



ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
APRIL 2015

Director's Comments:



Our world seems to live in various shades of grey right now. However, there are times when things are still black and white. Such was the case for our Board of Directors when deciding what to do with the proposed Construction Manager/General Contractor legislation that has been introduced during the 2015 Legislative Session.

The two CM/GC companion bills, **HB275 and SB239**, have gone through more drafts and rewrites than most Hollywood movie scripts. However, despite all of the proponent's efforts to make the legislation more palatable, the intent of the bills has remained the same. As a result, our Board of Directors has overwhelmingly decided to oppose the legislation.

For our group, it came down to a simple black and white, or right vs. wrong decision. The current Design-Bid-Build process is transparent, and allows the "free market" to determine the winners and losers. Replacing this time tested delivery method with something that is completely subjective, and potentially vulnerable to government corruption, was not in the best interest of our industry, or the taxpayers of this state.

AUCA believes that Public Works projects should be available for all qualified contractors to bid on. The current laws allow this to happen, and it should not be changed just for those select few companies that have the best marketing department, or that have close friends in the "right" places to help them negotiate Public work without having to competitively bid on it.

Thanks again to all of our sponsors, volunteers, and participants at our recent General Meeting and Golf Tournament. Your generous support has helped us have another successful event, and will enable us to continue to fight on behalf of our members each and every day.

Tim

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AUCA General Meeting & Golf Tournament:

Corporate Sponsors

MRM/CompTrust	C.L.S. General Contractors
Golden Construction Company	Warrior Tractor & Equipment
Blankenship Contracting	Precision Chemical Grout
Consolidated Pipe & Supply	Thompson Tractor Company
B.D. Precision Manufacturing	Servis1st Bank
J.M. Wood Auction Company	Turner Insurance & Bonding
Russo Corporation	Vulcan Materials Company
J. Smith Lanier & Co.	Miller Pipeline
Wallace, Jordan, Ratliff & Brandt	John Deere Financial



We appreciate the many sponsor companies, volunteers, and participants that graciously made this event possible.

Thanks for your continued support of AUCA!

AUCA General Meeting & Golf Tournament:

Hole Sponsors

Alabama Truck & Equipment	Knapheide Truck Equipment
Foley Products Company	Golden Construction Company
National Trench Safety	Alabama 811
Southern Light	Dyas Human Resource Development
W.R. Mitchell Contractor, Inc.	R.T. Crowe & Associates
Slaughter Construction Company	Hanson Pipe & Precast
Tractor & Equipment Company	Beard Equipment Company
Great Lakes Petroleum	Bryant Bank
U. S. Pipe	Ritchie Bros. Auctioneers
Howell, LLC	ICM, Inc.
Treadwell Ford	Warrior & Associates, Inc.
McWane Ductile	Southern Pipe & Supply
Cowin Equipment Company	Enterprise Fleet Management

Special Golf Prizes:

Alabama Truck & Equipment - \$3,000 Rental Credit for Closest to Pin on Hole #16 (Contractors Only Eligible)

Foley Products Company - New Driver for Longest Drive on Hole #9 (Contractors Only Eligible)

Auction Items:

MRM/CompTrust
Cowin Equipment Company
Flint Equipment Company
Rental, Inc.

Door & Player Prize Items:

John Deere Financial
Alabama 811
Thompson Tractor Company
Bryant Bank
Cowin Equipment Company
SouthernLINC Wireless
HD Supply Waterworks



AUCA General Meeting & Golf Tournament:



AUCA General Meeting & Golf Tournament:

Special "Contractor Only" Prize Winners



Andru Bramblett of Southern Light
Closest "Contractor" to Pin on Hole #16
sponsored by:

Alabama Truck & Equipment

Andrew will receive a \$3,000 Rental Credit
courtesy of Alabama Truck & Equipment



Jasmine Bowers of Southern Light
Longest "Contractor" Drive on Hole #9
sponsored by:

Foley Products Company

Jasmine was rewarded with a new Taylor
Made Driver courtesy of Foley Products

Individual Golf Prize Winners



Brian Arrighi - Thompson Tractor Team
Longest Drive - Received \$50 Cash Prize



Bret Busby - AMERICAN Ductile Iron Pipe
Longest Putt - Received \$50 Cash Prize

Josh Simmons - Enterprise Fleet Management
Closest to Pin - Received \$50 Cash Prize



AUCA General Meeting & Golf Tournament:

