



The Capitol Report January 26th, 2006

Provided by The Georgia Railroad Association

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The General Assembly today completed the ninth day of the 40 legislative-day session. The legislature will be in recess Friday and Monday.

Eminent domain moratorium passes out of House Judiciary committee.

The House Judiciary committee recently approved legislation to place a moratorium on the exercise of the power of eminent domain for the purposes of urban development. HB 960 by Rep. Steve Davis was amended to change the moratorium from 120 to 90 days. The moratorium is intended to forestall any movement by local governments to condemn property before the legislature can place new restrictions on the use of eminent domain.

A similar moratorium bill by Senator Jeff Chapman was pulled from the Senate calendar yesterday, apparently at the request of the Administration. Numerous eminent domain bills have been introduced in the first two weeks of the legislative session. However, the Administration continues to work on its own eminent domain bill, which will likely be the measure that moves through the General Assembly.

So far, all of the focus has been on stopping local governments from condemning private property just so it can be redeveloped. There appears to be no intention of curbing the traditional use of eminent domain for public infrastructure purposes.

Referendum to approve commuter rail goes to sub committee.

Rep. John Lunsford introduced a bill to require voter approval of any commuter rail project within or through a county or municipality. HB 1099 was placed in the Railway Subcommittee of the Transportation Committee on Wednesday.

Proponents of the legislation believe that commuter rail becomes an unfunded mandate once the rail line is established. Opponents contend that HB 1099 would allow any political subdivision to veto a project that is broadly supported in neighboring counties and municipalities. Opponents also contend that rail transportation should not be treated differently from road construction, airports, bus routes, or other transportation services.

Georgia Chamber opposes firearms bill.

HB 998 introduced the first week of the session would give individuals the right to keep firearms in their automobiles, even in privately owned parking lots. This week the Georgia Chamber of Commerce took the formal position opposing the bill based on workplace safety issues and private property rights. The legislation is currently in House Public Safety Committee.

Upcoming events for GRA

The planning committee for the spring conference will be meeting next month. Look for more details in upcoming emails if you wish to participate.

Associate members – if you have personnel changes or company announcements you would like included in the newsletters you may forward them to sharondunn@alltel.net or jrpoole1@bellsouth.net.

Programs committee will be meeting February 21 in Atlanta to plan the spring conference, please respond to Sharon Dunn if you are interested in participating.

GRA 2006 Spring Conference at Lake Lanier Islands, May 31-June 2. Please mark your calendars.

Other Bills of interest:

SB 86: Chapman of the 3rd – would provide for a limitation on the public purposes for which eminent domain may be exercised. Passed Senate in 2005 but remains in House Judiciary Committee.

SB 285: Rogers of the 22nd – a GRA bill to repeal antiquated portions of the Georgia code relating to railroads as well as provisions that have been pre-empted by federal law. Passed the Senate in 2005 but remains in House Transportation sub-committee.

HB 16: Davis of the 109th – relating to the allocation of funds for public roads, so as to change the provisions regarding the balancing of federal and state funds. House Transportation Committee.

HB 24: Royal of the 171st – would provide for gradual reduction and eventual repeal of the corporate income tax. The income tax on corporations would be abolished after January 1, 2011. Ways & Means Committee.

HB 52: Teilhet of the 40th – relating to labor and industrial relations, to provide that an employer shall allow an employee who is a victim of a crime to take unpaid leave to attend judicial proceedings related to the crime. House Industrial Relations Committee.

HB 83: Lunsford of the 110th – would provide that small businesses may select group health coverage plans without regard to mandated coverage. House Insurance Committee.

HB 137: Lunsford of the 110th – would create the Georgia Transportation Infrastructure Bank which would be authorized to make loans to qualified borrowers to finance eligible costs of qualified transportation projects by government units and private entities. Ways & Means Committee.

HB 202: McCall of the 30th – would provide for a sales and use tax exemption for materials used in the quarrying and manufacturing of granite into items for sale at retail. House Ways & Means Committee.

HB 230: Bruce of the 64th – to provide that an employer shall not discharge or penalize an employee for taking reasonable time – up to eight hours per year – to attend a parent-child conference or school program. House Industrial Relations sub-committee.

HB 361: Smith of the 13th – to change provisions regarding collections and expenditures regarding roads; to change provision regarding priority of expenditures from the State Public Transportation Fund; to change provisions regarding allocation of state and federal road funds; to change applicability of sales and use tax to motor fuel sales. Recommitted to Ways & Means Committee.

HB 523: Davis of the 109th – would prohibit public expenditures on passenger rail projects under certain circumstances; would require signed agreements before public expenditures are made on rail projects. House Transportation Committee.

HB 551: Orrock of the 58th – to ensure that the award of economic development subsidies generates improvements in wage levels and access to health insurance for working families. House Ways & Means Committee.

HR 254: Smith of the 129th – A resolution requesting that before any state funds are committed to the Lovejoy to Atlanta rail project that all local governments served by the project agree, by local referendum or other binding document, to subsidize the difference between operating costs and income. Recommitted to House Transportation Committee.

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GRA Directory: New Members, Services and Categories!

Remember to use the GRA website when shopping for goods and services. It's fast and easy! Just go to www.georgiarailroad.org and click on "DIRECTORY" on the upper left navigation bar on the home page. Then click on "services" at the top of the directory page for a list of service providers from "bridges" to "welding."