

MEMORANDUM

DATE: April 4, 2017

TO: ARC Board of Commissioners

FROM: Scott Haggard, Government Affairs Manager
shaggard@atlantaregional.com, 678.471.7259

The Georgia General Assembly adjourned “Sine Die” (Day 40) about 1 a.m. on Friday, March 31st. By law, Governor Deal has 40 calendar days to either sign or veto legislation. Any bills that did not pass this session are still available for consideration in 2018.

Below is a status of the bills and resolutions ARC monitored or worked this session.

TRANSPORTATION

PASSED

HR 848: House Commission on Transit Governance and Funding/ Rep. Kevin Tanner (R-Dawsonville)

Versions of House and Senate bills that would have created a *joint* Georgia Commission or Council on Transit Governance and Funding, to study and assess the needs and funding methods for mass transit statewide, failed to pass due to being caught up in Senate/House conflict. However, the House on Day 40 passed a resolution creating a House-only commission, with membership appointed by the Speaker and containing transit/transportation agency representation and MPO directors (including ARC). The commission is authorized to conduct its work through December 2018.

PASSED

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 passed on Day 40.

PASSED

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 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 passed on Day 40, and was part of ACCG’s legislative platform.



PASSED

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

One of two bills originally drafted to create rules and regulations to provide for the operation of autonomous vehicles (AV) on certain public roads, SB 219 emerged as a compromise bill after a great deal of committee testimony and feedback from various AV interests. The final bill focuses on requiring AVs to carry more liability insurance than is required of regular vehicles. AV interests are satisfied that the bill does not stifle technology innovation. The bill passed on Day 40.

PASSED

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 was amended late to say that the lease could not preclude “uses in the best interests of the state of Georgia,” which is designed for consideration of such uses as passenger rail.

DID NOT PASS

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 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, but died in the Senate.

NATURAL RESOURCES

DID NOT PASS

WaterSense and Energy Star Sales Tax Holiday Renewal

ARC worked until late on Day 40 to insert language into various pieces of legislation that would have renewed the WaterSense and Energy Star sales tax holiday. Products with either of these labels (with a purchase price of less than \$1,500) have been exempt from sales tax for one weekend in the fall in recent years, which promotes the adoption of water-efficient products. Unfortunately, language allowing for this renewal did not pass.

DID NOT PASS

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

This bill would prohibit the inclusion of any nontax related fees or assessments on a property tax bill, including, 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 opposed the bill, as it would certainly



result in a significant reduction in the amount of revenue collected from such fees. The Metro Water District was also opposed. The bill passed the House but died in the Senate.

PASSED

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

This legislation creates a Joint Study Committee on Stormwater Management Fees, tasked with reviewing existing data and current practices relating to stormwater management fees. The committee will include 12 members, who are a combination of legislators, local government representatives, and private sector representatives. The committee must conclude its work by the end of 2017.

PASSED

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

This resolution creates a joint study committees of 17 people, including 10 House and Senate members, six private sector representatives, and the EPD Director 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.”

AGING SERVICES

PASSED

HB 154: Allow Dental Cleanings in Long Term Care Settings/ Rep. Sharon Cooper (R-Marietta)

This bill allows 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. Georgia is the last remaining state to allow this practice. Aging advocates had worked on this issue for several years, and were successful this year in gaining the support of both Rep. Cooper and Senate Health and Human Services Chairman Renee Unterman.

PASSED

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

This legislation allows employers of 25 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. The bill has been supported by aging advocates due to the strain on family caregivers who are trying to help a senior remain in their home and out of an institution. It passed on Day 40 after several revisions.

COMMUNITY DEVELOPMENT

DID NOT PASS

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



timelines necessary for processing completed applications, and a list of all documentation needed by applicants to meet regulatory requirements. Also, DCA would 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. ACCG and GMA were active in discussions around this bill. It passed the Senate unanimously but died in the House.

PASSED

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

This bill paves the way for DeKalb County to hold a referendum on "equalized HOST" reform and SPLOST, which was postponed in 2016 due to a flaw in last year's legislation. 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. Language restricting any future MARTA tax increase was removed from this bill as well as others to which it was later attached.

DID NOT PASS

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

The bill changes the income tax credit for rehabilitation of historic structures, removing 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, but died in the Senate after being attached to another bill.

HOMELAND SECURITY

PASSED

HB 452 (SB 1): PROTECT Act/ Sen. Bill Cowsert (R-Athens)

The original version of SB 1 broadened the definition of domestic terrorism, and expanded the duties of the Georgia Information Sharing and Analysis Center to provide improved homeland security activity. 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 whittled the bill down, much closer to the original version that does not create a separate state agency. SB 1 language was added to HB 452, and passed on Day 40.

REGIONAL COMMISSIONS

PASSED

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 early in the session with no controversy.

BUDGET

Items of note included in the Governor's FY 2018 budget request, and included in the final adopted 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
- \$4.1 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.

