

Title: **Report from your Representative**  
 Author: Dear Friends:  
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# Report from your Representative

Dear Friends:

## **We've Got Your Back, Farmers!**

As many of you know, I am a co-sponsor of the "SC Farm Aid" Legislation. Along with Chairman Brian White, myself and a number of other legislators, we filed the SC Farm Aid Bill at the beginning of session this year. We recognized that in the aftermath of the 1,000 year flood last October that our farmers needed help! Farming is a unique economic model. When a farmer loses his crop, unlike a retailer, he can't go to a distributor and order new inventory in just a few weeks. Farmers invest their money, time, and labor into buying seed, planting, cultivating, and then finally harvesting their crop before they ever see a penny back in their pockets. When a farmer loses his crop, he has also lost the money he needs to live on and to replant for the next harvest.

That's why I worked hard to see this bill passed in the House and then in the Senate, and that's why we all worked hard to see that Governor Haley's veto of this important aid to farmer's was overridden. The veto came on Monday, May 16th. The next day your House of Representatives answered her VETO with an OVERRIDING vote of 112-2.

The Senate followed with an override vote of 39-3. Fortunately, 97% of the legislators voting stood with our SC family farmers knowing that some desperately need help.

In issuing her veto, Gov. Haley said, "I will not support any bailout of any industry over any other industry that has suffered from this thousand year flood." The governor said the new Farm Aid Board would offer taxpayer-backed grants not available to any other businesses damaged in the floods.

Legislators don't live in the Statehouse; we live among the people we serve. In my case, that's a large rural district. The \$40 million grant program isn't a "bailout" as described by the governor, it is an essential helping hand for farmers across the state and right here in Saluda and Lexington Counties.

When this natural disaster occurred, we legislators knew we had to have our farmer's backs. Many legislators have built and run businesses, like me. Many others are farmers or their ancestral roots run deep in farming. Agriculture is SC's #1 business and family farms aren't like other businesses; they are at the mercy of the vagaries of weather. They can't insure their businesses like retail stores or manufac-

turing. \$125 million in federal crop insurance payouts are not nearly enough to cover a more than \$375 million statewide loss from the October rainfall. Many left their fall crops drowning in the fields. They couldn't harvest and sell, so they didn't have the money to purchase and plant winter or spring crops. That's a double hit!

This past week, I was proud to honor my commitment to protect our farmers and their livelihood.

## **Protecting the Unborn**

I was proud to co-sponsor the Pain-Capable Unborn Child Protection Act. This is a bill that we have worked on for 4 years. It passed the House. It was then sent to the Senate where it was slightly amended. The bill was returned to the House where we passed it

with the Senate Amendments. This bill would ban abortions in SC after 19 weeks. It has now been sent to the governor and she has indicated she will sign it. The Pain-Capable Unborn Child Protection Act shortens the current state limit on abortions from 23 weeks. The final version allows exceptions if the mother's life is in jeopardy or if there is a "fetal anomaly." SC joins 17 other states that have also passed

similar measures.

## **Roads & Bridges Funding**

A Senate bill bonding \$2.2 billion to repair our dangerous roads and bridges was given final approval by the House ways and Means Committee. The bill was amended to add in strong Department of Transportation (DOT) restructuring and accountability measures which were not included in the Senate version. We must have DOT reform before any additional taxpayer dollars are given to the dysfunctional agency. It is important to note this bill does not allow for any new roads to be built, but requires the additional funds be used to fix our existing dilapidated roads and bridges. The bill heads to the House floor this week where it will be debated and a vote taken.

I want you to know that I am deeply honored to be of service and always appreciate your support. You can usually reach me by calling my office in Batesburg-Leesville, my State House office in Columbia, or my personal cell phone at 803-315-4621.

Thank you for the privilege of being your Representative,  
 Ralph Shealy Kennedy

Title: **Bathroom bill's main problem has nothing to do with bathrooms**  
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**CINDI ROSS SCOPPE**  
**ASSOCIATE EDITOR**  
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# ***Bathroom bill's main problem has nothing to do with bathrooms***

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On Friday, I read Sen. Larry Grooms' bathroom bill, because it is a whole different animal, with a whole different set of rules.

