



LEGISLATIVE Update

February 14, 2020

Following several busy legislative weeks, the House and Senate were not in session this week to allow the House to continue working on this year's high stakes budget. The legislature will reconvene next week on Tuesday, February 18 for legislative day 13. A great deal of legislation is expected to be introduced in the coming weeks; legislators have until Crossover Day, which is March 12 this year, for their bills to make it out of the chamber in which they started and move to the other chamber for consideration. Because this is the second year of the two year session, bills that do not move out of their respective chambers by that date cannot be considered next year.

Budget

Typically, the House spends the second week of the legislative session in recess to hold Appropriations hearings and work on crafting the budget. The House requested an additional week to examine the budget and hear more budget-related testimony this week. The budget is the only constitutionally required action item for the legislature each year, but this year's budget is especially high stakes following the governor's directive for state agencies to reduce their overall budgets 4 percent this year and 6 percent next year.

Lawmakers grappling with the budget received some positive news this week related to the money that the state is bringing in. Tax collections were up 4.5 percent last month compared to January 2019. The Georgia Department of Revenue collected about \$2.36 billion in taxes in January of this year, which is an increase of \$100.8 million over the same month a year ago.

The House Appropriations Committee is divided up into subcommittees to allow members the ability to focus more on specific budget areas. House Appropriations subcommittees include Public Safety, Higher Education, Health, Human Resources, and others. Chairmen of these committees held meetings throughout the week at the Capitol to hear testimony from various groups so that they can continue to work on crafting the budget.

Senate Healthcare Hearings

In addition to the Appropriations subcommittee meetings held this week, the Senate held several committee meetings to hear specific healthcare bills. On Tuesday, the Senate Health and Human Services Committee heard Chairman Chuck Hufstetler's (R- Rome) proposed legislation on surprise billing, Senate Bill 359. Chairman Lee Hawkins (R- Gainesville) introduced a similar piece of legislation in the House last week, House Bill 888. Surprise billing occurs when a patient goes to an in-network provider but ends up with a large bill from a member of their care team who was out-of-network. The bill sponsors say their legislation would not totally eliminate surprise billing, but that it is a good start in addressing the issue. Governor Kemp has identified tackling surprise billing as a legislative priority this session and the bills are receiving a great deal of attention from the legislature.

The Senate also created a subcommittee of the Insurance and Labor Committee for the purpose of hearing Senate Bill 313, authored by Senator Dean Burke (R- Bainbridge). The subcommittee, chaired by Senator Larry Walker (R- Perry), heard several hours of testimony from supporters and opponents of the bill, which relates to pharmacy benefit managers (PBMs). PBMs serve as middlemen between health insurers or large employers and drug makers. The subject has proven contentious this session; the bill has yet to receive a formal vote in committee.

GRA Legislative Update

House Bill 820, introduced by House Transportation Chairman Kevin Tanner, is a product of the Freight and Logistics Commission's recommendations. It would create a budget placeholder for rail and would create the Georgia Freight Railroad Program, which would be administered under the Georgia Department of Transportation. The bill was favorably reported out of the House Transportation Committee and now sits in the House Rules Committee before it can head to the House floor for a full vote. Last week, Senate Majority Whip Steve Gooch introduced a similar piece of legislation in the Senate, Senate Bill 371.

Under HB 820/SB 371, there would be three subprograms within the Georgia Freight Railroad Program:

- Rail Enhancement Fund, which would focus on large rail improvement capital projects that enhance safety and support economic development;
- Rail Preservation Fund, which would focus on small rail maintenance projects that help the continuation and preservation of short line railroads that provide access to both urban and rural communities; and
- Rail Industrial Access Fund, which would focus on the construction of rail infrastructure that connects industry to existing rail lines in urban and rural areas of the state.

After being unanimously passed out of the House Transportation Committee, House Resolution 935, which would extend the Joint Committee on Freight and Logistics Commission for an additional year, was last week adopted by the House by a vote of 169 to 0.

We are continuing to keep an eye on several pieces of legislation that did not pass last session, but are still in play for this session:

HB 190, Two Man Crew: GRA opposes HB 190, introduced by Representative Rick Williams, which seeks to require a train that is in use for the movement of freight to operate with at least two crew members. The bill also seeks to require railroad companies to provide automated external defibrillators on trains and provides for monetary penalties for failure to comply with the proposed provisions in the bill. There has not been any movement on this piece of legislation yet this session.

HB 375, Rail Crossings: GRA opposes HB 375, introduced by Representative Joseph Gullett. The proposed legislation 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, except under certain circumstances. There has not been any movement on this piece of legislation yet this session.

SB 96, Whistle Posts: GRA opposes SB 96, introduced by Senator Randy Robertson last session, which would require railroad companies to put up and maintain whistle posts at least 0.25 miles ahead of an approaching private grade crossing. There has not been any movement on this piece of legislation yet this session.

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. Though there has not been legislation introduced relating to truck weights, we are keeping a close eye on this issue following a recommendation by the Senate Study Committee on Reducing Georgia's Cost of Doing Business during the interim to address truck weights.

Protecting Railroad Right of Way: In 2019, the General Assembly passed SB 2, designed to facilitate Electric Membership Corporations (EMCs) to provide broadband services to rural Georgia. One provision allows the EMCs to add additional facilities on existing electric easements without additional consideration or safety measures. GRA has been working with members to address the concerns raised by SB 2. Last week Senate Majority Whip Steve Gooch filed Senate Bill 370, which specifies that EMCs are required to comply with the application, review, safety, and permit requirements of railroad companies and state agencies when working in an electric easement that is located on property controlled by railroads or state agencies. We will keep you updated on its movement this session.