



2023 LEGISLATIVE & REGULATORY PRIORITIES

WATER AND ENVIRONMENT

Surface Water & Ground Water Withdrawal

Surface and groundwater withdrawal legislation and regulations remain a significant issue for agribusiness. Despite the recent DHEC Board approval of additional capacity use areas within the state, PABC continues to support water legislation and regulations based upon a Statewide Assessment of Water Resources, and the use of sound science to make withdrawal decisions.

Dams and Reservoirs Standards

Given flood issues that have occurred periodically within the recent past, landowners have been notified of the need to repair or upgrade dams and reservoirs on their properties due to increased hazard ratings. These actions can be quite costly and are often driven by new landowners near the properties that were not there when dams or reservoirs were initially constructed. PABC supports financial assistance, through direct payments or tax credits, for these landowners who have to expend funds to repair these land improvements. Additionally, PABC supports repairs being required on only high hazard dams and/or reservoirs.

Waters of the U.S. aka "WOTUS" / Navigable Waters Protection Rule (Federal)

EPA is presently considering the issue and indications exist that any new rule will include components of both WOTUS Rule (Obama) and the Navigable Waters Protection Rule (Trump). EPA has already started the process of hearing comments from stakeholders and has specifically cited the desire to hear from the agribusiness sector to promulgate another WOTUS rule (Biden). Improvement occurred under the Navigable Waters Protection Rule defining jurisdictional waters and adjacent wetlands more objectively, and PABC supports a ruling which includes a similar definition.

Clean Air Legislation and Regulations

SC agribusinesses in both the agriculture and forestry sectors remain concerned relative to enforcement of air regulations and any potential future legislation and/or regulations regarding air emissions. PABC opposes regulations and legislation which are overly burdensome on agribusinesses.

Climate Impact (Federal)

The debate as to changes in the climate impacted by all businesses including agribusiness has increased dramatically during 2022. Agribusiness groups have been generally supportive of legislation that does not place an inappropriate burden on agribusiness. PABC supports efforts that do not burden agribusiness.

TAXES AND FEES

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

Tax treatment for agribusiness continues to be a major issue requiring close monitoring in an effort to assure we maintain all agribusiness sales tax exemptions and ag use property tax assessments.

Federal Tax Reform

PABC is not supportive of legislation which would effectively increase the tax burden of agribusinesses.

Agribusiness Trade (State/Federal)

PABC continues to support improved trade efforts which will benefit our SC agribusinesses. Trade negotiations should be monitored closely as to the effects upon SC agribusiness.

Death Tax and Stepped-up Basis

Support exists to retain the highest level of estate tax exemptions possible and to retain stepped up basis at the death of an ag or forestry landowner. These issues are integral to retaining land assets within family farms, which includes both agricultural and timberland operations. PABC supports appropriate tax policy which allows for retention of family farm assets integral to agricultural and forestry operations.

LEGAL

Nuisance “Safe Harbor” Consideration

As nuisance lawsuits and policy changes relating to agribusiness operations occurring in other states continue to negatively impact the agribusiness industry as a whole, “safe harbor” solutions should be considered within SC either by strengthening the SC Right to Farm statutory provisions or through other available legislative considerations for SC agriculture and forestry.

Tort Reform

Within SC, there is a move to consider tort reform with specific attention directed at modifying “joint and several liability” in civil litigation and moving toward limiting liability to the level of responsibility proven during litigation and assigned to a given individual or entity. PABC supports changing South Carolina law so that each person/entity should pay damages based upon that person/entities actual share of fault.

Private Property Rights

PABC supports the private property rights of agricultural and timberland owners.

Labor Issues

Immigration (Federal)

For agribusiness to remain profitable and viable for the long-term, we must have federal immigration reform that allows access to a stable and legal workforce. Immigration reform can affect both relocated full-time employees and seasonal labor. PABC’s strategy is to monitor closely and continuously consult with member organizations which are vulnerable to an available workforce.

Guestworker Programs (Federal)

Guest work programs such as H-2A and H-2B are essential for our agribusinesses to remain viable. PABC supports all efforts to make these programs as user friendly and cost effective as possible for agriculture and forestry while providing for the necessary labor needs within SC agribusiness.

Agribusiness Labor (State/Federal)

PABC opposes unionization of agribusiness labor and along with other organizations, will continue to review/study labor legislation enacted in other states or which could be proposed in SC.

A shortage of agribusiness workers has been obvious over the past several years, and PABC remains supportive of programs and efforts to stimulate more individuals joining the agribusiness workforce.

Limited Liability Business Protection due to COVID-19 or Similar Health Crisis (State/Federal)

PABC supports legislation at both the federal and state level providing limited liability business protection to SC businesses impacted by COVID-19 or similar health related issues when businesses have appropriately followed governmental agency health guidelines.

