

2023 legislative session

Key policies for urban ag passed

by Bryan Tolar, Tolar Capitol Partners

The 2023 session of the Georgia General Assembly wrapped up with the usual flurry of activity along with a heavy dose of organized chaos. Regardless of how it may appear at times, there is much to appreciate about the policy process and the results generated. In a nutshell, this session was very good for issues of interest to UAC members and the urban ag industry.

This year was also among the most unique in fifty years. The influx of over four dozen new legislators, coupled

with a new Speaker of the House and a new Lieutenant Governor in the Senate made for interesting dynamics from the start. Over twelve weeks, this social experiment of personalities and political ideology forged a new group of leaders that ultimately found their stride. The resulting framework and experience will provide for a more nimble and crafty group moving forward. Building relationships at the Capitol is a constant process and is key to our interests. We are grateful UAC is respected and heard across the Capitol building.



Senator Shawn Still with Georgia UAC Executive Director Mary Kay Woodworth



Rep. Rick Townsend



Rep. Patty Bentley

Top on our list of industry advancements was the proactive measure we took to stop the growing actions of local governments banning gasoline powered leaf blowers. We heard your concerns and tracked the initiatives underway in other states so we could plan our legislative remedy for Georgia...and it worked. On May 2, UAC joined Governor Kemp and key legislative leaders as he signed the Landscape Equipment and Agricultural Fairness (LEAF) into law.

Senator Shawn Still (Johns Creek) championed our bill from the very start and remained fully committed to the effort. With his leadership, we maneuvered the hotly contested bill through the Senate in February. With the assistance of Representatives Brad Thomas, Victor Anderson, and Joseph Gullet, the House approved the bill in March to send HB 374 to the desk of Governor Kemp.

We are pleased the LEAF Act received healthy discussions in both the House and Senate, allowing lawmakers to hear the concerns of our industry on this issue. Legislators jumped in during debate to point out the importance of this issue to the landscape industry as well as construction and pest control industries. During

debate on the House floor, **Rep. Rick Townsend** (Glynn County) spoke to the importance of gas leaf blowers and their use to clear debris after storms and **Rep. Patty Bentley** (Taylor County) expressed her support for the uniformity the LEAF Act provides for landscape businesses. In the end, the vote count was very close. Thankfully the bill received support from Democrats and Republicans alike.

Simply put, HB 374 solidifies the protection of consumer choice. Gas powered, battery operated, and manual tools for managing landscape debris, construction sites, and pest control all have benefits to consumers. In recent years, we have seen a growing number of communities craft arbitrary restrictions on gas powered equipment in numerous states.

This law protects the freedom of citizens and businesses to choose the tools that best fit their needs. For our members in the landscape and urban agriculture sectors, this law was necessary to protect against the confusion of varying ordinances and allow you to decide if you invest in gas blowers vs. electric blowers for your business.

Georgia is the first state in the nation to codify the protection of use of this equipment. We believe other states will follow Georgia's lead to protect their business communities and property rights as well. It prevents any local prohibition or regulation from creating differing standards for or distinguishing gasoline-powered leaf blowers from any other gasoline-powered, electric, or similar such equipment or any other type of leaf blower. We appreciate the vocal support of hundreds of UAC members as well as industry allies to help us advocate for this important industry protection.

Another key legislative focus this year was HB 189, the truck weight bill seeking to boost the overall weight limit 4,000 pounds on state highways, moving the cap from 84,000 to 88,000 for agriculture and forestry sectors. This bill became effective upon Governor Kemp's signature, which took place May 2. It is only in effect for two years. It will then be re-evaluated for updates and changes.

This bill was a slugfest from the start. It came down to the wire on the final day of the legislative session where a conference committee of the House and Senate hammered out a less than perfect solution that satisfied some of the needs of interested industries but fell well short of the overall objective.

These heavier loads can be hauled within a 150-mile radius from the point of origin, but Metro Atlanta area senators took action to restrict them from the 13 county Atlanta area. In these counties the limit remains 84,000lbs. Historically, the Motor Carrier Compliance Division (MCCD) for public safety enforces truck weights on state roads, but this bill allows local law enforcement to patrol weights on city and county roads after receiving credentialed training. Overweight penalties also were set at 5 cents/lb. for loads between 88,001 – 93,000 lbs.; 10 cents/lb. for loads between 93,001 – 100,000 lbs.; and 15 cents/lb. for loads over 100,000 lbs. A similar penalty structure was affixed to loads crossing posted bridges as well.



