



*Legislative Update*

**March 11, 2022**

**GRA Legislative Agenda Items**

**Truck Size and Weight:** Oppose any legislation that increases the allowable size and weight of truck carrying freight. Typically, advocates seek to revise O.C.G.A. 32-6-26 (g) (1), which allows for a weight increase and various radius distance increases for forest products, live poultry, cotton, feed, granite, raw ore or minerals, solid waste concrete or poultry.

This week the House Transportation Committee held another hearing on [House Bill 496](#) by Representative James Burchett (R-Waycross). A substitute version of the bill would allow vehicles hauling raw forest products, agricultural commodities, and minerals to reach a total gross weight of up to 90,000 pounds with a 2.5 percent allowable variance. The substitute version also reduced the cost of an 'Annual Natural Resources Permit' from \$1,000 to \$150 and included a sunset date of July 1, 2027.

We had a great showing from our anti-truck weight coalition partners at the hearing and the Transportation Committee heard compelling testimony from Ben Tarbutton. GDOT Commissioner Russell McMurry also attended the hearing to testify in opposition to the bill. Though Chairman Rick Jasperse (R-Jasper) decided not to take a committee vote on the bill this week, we anticipate the bill's author, Representative Burchett, will try to attach language from his bill to another bill farther along in the legislative process—we are continuing to closely monitor any potential vehicles that would allow a truck weight increase to be passed this session.

**Short Line Tax Credit:** This week the House passed [House Bill 1039](#) by Representative Mack Jackson (R-Sandersville), which would extend Georgia's short line tax credit through the end of 2028. GRA is supportive of any enhancements made to the Class III railroad tax credit program, including an extension of the tax credit. The House approved the measure by a vote of 164 to 4 earlier this week, and on the Senate side it has been assigned to the Finance Committee for consideration.

**Two Man Crew:** Oppose any legislation which would seek to require a train that is in use for the movement of freight to operate with at least two crew members. Similar legislation was introduced in the 2019 session. No legislation has been introduced at this point.

**Blocked Crossing:** Oppose any bills that would prevent a railroad common carrier from authorizing the operation of a train that causes a road to be blocked for longer than 15 minutes. This week Representative James Burchett introduced [House Bill 1473](#), which would prohibit a train from blocking a crossing for more than 15 minutes unless the train is stopped due to the mechanical failure of the train; necessary to avoid striking an object or person on the track; due to a derailment or other accident; or in order to comply with federal safety regulations. The bill would also impose a penalty of \$500 for every five minutes a stopped train causes a road to be blocked beyond 15 minutes. The bill has been assigned to the

House Transportation Committee for consideration. GRA is working to prevent the measure from passing.

We are also in opposition to [House Resolution 919](#) by Representative Rick Williams (R-Milledgeville), which would urge the Federal Railroad Administration to follow through with efforts to regulate train length. The resolution has been assigned to House Transportation for consideration, but because it has not yet been taken up by the committee, it is unlikely to be passed out of the House by Crossover Day on Tuesday.

**Georgia 811:** Oppose any legislation which would remove the Georgia 811 exemption for railroads, thereby requiring them to join Georgia 811, “call before you dig.” Georgia code currently exempts railroads from mandatory Georgia 811 membership. Any attempts to change the law to make Georgia 811 membership compulsory for railroads would be harmful to the industry, as it would slow railroads down.

### **Overview of General Assembly**

This week the legislature convened Tuesday, Wednesday, and Friday for Legislative Days 25 through 27. This week was especially busy under the Gold Dome between qualifying and the looming Crossover Day deadline. House and Senate members are essentially out of time to get their bills out of committee—any bill that has not been selected by its chamber’s Rules Committee for floor consideration and passed out by Tuesday is ineligible for further legislative action this session as a standalone bill. Later in the legislative process, it is not uncommon for legislators to look for other members’ live bills to which they can attach provisions of their own dead bills. Next week the legislature will be in session Tuesday through Friday for Legislative Days 28 through 31.

### **Mental Health**

One of the most widely discussed measures this session, [House Bill 1013](#), was passed out of the House this week after receiving favorable consideration by the House Health and Human Services Committee last week. Speaker David Ralston (R-Blue Ridge) took the well on Tuesday to urge support for the Mental Health Parity Act: “On rare occasions you will be called to vote on a defining issue, an issue bigger than you, bigger than me. I submit to you that this is such an issue.”

The bill seeks to improve access and quality of mental health services in the state by requiring insurance companies to cover mental health in the same manner as physical health, establishing a cancelable educational loan program for mental health professionals, and setting up state grants for mental health treatment. The bill was heard three times in committee, and the version of the bill that passed out of the House took into account a number of suggested changes from interested parties. The measure passed almost unanimously by a vote of 169 to 3—Charlice Byrd (R-Woodstock), Sheri Gilligan (R-Cumming), and Philip Singleton (R-Sharpsburg) were the three no votes from the House. The bill has been sent to the Senate for consideration and is scheduled for a hearing by the Senate Health and Human Services Committee on Monday.

### **Income Tax Cut**

This week a proposal to cut Georgia’s income tax sailed through committee and out of the House. Last week House leadership announced their plans to reduce the state income tax from 5.75 percent to 5.25 percent. The measure, [House Bill 1437](#), was carried by House Ways and Means Chairman Shaw Blackmon (R-Bonaire). It would flatten the current progressive tax rate to 5.25%, eliminate deductions

besides charitable contributions, and dramatically increase standard exemptions from \$2,700 to \$12,000 for single filers and \$7,400 to \$24,000 for married couples filing jointly.

After passing out of its assigned subcommittee and committee this week, the full House took a vote on the measure on Wednesday—it passed by a vote of 115 to 52. Next the Senate will take up the measure. If it is passed by the Senate, the tax cut would not take effect until 2024, which would give budget writers time to adjust future appropriations accordingly.

