

## **MEMORANDUM**

**DATE:** March 22, 2017

**TO:** ARC Board of Commissioners

**FROM:** Scott Haggard, Government Affairs Manager  
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The Georgia General Assembly is today in its 37<sup>th</sup> day of its 40-day session, and has three session days remaining until “Sine Die” (Day 40), scheduled for next Thursday, March 30<sup>th</sup>.

Below is a status of the bills and resolutions ARC is monitoring or working this session. **NEW INFORMATION IS IN RED.**

### **TRANSPORTATION**

#### ***SB 6 and HB 160: Study Commission/Council on Transit Governance and Funding/ Sen. Steve Gooch (R-Dahlonega) and Rep. Kevin Tanner (R-Dawsonville)***

Both the Senate and House have separate bills that would create a new Georgia Commission (House) or Council (Senate) on Transit Governance and Funding, to study and assess the needs and funding methods for mass transit statewide. Both bills create bodies with membership from the Senate, House, and gubernatorial appointees, as well as transit and transportation agencies and MPOs (including ARC). The House bill would seek action in a faster time frame than the Senate bill. Each bill has passed its respective chamber. **It has been assumed that both bills will be merged into a single bill by the end of session, although continued disagreements between the House and Senate over multiple pieces of legislation make it possible that neither bill will pass.**

#### ***SB 183: State Road and Tollway Authority/ Sen. Brandon Beach (R-Alpharetta)***

This bill authorizes SRTA on behalf of the state to issue revenue bonds for “public-private initiatives”. The bill is a response to the state having no financing mechanism to issue bonds for projects such as the I-285/GA 400 interchange P3. The bill was passed by the Senate, and **approved by the House Transportation Committee on March 16<sup>th</sup>.**

#### ***HB 134: Modifications to Existing Single-County T-SPLOST Law/ Rep. Bubber Epps (R-Dry Branch)***

The bill allows Single County T-SPLOST (passed as part of HB 170 package in 2015) to fund state transportation projects, in addition to local projects. It also permits more than one Single County T-SPLOST to be levied at the same time as long as the amount does not exceed 1 percent, and allows cities to bond their T-SPLOST projects. Lastly, the proposed bill clarifies that a Regional T-SPLOST and a Single County T-SPLOST cannot be on the ballot at the same time. Also incorporated into the House-passed version was language from HB 215, which allows municipalities to issue general obligation

bonds in conjunction with the levy of single county TSPLOST, in the same manner as the county. This bill (incorporating both HB 134 and HB 215) passed the House by a 106-58 vote on February 23<sup>rd</sup>, and was approved by the Senate Finance Committee on March 14<sup>th</sup>.

***SB 219/HB 248: Autonomous Vehicle Regulation/ Sen. Steve Gooch and Rep. Trey Kelley***

These bills were originally drafted to create rules and regulations to provide for the operation of autonomous vehicles (AV) on certain public roads, modeled after similar legislation in Michigan. After a great deal of committee testimony and feedback from various AV interests, both bills were scaled back to simply require that AVs carry more liability insurance than is required of regular vehicles. The argument that potential regulation could stifle technology innovation carried the day. The Senate bill passed on March 3<sup>rd</sup> by a 51-0 vote, and the agreed-upon version was approved by the House Transportation Committee on March 16<sup>th</sup>.

***SR 228: Allowing State Properties Commission to Negotiate with CSX/ Sen. Burt Jones (R-Jackson)***

The resolution authorizes the State Properties Commission to negotiate a 50-year lease extension with railroad company CSX for the state-owned Western and Atlantic Railroad line between Atlanta and Chattanooga. CSX has maintained the existing lease for many decades, and this resolution would allow the state to negotiate terms of the lease during the next year. Provisions of the lease negotiations could include such items as the potential allowance of passenger rail service along the rail line, which is a possible avenue for future transit service into Cobb County. The resolution may be amended prior to expected House passage.

