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Subject: Competitiveness Update

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Click here for a printable version of the *Competitiveness Update*.

Thumbs Up: To Governor Nikki Haley and Senators Hugh Leatherman (Florence), Shane Massey (Edgefield Courson (Richland), Larry Martin (Pickens) and Vincent Sheheen (Kershaw) for reaching a fair and balanced on government restructuring.

Thumbs Up: To the 89 House members who chose to support the private sector over the public sector on cc flow control legislation. [See how they voted](#).

Thumbs Up: To the 41 legislators honored with Business Advocate Awards during this week's Business Spe [See who they are](#).

Legislators Talk Infrastructure at Business Speaks

More than 400 business leaders descended upon Columbia Tuesday for Business Speaks, which featured House and Senate discussions on pertinent issues for the 2013 legislative session, including economic development and workforce education. The minds of business leaders was infrastructure, and the business community urged legislators to dedicate additional dollars infrastructure funding needs.

House Speaker Bobby Harrell (Charleston) kicked-off Business Speaks by welcoming business leaders to the state's capitol. encouraged the business community to stay focused on improving the state's business climate and remain committed to create Speaker Harrell said the General Assembly understands the importance of investing in infrastructure and urged business leaders policy makers in innovative solutions.

A Senate panel included Senate Majority Leader Harvey Peeler (Cherokee), Senate Minority Leader Nikki Setzler (Lexington) Banking and Insurance Committee Chairman Wes Hayes (York).

Senator Peeler (Cherokee) told the audience that he appreciates business leaders bringing forth infrastructure as a top priority legislative session after the business community released the *Road Map to the Future*, a detailed plan to fund infrastructure. For associations have come together to support the plan, which addresses three major improvement areas: Interstate Expansion Bridges (\$2 billion) and Resurfacing (\$1.2 billion).

For many years, the General Assembly has rejected the notion of raising the gas tax to fund infrastructure improvements and encouraged the business community to find alternate revenue streams. There are only two pots of money that can fund improve existing revenue from taxes and fees or an increase in taxes and fees. The *Road Map to the Future*, a common sense revenue does not raise taxes or fees but dedicates a small percentage of new revenue growth, the Capital Reserve Fund and vehicle-related revenues to infrastructure. If fully implemented in 2013, the plan would invest more than \$250 million this year alone, with funding each year to eventually achieve the necessary investment level of \$600 million annually.

The House panel included House Speaker Pro Tempore Jay Lucas (Darlington), House Minority Leader Todd Rutherford (Richmond) Ways and Means Committee Chairman Brian White (Anderson), House Education and Public Works Committee Chairman Phil (Pickens) and former Minority Leader Harry Ott (Calhoun).

Business leaders also engaged policy makers on escalating business license fees, over-aggressive environmental roadblocks development, Medicaid expansion and the need to transform public education, particularly investment in early childhood development.

Dept. of Administration Gets Priority Status

The Senate Judiciary Committee, led by Senator Larry Martin (Pickens), spent the latter part of 2012 and January 2013 working on a comprehensive government restructuring bill and establishing a Department of Administration, a top priority of Governor Nikki Haley authored by Senators Vincent Sheheen (Kershaw), Shane Massey (Edgefield) and Chip Campsen (Charleston), would transfer back to the executive branch and increase legislative oversight and accountability.

Last week, concerns were raised by Senate Finance Committee Chairman Hugh Leatherman (Florence) over the fiscal impact of the legislation. Governor Haley and Senators Leatherman (Florence), Massey (Edgefield), Martin (Pickens), Sheheen (Kershaw), Pro Tempore John Courson (Richland) were able to negotiate a compromise on jurisdiction of the legislation. As a result, the Committee will vet the bill until February 20. S.22 will then be placed under interrupted debate, a Senate procedure ensuring a given priority debate early in the legislative session.

A subcommittee, chaired by Senator Thomas Alexander (Oconee), has already held its first meeting. Other members of the committee include: Senators Nikki Setzler (Lexington), Wes Hayes (York), Danny Verdin (Laurens) and Darrell Jackson (Richland).

House Passes Flow Control on Bipartisan Vote

The House passed H.3290, the Business Freedom to Choose Act, legislation prohibiting local flow control ordinances. Eighty-two members of the House joined together to support the private sector. Local governments have enacted flow control ordinances that prevent the private sector from competing with government over waste storage. The legislation, supported by the South Carolina Chamber of Commerce and other business allies, prohibits local governments from interfering with free market principles. Freezing out competition raises prices for individuals and businesses and stifles economic growth.

