

GUCA Legislative Update Week #1 1/18/08

The Georgia General Assembly convened its 2008 Legislative Session at 10:00 am on Monday, January 14. The 180 members of the House and the 56 members of the Senate came together from their respective districts throughout the state, and were met with a sense of urgency. This was evident due to the very first action the House took up was to pass an override veto of 12 bills the Governor had vetoed, a very historical moment to say the least. Never before has this happened. It takes at least a majority of two thirds of the members to override a Governor's veto in either chamber of the General Assembly. The House needed at least 120 members to override a veto from the Governor and they received around 160 members voting to override the Governor's vetoes on all twelve votes.

A veto override from either chamber is immediately sent to the other chamber for a vote. Once the Senate received the House vetoes Monday, the veto overrides were placed in the Senate Rules committee for further review by the Senate and the Senate Rules Committee before acting. Although it is not definite, most likely the Senate will vote or act on two to four of the veto overrides from the House. We will have to wait and see how this affects the relations between the House, Senate, and Governor Perdue.

On Tuesday Governor Perdue gave the State of State speech emphasizing the current issues at hand (Water plan, healthcare, transportation, and education). There were many items mentioned that were cause for an applause, some becoming standing ovations. The Governor's speech sounded promising for a good 2008 Legislative Session.

As always, we will be very busy watching legislation to make sure GUCA's members' needs are met. We are currently working to craft legislation that is positive for GUCA. All bills introduced during last year's session are still active during the 2008 session, unless a particular piece of legislation passed both the House and Senate in 2007 and the Governor has signed or vetoed the particular legislation.

One certainty from all of these developments is that the 2008 Legislative Session will be hard to predict, but we will keep you updated every week on new legislation affecting General Utility Contractors Association or movements in established legislation from 2007. We continuously monitor all legislation closely and keep you informed of any activity. Please feel free to contact us if you have any questions, concerns, or special requests.

Below you will find a list of bills and resolutions that are most important to GUCA. If you would like to retrieve a complete copy of a bill or resolution you can access the information from the links below.

Bills of Concern: Bills that did not make it through the process last year were held

*Bills that have moved since last report

Highlighted bills are bills that have the opportunity to be passed by both the House and Senate this Session

All status dates are 2007 carryovers, unless otherwise noted

HB 54: Aims to regulate interbasin and intrabasin transfers of surface water and ground water and to change certain provisions relating to permits for withdrawal, diversion, or impoundment of surface waters and monitoring, recording, and reporting of water withdrawal. We are watching this bill to make sure no requirements are added to it that will adversely affect us.

http://www.legis.ga.gov/legis/2007_08/fulltext/hb54.htm

Status: House Natural Resources and Environment Second Read 1/22

HB 138: Aims to provide for the rejection of construction contracts when contractors, subcontractors, low tier subcontractors, or material men do not provide required insurance coverage. HB 138 creates a deadline for upstream parties in a construction contract to notify the down stream party of contractual insurance deficiencies. The committee substitute of HB 138 states that if the upstream party does not notify the downstream party of the insurance deficiency, and work is completed and paid for, then the upstream party is deemed to have accepted the insurance for the work performed.

http://www.legis.ga.gov/legis/2007_08/fulltext/hb138.htm

Status: House Judiciary Second Read 1/25

HB 565: Relates to exemptions from the control of soil erosion and sedimentation, so as to add an exemption for removal of beaver dams.

http://www.legis.ga.gov/legis/2007_08/fulltext/hb565.htm

Status: House Natural Resources and Environment Second Read 2/28

HB 611: Relates to the powers and duties of the divisions of the State Construction Industry Licensing Board, so as to provide for changes to the restrictions of Class I licenses for electrical contracting.

http://www.legis.ga.gov/legis/2007_08/fulltext/hb611.htm

Status: House Regulated Industries Second Read 3/1

HB 672: Relates to local government, so as to provide that the Georgia Procurement Registry shall be used in addition to the official legal organ for advertisement of certain bid opportunities for goods and services and public works construction contracts by a municipal corporation, county, or local board of education. Additionally, this bill aims to require advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry and to provide that advertisement via the Georgia Procurement Registry shall be at no cost to local government entities.

http://www.legis.ga.gov/legis/2007_08/fulltext/hb672.htm

Status: House Governmental Affairs Second Read 3/20

HB 760: Relates to control of soil erosion and sedimentation, so as to authorize certain water and sewer authorities and storm-water utilities to be certified as local issuing authorities.

http://www.legis.ga.gov/legis/2007_08/fulltext/hb760.htm

Status: House Natural Resources and Environment Second Read 3/29

***SB 43:** Aims to prohibit certain employers from prohibiting employees from lawfully carrying and possessing firearms in locked motor vehicles and to provide for immunity for employers who allow employees to possess firearms in locked vehicles on the premises of such employer **unless the employer knew or, in the exercise of ordinary care, should have known that the person using such firearm would commit such criminal act on the employer's premises. Nothing contained in this Code section shall create a new duty on the part of the employer.**

http://www.legis.ga.gov/legis/2007_08/fulltext/sb43.htm

Status: Senate Judiciary Favorable Reported 2/09. Senate Recommitted 1/14/2008

SB 69: Aims to provide for protection of river basins and to regulate interbasin transfers of water. This article shall be known and may be cited as the 'River Basin Protection Act.' This bill states that any person seeking to make an interbasin transfer of more than 100,000 gallons of water per day shall apply to the director for a permit for such transfer.

http://www.legis.ga.gov/legis/2007_08/fulltext/sb69.htm

Status: Senate Natural Resources and Environment First Read 1/29

SB 171: Aims to amend Title 43 of the Official Code of Georgia Annotated, relating to professions, so as to repeal Chapter 41 of such title, relating to residential and general contractors, in its entirety; to repeal conflicting laws; and for other purposes.

http://www.legis.ga.gov/legis/2007_08/fulltext/sb171.htm

Status: Senate Regulated industries and Utilities First Read 2/20

***SB 173:** Relates to pipeline companies' rights to acquire property or property interests by eminent domain, notices to landowners, relocations, right of reasonable access, and compensation for damage incident to entry, so as to exempt certain acquisitions of additional pipeline rights of way from restrictions and conditions otherwise imposed on the exercise of such power.

http://www.legis.ga.gov/legis/2007_08/fulltext/sb173.htm

Status: Senate Passed/Adopted 3/1. House Judiciary Second Read 3/20

***SB 284:** Relates to weight of vehicle and load and aims to allow the operator of a vehicle to comply with weight requirements by shifting or equalizing the load on all wheels or axles.

http://www.legis.ga.gov/legis/2007_08/fulltext/sb284.htm

Status: Senate Passed/Adopted 3/27. House Transportation Second Read 3/29

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