



## 2015 Legislative Agenda

### INFRASTRUCTURE FUNDING

In 2013, the General Assembly approved \$600 million in infrastructure funding under Act 98. Act 98 will add approximately \$1 billion in funding over 10 years but this is less than 10% of the funding needed. PABC, along with the SC Alliance to Fix Our Roads and other organizations, will continue to encourage legislators to find sustainable, recurring funding to meet South Carolina's infrastructure needs.

### HIGHWAY WEIGHT LIMITS

PABC, along with other organizations, is examining the non-competitive impact of highway weight limits in South Carolina on the agribusiness industry.

The highway weight limit in South Carolina is 80,000 lbs, compared to North Carolina at 90,000 lbs and Georgia at 84,000 lbs. In SC, it takes 12 trucks to move the same amount of product legally as 10 trucks in other states. There is an exemption for containers entering and leaving the Port up to 90,000 lbs. PABC supports bridge replacements and secondary road improvements to be built to a higher weight limit, so with any new construction, we are "building to the future" to make sure South Carolina agribusiness is competitive with other states.

### TORT REFORM

**Trespasser Responsibility Act**— PABC will continue to work with the SC Civil Justice Coalition to pass this legislation which codifies the common law doctrine of trespass liability. Courts in SC have long held that a landowner owes no duty to a trespasser except in a very narrow set of instances to include not causing a willful or wanton injury. This concept was the original intent of the legislation.

**CDL Protection Act**—Another tort reform issue concerns commercial driver's licenses (CDL). PABC will support this legislation that would address companies employing or contracting with commercial driver's license (CDL) holders who may be liable for the tortious actions of the license holder.

### REGULATORY/ENVIRONMENTAL

**Surface Water Withdrawal**—PABC continues to work this issue since legislation was introduced last session which amends the Surface Water Act that was passed by the General Assembly in 2010 and implemented in 2011. This bill would require an agricultural user who applies for a new surface water withdrawal over 5% of safe yield

and 425 million gallons in any one month have to go through the same permitting process a business or industry goes through. PABC opposed this legislation and believes we should rely on sound science to guide us in water use. We also want to review the results of a statewide surface water assessment that will be conducted by DNR and DHEC, with Clemson bringing stakeholders together.

## **AGENCY BUDGETS**

PABC will continue to support the SC Department of Agriculture, the SC Forestry Commission and Clemson PSA budget requests.

## **TAX EXEMPTIONS/PROPERTY TAX ASSESSMENTS**

PABC will work to maintain agribusiness sales tax exemptions and property tax assessments, which are key to keeping our industry competitive.

## **FEDERAL ISSUES**

**Energy—(Offshore Drilling)** The BOEM recently announced initial approval for seismic testing to move ahead off the Atlantic States. While this is an important step forward in the process of developing offshore natural resources, in order for the Atlantic states of VA, NC, SC or GA to be able to see a lease sale and eventual “exploration off SC” the Mid Atlantic and South Atlantic Regions must be included in the 2017-2022 Five Year Program. We must continue to encourage Congress to include these regions. Seismic testing is of little or no value without the assurances that updated results could be utilized by the energy companies for possible development as a result of inclusion in the 2017 plan.

**Ag Labor/Guest Worker Reform-** PABC will continue to support federal immigration reform that allows agribusiness access to a stable and legal workforce.

**Waters of the U.S.(pending EPA proposed rule)** – PABC opposes the proposed rule which would significantly expand the scope of the navigable waters subject to Clean Water Act jurisdiction by regulating small and remote waters – many of which are not even wet or considered waters under any common understanding of that word. By increasing federal jurisdiction over lands (by calling them “waters of the U.S.”), the rule would establish federal veto power over farming and other land uses.