Those different rules are throwbacks to legislators' 19th century tradition of running their home counties from Columbia, and they explain why we are again talking about which bathrooms, locker rooms and showers transgendered students can use, nearly a month after we thought that debate was over.

There are legitimate questions about whether a federal law passed in 1972 really requires pubescent girls to share a locker room with children who think they are girls but who were born as — and might still have the genitalia of — boys. But that is a matter that ultimately will be settled by the courts.

But whether or not we think

our Legislature ought to volunteer to lose \$870 million a year in federal funding in the event that the courts agree with the Obama administration's aggressive interpretation of the law, we all ought to agree that *a couple of obscure legislators* should not be able to make that decision for the entire state.

If we could agree on that, then maybe we could make some headway on a matter that has a much greater impact on our schools than how they deal with societal norms about gender and sexuality that are changing at breathtaking speed.

Mr. Grooms' bill to require students to use the bathroom that corresponds to their gender at birth, S.1306, is what's called a local bill, in this case a bill that applies only to Berkeley County.

Local bills don't go to committee, so they don't get the vetting that other bills do; only senators who represent the affected county vote on them. It's not uncommon for a local bill to be introduced on a Tuesday, given second reading on Wednesday and third reading on Thursday, repeat the process in the other body and land on the governor's desk the following week.

But this bill is different. North Carolina's experience with its

own bathroom bill freaked out our socially conservative legislators and business leaders and governor so much that after defeating Mr. Bright's bathroom bill, they rallied again on Thursday to stop Mr. Grooms' bill.

That's much more difficult to do. It used to be Senate tradition that kept senators from other counties from voting on local bills. But a few years ago the Senate amended its rules to actually prohibit those outside votes. Because Senate districts cross county lines, senators cast weighted votes that reflect the portion of the county's population they represent. Mr. Grooms represents more than half the voters in Berkeley County, so he can pass pretty much any local bill he wants. Normally, the other four senators who represent part of the county can't even slow him down for more than 15 minutes — the maximum time the Senate allows opponents to speak against a local bill.

Outside senators were able to slow down Mr. Grooms on Thursday by adjourning for the week — thereby relinquishing hours of time they could have debated bills that desperately need debate as the legislative session winds down. They will be

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Ultimately, the bill is unlikely to become law, because even if the House passes it — and it's not clear that Berkeley County House members are interested in it — Gov. Nikki Haley is likely to veto it. And when a vetoed local bill returns to the Legislature, the rules change. In 2011 the Supreme Court ruled that a veto is a veto, and it takes two-thirds of the membership of each body — not just two-thirds of those voting — to override. So now the entire Senate and House routinely vote with the local legislators to override the veto. But they don't have to.

The Legislature occasionally finds a single-county bill so intolerable that it lets it die. And from this occasional exercise of representative democracy I have developed a fantasy — that one day, one bill will be so awful that lawmakers will come to their senses. They will not just kill that one bill; they will end the whole, antiquated practice.

Most single-county laws are unconstitutional, although that doesn't stop legislators from

passing them. Single-county school laws are worse than unconstitutional. They are holding our state back. They are perpetuating the problems that have prevented our Legislature from providing a decent education to all children in our state.

Single-county school laws buttress our practice of writing different rules for different districts. They allow legislators to fixate on the minutia of their local school districts and craft discrete, expedient solutions for their problems rather than focusing on ways to improve all of our schools. In so doing, they discourage the Legislature from making the reforms we need to improve public education for all children. And that does more damage than any bathroom policy — from the left or the right — ever will.

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Thanks to the vision of the South Carolina Legislature, that aid is on its way. Both the House and Senate voted overwhelmingly to override Gov. Nikki Haley's veto of the aid package. (The Senate voted 39-3 and the House voted 112-2.) If ever there was an appropriate time for the state to step in and offer those farmers relief, this is it. After all, agriculture is among the top industries in South Carolina, and failure to lend aid after a once-a-millennium disaster would have been a failure of government. ...