TRANSPORTATION

CDL Liability Insurance and Driver Shortage

PABC supports taking the necessary steps to lower costly insurance premiums associated with the trucking industry in our state. Efforts to attract commercial truck drivers, including potential changes in driver requirements such as age, within South Carolina to offset the current shortage that exists are also supported.

Highway Infrastructure (State/Federal)

PABC is in support of efforts to secure both state and federal funding for South Carolina's highway infrastructure and will continue to monitor the progress of the infrastructure funding bill approved in 2017. PABC is concerned with the state of all road systems in SC including our rural roads where commodities and products are transported. Load restricted bridges are a concern as these are adding cost to transportation of commodities throughout the state and repair of these bridges should be a priority.

Vehicle Weight Limits (State/Federal)

PABC will continue to support the increase of trucking weight limits for agriculture and forestry which compares favorably with the surrounding southeastern states.

AGRIBUSINESS AND RURAL DEVELOPMENT

Farm Bill

PABC will support a new Farm Bill that benefits agriculture, forestry and rural South Carolina. The Farm Bill is broad in relation to impacting agribusiness and addresses so many industry operational matters along with aspects of living in rural communities. An example of an issue within a new Farm Bill that will be monitored closely is keeping crop insurance programs in place that are equal to or improved compared to programs in place leading up to consideration of the next Farm Bill.

Skilled Workforce Development Initiative

The Associated Industries of SC formally took the lead on Be Pro Be Proud SC in 2020, and this effort has led to improved recruitment of high school students into much needed skilled trade careers. This program should benefit SC agribusiness in many ways, and PABC remains supportive of this program within in our state.

Right to Repair

As technological advances continue to occur relative to both agricultural and forestry equipment, it is important that the agribusiness operator retain the right to work on their equipment and/or choose who will do so in order to appropriately manage operating costs.

Supply Chain Issues

Since 2020, our state and country have dealt with major supply chain issues relating to agriculture and forestry. Admittedly, other industry sectors are also impacted by this issue. Relative to agribusiness, PABC supports all efforts to assure all needed, affordable supply chain products and services are available to support agribusiness.

Energy Sources

Energy is a major operational investment for agribusinesses. A high priority need is affordable access to fuel to operate trucks and equipment essential to agribusiness operations. PABC supports reliable, affordable, and sustainable energy sources for all aspects of agriculture, forestry, and our SC rural communities, and especially as it relates to fuel needs.

Rural Utilities and Telecommunications Infrastructure

Access to broadband continues to be an issue in many areas of SC and especially in the rural areas of the state. COVID-19 has only made the need for improved access to broadband more obvious. PABC continues to support affordable access to broadband within all areas of South Carolina.

AGENCY REFORM AND FUNDING

Agency Reform

PABC has remained supportive of the reformation of DHEC which will likely impact other state agencies. Senate bill S.2 was debated during the 2021/2022 General Assembly session but did not pass. As these efforts continue, PABC will monitor the legislative process closely and will support reform efforts considered beneficial to agriculture and forestry operations.

Agency Funding

Support funding for the budget requests of the SC Department of Agriculture, SC Forestry Commission, SC State University 1890 and Clemson PSA.

Conservation Funding

PABC will support state financial aid to the conservation districts established within the state. Additionally, PABC supports efforts throughout the state to retain agricultural and forestry landholdings, which represent existing farms and timberland utilized for timber production, as “ongoing working operations.” PABC intends to support future conservation bills such as the SC Conservation and Antiquities Act subject to closely monitoring the content of such bills to assure distinct benefits are afforded SC agribusiness.

Agribusiness Education

There is an obvious need to educate students and stakeholders at all age levels as to the facts surrounding agriculture and forestry. PABC supports funding utilized to provide such educational and information sharing efforts and to supply the necessary tools needed to accomplish such efforts. Through such investments, the goal would be a better understanding of agribusiness and to encourage consideration of agribusiness careers as individuals enter the workplace.

DMV Motor Carrier Services

PABC supports funding relating to the improvement of services offered by the SC Department of Motor Vehicles.

Funding of COVID-19 and Other Similar Health Related Challenges

PABC continues to support programs which provide an opportunity for SC agribusinesses and associated enterprises to survive in a financial environment impacted by unexpected operational challenges such as COVID-19. Programs such as the Payroll Protection Program and Coronavirus Food Assistance Program are examples of such programs supported by PABC when circumstances are apparent which impact the ultimate survival of businesses. PABC also supports programs assisting with employee and consumer safety. These efforts would include assuring adequate PPE is available.