



## 2019 LEGISLATIVE & REGULATORY PRIORITIES

### WATER AND ENVIRONMENT –

#### **Surface Water & Groundwater Withdrawal**

*Surface and groundwater withdrawal legislation and regulations remain a significant issue for agribusiness. Despite the 2018 DHEC Board approval of additional capacity use areas within the state, PABC continues to believe no changes should be made to water legislation and regulations until the completion of the Statewide Assessment of Water Resources, and all decisions regarding water withdrawal should be based on sound science.*

#### **Dams and Reservoirs Standards**

*The House passed H.3218, the Dams & Reservoirs Act, which increases the number of dams that could be regulated by DHEC, pursuant to the Dams and Reservoirs Safety Act. The Senate Ag Committee carried this bill over and formed a study committee to review this issue. The General Assembly passed Senate bill 1190, a joint resolution, which directs DHEC to focus resources on high hazard dams and stop reclassification of rural low hazard dams. While the 2015 flood and Hurricane Florence have heightened interest in dam safety, it is not clear that the existing statutory and regulatory scheme is inadequate. This issue is worth continuing to be watched, because of the significant costs associated with the reclassification of dams.*

#### **Waters of the U.S. aka “WOTUS” (Federal)**

*South Carolina and 23 other states won a preliminary injunction in a Georgia Federal District Court preventing the EPA and the Army Corps of Engineers from implementing the Waters of the U.S. Rule this past June. Unfortunately, the Federal District Court in Charleston issued on August 16 a nationwide injunction preventing the delay of the effective date of the WOTUS Rule, which decision has now been appealed to the Fourth Circuit Court of Appeals in Richmond, Virginia. Subsequently in September, three additional states (Texas, Mississippi, and Louisiana) were allowed an injunction similar to the Georgia Federal District Court in a Southern District of Texas. The WOTUS rule would result in federal regulation of most bodies of water including isolated streams and roadside ditches. As this process continues, it is important that states have a clear rule that defines WOTUS based on objectively identifiable characteristics in order to reasonably administer the program within their borders.*

#### **Energy Issues (State/Federal)**

**Offshore Drilling** - *PABC has not taken a position on offshore drilling. On the federal level, the current administration has authorized the development of a new oil and natural gas leasing plan that could include the Atlantic Coast. In response to this, the issue was reviewed by the SC House Ag Committee last session with two bills proposed – one in opposition and one in support.*

### TAXES AND FEES -

#### **SC Tax Reform - Maintain Agribusiness Sales Tax Exemptions/Property Tax Assessments**

*As a SC House Tax Policy Review Committee is reviewing South Carolina’s tax code system, including sales tax exemptions and property tax assessments, this continues to be an issue to watch to make sure we maintain these important agribusiness sales tax exemptions and property tax assessments.*

#### **Agribusiness Trade (State/Federal)**

*With the announcement of tariffs on products, this will continue to negatively impact agribusiness operations. Also, a concern is the China log ban on softwood logs exported from South Carolina and the negative impact on the state’s forestry industry.*

#### **Business License Fees**

*Support a better integrated system of determining business license fees and a cap on the amount local governments can charge.*

## LEGAL –

### **Nuisance Lawsuit – “Safe Harbor” Consideration**

*As nuisance lawsuits relating to agribusiness operations continue to negatively impact the industry, some type of “safe harbor” solution should likely be considered either by strengthening the SC Right to Farm statutory provisions or through other available legislative considerations.*

### **Labor Issues**

#### **Immigration (Federal)**

*For agribusiness to remain profitable and in business, we must have federal immigration reform that allows access to a stable and legal workforce.*

#### **Agribusiness Labor (State/Federal)**

*PABC opposes unionization of agribusiness labor and along with other organizations, will continue to study legislation enacted in North Carolina in 2017.*

### **Private Property Rights – Eminent Domain**

*The General Assembly passed Senate bill 868 which prohibits petroleum pipeline companies from having eminent domain authority until June 30, 2019. The Petroleum Pipeline Study Committee issued a report to the General Assembly December, 2017 on this issue. House bill 5109 and Senate bill 1101 were introduced to extend the prohibition against pipeline companies having eminent domain authority until November 30, 2020, giving the General Assembly additional time to review this issue.*

## TRANSPORTATION –

### **CDL Liability Insurance and Driver Shortage**

*PABC and members of the Associated Industries of SC are working with the Governor and two cabinet agencies on CDL issues. The Department of Insurance issued a report identifying what is increasing costs for liability insurance for truck drivers, especially log truck drivers. Insurance premiums have tripled for many logging truck owners. The Associated Industries of SC is examining funding opportunities with the Department of Employment and Workforce to promote careers as CDL drivers, heavy equipment operators and in the construction trade. It will also be PABC’s intention to monitor the Vehicle Owner Tort Equity Act (VOTE) legislation being proposed by the SC Civil Justice Coalition.*

### **Highway Infrastructure (State/Federal)**

*PABC is in support of efforts to secure federal funding for South Carolina’s infrastructure and also will be monitoring the progress of the infrastructure funding bill approved in 2017.*

## AGRIBUSINESS AND RURAL DEVELOPMENT –

### **Farm Bill**

*The Farm Bill passed both the House and Senate. A Conference Committee must now convene to reconcile differences in the two different versions of the bill. Consideration is given to this key agribusiness legislation on a 5-year cycle.*

### **Skilled Workforce Development Initiative**

*PABC is in support of this initiative by the SC Trucking Association to promote careers in skilled trades for state funding of \$950,000 to be allocated to the State’s Technical College System to be used to build and deploy a mobile skilled professional jobs promotion workshop.*

### **Rural Utilities and Telecommunications Infrastructure**

*Access to broadband continues to be an issue in rural areas of South Carolina.*

## FUNDING –

### **Agency Funding**

*Support funding for the budget requests of the SC Department of Agriculture, SC Forestry Commission and Clemson PSA.*