With all due respect to the Governor's Office and Gov. Haley, cheerleading from the halls of government would have done very little to help the state's farmers who suffered an aggregate \$376 million in crop losses alone during last year's floods.

Yes, we should treat everyone fairly. Haley should have been eager to help these farmers deal with these unprecedented losses. Everyone would understand, then, if some other business sector suffers a catastrophe and the state steps in to mitigate those losses to preserve jobs and revenue.

– Greenville News

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## Military retirees' tax breaks on the bubble in S.C. General Assembly

**Bill would give tax break to military retirees**

**Most retirees embark on second careers, make good workers**

**House, Senate Finance approve bill; one senator, Gerald Malloy, balks**

BY JEFF WILKINSON  
[jwilkinson@thestate.com](mailto:jwilkinson@thestate.com)

When Tom Robillard retired from the Air Force 12 years ago after 30 years of service, he had to decide where to put down roots. But at 58, like most military retirees, he still needed to work.

A big factor in where he would embark on his second career was which state wouldn't tax his pension.

Robillard, a Connecticut native, favored Tennessee or Florida — neither of which have state income taxes. But he settled on South Carolina, because his daughter and grandchildren are in Columbia.

"Otherwise, I would be in

Destin (Fla.) right now," said Robillard, who went on to work as a biomedical consultant at Shaw Air Force Base in Sumter and later was supervisor of the biochemistry department at Moncrief Army Community Hospital at Fort Jackson. "When you get out of the service, there are a lot of people that are competing for you."

The S.C. General Assembly is considering a bill that would offer state income tax deductions for military retirees. The plan would offer military retirees with at least 20 years of service a deduction of \$17,500 a year for

those under 65 or \$30,000 a year for those 65 or older.

A caveat is that the military retirees under 65 must embark on a second job in the state with an annual salary of at least \$17,500.

The bill unanimously passed the House in 2015 and was carried over to the Senate this year. It has passed the Senate Finance Committee twice, but has been held up mainly by state Sen. Gerald Malloy, D-Darlington.

Malloy has logged an objection to the bill, which means his presence is necessary before it can be debated and voted upon by the

entire Senate. He was out of town Monday and said by text that the issue warranted further discussion, but didn't elaborate.

The legislative session ends June 2. If senators don't vote on the bill by then, it will have to be reintroduced next year.

About 58,000 military retirees live in South Carolina, according to the U.S. Department of Defense. The bill would cost the state about \$18 million a year, according to the S.C. Department of Revenue.

But the bill's backers — including the S.C. Military Base Task Force, which is charged with keeping mil-





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itary bases open and retaining and creating military jobs in the Palmetto State — said the benefits outweigh the cost.

The tax break would retain disciplined, skilled workers like Robillard, said task force chairman Bill Bethea of Bluffton, who was appointed by Gov. Nikki Haley. The cost would be offset by taxes on the retirees' new jobs and those of their spouses.

"We're very fortunate to have Boeing and Volvo and BMW and all these tire companies in South Carolina," said Bethea, an 8-year veteran of the Marine Corps who fought in Vietnam. "They

require good, dependable, reliable workers. Someone who has been in the military for 30 years makes an ideal employee.

"Keeping those people here strengthens our workforce," he said. "It also brings in a replacement stream of income that exceeds their retirement income."

The bill's passage would also help cement South Carolina as one of the most military friendly states in the nation. That's a distinction which will bolster the state's standing with the Pentagon when new rounds of base closings and realignment, called BRAC, kicks in,

perhaps in 2019.

Currently, the Military Officers Association of America rates South Carolina yellow — or average — when it comes to military issues. The rating is not green — the highest — primarily because of the income tax issue. Red is the lowest rating.

Currently, 26 states have no state income tax at all or exempt military retirees from paying state income taxes, according to the S.C. Department of Commerce.

"Every retiree looks at that when they are making their decision to retire," said Robillard, who is a state vice president of the national

officers association. "And that extends to enlisted retirees as well as officers. This legislation benefits all retirees."