Team Golf Prize Winners:

1st Place Team:

Howell, LLC

Frankie Howell
Trey Howell
Danny Tatum
Gene Cody

Each team member received \$100 cash and a 1st place trophy



2nd Place Team:

Ferguson Waterworks

Chris Brown
Ty Patterson
Buck Christian
John Ballard

Each team member received \$75 cash and a 2nd place trophy



3rd Place Team:

SouthernLINC Wireless

Michael Smith
Matt Ezell
Lyn Wheatley
Terry Shavers

Each team member received \$50 cash and a 3rd place trophy



AUCA General Meeting & Golf Tournament:



AUCA General Meeting & Golf Tournament:



AUCA General Meeting & Golf Tournament:



Upcoming AUCA Events:

May 18, 2015 at 11:00 am – Mobile Area Lunch Meeting

HydroExcavation Educational Seminar and CAT Truck Demonstration

Hosted and Sponsored by: Thompson Tractor Company

May 20, 2015 at 11:00 am – Birmingham Area Lunch Meeting

HydroExcavation Educational Seminar and CAT Truck Demonstration

Hosted and Sponsored by: Thompson Tractor Company

May 21, 2015 at 11:00 am – Huntsville Area Lunch Meeting

HydroExcavation Educational Seminar and CAT Truck Demonstration

Hosted and Sponsored by: Thompson Tractor Company

Tuscaloosa Area Lunch Meeting

Details Coming Soon



October 15, 2015

***AUCA Fall Statewide General Meeting
& Sporting Clay Shoot***

**Lower Wetumpka Shotgun Sports Club
Montgomery, AL**

Scheduled Speaker:

Del Marsh - Senate President Pro Tem

Mark your calendars today!



Upcoming Industry Events:

**May 9, 2015
Big Dog Poker Run**

CraneWorks and Garrison Steel Erectors will once again host the Big Dog Poker Run, benefitting Go Build Alabama Scholarships.

The ride begins at Barber's Motorsports Park and will conclude with lunch at CraneWorks. Talladega Motor Speedway has been confirmed as one of our stop locations.

Registration information can be found at:

www.craneworks.com



SATURDAY, MAY 9, 2015

Rally & Breakfast: 7:00 AM @ Barber's Motor Sports Park
Finish Line & Lunch: 12:30 PM @ CraneWorks

All registration fees will fund the Big Dog Poker Run Riders' Go Build Alabama Scholarship
\$50.00 per Motorcycle/\$25.00 per extra passenger
Participation is limited

Sign Up Today to reserve your spot!
Registration info attached and available at
www.CraneWorks.com
Weather Recording: 205-488-0190



**June 17-19, 2015
Damage Prevention Summit
Montgomery, AL**

Alabama Damage Prevention Alliance (ADPA) in conjunction with Alabama 811 will hold the 2nd Annual Damage Prevention Summit at the Embassy Suites in Montgomery on June 17-19, 2015. This event is for stakeholders from all aspects of the damage prevention industry.

Early Registration Discount Ends April 30th

Additional information about the Summit and registration information can be found at:

www.alabama.damagepreventionsummit.com

June 17-19, 2015
Embassy Suites Montgomery

Save \$100
Register now
for only
\$249

www.alabama.damagepreventionsummit.com

damage prevention
summit
A CGA REGIONAL PARTNER EVENT



AUCA MEMBER SPOTLIGHT: World Diamond Source

Jim Settles

jsettles@worlddiamondsource.com

Cell (205) 276-2583



At World Diamond Source, we attribute the success of our clients to a very simple formula – great quality, incredible pricing and customer service that is second to none. To date, WDS has reduced the cutting costs of over 25,000 nationally based contractors - from some of the smallest mom and pop organizations, to some of the largest contractors in the world. What we pride ourselves on is BUILDING RELATIONSHIPS THAT LAST.

