



# Georgia Farm Bureau Federation **LEGISLATIVE REPORT**

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*Farmers Plant Georgia's Future*



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## Department of Labor Releases Survey on H-2A Program

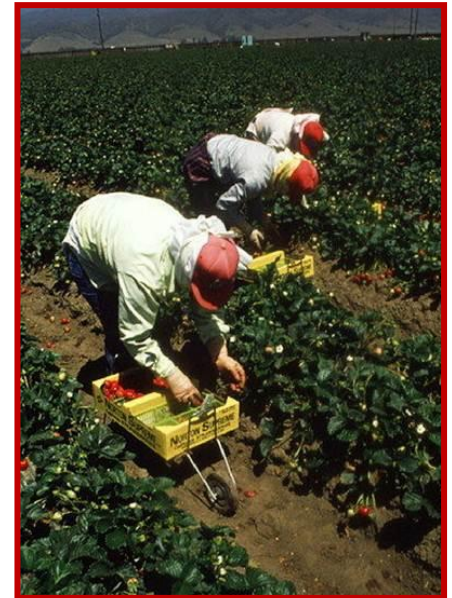
### Legislative Board Committee

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**Ralph Adamson**  
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On January 23, the Georgia Department of Labor mailed a survey to the state's fruit and vegetable growers to determine the "valid prevailing and common agricultural practices in Georgia." The survey's main focus is to gain information about the use of the H-2A guest worker program in Georgia. Labor Commissioner Mark Butler included a letter urging participation in the survey from both growers who use and do not use H-2A. The results of the survey will be sent to the U.S. Department of Labor in order to determine employee benefits and working conditions to be provided for guest workers by Georgia growers. Georgia Farm Bureau President Zippy Duvall says of the survey, "It's important that the Department of Labor get an accurate picture of the skill level required for farm work. It's possible that it could change the requirements for the type of labor that DOL sends to our farms."



Commissioner Butler maintains that the survey is voluntary and all responses given would not be identifiable by individual growers. Fruit and vegetable growers who did not receive a survey can contact the Georgia Department of Labor to receive a verification code in order to complete survey online or have a copy mailed to them. The online version is found at <http://www.research.net/s/AGSurvey2012>. The submission deadline is February 24, 2012.

## Georgia Farm Bureau Day at the Capitol



Georgia Farm Bureau Day at the Capitol will be held on Tuesday, February 14, 2012. Although the legislature is scheduled to be in recess, we still expect a great event, and we encourage all members to contact and encourage their legislators to join us throughout the day. We are excited to have the Governor as our keynote speaker.

Orientation begins at 9:30 a.m. in the Blue Room at the Georgia Railroad Freight Depot, with lunch to follow at 11:30. Free parking is available at the Turner Field Gold Lot, with a shuttle service running from 8:00 a.m. to 3:00 p.m.

# Metal Theft Gaining Legislators' Attention

Around the state of Georgia, individuals and industries have suffered large losses due to metal theft and the resulting property damage. Farmers are no exception. During the current legislative session, three lawmakers have introduced bills seeking to address the issue, and more bills are expected to follow.

Senator Josh McKoon introduced SB 296 to address the issue. This bill would require both secondary metal recyclers and people who want to transport or sell scrap metal to obtain a permit from the local sheriff. Secondary metal recyclers would not be able to pay cash for copper, aluminum, or catalytic converters. Plus, the bill would make the destruction or mutilation of property valued above \$3,000 for the purpose of obtaining nonferrous metal a felony.

Senator Ronald Ramsey introduced SB 311. It specifically targets burial objects, such as urns or grave markers; government property, such as manhole covers and streets signs; and air conditioning units on public buildings or healthcare facilities. This bill allows only funeral directors to sell burial objects and public officials to sell government property as scrap metal; otherwise, the sale or purchase by a recycler of either object would be considered a felony. It would also be a felony with a minimum incarceration of five years to intentionally damage air conditioning equipment on public buildings or health care facilities.

Senator Renee Unterman introduced SB 321. As in Senator McKoon's bill, secondary metal recyclers would have to obtain a permit from the local sheriff, but Senator Unterman's bill differs in that only people wishing to sell scrap metal more than three times a month would have to obtain a permit. Also, the bill similarly calls for a prohibition on cash payments for regulated metals. In addition, this bill would require recyclers to obtain and keep the following information from the seller or about the transaction: name, address, digital photograph of metal property, amount paid for metal, signed statement of seller's ownership, copy of seller's photo ID, thumbprint of seller, identifying number on ID, seller's car model and tag number, copy of seller's permit from sheriff. Recyclers would also be limited to the operating hours of 8:00 A.M. to 5:00 P.M. Senator Unterman also calls for a much lower threshold for destruction and theft to be considered a felony—\$500.

