

AGC Georgia Legislative Report

Week 4 of the 2016 Session of the Georgia General Assembly

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The legislative pace continues to quicken from prior weeks, but is still considered slow by comparison to prior sessions. Monday, February 8 marks the 17th day of this 40-day session.



HB 402 by Representative Lumsden; Employers encouraged to provide work-based learning for students over age 16
(Currently in the Senate Insurance & Labor Committee) - www.legis.ga.gov/Legislation/20152016/155878.pdf

Earlier this week, HB 402 was heard on the House floor and received a unanimous 166-0 vote of support. HB 402 now moves to the Senate Insurance & Labor Committee for consideration. AGC Georgia supports HB 402, and testified in favor of the measure in the House Industry & Labor Committee. This bill encourages employers to provide work-based learning opportunities for 16 and 17 year old students in sanctioned workforce development programs. In return, the bill provides employers an optional 5% reduction in workers' compensation premiums. AGC Georgia's number one legislative priority for this session is workforce development.

HR 864, HR 1017 & SR 624 by Representative Dudgeon and Senator M. Williams; Development Impact Fees for Public Educational Facilities
(Currently in the House Ways & Means Committee) - www.legis.ga.gov/Legislation/20152016/154596.pdf

The above Resolutions for Development Impact fees for public educational facilities are virtually identical and propose an amendment to the Constitution to provide that the General Assembly may by general law authorize local boards of education to impose, levy, and collect development impact fees and use the proceeds to pay for a share of the cost of additional educational facilities. Schools are currently not recognized under the law for funding under the Georgia Impact Fee law. As drafted, these resolutions would only apply to school districts that have grown by 15% or greater during the last five years. The only school districts currently meeting this threshold in Georgia are Forsyth, Fulton and Cherokee counties.

HB 894 by Representative Dudgeon; Georgia Development Impact Fee Act

(Currently in the House Ways & Means Committee) - www.legis.ga.gov/Legislation/en-US/display/20152016/HB/894

HB 894 dropped earlier this week and is the enabling legislation for the proposed Constructional amendments listed above. HB 894 adds language that may capture additional districts beyond Forsyth, Fulton and Cherokee counties. The new language is as follows:

'High growth school system' is a school system in this state which has either:

(A) Experienced an increase in the number of students enrolled in such school system of 15 percent or more over the immediately preceding five-year period; or

(B) Experienced an increase in the number of students enrolled in such school system of at least 10 percent over the immediately preceding four-year period and is projected over the next year to experience an increase in the number of enrolled students such that, at the end of the following year, the school system will be projected to have experienced an increase of 15 percent in the number of students enrolled over the immediately preceding five-year period.

AGC Georgia has met with legislation sponsors to learn the background for the introduction of HB 894. As a Constitutional Amendment, the measure would require a 2/3 majority vote for passage. Thus far, we are not taking a formal position on the measure and will work through our Legislative Education Taskforce as we learn more.

SB 191 by Senator Lindsey Tippins; Blasting and Excavating Near Utility Facilities

(Currently in House Energy, Utilities & Telecommunications Committee) - www.legis.ga.gov/Legislation/20152016/151268.pdf

In 2015, SB 191 passed the Senate, but did not make it out of House Rules for consideration by the full House. As a result, the bill was sent back to its last committee of reference (House Energy, Utilities & Telecommunications

Committee) to continue debate this year. SB 191 would prohibit local government from adopting and enforcing different standards regarding white lining requirements other than those required under the Statewide Call Before You Dig law. AGC Georgia supports a single statewide standard versus the potential of having to operate under 159 county and 500 municipal standards, all of which could vary in each jurisdiction. Members of the Georgia Utilities Coordinating Committee (GUCC) and AGC Georgia staff worked on Call Before You Dig Legislation over the past two years through a stakeholder group including representation by local governments, including Association County Commissioners of Georgia (ACCG) and Georgia Municipal Association (GMA). If local government wants to raise the bar for white lining, we feel state law is the place to do it, not individually, on a county by county and city by city basis.

Earlier this week, AGC Georgia participated in a GUCC meeting to see if a compromise could be reached between all of the impacted parties. The Georgia Municipal Association (GMA) and the Association County Commissioners of Georgia (ACCG) actively opposed the legislation last year, but are participating with the GUCC to see if a compromise measure can be reached.

HB 779 by Representative Kevin Tanner; Drone Use

(Currently in the House Judiciary Committee) - www.legis.ga.gov/Legislation/20152016/154750.pdf

HB 779 is the work product of the House Study Committee hearings on drones. Committee leadership asked AGC Georgia to provide testimony during their meetings this past fall on drone use and application in the construction industry. When crafting the bill, the prime sponsor and all Study Committee members went out of their way to receive input from many industries, including construction, that use drone technology.

Recent articles and blogs have surfaced on the internet that unfairly characterize both the bill and the efforts of Study Committee members who are working to appropriately address drone use in Georgia. AGC Georgia is engaged on this issue and continues to work with the sponsors in an effort to allow continued drone use in the construction industry.

HB 722 by Representative Allen Peake; Medical Marijuana

(Currently in the House Judiciary Committee) - www.legis.ga.gov/Legislation/20152016/154362.pdf

Last year, the General Assembly passed legislation allowing for limited use of medical marijuana for persons suffering from some certain medical conditions. However, in order to obtain the medical marijuana, individuals must travel to states that allow for legal production of the product and then unlawfully transport the product back to Georgia for legal use.

HB 772 attempts to address this issue by allowing for limited state sanctioned cultivation and distribution of the medical marijuana for certain predetermined illnesses.

However, as currently drafted, HB 722 may pose a problem for employers "employment- at-will" and workplace safety and drug testing programs. AGC Georgia has spoken to the sponsor of the legislation to express our potential concerns regarding this issue. Representative Peake indicated substitute language was being developed and a hearing is scheduled for next week to present the new language in committee.

HB 593 Low Voltage Contractor Continuing Education by Rep. Hawkins *(Currently in House Regulated Industry Committee)* www.legis.ga.gov/Legislation/20152016/155743.pdf

HB 593 allows the Low Voltage Contractor Board to require up to 4 hours of continuing education as a condition of license renewal. An amendment was added in committee to allow electrical contractors who possess both an electrical contractor license and a low voltage license to be excused from meeting the Low Voltage Contractor Continuing Education requirements if they have already satisfied the continuing education requirements for the electrical license. HB 593 was the first casualty of the 2016 session. It was defeated on the floor of the House on Thursday, February 4 in a close vote. Members in the House defeating the bill did not feel low voltage contractors should be required to incur the additional cost of meeting these education requirements.

AGC Georgia's positions on legislative proposals are developed under the direction of the legislative committee and the AGC Georgia Board of Directors. Please contact me at woodall@agcga.org or by phone at 678.298.4116 on any items included in this report or on any legislation that is introduced during the 2016 Session.