

Senate Resolution 793

By: Senators Beach of the 21st, Gooch of the 51st, Watson of the 1st, Albers of the 56th and Harbison of the 15th

ADOPTED SENATE

A RESOLUTION

1 Creating the Joint Private Financing of Infrastructure Study Committee; and for other
2 purposes.

3 WHEREAS, there is a public need for acquisition, design, construction, improvement,
4 renovation, expansion, equipping, maintenance, operation, implementation, installation, and
5 financing of public infrastructure and government facilities within this state that serve a
6 public need and purpose; and

7 WHEREAS, such public need may not be wholly satisfied by traditional methods of delivery
8 in which qualifying projects are procured, designed, constructed, renovated, expanded,
9 equipped, maintained, operated, implemented, installed, or financed; and

10 WHEREAS, there are inadequate resources to develop public infrastructure and other public
11 projects for the benefit of citizens of this state, and there is demonstrated evidence that
12 innovative, private sector methods of project delivery exist to supplement public funds
13 available for public projects and provide other benefits to the public; and

14 WHEREAS, financial incentives exist under state and federal tax provisions that encourage
15 public entities to enter into partnerships with private entities to develop qualifying projects;
16 and

17 WHEREAS, authorizing private entities to develop or operate one or more qualifying
18 projects may result in the availability of such projects to the public with enhanced time and
19 cost efficiency, thereby serving the public safety, benefit, and welfare; and

20 WHEREAS, the General Assembly is determined to study the best and most efficient path
21 to that goal, which may include research, evaluation, consideration, analysis, and proposal
22 of alternatives, including the private financing of infrastructure and other public projects in

23 the State of Georgia, using, among other sources of reference, private solution-based
24 methods from across the United States and similar jurisdictions; and

25 WHEREAS, such study shall solicit feedback from members of the public sector at the state
26 and local levels across Georgia that bear responsibility for the procurement, design,
27 construction, improvement, renovation, expansion, equipping, maintenance, operation,
28 implementation, installation, and financing of public infrastructure and government facilities;
29 and

30 WHEREAS, such study shall identify any legal or regulatory impediments to the growth of
31 public-private partnerships in the timely procurement, design, construction, improvement,
32 renovation, expansion, equipping, maintenance, operation, implementation, installation, and
33 financing of public infrastructure and government facilities within this state that serve a
34 public need and purpose; and

35 WHEREAS, such study shall identify any solutions to such legal or regulatory impediments
36 to the growth of public-private partnerships in the State of Georgia, allowing it to incentivize
37 the adoption of public-private partnerships and other privately financed alternatives to
38 traditional methods of the procurement, design, construction, improvement, renovation,
39 expansion, equipping, maintenance, operation, implementation, installation, and financing
40 of infrastructure and public projects within this state that serve a public need and purpose;
41 and

42 WHEREAS, such study shall identify ways in which suitable and equitable public-private
43 partnerships and other privately financed methods of project delivery can be identified and
44 adopted for the procurement, design, construction, improvement, renovation, expansion,
45 equipping, maintenance, operation, implementation, installation, and financing of
46 infrastructure and public projects within this state that serve a public need and purpose; and

47 WHEREAS, such study shall examine and recommend ways that public and private officials
48 in the State of Georgia can be better educated and equipped to pursue public-private
49 partnerships and other privately financed alternatives to procurement, design, construction,
50 improvement, renovation, expansion, equipping, maintenance, operation, implementation,
51 installation, and financing of infrastructure and public projects within this state that serve a
52 public need and purpose.

53 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
54 GEORGIA:

55 (1) **Creation of joint study committee.** There is created the Joint Private Financing of
56 Infrastructure Study Committee.

57 (2) **Members and officers.** The committee shall consist of the following members:

58 (A) Four members of the Senate appointed by the President of the Senate;

59 (B) Four members of the House of Representatives appointed by the Speaker of the
60 House of Representatives;

61 (C) One member of the Board of Regents, appointed by the President of the Senate;

62 (D) One member of the executive branch, appointed by the Speaker of the House of
63 Representatives;

64 (E) The executive director of Georgians First Commission or his or her designee;

65 (F) The executive director of the Association County Commissioners of Georgia or his
66 or her designee;

67 (G) The mayor of the City of Atlanta or his or her designee;

68 (H) Three members appointed by the President of the Senate with professional
69 backgrounds in the matters and issues to be considered by this committee; and

70 (I) Three members appointed by the Speaker of the House of Representatives with
71 professional backgrounds in the matters and issues to be considered by this committee.

72 The Speaker of the House of Representatives and the President of the Senate shall each
73 select a member to serve as cochairpersons of the commission.

74 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,
75 issues, and problems mentioned above or related thereto and recommend any action or
76 legislation which the committee deems necessary or appropriate.

77 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The
78 committee may conduct such meetings at such places and at such times as it may deem
79 necessary or convenient to enable it to exercise fully and effectively its powers, perform
80 its duties, and accomplish the objectives and purposes of this resolution.

81 (5) **Allowances, expenses, and funding.**

82 (A) The legislative members of the committee shall receive the allowances provided
83 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

84 (B) Members of the committee who are state officials, other than legislative members,
85 or state employees shall receive no compensation for their services on the committee,
86 but they may be reimbursed for expenses incurred by them in the performance of their
87 duties as members of the committee in the same manner as they are reimbursed for
88 expenses in their capacities as state officials or employees.

89 (C) Members of the committee who are not legislators, state officials, or state
90 employees shall receive a daily expense allowance in an amount the same as that
91 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia
92 Annotated, as well as the mileage or transportation allowance authorized for state
93 employees.

94 (D) The allowances and expenses authorized by this resolution shall not be received
95 by any member of the committee for more than five days unless additional days are
96 authorized. Funds necessary to carry out the provisions of this resolution shall come
97 from funds appropriated to the Senate and the House of Representatives; except that
98 funds for the reimbursement of the expenses of state officials, other than legislative
99 members, and state employees shall come from funds appropriated to or otherwise
100 available to their respective agencies.

101 **(6) Report.**

102 (A) In the event the committee adopts any specific findings or recommendations that
103 include suggestions for proposed legislation, the cochairpersons shall file a report of the
104 same prior to the date of abolishment specified in this resolution, subject to
105 subparagraph (C) of this paragraph.

106 (B) In the event the committee adopts a report that does not include suggestions for
107 proposed legislation, the cochairpersons shall file the report, subject to
108 subparagraph (C) of this paragraph.

109 (C) No report shall be filed unless the same has been approved prior to the date of
110 abolishment specified in this resolution by majority vote of a quorum of the committee.
111 A report so approved shall be signed by the cochairpersons of the committee and filed
112 with the Secretary of the Senate and the Clerk of the House of Representatives.

113 (D) In the absence of an approved report, the cochairpersons may file with the
114 Secretary of the Senate and the Clerk of the House of Representatives copies of the
115 minutes of the meetings of the committee in lieu thereof.

116 **(7) Abolishment.** The committee shall stand abolished on December 1, 2020.