As World Diamond Source, Inc. starts our 20th year in business, WDS wants to continue to build their business on the same foundation that makes them one of the fastest growing diamond blade distributors in the country, and THE largest distributor of diamond saw blades in the state of Alabama. 20 years ago WDS started with only 5 employees in a small rented office space with a burning desire to be the best diamond blade company in the business. Now, 20 years later, we are doing over \$10 Million a year in diamond tool sales alone, we own our buildings outright, including a 25,000 square foot warehouse that houses over \$3 million dollars' worth of diamond tools. Having such a vast inventory allows WDS to provide prompt service and consistent quality that is unparalleled in the industry. Jim Settles, the Regional sales manager for the state of Alabama, is a hands on type of guy that has found a home with the utility market in AL. "I have been a member of many organizations, and many different groups through my professional career," says Jim, "But never have I been a part of an organization like the AUCA where every person is so involved, so passionate, and so willing to help one another. I have made some lifelong friends in the AUCA, and that is what we pride ourselves on. We want to build relationships that last. It all boils down to trust and dedication." World Diamond Source, Inc. has been a proud member of AUCA since 2013.



World Diamond Source offers special incentives to all AUCA members. Including, but not limited to special prices, open account status to qualifying members, niche market blades, and most importantly WDS stands behind every product 100%. WDS attributes their success with the AUCA members to an established line of innovative blades that are specialized for the Utility Contractor and a sales philosophy that taps into four key areas.

Service: Whether members purchase two blades or two



AUCA MEMBER SPOTLIGHT:

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thousand blades, WDS staff members all realize the power of word of mouth advertising, so every customer is just as important as the next.

Quality: WDS warehouses only the best qualities across our entire breadth of products to ensure that customers always receive a quality product at a fair price. **Dedication:** WDS is dedicated to providing professional advice and awareness through education, service, and community involvement. Jim's local involvement with AUCA has proven to be a great success as well. Last, but not least, **Value:** Price is only one component, true value comes from lowering the overall cutting cost of the AUCA members. Price is what you pay, Value is what you get. With a sales force built on knowledge and leadership, WDS translates a national sales campaign into a local family style environment that fits well with the AUCA way of life.

GOT BLADES?

WE STOCK OVER
\$3 MILLION DOLLARS
IN INVENTORY FOR
YOUR CONVENIENCE.

Our philosophy on value is very easy to translate into savings. No customer wants to pay too much for a product, and smart customers want to pay for good value. WDS is focused on customer relations and providing real value. That is why we work so hard to keep our prices down without sacrificing service or quality. We use our purposely low overhead and our meticulous approach to research and development to provide the BEST products at GOOD prices. We strive to be competitive on every product that we deliver, with over 19 years of research and development, WDS now brings to the market place a proven line of blades for the AUCA contractors that are not only innovative and cost effective, but they are reliable and most importantly they are very safe. WDS has developed a special open account policy with the qualifying members of the AUCA. This allows AUCA members to run and evaluate the proven WDS utility blades against any blade in the market for 30 days. The most important thing is to make sure that you are dealing with a legitimate company who has been around for a while and has a good respected name in the industry. Make sure that the supplier you choose does business the way that you want to do business, and make sure that they cater to your specific needs. A good relationship with your salesperson can go a long way in this business when it comes to customer service, support, and value. Find out what is most important to your team. Speed of cut, life, or simply price? When your supplier finally gets you dialed in, and gets you the best blade for that application you will see your cutting costs lowered considerably.

www.worlddiamondsource.com



Legislative News:

Alabama Update:

The 2015 Legislative Session has passed the halfway point, and a number of bills have been introduced that could impact our industry and our member companies.

If you have questions or concerns regarding the status of any bill, or would like to receive a copy of any of those listed below, please contact the AUCA office.

Some of the bills that have been introduced that we are tracking are:

House Bill 275 and Senate Bill 239 - Construction Manager/General Contractor

Companion Bills that would give public owners new alternative means for procuring construction services for public works contracts by making available the Construction Manager/General Contractor an additional option to the current Design-Bid-Build project delivery method.

STATUS – HB275 pending third reading on day 11 Favorable from House Committee on State Government with 1 Substitute and 1 Amendment

STATUS – SB239 read for the first time and referred to the Senate committee on Fiscal Responsibility and Economic Development - Public Hearing on April 8th resulted in Bill being carried over at the Call of the Chair

AUCA Board of Directors has voted to officially oppose HB275 and SB239

Senate Bill 170 and House Bill 227 - Construction Craft Training

Companion bills that would create the Construction Industry Craft Training Program and the Craft Training Board which shall be administered with the Alabama Building Commission. This bill would provide for a fee whose proceeds would be used to finance the craft training program. This bill would provide for the powers and duties of the Craft Training Board.

STATUS – SB107 passed Senate with 1 Substitute and 1 Amendment. Pending third reading on day 17 Favorable from House of Representatives Committee on Boards, Agencies and Commissions with 1 Amendment.