***HB 225: Sales Tax on Ride-Share Network Services/ Rep. Jay Powell (R-Camilla)***

This bill imposes state and local sales and use taxes (currently at 7% in most jurisdictions) on ride-share network services, such as Uber and Lyft. Rep. Powell, author of the bill, argued that these services should be taxed just as other services, and both ACCG and GMA supported the bill. Opponents argued that this would decrease the use of such services, and pointed to only two other states with such a tax. The bill passed the House by a 106-60 vote, and is being considered in a Senate committee today.

## **NATURAL RESOURCES**

***HB 93: WaterSense and Energy Star Sales Tax Holiday/ Rep. John Corbett (R-Lake Park)***

This House-passed bill, originally relating to interest on sales and use taxes, was amended in a Senate committee to include a renewal of the recent WaterSense and Energy Star sales tax holidays. Products with either of these labels (with a purchase price of less than \$1,500) would be exempt from sales tax for one weekend in the fall, which promotes the adoption of water-efficient products. The amended bill is being considered by the Senate Finance Committee today.

***HB 204: Prohibit non-tax fees from inclusion on property tax bills/ Rep. Brett Harrell (R-Snellville)***

This bill seeks to prohibit the inclusion of any nontax related fees or assessments on a property tax bill, including, but not limited to, stormwater fees and solid waste service fees. Such fees could be included in the same mailing, provided they are separate from the property tax bill. This bill would also require



that any payments be first applied to the property tax bill. ACCG and GMA are opposed to this bill, as it would certainly result in a possibly significant reduction in the amount of revenue collected from such fees. The Metro Water District is also opposed. The bill passed the House on February 28<sup>th</sup> by a vote of 111-61 and is available for Senate consideration. No new action.

***SR 224: Joint Study Committee on Stormwater Fees/ Sen. Frank Ginn (R-Danielsville)***

This legislation creates a Joint Study Committee on Stormwater Management Fees, which would include representation from local governments and would be tasked with reviewing existing data and current practices relating to storm-water management fees. This legislation passed the Senate by a vote of 48-1 on March 3<sup>rd</sup>, and **was passed by the House on March 16<sup>th</sup> by a 162-4 vote. It awaits the Governor's signature.**

***HR 362/SR 152: Joint Study Committee on Stream Buffers/ Sen. Frank Ginn and Rep. Lynn Smith***

**These resolutions create joint study committees of House and Senate members to examine stream buffers prior to the 2018 session, "for the purposes of determining an appropriate plan of action and recommendations for the State to strike the proper balance between water protection and private property rights." Both have passed their respective chambers, and SR 152 has passed both.**

## **AGING SERVICES**

***SB 12 and HB 154: Allow Dental Cleanings in Long Term Care Settings/ Sen. Renee Unterman (R-Buford) and Rep. Sharon Cooper (R-Marietta)***

These bills, similar to legislation that failed in 2016, would allow dental hygienists to provide cleanings in long term care settings, such as nursing homes or assisted living facilities, under the direction of a dentist but without a dentist being present. In a good sign for the bills, they have both passed their respective chambers by large margins, and are likely to be merged for final passage. No new action.

***SB 201: Family Care Act/ Sen. Butch Miller (R-Gainesville)***

This legislation would allow employers of 10 or more, including state agencies or counties, that provide sick leave, to allow their employees to use up to five days of sick leave to care for the immediate members of their family, which includes a spouse, child, parent, grandparent, grandchild or dependent. Nothing requires an employer to offer sick leave of any kind. This bill is supported by aging advocates because losing a day's wages for caregiving duties can be very challenging to a family trying to help a senior remain in their home and out of an institution. The bill passed the Senate by a 41-10 vote on March 1<sup>st</sup>, and **was approved by a House committee on March 14<sup>th</sup>. It has been postponed twice on the House floor calendar.**

