

## AGC GEORGIA LEGISLATIVE REPORT - Week 5

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The fifteenth day of the 40-day Georgia General Assembly was completed on Thursday, February 12, 2015. Next week, legislators will be in session Tuesday through Friday. The General Assembly has targeted April 2, 2015 for Sine Die.

***The legislative schedule through Day 40 (Sine Die) is listed at the end of this report.***

On Wednesday, February 11, AGC Georgia hosted our 16th Annual Building Georgia Legislative Day with industry partners, the American Council of Engineering Companies (ACEC). We started the day at the Georgia Freight Depot with a joint networking breakfast. More than 120 professionals attended this program featuring Senate Majority Whip Steve Gooch of District 51 (Dahlonega). He spoke about HB 170, legislation that seeks to increase revenue for Georgia's transportation infrastructure.

To view a video of Senator Gooch's comments regarding the transportation bill, please click on this link:

<http://bit.ly/1JaxOU1>.

AGC Georgia members then walked across the street to the Capitol. I had the privilege of taking the group on a tour to learn how the legislative process works. We visited the areas for the House of Representatives and the Senate, and learned where to find information about upcoming legislative committee meetings and where to request copies of bills. After the tour, we gathered in a committee meeting room in the Capitol and were visited by Senate Economic Development Committee Chairman **Frank Ginn**, House Education Committee Chairman **Brooks Coleman**, House Regulated Industries Committee Chairman **Howard Maxwell**, and last but certainly not least, House Defense and Veteran Affairs Chairman **John Yates**. Chairman Yates is the oldest serving member of the General Assembly at 93 years young, and a decorated WWII Veteran Pilot. Chairman Yates entertained members with stories ranging from spirited debates with fellow legislatures from decades past, to his time on the front line. It was a great moment for all of us.

After we adjourned from our visit to the Capitol, the AGC Georgia Board of Directors convened for lunch and met with guests from the Board of Regents and the Georgia State Finance and Investment Commission (GSFIC). Both agencies provided our Board with information regarding proposed capitol construction projects and proposed changes in our state CM/GC contract. AGC Georgia is fortunate to have a very good working relationship with both of these state agencies.



**Below you'll find some of the major construction-related legislative issues AGC Georgia is engaged in.**

**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)

HB 170 was heard before the House Transportation Committee on Thursday, February 12. Chairman Roberts presented a committee substitute bill to the full committee for consideration and indicated this bill continues to be a work in progress. The committee heard testimony from numerous groups, but did not take a vote at this hearing. The Georgia Municipal Association (GMA) continues to oppose the bill as does the Georgia School Board Association. This week the Association of County Commissioners of Georgia (ACCG) formally announced their support of the bill.

**The latest version of HB 170 provides for the following:**

- Conversion of the sales tax on motor fuel to an excise tax, adjusted annually to keep pace with fuel efficiency of vehicles
- Phases out all local sales taxes on motor fuel (through local SPLOSTs) after their current levy. This allows local governments to honor their bond obligations and delivery of projects already approved by their voters
- Institutes a user-fee of \$200 for non-commercial alternative fueled vehicles and \$300 for commercial alternative-fueled vehicles
- Provides that a county may levy a 6 cent excise tax on motor fuel by simple ordinance. This tax would be for use on all transportation purposes.
- Repeals the \$5,000 tax credit for the purchase of electric vehicles.

HB 170 funds 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 continues to 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. This legislation should receive a formal vote of the committee next week.

**Pitts Decision – Workers' Compensation**

**CURRENT UPDATE:** *After sitting idle for some time, there were positive developments last week that lead us to believe there will be a workers' compensation bill this year. We are optimistic the legislation will include language addressing the Pitts Court decision.*

**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.

AGC Georgia has been credited for working through the appropriate channels and wanting to get the fix right versus just wanting to get it quick. 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 Georgia Supports**  
[www.legis.ga.gov/Legislation/en-US/display/20152016/SB/4](http://www.legis.ga.gov/Legislation/en-US/display/20152016/SB/4)

**CURRENT UPDATE:** *On Tuesday, February 10, SB 59 & SB 4 were heard by the Senate Economic Development Committee. AGC Georgia testified in favor of SB 59, and both bills ultimately received "do pass" recommendations by the committee. They are now awaiting consideration by the Senate Rules committee.*

AGC Georgia has been actively engaged with stake holder groups on SB 59 during the off season to address issues raised during the 2014 session. 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 (P3).

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

**Legislation to watch since many contractors use drones in the field.**

**Drones – House Bill 5** – Sponsor: Representative Geisinger – AGC Georgia is watching  
[www.legis.ga.gov/Legislation/20152016/147344.pdf](http://www.legis.ga.gov/Legislation/20152016/147344.pdf)

HB 5 seeks to prohibit the use of unmanned aircraft to obtain pictures of person or private property in violation of personal privacy. This legislation prohibits drone use in excess of 1,000 feet above the ground. There are a number of exemptions included in the legislation and the use of drones in the practice of surveying, mapping, land development and/or other engineering applications would likely not be affected by the current draft. AGC Georgia will be working the sponsor to address appropriate applications of drone use for business purposes.

**Drones – House Bill 44** – Sponsor: Representative Smith – AGC Georgia is watching  
[www.legis.ga.gov/Legislation/20152016/145310.pdf](http://www.legis.ga.gov/Legislation/20152016/145310.pdf)

HB 44 prohibits the use of unmanned aircraft above an altitude of 500 feet and/or within a 5 mile horizontal radius of an airport. AGC Georgia will also be working with this bill's sponsor to ensure practical business operations are not hindered.

***The legislative schedule through Day 40 (Sine Die) is as follows:***

- **Days 16-19**  
*Tuesday, February 17 – Friday, February 20*
- **Days 20-23**  
*Monday, February 23 – Thursday, February 26*
- **Days 16-19**  
*Tuesday, February 17 – Friday, February 20*
- **Days 20-23**  
*Monday, February 23 – Thursday, February 26*
- **Days 24-27**  
*Monday, March 2 – Thursday, March 5*
- **Day 28**  
*Monday, March 9*
- **Day 29**  
*Wednesday, March 11*
- **Day 30**  
*Friday, March 13*
- **Days 31-33**  
*Wednesday, March 18 – Friday, March 20*
- **Days 34-38**  
*Monday, March 23 – Friday, March 2*
- **Day 39**  
*Tuesday, March 31*
- **Day 40 - Sine Die**  
*Thursday, April 2*

*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.*