STATUS – HB227 pending third reading on day 13 Favorable from Boards, Agencies and Commissions with 1 Substitute

Senate Bill 233 and House Bill 319 - General Contractors Licensing Board Makeup

To amend Section 34-8-20 of the Code of Alabama 1975, relating to the State Licensing Board for General Contractors, to require at least one member of the board as a larger part of his or her business to be a subcontractor.

STATUS – SB233 passed Senate and pending third reading on day 15 Favorable from House Committee on Boards, Agencies and Commissions

STATUS – HB319 pending third reading on day 13 Favorable from Boards, Agencies and Commissions with 1 Amendment

Senate Bill 307 and House Bill 373 - Plumbers and Gas Fitters Bill

Companion bills would amend various provisions of Chapter 37, Title 34, Code of Alabama 1975, of the Plumbers and Gas Fitters Law.

STATUS - SB307 read for the first time and referred to the Senate committee on Governmental Affairs

STATUS - HB373 pending third reading on day 13 Favorable from Boards, Agencies and Commissions



Legislative News:

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Senate Bill 330 - Workers' Compensation Law

This bill extensively amends the workers' compensation law.

STATUS - Read for the first time and referred to the Senate committee on Fiscal Responsibility and Economic Development

Senate Bill 111 and House Bill 346 - Transportation Infrastructure Bank

Bills would create the Alabama Transportation Infrastructure Bank for the purpose of selecting and assisting in the financing of major qualified transportation projects by providing loans and other financial assistance to certain government entities for constructing and improving highways and transportation facilities necessary for public purposes, including economic development.

This bill would specify the membership, powers, duties, terms, sources for capitalization, and liability of the bank, as well as the procedures for the bank to provide loans and other financial assistance to government entities for qualified projects.

This bill may redistribute a portion of revenues produced by one cent (\$.01) a gallon of the tax on gasoline pursuant to Act 2011-565 and may redistribute revenues collected pursuant to Section 40-12-248, Code of Alabama 1975.

STATUS - Enrolled and awaiting signature of Governor

House Bill 379 - United States Congress Required to Balance Budget

To adopt the Compact for a Balanced Budget; to facilitate the calling of an Article V constitutional convention with the intent of amending the United States Constitution to include a balanced budget requirement for Congress; to provide for membership and withdrawal of compact members; to establish a Compact Commission; to provide procedures for applying for an Article V constitutional convention; to specify qualifications and duties of convention delegates; to establish rules for the convention; and to provide for the venue of the convention.

STATUS - Pending third reading on day 17 Favorable from the House of Representatives committee on Constitution, Campaigns and Elections Constitution

House Bill 414 - Alabama Small Business Jobs Act

Alabama Small Business Jobs Act would establish a tax credit for Alabama small businesses to enhance the economy by hiring new Alabama employees. This bill would define an Alabama small business employer as any business organization in Alabama having 50 or fewer employees. This bill would provide for a tax credit to any Alabama small business employer that creates new jobs and hires a new employee in an amount of \$1,250 per qualified new employee. The bill would also repeal the Full Employment Act of 2011.

STATUS - Pending third reading on day 15 Favorable from Economic Development and Tourism

House Bill 415 - Department of Transportation Public/Private Partnerships

Under existing law, the Department of Transportation has no authority to enter into road construction projects and financial agreements with public companies, partnerships, or ventures. This bill would authorize the Department of Transportation to enter into various types of construction agreements and financing agreements with other public and private entities for constructing a public improvement and repairing its buildings, offices, and other facilities. This bill would require the department to develop a process for evaluating and selecting public improvement projects under these provisions.

STATUS - Read for the first time and referred to the House of Representatives committee on Transportation, Utilities and Infrastructure



Legislative News:

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House Bill 61 - Regulation of Pipelines for Gas and Hazardous Liquids, Penalties for Violation

To amend Sections 37-4-87 and 37-4-96, Code of Alabama 1975, relating to gas pipeline systems and hazardous liquid pipeline facilities; to increase certain penalties for violations of gas pipeline safety standards and hazardous liquid pipeline safety standards.

STATUS - Pending third reading on day 13 Favorable from House Committee on Public Safety and Homeland Security

House Bill 62 - One-Call Notification System

To amend Section 37-15-2 of the Code of Alabama 1975, relating to the One-Call Notification System; to further define the term excavate or excavation.