### **Gas Tax Suspension**

On Wednesday Governor Kemp announced his plans to work with the legislature to temporarily suspend the state's 29.1 cent per gallon excise tax on motor fuel sales due to the extreme and rapid increase in gas prices as a result of the recent Russian invasion of Ukraine. The measure would take effect upon the governor's signature of [House Bill 304](#) and remain in effect through May 31, 2022.

House Bill 304, which was introduced last session by Governor's Floor Leader Jodi Lott (R-Evans), was originally designed to provide tax credits to medical and pharmaceutical manufacturers during the pandemic—the measure passed last year as part of another bill, which left the bill as a viable vehicle for the inclusion of the gas tax suspension language. The bill was passed by the Ways and Means Committee on Thursday and is expected to head to the House quickly for a floor vote—Tuesday is the deadline for the measure to pass out of the House and go to the Senate.

### **Health Care Workforce Development**

There are several measures in play this session that seek to address the healthcare workforce shortage in Georgia. This week the House Human Relations and Aging Committee passed [House Bill 1520](#) by Representative Lee Hawkins (R-Gainesville), which would create the Georgia Council on Addressing Health Care Workforce Challenges. The bill acknowledges the healthcare worker shortage, which has been exacerbated by the COVID-19 pandemic, negatively impacts patient safety and access to healthcare services. The council would be tasked with providing strategic thought leadership and recommendations on the future of the health care workforce in Georgia.

The council would be made up of 27 members appointed by the governor, lieutenant governor, and Speaker. The criteria for each member is specified and includes, but is not limited to, a representative from a hospital or health system located in an urban area; a representative from a hospital or health system located in a rural or medically underserved area; a representative from a state-wide association representing physicians; a registered professional nurse who has been actively practicing at the bedside in a hospital setting for a minimum of five years; and the chairmen of the House and Senate Health and Human Services Committees and the Appropriations Committees. The council would operate through June 30, 2025. The measure has until Tuesday to make it out of the House to be eligible for consideration by the Senate this session.

[House Bill 1371](#) by Representative Rick Jasperse (R-Jasper), which would create the Rural Health Advancement Commission, was passed by the House this week by a vote of 156 to 4 after being favorably reported out of the Special Committee on Access to Quality Health Care last week. The bill comes from the list of recommendations made by the House Rural Development Council over the interim. The 13-member commission created by the bill would be tasked with developing private-sector solutions to address short-term and long-term health care and long-term care workforce shortages, with an emphasis on rural areas. Next the bill will be considered by the Senate.

### **Qualifying**

Dozens of candidates were lined up first thing Monday morning to officially register to run for office on the second floor of the Capitol. Staffers from the Democratic and Republican parties of Georgia were present all week to help candidates qualify to run for office. Qualifying week is an important week for many hopeful legislators and statewide constitutional officers who have been waiting to see if they have drawn opposition in their election. In what came as a surprise to many this week, former Atlanta councilman and member of the U.S. House Kwanza Hall qualified to run for lieutenant governor. Also a surprise to many- former state representative Mike Coan qualified to run for labor commissioner.

Qualifying week also clarifies which members will not be running for reelection if they have not already announced their retirement. For the first time in 48 years, Representative Calvin Smyre (D-Columbus) did not qualify to run for the House, though he had previously announced he would not be running again. Smyre, who is the longest-serving member under the Gold Dome, was selected by President Biden to serve as the U.S. ambassador to the Dominican Republic. Smyre not qualifying to run for reelection was not a surprise; however, the news that longtime Senate Rules Chairman Jeff Mullis (R-Chickamauga) would not be returning to the Capitol next year took many by surprise this week. Mullis has served more than 20 years in the Senate and said he looks forward to spending more time with family and will be looking for ways to serve his community in Northwest Georgia in other ways.

As a result of redistricting, some races will pit incumbents drawn into the same district against one another. Current U.S. Representatives Lucy McBath and Carolyn Bourdeaux will face each other in the 7<sup>th</sup> U.S. House District Democratic primary in May—McBath was formerly in the 6<sup>th</sup> District. At the state legislative level, two incumbent state House members, Robert Pruitt (R-Eastman) and Danny Mathis (R-Cochran) will face off in the primary after being drawn into the same district.

### **Social Media Discrimination**

This week the Senate passed [Senate Bill 393](#) by Senator Greg Dolezal (R-Cumming), the Common Carrier Non-Discrimination Act.’ The bill would establish social media networks with over 20 million active users in the United States as common carriers, e.g., Facebook and Twitter, and would limit the platforms’ ability to discriminate against and censor the views of their users. It would also create a right of action for social media users who are the target of such discrimination to sue social media platforms.

The issue is part of the ongoing national discussion regarding the censorship of conservative political opinions by social media platforms and falls squarely under the ‘standing up to big tech’ legislative priority of the Senate majority caucus this session. The bill passed by the Senate by a vote of 33 to 21 and has been assigned to the House Judiciary Committee for consideration.

### **Distracted Driving**

On Wednesday the Senate rejected a proposal that would have allowed drivers to use their mounted phones while at a complete stop such as a red light or stop sign. In its original form, [Senate Bill 203](#) by Senator Steve Gooch (R-Dahlonega), would have clarified that drivers have the ability to use windshield mounts for their phones. Senator Frank Ginn used this bill as a vehicle to pass the provisions of another bill he is sponsoring, [Senate Bill 356](#), in the Senate Transportation Committee after Senate Bill 356 stalled in the Public Safety Committee earlier this session. Senator Ginn presented the bill on the Senate floor on Wednesday, and after a period of debate, the measure failed with 14 senators voting for the measure and 35 against.

