



The Capitol Report
January 26th, 2007
Provided by The Georgia Railroad Association
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The Georgia General Assembly completed the ninth legislative day of its 40-day session today. The legislature is expected to be in session six days next week, including a "family day at the Capitol" on Saturday.

Transportation subcommittee members named.

Chairman Vance Smith has made the committee assignments for the various subcommittees in transportation. The Railway subcommittee members are: Barry Fleming-Chairman, Doug Holt-Vice Chairman, Jill Chambers, Harry Geisiger, and Sheila Jones.

"Bring your guns to work" bills introduced.

Identical bills introduced in the House and Senate this week would prohibit employers from "enforcing any policy or rule that has the effect of prohibiting an employee from transporting or storing a firearm in a locked motor vehicle in any parking lot, parking garage, or other employee parking area." Backed by the National Rifle Association, the bills include provisions apparently aimed at neutralizing opposition from employers, which effectively killed a similar bill last year.

Unlike last year's bill, the legislation introduced this week would not apply to:

1. employers providing a secure parking area which restricts general public access through the use of a gate, security station, or other similar means of limiting public access into the parking area;
2. vehicles owned or leased by an employer and used by the employee.
3. employees restricted from carrying or possessing a firearm on the employer's premises due to a pending or completed disciplinary action;
4. penal institutions or other places of confinement;
5. premises of the employer where firearms are prohibited by state or federal law.

GRA will continue to pursue a state sales tax exemption on diesel fuel.

Despite these provisions, the bill would still constitute an erosion of private property rights and would create serious safety and security issues for many Georgia employers. SB 43, now in the Senate Judiciary Committee, was introduced by Senator Chip Rogers of Woodstock, and includes among its co-sponsors Senate President Pro Tempore Eric Johnson of Savannah and Senate Majority Leader Tommy Williams. Now in the House Judiciary-Non-Civil Committee, HB 143 was introduced by Rep. Tom Graves of Ranger and includes House Rules Chairman Earl Ehrhart among its co-sponsors.

New tax sub-committee to be named.

House Ways & Means Chairman Larry O'Neal this week announced that he will create a new sub-committee to hear any tax proposals that arose from the interim study committee on tax policy. As of this morning, the members of the new subcommittee had not been announced. Moreover, the members of the standing Ways & Means subcommittees have yet to be announced, indicating that the Ways & Means Committee will be very deliberate in its consideration of proposed changes in tax law.

Other Bills of Interest

HB 66 Davis 109th, A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to abolish the state income tax; to increase the rate of tax on the retail purchase, retail sale, rental, storage, use, or consumption of certain tangible property and on certain services; to provide for applicability with respect to building and construction materials and to certain services; to provide for application of sales and use taxes with respect to certain sales of motor fuels; to provide for conforming changes with respect to certain tax ceilings, imposition of taxes, collection from dealers, disposition of certain excess taxes, compensation of dealers for reporting and paying taxes, and payment of taxes by certain contractors; to provide for editorial revision; to provide for other matters relative to the foregoing. Ways and Means

HB 67 Martin 47th, Royal 171st, Collins 27th, Knight 126th, Scott 2nd, Mumford 95th A BILL to be entitled an Act to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to repeal the corporate net worth tax. Ways and Means

HB 110 Jones 46th, Burkhalter 50th, Rice 51st, Mills 25th, Rogers 26th A BILL to be entitled an Act to amend Code Section 36-34-2 of the Official Code of Georgia Annotated, relating to general powers regarding administration of municipal government, so as to provide for additional requirements with respect to certain franchise fees. Energy, Utilities & Telecommunication

HB 124 Stephens 164th, Day 163rd, Tumlin 38th, Sims 169th Martin 47th, Royal 171st. A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem tax exemptions, so as to provide for an exemption for all tangible personal property constituting the inventory of a business. Ways and Means