STATUS - Passed House and pending third reading on day 13 Favorable from Senate Committee on Transportation and Energy

House Bill 135 - General Fund Budget Appropriations

Appropriation for Wastewater Treatment SRF and the Alabama Drinking Water Finance Authority. Many years ago, the Alabama Legislature established a State Revolving Loan Fund for Wastewater Treatment (SRF) and the Alabama Drinking Water Finance Authority. The purpose of these programs was to take state funds and match them with federal dollars to create a loan fund to offer low interest loans to governmental entities for wastewater treatment and drinking water projects.

STATUS - Read for the first time and referred to the House of Representatives committee on Ways and Means General Fund

House Bill 142 - Unitary Combined Reporting for Corporate Income Taxes

To amend the corporate income tax law to require the operations of all related entities, involved in a unitary business, to file one corporate income tax return on a combined basis, known as combined reporting; to implement combined reporting by requiring that a business report, on a combined basis, the operations of all related entities involved in a unitary business.

STATUS - Read for the first time and referred to the House of Representatives committee on Ways and Means Education

House Bill 165 - State Licensing Board for General Contractors, Sunset Law Review

Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board for General Contractors until October 1, 2019.

STATUS - Passed House and third reading passed Senate

House Bill 174 - Onsite Wastewater Board, Sunset Law Review

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama Onsite Wastewater Board until October 1, 2019.

STATUS - Passed House and pending third reading day 13 Favorable from Senate Committee on Governmental Affairs

House Bill 188 - Agricultural Equipment and Machinery, Sales and Use Tax Exemption

Relating to agriculture; to amend Sections 40-23-37 and 40-23-63 of the Code of Alabama 1975, to provide that the sale or the use, storage, and consumption of agricultural machinery and equipment for use on a farm would be exempt from state sales and use tax; and to repeal Sections 40-23-38 and 40-23-64 of the Code of Alabama 1975, relating to the administration of sales and use tax on agricultural machinery and equipment.



Legislative News:

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STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 268 - Motor Vehicle Sales and Use Tax Increase

This bill will change the rates for motor vehicle sales and use tax from two percent to three percent, and provide a refund process for the amount of additional tax paid on certain trucks and truck-tractors used in interstate commerce.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means General Fund

Senate Bill 52 and House Bill 120 - Electric Utility, Transmission Facilities

Relating to incumbent electric suppliers; to add Article 7 to Chapter 4 of Title 37, Code of Alabama 1975, to establish that incumbent electric suppliers have the right to construct, own, operate, and maintain new electric transmission facilities and upgrades for their own electric systems; to provide for two or more electric suppliers to address the circumstance where a new transmission facility would connect to each of their electric systems; and to provide for appeals of disputes to the circuit court and for the venue of appeals.

STATUS - SB52 passed Senate and pending third reading on day 13 Favorable from House of Representatives Committee on Transportation, Utilities and Infrastructure

STATUS - HB120 passed House and pending third reading on day 12 Favorable from Senate Committee on Transportation and Energy

Senate Bill 69 - Public Contracts, Staffing Plan for Employees of Companies Awarded Public Contracts

This bill would require employers, companies, or individuals who submit bids for certain public works projects and all disaster response, recovery, and restoration projects that utilize funds received by state or local governmental entities resulting from a disaster requiring federal oversight to certify that they will comply with the provisions of this act if they are awarded such contracts.

STATUS - Read for the first time and referred to the Senate committee on Fiscal Responsibility and Economic Development

Senate Bill 76 - Duties of State Building Commission Transferred to the Department of Finance

This bill would amend Sections 41-4-2 and 41-4-3, Code of Alabama, 1975, relating to the duties of the Department of Finance, Section 41-4-261, relating to the duties of the office of space management and Section 41-9-141, relating to the duties of the Building Commission.

STATUS - Third reading carried over to call of the Chair. Amendments offered and further consideration by the Senate committee on Governmental Affairs.

Senate Bill 178 - Department of Transportation Public/Private Partnerships

Under existing law, the Department of Transportation has no authority to enter into road construction projects and financial agreements with public companies, partnerships, or ventures. This bill would authorize the Department of Transportation to enter into various types of construction agreements and financing agreements with other public and private entities for constructing a public improvement and repairing its buildings, offices, and other facilities. This bill would require the department to develop a process for evaluating and selecting public improvement projects under these provisions.

Only projects greater than \$100 Million would be eligible.

