

## AGC GEORGIA LEGISLATIVE REPORT - *Week 4*

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The eleventh day of the 40-day Georgia General Assembly was completed on Wednesday, February 4, 2015. Next week, legislators will be in session Monday through Thursday.

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

### **Pitts Decision – Workers’ Compensation**

**Current update:** As of Thursday, February 5, AGC Georgia is still awaiting a decision on whether a worker’s compensation legislative proposal will be introduced that includes language to address the Pitts Decision. We continue to receive broad support from our friends in the business community on this issue. Please be patient; we are working hard to get this right!

**Background on the issue:** AGC Georgia believes the Pitts 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 – Sponsor: Senator Tippins – AGC Georgia Supports**  
[www.legis.ga.gov/Legislation/20152016/146305.pdf](http://www.legis.ga.gov/Legislation/20152016/146305.pdf)

**Current update:** On Tuesday, February 3, Senate members unanimously passed SB 2. It now awaits consideration by the House Education Committee. AGC Georgia testified in favor of this measure in

the Senate Education Committee prior to the full vote by the Senate. We believe this legislation has the potential to help address the construction industry's skilled workforce needs.

*Background on the issue:* Lt. Governor Cagle and Senator Tippins' are leading the efforts with this legislation. It 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 have enthusiastically endorsed this proposal as way to help address our state's workforce needs. AGC Georgia and other members of the business community continue to stress the need for the education community to work in tandem with business to help ensure their training programs are addressing real business needs.

**Partnership for Public Facilities and Infrastructure Act (P3) - Senate Bill 59** – Sponsor: Senator Hill – AGC Georgia Supports [www.legis.ga.gov/Legislation/20152016/145892.pdf](http://www.legis.ga.gov/Legislation/20152016/145892.pdf)

**Atlanta Belt Line Urban Redevelopment - Senate Bill 4** – Sponsor: Senator Gooch – AGC Supports [www.legis.ga.gov/Legislation/en-US/display/20152016/SB/4](http://www.legis.ga.gov/Legislation/en-US/display/20152016/SB/4)

SB 59 & SB 4 are assigned to the Senate Economic Development Committee. Both are expected to receive a committee hearing the week of February 9. P3 was a large topic of discussion during the 2014 session. These legislative proposals fell just short of passing both legislative chambers. AGC Georgia has been actively engaged with stake holder groups on SB 59 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.

SB 4 is an urban redevelopment measure for the Atlanta Belt Line project that is utilizing the Public Private Partnerships as a tool to help finance and build the Belt Line. AGC Georgia supports Public Private Partnerships (P3) as a tool to help public owners address their respective infrastructure needs.

**Transportation Funding Act of 2015 - House Bill 170** – Sponsor: Representative Roberts – AGC Georgia Supports - [www.legis.ga.gov/Legislation/en-US/display/20152016/HB/170](http://www.legis.ga.gov/Legislation/en-US/display/20152016/HB/170)

On Wednesday, February 4, Representative Jay Roberts of Ocilla introduced House Bill 170. It plans to 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, along with our ability to safely and reliably move people and goods. Georgia is recognized nationally as the best place to do business; however, it is sure to lose this distinction if we do not address our state's transportation infrastructure needs. AGC Georgia applauds our state's leadership, specifically Chairman Roberts, for ensuring transportation funding remains a high priority. This legislation will evolve as it moves through the legislative process. AGC Georgia does not necessarily support every provision of the bill, but absolutely supports the need to develop an adequate and sustainable funding source for our transportation infrastructure needs.

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