HB 136 Coan 101st, Shaw 176th, O'Neal 146th, Rogers 26th, Millar 79th, Lindsey 54th. A BILL to be entitled an Act to amend Code Section 13-8-2 of the Official Code of Georgia Annotated, relating to contracts contravening public policy generally, so as to provide that any contract of insurance which provides for indemnification against liability for damages arising out of bodily injury to persons or damage to property caused by a promisee or indemnitee in connection with a contract or agreement relative to the construction, alteration, repair, or maintenance of a building structure, appurtenances, and appliances is against public policy, void, and unenforceable; to provide for related matters. Judiciary

HB 138 Coan 101st, Shaw 176th, O'Neal 146th, Rogers 26th, Millar 79th, Lindsey 54th BILL to be entitled an Act to amend Title 13 of the Official Code of Georgia Annotated, relating to contracts, so as to provide for the rejection of construction contracts when contractors, subcontractors, low tier subcontractors, or materialmen do not provide required insurance coverage; to provide for the definitions of certain terms; to prohibit an owner, contractor, or subcontractor from rejecting work completed, rejecting material supplied, or withholding

payment due to lack of conforming insurance following acceptance of a policy or certificate of insurance. Judiciary

HB 143 Graves 12th, Day 163rd, Ehrhart 36th, Talton 145th, Teilhet 40th, Scott 2nd. A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as to prohibit certain employers from prohibiting employees from lawfully carrying and possessing firearms in locked motor vehicles; to provide for immunity for employers who allow employees to possess firearms in locked vehicles on the premises of such employer; to provide for civil remedies. Judiciary Non Civil

HB 161 Lunsford 110th, Yates 73rd, Ashe 56th, Royal 171st, Floyd 147th A BILL to be entitled an Act to amend Titles 32 and 48 of the Official Code of Georgia Annotated, relating, respectively, to highways, bridges, and ferries and revenue and taxation, so as to provide for an additional method of right of way acquisition by the Department of Transportation; to provide for income tax credits with respect to qualified right of way acquisition; to provide for definitions; to provide for conditions, limitations, and exclusions; to provide for authority of the state revenue commissioner and the Department of Transportation with respect to the foregoing; to provide for reassessment of property with respect to which a right of way has been acquired. Ways and Means

HB 173 Holmes 61st, Bruce 64th, Books 63rd, Williams 89th, Stanley Turner 53rd, Fludd 66th A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to authorize the imposition of a local option sales and use tax for transportation within special districts; to provide for applicability with respect to the ceiling on local sales and use taxes; to establish special districts; to provide for procedures, conditions, and limitations for the imposition, collection, disbursement, and removal of the tax; to provide for powers, duties, and authority of the state revenue commissioner

HR 48 Rogers 26th, Harbin 118th, Smith 129th, Smith 113, Floyd 147th, Graves 12th. A RESOLUTION proposing an amendment to the Constitution so as to provide that funds derived from sales and use and motor fuel taxes with respect to jet fuel and aviation gasoline may be appropriated for and grant made for all activities incident to providing and maintaining an adequate system of public-use airports in this state; to authorize the General Assembly to allocate and specify and direct the use of such funds by general law; to provide for submission of this amendment for ratification or rejection; and for other purposes. Ways and Means

SB 13 Brown 26th, Davenport 44th A BILL to be entitled an Act to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to provide for a substantive and comprehensive reform of provisions regarding the minimum wage law; to provide for legislative findings; to provide for an increase in the minimum wage; to provide for annual minimum wage increases to match the rising cost of living; to provide a credit toward the minimum wage for employers of tipped workers; to eliminate various eligibility exemptions from the minimum wage. Insurance and Labor

SB 43 Rogers 21st, Whitehead 24th, Williams 19th, Johnson 1st, Heath 31st, Mullis 53rd A BILL to be entitled an Act to amend Part 3 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to carrying and possession of firearms, so as to prohibit certain employers from prohibiting employees from lawfully carrying and possessing firearms in locked motor vehicles; to provide for immunity for employers who allow

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