## **COMMUNITY DEVELOPMENT**

***SB 2: The FAST Act/ Sen. Mike Dugan (R-Carrollton)***

**(Info per ACCG):** This legislation mandates that cities and counties which charge any regulatory fees (license or permit fees), or have any regulatory requirements, to establish a schedule of such fees and requirements which shall include timelines necessary for processing completed applications and a list



of all documentation needed by applicants to meet regulatory requirements. Also, DCA shall establish a voluntary "Ready for Partnership" certification program for each city and county in Georgia. Local governments may apply to receive RFP certification, which will be based on the aforementioned metrics in processing licenses and permits. This bill is of great interest to cities and counties, and ACCG and GMA have been working with the author. The bill passed the Senate on February 17<sup>th</sup> by a 53-0 vote, and **will be considered in the House Small Business Development Committee today.**

***SB 156: DeKalb HOST Modifications/ Sen. Fran Millar (R-Dunwoody)***

This bill makes several changes to DeKalb County's potential referendum on "equalized HOST" reform and SPLOST (which was postponed in 2016 due to a flaw in last year's bill). The bill changes SPLOST so that when EHOST reform/SPLOST is approved by the voters, then the only authorized use of SPLOST proceeds are transportation and public safety purposes, and also exempts food, prescription drugs, food bank sales, food donations following a disaster, and other items, from the tax. The bill passed the Senate by a 36-18 vote on February 27<sup>th</sup>, and **was amended in the House Ways & Means Committee to exclude a provision that would have prohibited any future MARTA sales tax increases.**

***HB 59: Tax Credits for Historic Structures/ Rep. Ron Stephens (R-Savannah)***

HB 59 changes the income tax credit for rehabilitation of historic structures. Specifically, this bill would remove the current maximum amount (\$5 million) of the tax credit in any year for a certified historic structure. The bill would also make such tax credits freely transferrable to other parties. The bill passed the House by a vote of 139-27 on March 3<sup>rd</sup>, and is now available for Senate consideration.

**HOMELAND SECURITY**

***SB 1: PROTECT Act/ Sen. Bill Cowser (R-Athens)***

In the original version of the bill, it revised the definition of domestic terrorism, to be more inclusive of various forms of terrorism. Duties of the Georgia Information Sharing and Analysis Center would be revised to provide improved homeland security activity, and a more effective response to and prevention of domestic terrorism. Each agency would be required to submit identifying information of known terrorists or suspected terrorists to the Center. The Senate-passed version separated homeland security functions from the Georgia Emergency Management Agency, creating a new state Department of Homeland Security. The House committee process has made it likely that the bill will be scaled back to something resembling its original version. It is on the House Judiciary Non-Civil Committee agenda for today.

**REGIONAL COMMISSIONS**

***HB 183: Georgia Geospatial Advisory Council/ Rep. Robert Dickey (R-Musella)***

This legislation, supported by GARC, transfers the Georgia Geospatial Advisory Council from the Department of Natural Resources to the Department of Community Affairs and removes the council's sunset. The Council makes recommendations on utilizing Georgia's geospatial capabilities to meet federal notification requirements, achieving governmental data interoperability and advancing



geospatial technology among Georgia's state and local governments. The bill passed the House 162-5 on February 14<sup>th</sup>, **passed the Senate by a unanimous vote on March 10<sup>th</sup>, and awaits the Governor's signature.**

### **BUDGET**

**Items of note included in the Governor's FY 2018 budget request, and included in the approved House and Senate versions of the budget:**

- An additional \$4.2 million for home and community based services, a priority of the Aging & Health Resources Division, which will remove more than 2,000 people from waiting lists
- \$750,000 for Meals on Wheels and Congregate Meals
- Additional funds for 11 adult protective services caseworkers
- \$2 million for the Georgia Alzheimer's Project, specifically to establish Memory Clinics throughout the state
- \$10 million to GRTA/SRTA to rehabilitate 32 Xpress buses and purchase 12 new buses

Please let me know if you have any questions about these or any other legislative matters.

