

**NOTICE OF INTENT TO ADOPT A PROPOSED
AMENDMENT TO THE GEORGIA CONSTRUCTION
INDUSTRY LICENSING BOARD**

**RULE 121-2-.07, "Statewide Utility Contractor License and Foreman
Certification. Amended."**

AND NOTICE OF PUBLIC HEARING

TO ALL INTERESTED PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Construction Industry Licensing Board (hereinafter "Board") proposes an amendment to the Georgia State Construction Industry Licensing Board Rules, Rule 121-2-.07, "Statewide Utility Contractor License and Foreman Certification. Amended," (herein after "proposed rule amendment"). The Board voted to post this notice of adoption at a meeting on October 26th, 2011. The proposed rule amendment removes "and Foreman Certification" from the rule heading.

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 A.M. to 5:00 P.M., Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. Copies may also be requested by contacting the Board office at (478) 207-2440.

A public hearing will be held at 9:00 a.m. August 9th, 2012 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for official record. Oral statements should be presented in writing. Written comments are welcome. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 P.M.) on August 3rd, 2012. Written comments should be addressed to Lisa Durden, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Construction Industry Licensing Board 237 Coliseum Drive, Macon, Georgia 31217. Telephone (478) 207-2440 or fax (866) 888-9718.

The Board will consider the proposed rule amendment for adoption at a meeting scheduled to begin at 9:10 a.m. on August 9th, 2012 at the Secretary of State's Professional Licensing Boards Division, 237 Coliseum Drive in Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Construction Industry Licensing Board has the authority to adopt a proposed rule amendment to Rule 121-2-.07 pursuant to authority contained in O.C.G.A. §§ 43-14-5, O.C.G.A. §§ 43-14-6, and O.C.G.A. §§ 43-14-8.2.

At its meeting on October 26th, 2011 the Georgia State Construction Industry Licensing Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-14-5, O.C.G.A. §§ 43-14-6, and O.C.G.A. §§ 43-14-8.3.

Additionally, at the meeting, the Board voted that it was legal and feasible to meet the objectives of O.C.G.A. §§ 43-14-5, O.C.G.A. §§ 43-14-6, and O.C.G.A. §§ 43-14-8.3. The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Conditioned Air contracting.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the 26th day of June, 2012.

Lisa Durden
Division Director
Professional Licensing Boards Division

Posted: June 26, 2012

**SYNOPSIS OF PROPOSED REVISIONS TO THE
TO THE RULES OF THE GEORGIA STATE CONSTRUCTION
INDUSTRY LICENSING BOARD**

RULE 121-2-.08, "STATEWIDE UTILITY MANAGER CERTIFICATE."

PURPOSE: The purpose of this amendment is to remove unnecessary language from the rule heading.

MAIN FEATURES: The main feature of this proposed amendment is the removal of "and Foreman Certification."

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE GEORGIA STATE
CONSTRUCTION INDUSTRY LICENSING BOARD**

NOTE: Underlined text is proposed to be added; lined through text is proposed to be deleted.

121-2-.07 Statewide Utility Contractor License ~~and Foreman Certification~~. Amended.

- (1) The applicant for statewide utility contractor examination must submit a completed application which:
 - (a) Indicates if the applicant is a sole proprietorship, partnership, or corporation and, if a partnership or corporation, lists the names and addresses of the partners or officers and when and where formed or incorporated.
 - (b) Includes a copy of the safety policy adopted by the applicant. The safety policy must state the applicant's concern and support of safety, active and continuing efforts to provide a safe working environment, compliance with state and federal safety requirements, maintenance of a safety program, and requirements for regularly scheduled safety meetings for all field personnel.
 - (c) Includes a statement attesting to the employment of at least one current utility manager certificate holder on a regular, full-time basis to supervise the applicant's utility work by each permanent office.
- (2) The utility contractor must notify the division in writing within five (5) days of the severance of connection between such utility contractor and the utility manager certificate holder or holders upon whom the qualification of the utility contractor rests.

Authority O.C.G.A. Secs. 43-14-5, 43-14-6, 43-14-8.2.