More bills are expected to be introduced addressing metal theft this session. We will continue to follow and report on these bills as they move through the legislative process.



# Bills of Interest

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## **HB 100 Special Tax Court**

**Representatives Peake, R. Williams, Lindsey, Knight, Abrams, and Powell**

This bill calls for a special tax court to be established to make the process of appealing tax related issues more efficient and taxpayer friendly. Many other states have similar programs. Many times, the availability of agricultural tax exemptions are questioned by local taxing authorities. Through this independent tax court, a speedier resolution may be obtained. *Judiciary.*

## **HB 685 Dangerous Dog Bill**

**Representatives Gene Maddox, Black, Atwood, Shaw, and Darlene Taylor**

This bill will redefine provisions relating to dangerous and vicious dogs, and it will provide for liability for injuries and damage caused by dogs. It was heard this week in the House Judiciary Non-Civil Committee.

## **HB 796 Repeal of Immigration Law HB 87**

**Representatives Marin, James, Abrams, Fullerton, and Baker**

This bill calls for the repeal of the immigration bill passed by the legislature last year (HB 87). It would repeal most provisions, including E-Verify requirements and the ability of the state to revoke business licenses for immigration violations. *Judiciary Non-Civil.*

## **HB 810 Postponement of E-Verify Start Dates**

**Representatives Baker and Jackson**

This bill calls for changes in the start dates for E-Verify requirements established in last year's immigration bill, HB 87. Currently, businesses with 500 employees began mandatory use on January 1, 2012, and on July 1, 2012, businesses with 100 to 500 employees will begin use. Under this proposal, on July 1, 2013, businesses with 50 to 100 employees will begin use of E-Verify. Also, HB 810 would postpone mandatory use for businesses with 10 to 50 employees until July 1, 2015. *Governmental Affairs.*

## **SB 298 Non-Partisan Elections**

**Senators Davis, Cowsert, Staton, Stoner, Sims, and Bethel**

This bill allows for nonpartisan elections for consolidated governments to be held with the November general election or with the general primary. *Ethics.*

## **SB 301 Silencers on Hunting Firearms**

**Senators Bulloch, Tolleson, Shafer, Rogers, and Mullis**

This bill allows for the use of silencers on hunting firearms. It passed favorably through the Natural Resources and the Environment Committee. No one spoke against the bill, and it passed unanimously among the committee members. The picture to the right shows damage feral hogs can do to a newly planted field. This bill would allow farmers the option to use silencers to reduce the noise of shooting hogs.



## **SB 324 Equine Shoeing**

**Senators Mullis, Tolleson, Wilkinson, Hooks, Goggans, B. Jackson**

This bill excludes the shoeing of equines from the definition of veterinary medicine.

*Agriculture and Consumer Affairs.*

## **SR 673 Federal Balanced Budget Amendment**

**Senators Cowsert, Rogers, T. Williams, Mullis, Staton, and Goggans**

This resolution calls for the Congress to call a convention in order to add a balanced budget amendment to the U.S. Constitution.

## **SR 715 State Guest Worker Program**

**Senators T. Williams, Crosby, J. Hill, Ligon, B. Jackson, and McKoon**

This resolution urges Congress to allow states to administer their own H-2A guest worker programs through the United States Department of Agriculture.

# Ag Forecasts Provide Insight into the Coming Year

This week, the Georgia Farm Bureau, the University of Georgia College of Agricultural and Environmental Sciences, the Georgia Department of Agriculture, and the Georgia Agribusiness Council presented the 2012 Georgia Ag Forecast. Locations included Macon, Tifton, Statesboro, Gainesville, and Carrollton. UGA economists reported that the 2010 farm gate value of Georgia's agricultural commodities was a record high of \$12 billion, and the 2011 farm gate report, which will be calculated this year, is projected to be higher. Although crop prices are expected to remain high, estimation are that high fertilizer and seed prices will cause a rise in production costs in 2012. The economists predicted that corn will maintain the increase in acreage it saw last year. Peanut acreage could top 600,000 acres, which would mean fewer acres of cotton planted this year.

Nowell Berreth of the Atlanta law firm Alston & Bird spoke about the H-2A guest worker program— noting many of the problems experienced by Georgia farmers with the program. Mary Kay Thatcher of the American Farm Bureau gave an update on the farm bill in the Macon session, while GFB Legislative Director Jon Huffmaster gave the update at the other sessions.

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## Georgia Seeking to be “No. 1” State for Business



Governor Nathan Deal released the final report of the Georgia Competitiveness Initiative this week. The report is built from Deal's goal “to be the No. 1 state in the United States for business.” The Georgia Competitiveness Initiative was chaired by Chris Cumiskey, the Georgia Department of Economic Development Commissioner, and Chris Clark, President of the Georgia Chamber of Commerce. The two chairs led a steering committee of business leaders and state officials in forming the report.