Boosters said another benefit of the bill is that it would say "thank you" to retirees for their lengthy service, which often includes combat.

"These are people who for 20 or 30 years moved every two years, lived like gypsies, put their lives on the line and weren't able to put down roots," Bethea said. "We feel this is a way that South Carolinians can give back to those veterans for the sacrifices they made for our freedom."

## South Carolina military by the numbers

58,000 - Number of military retirees in South Carolina

\$19 billion - Economic impact of military in South Carolina

\$1.5 billion - Pensions paid to non-disabled military retirees in South Carolina

\$771 million - Annual state tax revenue linked to the military

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## SENATOR COULD SCUTTLE SC BILL

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# TAX

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own bathroom bill freaked out our socially conservative legislators and business leaders and governor so much that after defeating Mr. Bright's bathroom bill, they rallied again on Thursday to stop Mr. Grooms' bill.

That's much more difficult to do. It used to be Senate tradition that kept senators from other counties from voting on local bills. But a few years ago the Senate amended its rules to actually prohibit those outside votes. Because Senate districts cross county lines, senators cast weighted votes that reflect the portion of the county's population they represent. Mr. Grooms represents more than half the

voters in Berkeley County, so he can pass pretty much any local bill he wants. Normally, the other four senators who represent part of the county can't even slow him down for more than 15 minutes — the maximum time the Senate allows opponents to speak against a local bill.

Outside senators were able to slow down Mr. Grooms on Thursday by adjourning for the week — thereby relinquishing hours of time they could have debated bills that desperately need debate as the legislative session winds down. They will be



Title: **Bathroom bill's main problem has nothing to do with bathrooms**  
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hard-pressed to do the same on Tuesday.

Ultimately, the bill is unlikely to become law, because even if the House passes it — and it's not clear that Berkeley County House members are interested in it — Gov. Nikki Haley is likely to veto it. And when a vetoed local bill returns to the Legislature, the rules change. In 2011 the Supreme Court ruled that a veto is a veto, and it takes two-thirds of the membership of each body — not just two-thirds of those voting — to override. So now the entire Senate and House routine-

ly vote with the local legislators to override the veto. But they don't have to.

The Legislature occasionally finds a single-county bill so intolerable that it lets it die. And from this occasional exercise of representative democracy I have developed a fantasy — that one day, one bill will be so awful that lawmakers will come to their senses. They will not just kill that one bill; they will end the whole, antiquated practice.

Most single-county laws are unconstitutional, although that doesn't stop legislators from

passing them. Single-county school laws are worse than unconstitutional. They are holding our state back. They are perpetuating the problems that have prevented our Legislature from providing a decent education to all children in our state.

Single-county school laws buttress our practice of writing different rules for different districts. They allow legislators to fixate on the minutia of their local school districts and craft discrete, expedient solutions for their problems rather than focusing on ways to improve all of our

schools. In so doing, they discourage the Legislature from making the reforms we need to improve public education for all children. And that does more damage than any bathroom policy — from the left or the right — ever will.

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**LOCAL BILLS ARE  
THROWBACKS TO  
LEGISLATORS' 19TH  
CENTURY TRADITION  
OF RUNNING THEIR  
HOME COUNTIES FROM  
COLUMBIA.**





Title: **Farm bill veto**  
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## Farm bill veto

South Carolina's farmers, especially those in the lower half of the state, suffered immeasurably last October when torrential rains washed out their crops. Farmers lost \$500 million in what became known as a "thousand-year" flood that dumped more than two feet of rain on parts of the state.

Thanks to the vision of the South Carolina Legislature, that aid is on its way. Both the House and Senate voted overwhelmingly to override Gov. Nikki Haley's veto of the aid package. (The Senate voted

39-3 and the House voted 112-2.) If ever there was an appropriate time for the state to step in and offer those farmers relief, this is it. After all, agriculture is among the top industries in South Carolina, and failure to lend aid after a once-a-millennium disaster would have been a failure of government. ...