We thank **Rep. Steven Meeks** (left) and **Sen. Russ Goodman** for working diligently with us on turfgrass industry interests. Multiple letters by UAC, member testimony in committees, and video helped showcase the importance of this issue to turfgrass growers and our industry. This issue won't be going away anytime soon as state leaders focus on a multibillion-dollar initiative to fund big picture transportation projects and rules for moving freight in the future.

Speaking of billions of dollars, the \$32.4 billion FY 2024 State Budget was the only bill that constitutionally had to pass the legislature. Concerns about a slower economy looming in the future kept lawmakers somewhat conservative in their commitments. It took extra time, but lawmakers found middle ground by providing significant pay raises for law enforcement, teachers, and state employees, plus record investment in K-12 education. The HOPE scholarship was also bolstered to cover 100 percent of tuition and the UGA CAES budget received \$258,750 to provide three shared 4-H county extension agents. In addition, the Department of Education received bond funding in the amount of \$1,105,000 to purchase agriculture education equipment statewide.

Higher education programs received additional funding as the Technical College System of Georgia picked up \$8,230,958 for the first year of a three-year phase-in for increased credit hour earnings for the Aviation, Commercial Driver's License, and Nursing programs to reflect the high cost of providing these programs. Bond funding for the University of Georgia saw \$29,800,000 to fund construction of Phase II of the Science and Ag Hill Modernization project at the Athens campus.



Georgia's metal theft prevention laws received some important modifications this session.

Senate Bill 60 by **Senator Bo Hatchett** will provide modest reforms to Georgia's metal theft prevention laws and add tools to crack down on catalytic converter theft. UAC worked with Sen.

Hatchett to limit cash payments to just two transactions of \$100 or less per person, per day. We remain concerned that cash payments could influence the sale of stolen metal goods, including those from UAC member farms, nurseries, and businesses. The cash payout provision is also limited to just two years. The bill includes several excellent additions that allow law enforcement better legal tools to crack down on catalytic converter thefts. Cash payment for catalytic converters is strictly prohibited.

In addition, **Representative John Corbett** crafted a bill to create a 17-member Georgia Motor Vehicle Crime Prevention Advisory Board to aid in the "prevention, reduction, and investigation of motor vehicle and motor vehicle parts theft." It establishes a grant program to provide funds to local law enforcement agencies and multi-jurisdiction task forces. Funding can come from federal grants as well as private donations. The program will remain in place through 2030 and may be extended at that time.



One topic of interest regarding workforce development did not see much action this legislative session but remains in play for 2024.

Representative Kasey Carpenter has been a constant leader and voice of reason for changing higher education tuition

requirements of DACA (Deferred Action for Childhood Arrivals) students. Current tuition rates are nearly three times the in-state tuition rate even though these students live in Georgia and graduated from Georgia's K-12 schools. HB 131, the Workforce Development Act is in the House Higher Education Committee, but only received a hearing with no vote taken this session, leaving this opportunity in limbo. We hope to see the legislature take action on this bill next year to help aid in workforce education and development.

Finally, the work of the House Rural Development Council will continue through 2024.

The Council was created in 2017 to encourage economic growth and job creation in rural communities. House Speaker Jon Burns appointed **Representative Gerald Greene** (R-Cuthbert) and **Representative Mack Jackson** (D-Sandersville) as Co-Chairmen. This council can serve as a testing ground for looming policy issues impacting businesses across Georgia. Workforce development initiatives should be on their short list.

Thanks so much for your support and trust in UAC to lead on industry policies. We are proud to work on behalf of UAC members – as reflected in the passage of the bill protecting gas-powered leaf blowers, your voice and your support make a difference. The advocacy efforts that annual membership dues support allows us to create successful business environments for the entire industry. We appreciate your membership and team efforts. 🌱

Lobbying starts with relationships, and we are proud to work each day to be a resource for legislators and share with them our UAC challenges, environmental benefits, and economic opportunities.