The final roll call vote, which the South Carolina Chamber will include in the *2013 Legislative Scorecard*, was 89-28. The legislation moves to the Senate for consideration.

Chamber Honors Business Advocates

The South Carolina Chamber of Commerce presented 41 South Carolina legislators with the fourth annual Business Advocate Award. Members of the General Assembly scored 100 percent on the South Carolina Chamber of Commerce's *2012 Legislative Scorecard*.

"The South Carolina Chamber of Commerce is pleased to recognize these members of the General Assembly who are committed to advancing business issues at the State House. It is imperative we hold legislators accountable on votes that directly impact the competitiveness of this state. Recipients of the Business Advocate Award are a testament to the importance of improving the business climate, and we appreciate the opportunity to work with them in moving the state forward," said Otis Rawl, president and executive officer of the South Carolina Chamber of Commerce.

Business Advocate Award Winners:

Senator Thomas Alexander (Oconee), Senator Paul Campbell (Berkeley), Senator Ronnie Cromer (Newberry), Senator Greg Gandy (Lancaster), Senator Hugh Leatherman (Florence), Senator Larry Martin (Pickens), Senator Billy O'Dell (Abbeville), Senator C. Vann Woodward (Aiken), Senator Nikki Setzler (Lexington), Senator David Thomas (Greenville), Senator Danny Verdin (Laurens)

Speaker Bobby Harrell (Charleston), Representative Todd Atwater (Lexington), Representative Nathan Ballentine (Richland), Representative Bruce Bannister (Greenville), Representative Eric Bedingfield (Greenville), Representative Kenny Bingham (Lexington), Representative Clemmons (Horry), Representative Kris Crawford (Florence), Representative Bill Crosby (Charleston), Representative Greg Eason (Chester), Representative Tracy Edge (Horry), Representative Dan Hamilton (Greenville), Representative Phyllis Henderson (Richland), Representative Bill Herbkersman (Beaufort), Representative Bill Hixon (Aiken), Representative Dwight Loftis (Greenville), Representative Phillip Lowe (Florence), Representative Jay Lucas (Darlington), Representative Peter McCoy (Charleston), Representative W. Mark Miller (Greenville), Representative Ralph Norman (York), Representative Phil Owens (Pickens), Representative Kevin Ryan (Georgetown), Representative Murrell Smith (Sumter), Representative Garry Smith (Greenville), Representative Roland Smith (Aiken), Representative Tommy Stringer (Greenville), Representative Bill Taylor (Aiken), Representative Mark Willis (Greenville), Representative Tom

In Other News...

The Senate unanimously confirmed Governor Nikki Haley's appointment of **Aisha Taylor** to the **South Carolina Workers' Compensation Commission**. Taylor is an attorney with Collins & Lacy law firm, practicing workers' compensation defense and employment law. The Workers' Compensation Commission is comprised of seven commissioners appointed by the governor with the advice and consent of the Senate.

The Senate Banking and Insurance Committee met again this week to consider Governor Nikki Haley's appointment of **Ray Farmer** to the **South Carolina Department of Insurance**. Otis Rawl, president and CEO of the South Carolina Chamber of Commerce, supported Farmer as a qualified nominee. This week, the committee did not take any action on the nomination. The Chamber of Commerce urged the Senate Banking and Insurance Committee to support the nomination and schedule a vote to move Farmer's nomination forward.

The House and Senate held a Joint Assembly for **judicial elections**. Judge John D. Geathers (Seat 3) and Judge Paula H. Taylor were elected to the South Carolina Court of Appeals. The following judges were elected to Circuit Court seats: Judge DeAndre D. (5th Circuit, Seat 1), Joseph Derham Cole (7th Circuit, Seat 1), Deadre L. Jefferson (9th Circuit, Seat 1), Rivers Lawton McClain (10th Circuit, Seat 1), R. Keith Kelly (At Large, Seat 14), Maite' Murphy (At Large, Seat 15) and Donald B. Hocker (At Large, Seat 16).

On the Federal Front...

Last week, a federal appeals court ruled that President Barack Obama violated the Constitution when he bypassed the Senate and appointed three members to the **National Labor Relations Board (NLRB)**. President Obama filled the NLRB vacancies while on break. The ruling could nullify hundreds of NLRB decisions over the past year, including some that make it easier for unions. This ruling could also have widespread implications on other presidential recess appointments.

On Thursday, the U.S. Senate voted to suspend the **nation's debt ceiling** until mid-May. The bill would also withhold lawmakers' pay if they fail to pass a budget by April 15. The legislation now goes to President Obama for his expected signature.

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