The report targeted six main factors that would attract business: infrastructure, innovation, education and workforce development, friendly business climate, global commerce, and government efficiency. One of the first legislative proposals aimed at creating a more friendly business climate is a sales and use tax exemption on energy used in manufacturing, mining, and agriculture. The report also identified agriculture education programs as “vitally important to the future of agribusiness and forestry in the state.” Plus, agriculture was specifically mentioned as an industry that could “benefit from assistance with global expansion and closer collaboration with the Georgia Department of Economic Development.”

In sum, the Georgia Competitiveness Initiative Report reaches out to the private sector in order to create jobs, spur investment, and help Georgia's existing businesses. Being Georgia's largest industry, agriculture certainly plays a key role in making Georgia the number one state in which to do business.

# Georgia Farm Bureau Discusses Farm Issues in Washington, D.C.

On January 17-19, Georgia Farm Bureau legislative staff went to Washington, D.C. and met with American Farm Bureau, staff from Georgia's congressional delegation and other key stakeholders. The main topics of discussion were the upcoming farm bill, immigration reform, EPA regulations, proposed U.S. Department of Labor Child Labor Regulations, and Farm Bureau's strong opposition to H.R. 3798 (The Egg Products Inspection Act Amendments of 2012.)

H.R. 3798 by Congressman Kurt Schrader (D-OR) is based on the an agreement reached this past summer between the United Egg Producers and the Humane Society of the United States (HSUS). The legislation would require mandatory enriched cage housing for egg production. According to American Farm Bureau, passage of this legislation would result in an estimated \$4 billion cost to the

egg industry. The passage of this bill would also set a precedent that could allow for standards to move into broilers and other aspects of livestock production. GFB expressed strong opposition to members of the Georgia delegation.

Passage of a 2012 farm bill appears to be a very challenging task at this time. The budget cutting climate as well as election year partisanship are factors that could inhibit a farm bill agreement. It is estimated by many people close to the discussions that getting a farm bill this year is at best a 50/50 shot. This increases the chances for an extension of the current bill. However, an extension is not as simple as it appears. Direct payments are expected to be on the chopping block in a new farm bill. It is questionable whether Congress will grant a farm bill extension with direct payments included. An extension of the current bill could also bring about World Trade Organization (WTO) concerns, particularly as it relates to the Brazilian cotton case.

GFB expressed appreciation for Congressman Kingston and Westmoreland's BARN Act as well as Senator Chambliss' HARVEST Act. On December 20, 2011 President Zippy Duvall sent letters urging members of Georgia's delegation to sign on to both pieces of legislation. The bills would help to ease the burden of the current H-2A program. The BARN Act is currently awaiting action in the House Judiciary committee. Kingston's office has requested a hearing on the bill.

GFB is very concerned about the impact of the U.S. Department of Labor's proposed child labor regulations. The proposal would limit the amount of work done by young people on farms. A final rule could be released in the near future.

While in Washington, Georgia Farm Bureau learned that EPA granted an extension on the current label for aldicarb, the active ingredient for the chemical known as Temik. Despite the extension, Bayer has announced they will no longer manufacture the product. So finding a producer will be crucial to getting this chemical into farmers' hands by growing season. Georgia Farm Bureau greatly appreciates the assistance of Senator Chambliss on this issue.



# General Assembly Passes Adjournment Resolution

Friday, January 27 – Sunday, January 29	In adjournment
Monday, January 30	In session for legislative day 10
Tuesday, January 31	In session for legislative day 11
Wednesday, February 1	In session for legislative day 12
Thursday, February 2	In session for legislative day 13
Friday, February 3	In session for legislative day 14
Saturday, February 4 – Sunday, February 5	In adjournment
Monday, February 6	In session for legislative day 15
Tuesday, February 7	In session for legislative day 16
Wednesday, February 8	In session for legislative day 17
Thursday, February 9	In session for legislative day 18
Friday, February 10 – Tuesday February 14	In adjournment
Wednesday, February 15	In session for legislative day 19
Thursday, February 16	In session for legislative day 20
Friday, February 17	In session for legislative day 21
Saturday, February 18 – Sunday, February 19	In adjournment
Monday, February 20	In session for legislative day 22
Tuesday, February 21	In session for legislative day 23
Wednesday, February 22	In session for legislative day 24
Thursday, February 23	In session for legislative day 25
Friday, February 24 – Sunday, February 26	In adjournment
Monday, February 27	In session for legislative day 26
Tuesday, February 28	In session for legislative day 27
Wednesday, February 29	In session for legislative day 28
Thursday, March 1 – Sunday, March 4	In adjournment
Monday, March 5	In session for legislative day 29

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*Thanks for reading. If you have any questions or if we can be of any assistance, please contact the Legislative Department at (478) 474-8411 ext. 5283.*