STATUS - Pending third reading on day 10 Favorable from Senate Committee on Transportation and Energy with 1 Substitute



Legislative News:

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Senate Bill 343 – Eminent Domain

Under existing law, there are limitations on condemnations. This bill would further limit the condemnation of property if the primary use for the property is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development. This bill would require each entity prior to initialing a condemnation procedure to define what is included in just compensation for the taking or damaging of property and it shall take only a portion of private property necessary for public use.

STATUS - Read for the first time and referred to the Senate Committee on Fiscal Responsibility and Economic Development

Senate Bill 358 – Employment Practice

Under existing law, there is no Alabama statute prohibiting an employer from discriminating against a job applicant based on his or her criminal record. This bill would prohibit employers from inquiring on any application for employment whether the applicant has ever been arrested, charged with, or convicted of any crime, unless the position is related to law enforcement or a law or regulation allows an individual to be disqualified from employment because of a criminal conviction. This bill would allow an employer to ask an applicant for information about his or her criminal record at a first interview or thereafter.

STATUS - Read for the first time and referred to the Senate committee on Judiciary

Senate Bill 363 – State Property

Under existing law, there is no requirement that plans, designs, reports, studies, or other data paid for with state funds become the property of the state and be freely used by or transferred to departments, agencies, or other governmental entities other than those entities that paid for the work. This bill would provide that work product produced by a professional for any governmental entity becomes property of that governmental entity and may be transferred to and used by other governmental entities.

STATUS - Read for the first time and referred to the Senate committee on Fiscal Responsibility and Economic Development

Senate Bill 386 - Transportation Commission

Under existing law, the Department of Transportation is under the direction of the director who is appointed by the Governor. This bill would create the State Transportation Commission composed of nine members appointed by the Governor from the nine divisions of the department to coordinate and develop the activities of the department. This bill would provide for the appointment of the director of the department by the commission and for the duties of the director. This bill would also remove the department from application of the Budget Management Act.

STATUS - Read for the first time and referred to the Senate Committee on Transportation and Energy

House Bill 437 – Employer Tax Credit

This bill would provide an income tax credit for an employer that employs an apprentice.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 449 – Veterans Employment Tax Credit

Under existing law, Alabama employers with less than 50 employees may qualify for an income tax or financial institution excise tax credit for hiring recently deployed unemployed veterans who have been discharged from active service within two years from the date of hire. This bill would rename the Heroes for Hire Tax Credit Act of 2012 as the Veterans Employment Act. This bill would allow Alabama employers with less than 50 employees to qualify for an income tax



Legislative News:

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or financial institution excise tax credit for hiring unemployed veterans regardless of when the veterans were discharged from active service.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 455 – Unitary Business Definition and Tax Requirement

This bill defines unitary business and requires taxpayers who are part of a unitary business to use a combined report to determine their Alabama taxable income.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 466 – Nexus Standard for Taxation

This bill would establish a factor presence nexus standard for business activity for purposes of income tax.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 467 – Tax Loopholes

This bill would add Article 7 to Chapter 29 of Title 40, to the Code of Alabama 1975, to provide for reportable tax avoidance transactions. This bill would provide definitions; taxpayer responsibility for disclosure of reportable tax avoidance transactions; time and manner of disclosure; imposition and amount of penalties, assessment date, and waiver; penalties related to understatement of tax resulting from a reportable tax avoidance transaction, interest penalty, and waiver; extension of statute of limitations for assessments; material advisor responsibility for disclosure; penalty for failure to disclose a reportable tax avoidance transaction or to maintain advisee list and waiver; penalty for tax shelters; and injunction of certain conduct related to reportable tax avoidance transactions and tax shelters.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 475 – Federal Income Tax Deduction

Under an existing provision of the Constitution of Alabama of 1901, individual taxpayers are allowed to deduct the amount of federal income taxes paid or accrued in determining income subject to the state income tax. This bill would propose an amendment to the Constitution of Alabama of 1901, to repeal Amendment 225, now appearing as Section 211.04 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, which allows the deduction of federal income taxes by individual taxpayers subject to state income tax.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 476 – Income Tax

Under current law, the state levies an income tax upon all residents of the state and upon all nonresidents who receive income from Alabama sources. Taxpayers are allowed standard deductions and personal exemptions in computing income subject to the tax. This bill proposes the Alabama Individual Income Tax Reform Act of 2015. This bill, which would be contingent upon the ratification of a constitutional amendment to repeal the deduction of federal income tax payments on Alabama income tax returns, would increase the standard deductions and personal exemptions allowed for Alabama income tax purposes to the amounts allowed for federal income tax purposes. This bill also creates a state earned income tax credit.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education



