROVIDE THAT PROPERTY THAT IS MAPPED OR DELINEATED AS ISOLATED WETLANDS MUST BE CONSIDERED UNDEVELOPED PROPERTY FOR AD VALOREM TAX PURPOSES UNTIL SUCH TIME AS THE LANDOWNER OBTAINS A PERMIT THAT ALLOWS THE PROPERTY TO BE DEVELOPED; TO ADD SECTION 48-1-95 SO AS TO PROVIDE THAT ANY NATIONWIDE PERMIT APPLICATION SUBMITTED TO THE DEPARTMENT FOR CONSIDERATION SHALL BE PRESUMED TO COMPLY WITH THE APPLICABLE WATER QUALITY CRITERIA AND COASTAL ZONE MANAGEMENT CRITERIA OF THE STATE WITHOUT ANY FURTHER TERMS OR CONDITIONS IMPOSED BY THE DEPARTMENT AND TO DEFINE "NATIONWIDE PERMIT" FOR THAT PURPOSE; AND TO AMEND SECTION 48-39-210, AS AMENDED, RELATING TO THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BEING THE ONLY STATE AGENCY AUTHORIZED TO PERMIT OR DENY ALTERATIONS OR UTILIZATIONS WITHIN CRITICAL AREAS, SO AS TO REVISE THE MANNER IN WHICH THESE ALTERATIONS OR UTILIZATIONS ARE PERMITTED AND GRANTED.

03/11/04	House	Introduced and read first time HJ-6
03/11/04	House	Referred to Committee on Agriculture, Natural Resources and Environmental Affairs HJ-7
04/15/04	House	Committee report: Favorable with amendment Agriculture, Natural Resources and Environmental Affairs HJ-2
04/19/04		Scrivener's error corrected
04/21/04	House	Requests for debate-Rep(s). Witherspoon, Loftis, Hagood, Emory, McLeod, Gourdine, Scarborough, Owens, Tripp, Perry, Cato, Vaughn, Hamilton, FN Smith, Allen, Coates, and Moody-Lawrence HJ-51
04/27/04	House	Amended HJ-98
04/27/04	House	Debate interrupted HJ-153
04/28/04	House	Read second time HJ-131
04/28/04	House	Roll call Yeas-59 Nays-42 HJ-134
04/29/04	House	Read third time and sent to Senate HJ-29
04/29/04	Senate	Introduced and read first time SJ-10
04/29/04	Senate	Referred to Committee on Agriculture and Natural Resources SJ-10
05/25/04	Senate	Committee report: Majority favorable with amend., minority unfavorable Agriculture and Natural Resources SJ-17
05/26/04		Scrivener's error corrected