

AGC GEORGIA LEGISLATIVE REPORT - *Week 3*

Published: Friday, January 30, 2015

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After last week's appropriations hearings, issuance of committee and room assignments, the Georgia General Assembly reconvened and completed Week 3 of the session (legislative day 8 of 40) yesterday. They will be in session Monday through Wednesday next week.

Listed below are some of the major construction-related legislative issues we are engaged in.

Pitts Decision Update – Workers' Compensation

AGC Georgia believes this court decision circumvents Georgia's workers' compensation exclusive remedy provisions! The *exclusive remedy* provisions within our state's workers' compensation laws are a trade off, or quid pro quo, between employer and employee. We believe if the *Pitts* decision is not addressed legislatively, every employer in Georgia must question whether Georgia's no fault workers' compensation coverage will in fact be the exclusive remedy for work place injuries, or will they be subject to additional actions for not providing a safe work place.

Since the end of the 2014 session, AGC Georgia has met with representatives of the state workers' compensation legislative committee to express our desire to work through their committee process to address this issue. The committee has a cross section of representatives from business, trial and defense attorneys, as well as labor. For years, this committee has successfully worked through a consensus process to develop legislation addressing Georgia's workers' compensation needs.

The committee agreed the *Pitts* decision merited legislative consideration and began working on an appropriate fix. AGC Georgia representatives, including Phil Beck and the late David Hendrick, spent countless hours on our association's behalf and the business community developing an appropriate legislative fix that could be supported by all divergent parties. After the twelfth legislative draft, an agreement was reached by all negotiating parties with each providing their written approval. On Tuesday, January 27, the night before the formal vote was taken by the advisory committee, AGC Georgia was contacted by the trial attorneys indicating they were backing out of their previous commitment.

This action prevented the advisory committee from reaching unanimous support, but the majority of the group was largely in favor of proceeding with the previously agreed upon legislative fix. Other stakeholders, credit AGC Georgia for working through the appropriate channels and wanting to get the fix right versus just wanting to get it quick. We hope to know more next week regarding whether or not the previously agreement will or will not be included in the workers' compensation package. One thing we know for sure, the business community is squarely behind us supporting our efforts in addressing this very important issue. ***Stay tuned!***

Workforce Development - Senate Bill 2

Sponsored by Senator Lindsey Tippins – AGC Georgia Supports

www.legis.ga.gov/Legislation/20152016/146305.pdf

On Tuesday, January 27, Mike Kenig, AGC Georgia Workforce Development Task Force Chair, Holder Construction Company, and I were invited to a small meeting with Lt. Governor Casey Cagle and Senator Lindsey Tippins to discuss this bill. It is Lt. Governor Cagle's and Senator Tippins' legislation which will allow high school students who have completed the ninth and tenth grade course

requirements and assessments to enroll in post-secondary institutions (Technical, Career & Community Colleges). They can work toward an associate degree while counting that coursework toward high school graduation requirements. The business and education community involved in the meeting enthusiastically endorsed this proposal as way to help address our state's workforce needs. Chairman Kenig stressed the need for the education community to work with the business community to help ensure the training was supported by business based on the respective industry's needs.

The Senate Education Committee heard SB 2 on Wednesday, January 28. AGC Georgia testified in favor of the legislation, expressing our belief it could help address the construction industry's workforce shortage. This bill passed the committee unanimously and moves to Senate Rules for consideration.

Partnership for Public Facilities and Infrastructure Act (P3) - Senate Bill 59

Sponsored by Senator Hunter Hill – AGC Georgia supports

www.legis.ga.gov/Legislation/20152016/145892.pdf

P3 was a large topic of discussion during the 2014 session. Two major legislative proposals fell just short of passing both legislative chambers. AGC Georgia has been actively engaged with all stake holder groups on this issue during the off season to address issues of concern from last year. This legislation, which has had input from all impacted groups, was developed to address these issues and create the "Partnership for Public Facilities and Infrastructure Act." It grants board authority to state and local governments to finance, design and build all types of infrastructure projects through Public-Private Partnerships.

It awaits a hearing by the Senate Economic Development Committee as early as next week. We support SB 59 and are committed to providing public owners with tools required to address infrastructure needs.

Transportation Funding Act of 2015 - House Bill 170

By Representative Jay Roberts – AGC Georgia Supports

www.legis.ga.gov/Legislation/en-US/display/20152016/HB/170

On Wednesday, Representative Jay Roberts of Ocilla introduced House Bill 170 which will fund nearly \$1 billion a year in statewide transportation projects. Georgia's economic success largely relies on our position as a transportation and logistics hub and our ability to safely and reliably move people and goods. Georgia is recognized nationally as the best place to do business but is sure to lose this distinction if we do not address our state's transportation infrastructure needs. AGC Georgia applauds our state's leadership and specifically Chairman Roberts for ensuring transportation funding remains a high priority.

If you have questions about AGC Georgia's positions or advocacy roles on behalf of the membership, please contact me at woodall@agcga.org or 678-298-4116.