With all due respect to the Governor's Office and Gov. Haley, cheerleading from the halls of government would have done very little to help the state's farmers who suffered an aggregate \$376 million in crop losses alone during last year's floods.

Yes, we should treat everyone fairly. Haley should have been eager to help these farmers deal with these unprecedented losses. Everyone would understand, then, if some other business sector suffers a catastrophe and the state steps in to mitigate those losses to preserve jobs and revenue.

– Greenville News

Title: **Military retirees tax breakshung up in S.C. General Assembly**  
 Author: BY JEFF WILKINSON [jwilkinson@thestate.com](mailto:jwilkinson@thestate.com)  
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## STATE

# Military retirees tax breaks hung up in S.C. General Assembly

BY JEFF WILKINSON

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When Tom Robillard retired from the Air Force 12 years ago after 30 years of service, he had to decide where to put down roots. But at 58, like most military retirees, he still needed to work.

A big factor in where he would embark on his second career was which state wouldn't tax his pension.

Robillard, a Connecticut native, favored Tennessee or Florida — neither of which have state income taxes. But he settled on South Carolina, because his daughter and grandchildren are in Columbia.

"Otherwise, I would be in Destin (Fla.) right now," said Robillard, who went on to work as a biomedical consultant at Shaw Air Force Base in Sumter and later was supervisor of the biochemistry department at Moncrief Army Community Hospital at Fort Jackson. "When you get out of the service, there are a lot of people that are competing for you."

The S.C. General Assembly is considering a bill that would offer state

income tax deductions for military retirees. The plan would offer military retirees with at least 20 years of service a deduction of \$17,500 a year for those under 65 or \$30,000 a year for those 65 or older.

A caveat is that the military retirees under 65 must embark on a second job in the state with an annual salary of at least \$17,500.

The bill unanimously passed the House in 2015 and was carried over to the Senate this year. It has passed the Senate Finance Committee twice, but has been held up mainly by state Sen. Gerald Malloy, D-Darlington.

Malloy has logged an objection to the bill, which means his presence is necessary before it can be debated and voted upon by the entire Senate. He was out

of town Monday and said by text that the issue warranted further discussion,

but didn't elaborate.

The legislative session ends June 2. If senators don't vote on the bill by then, it will have to be reintroduced next year.

About 58,000 military retirees live in South Carolina, according to the U.S. Department of Defense. The bill would cost the state about \$18 million a year, according to the S.C. Department of Revenue.

But the bill's backers — including the S.C. Military Base Task Force, which is charged with keeping military bases open and retaining and creating military jobs in the Palmetto State — said the benefits outweigh the cost.

The tax break would retain disciplined, skilled workers like Robillard, said task force chairman Bill Bethea of Bluffton, who was appointed by Gov. Nikki Haley. The cost would be offset by taxes on the retirees' new jobs and those of their spouses.

"We're very fortunate to have Boeing and Volvo and BMW and all these

tire companies in South Carolina," said Bethea, an 8-year veteran of the Marine Corps who fought in Vietnam. "They require good, dependable, reliable workers. Someone who has been in the military for 30 years makes an ideal employee."

"Keeping those people here strengthens our workforce," he said. "It also brings in a replacement stream of income that exceeds their retirement income."

The bill's passage would also help cement South Carolina as one of the most military friendly states in the nation. That's a distinction which will bolster the state's standing with the Pentagon when new rounds of base closings and realignment, called BRAC, kicks in, perhaps in 2019.

Currently, the Military Officers Association of America rates South Carolina yellow — or average — when it comes to military issues. The rating is not green — the highest — primarily because of the income tax issue. Red is the lowest rating.

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## S.C. military by the numbers

58,000 - Number of military retirees in South Carolina

\$19 billion - Economic impact of military in South Carolina

\$1.5 billion - Pensions paid to non-disabled military retirees in South Carolina

\$771 million - Annual state tax revenue linked to the military

\$450 million - Economic activity in South Carolina by retirees

\$66 million - Pensions paid to disabled military retirees in South Carolina

— SOURCE: S.C. MILITARY BASE TASK FORCE

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Malloy