Legislative News:

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House Bill 477 – Ad Valorem Tax

Currently, the state levies a 6.5 mill annual ad valorem tax on the assessed value of taxable property in the state. This bill would propose a constitutional amendment to levy an additional one mill annual state ad valorem tax. The net proceeds of the additional levy would be distributed to the State General Fund.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 478 – Income Tax Deduction and Grocery Tax Exemption

This bill would propose an amendment to the Constitution of Alabama of 1901, to repeal all provisions of law which allow the deduction of federal income taxes by individual taxpayers subject to state income tax, including specifically Amendment 225 of the Constitution of Alabama of 1901, now appearing as Section 211.04 of the Official Recompilation of the Constitution of Alabama of 1901, as amended; and to exempt sales of food and over-the-counter drugs from state sales tax.

STATUS - Read for the first time and referred to the House of Representatives Committee on Ways and Means Education

House Bill 495 - Right to Work Status

The bill would further specify Alabama's status as a right to work state.

STATUS - Read for the first time and referred to the House of Representatives Committee on State Government

***Remember to check our weekly
"Legislative Pipeline" email report
for continuous legislative updates.***



Health & Safety:

Provided by J. Smith Lanier & Company Risk Control

April 27th marks the 4-year anniversary of one of the most deadly and destructive tornado outbreaks in the history of our state. Since we are now in the midst of peak tornado season, below is a refresher for what to do should you or your employees ever find yourselves in this predicament.

Tornadoes & Severe Weather Preparation

A tornado is a violently rotating column of air extending from the base of a thunderstorm down to the ground. Tornadoes are capable of completely destroying well-made structures, uprooting trees, and hurling objects through the air like deadly missiles. Although severe tornadoes are more common in the Plains States and the South, tornadoes have been reported in every state, with the top five states in order of occurrence being Texas, Kansas, Oklahoma, Florida, and Nebraska.

Quick facts:

- Tornadoes may strike quickly, with little or no warning.
- They may be nearly transparent until dust and debris are picked up, or a cloud forms in the funnel.
- The average forward speed of a tornado is 30 mph, but may vary from stationary to 70 mph.
- Tornadoes are most likely to occur between 3 p.m. and 9 p.m., but can occur at any time.
- Peak tornado season in the southern states is early spring through early summer; in the northern states, it is late spring through early summer; in states east of the Rocky Mountains, it occurs during the spring and summer months.

Know the difference between these two important tornado alerts:

1. Tornado Watch – Tornadoes are possible in and near the watch area. Discuss your emergency plans, and check supplies and your safe areas. Be ready to act quickly if a warning is issued or if you suspect a tornado is approaching. Acting early helps to save lives!
2. Tornado Warning – A tornado has been sighted or indicated by weather radar. Tornado warnings indicate imminent danger to life and property. Go immediately to the designated safe areas of the job site, which should be close to walls/support columns at the center or back of the building and away from glass walls/entryways and windows. Do not go to the job trailer, a low lying ditch would be better.

General tornado preparation:

- Listen to local news or a NOAA Weather Radio to stay informed about watches and warnings.
- Know the local area's warning system. Many have sirens intended for outdoor warning purposes.
- Designate a safe room or rooms (interior room on lowest floor with no windows) or low lying outside areas where employees and may take refuge.
- Practice tornado drills so that everyone knows what to do if a tornado is approaching.



Health & Safety:

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If severe weather is detected in the vicinity of your job site:

If you are in a structure:

- Go to a pre-designated shelter area such as a safe room, basement, storm cellar, or the lowest building level. Do not go to a job trailer as they offer little to no protection. If there is no basement, go to the center of an interior room on the lowest level (closet, interior hallway) away from corners, windows, doors, and outside walls. Put as many walls as possible between you and the outside. Get under a sturdy table and use your arms to protect your head and neck.
- In a high-rise building, go to a small interior room or hallway on the lowest floor possible.
- If available, put on a hard hat welding hood or helmet to protect yourself from head injuries.
- Do not open windows.

If you are outside or there is no sturdy shelter:

- Lie flat in a nearby ditch or depression and cover your head with your hands. Be aware of the potential for flooding.
- Do not get under an overpass or bridge. You are safer in a low, flat location.
- Never try to outrun a tornado in urban or congested areas in a car or truck. Instead, leave the vehicle immediately for safe shelter.
- Watch out for flying debris. Flying debris from tornadoes causes most fatalities and injuries.

After a Tornado

Injury may result from the direct impact of a tornado or it may occur afterward when people walk among debris and enter damaged buildings. A study of injuries after a tornado in Marion, Illinois, showed that 50 percent of the tornado-related injuries were suffered during rescue attempts, cleanup and other post-tornado activities. Nearly a third of the injuries resulted from stepping on nails. Because tornadoes often damage power lines, gas lines or electrical systems, there is a risk of fire, electrocution or an explosion. Protecting yourself and your family requires promptly treating any injuries suffered during the storm and using extreme care to avoid further hazards.

Injuries

Check for injuries. Do not attempt to move seriously injured people unless they are in immediate danger of further injury. Get medical assistance immediately. If someone has stopped breathing, begin CPR if you are trained to do so. Stop a bleeding injury by applying direct pressure to the wound. Have any puncture wound evaluated by a physician. If you are trapped, try to attract attention to your location.

General Safety Precautions

Here are some safety precautions that could help you avoid injury after a tornado:

- Continue to monitor your battery-powered radio or television for emergency information.
- Be careful when entering any structure that has been damaged.



Health & Safety:

Continued from Page 22

- Wear sturdy shoes or boots, long sleeves and gloves when handling or walking on or near debris.
- Be aware of hazards from exposed nails and broken glass.
- Do not touch downed power lines or objects in contact with downed lines. Report electrical hazards to the police and the utility company.
- Use battery-powered lanterns, if possible, rather than candles to light interior areas without electrical power.
- Hang up displaced telephone receivers that may have been knocked off by the tornado, but stay off the telephone, except to report an emergency.
- Cooperate fully with public safety officials.
- Respond to requests for volunteer assistance by police, fire fighters, emergency management and relief organizations, but do not go into damaged areas unless assistance has been requested. Your presence could hamper relief efforts and you could endanger yourself.

Inspecting the Damage (project and home)

- After a tornado, be aware of possible structural, electrical or gas-leak hazards in your home. Contact your local city or county building inspectors for information on structural safety codes and standards. They may also offer suggestions on finding a qualified contractor to do work for you.
- In general, if you suspect any damage to your home, shut off electrical power, natural gas and propane tanks to avoid fire, electrocution or explosions.
- If it is dark when you are inspecting your home, use a flashlight rather than a candle or torch to avoid the risk of fire or explosion in a damaged home.
- If you see frayed wiring or sparks, or if there is an odor of something burning, you should immediately shut off the electrical system at the main circuit breaker if you have not done so already.
- If you smell gas or suspect a leak, turn off the main gas valve, open all windows and leave the house immediately. Notify the gas company, the police or fire departments, or State Fire Marshal's office and do not turn on the lights, light matches, smoke or do anything that could cause a spark. Do not return to your house until you are told it is safe to do so.

Safety During Clean Up

- Wear sturdy shoes or boots, long sleeves and gloves.
- Learn proper safety procedures and operating instructions before operating any gas-powered or electric-powered saws or tools.
- Clean up spilled medicines, drugs, flammable liquids and other potentially hazardous materials.
- Notify your insurance agent.



Reminders:



AUCA Address Change

When mailing registration forms, payments, or other correspondence, please make sure to send to the current AUCA mailing address:

***159 Highland Park Drive
Birmingham, AL 35242***

Also, if your company has any changes in address, phone #, personnel, etc., please make sure to provide us with this updated information.

2015 AUCA Membership Dues Renewal

If your company has failed to submit your 2015 membership dues renewal, your company will now be considered delinquent, and may be removed from the AUCA membership roster per the Bylaws and discretion of the AUCA Board of Directors.

Should you have any questions, or wish to reinstate your membership, please contact the AUCA office at (205) 582-9436.

Before you renew your workers' compensation policy, ask your agent to get a quote from CompTrust. Make sure the agent mentions that you are an AUCA member. If you have questions, you or your agent may contact Terry Young from MRM at (256) 504-3288. MRM is the Third Party Administrator (TPA) for the CompTrust fund, and a valuable member of AUCA.

CompTrustAGC
Worker's Comp From People You Know.



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