



The Capitol Report February 11th, 2005

Provided by The Georgia Railroad Association

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The Georgia General Assembly will reconvene Monday for the 17th legislative day. Tort Reform still tops the agenda, as the Senate will likely move to accept the House version of an attempt to put the issue to bed for the session. A motion to agree to the House version failed Thursday, even though there is very little difference in the two.

Truck weight variance bill stalled.

The House Transportation Committee this week tabled HB 279, the bill to provide a 10 % weight variance for trucks hauling farm or forest products from the farm or forest to the first point of marketing or processing. The committee is expected to consider the bill later, probably with amendments to reduce the percentage of variance, increase penalties for overweight trucks, and perhaps to reduce the 150-mile permissible travel distance. GRA joined the Department of Transportation in testifying before the committee against the bill. DOT is particularly concerned that the weight variance could require upgrading a number of bridges around the state. GRA noted that the bill would further disadvantage railroads in competition with trucks.

Timber haulers contend that the variance is needed because they cannot accurately estimate weights when trucks are loaded in the woods. It appears that the House Transportation Committee is sympathetic to this contention, and some form HB 279 is likely to emerge from the Committee.

HB 279 is sponsored by Reps. Johnny Floyd, Jay Roberts, Richard Royal, Mack Crawford, and others.

Bill status report.

SB 3: Smith of the 52nd – would amend titles 9, 24, and 51 relating to civil justice, so as to change provisions relating to evidentiary matters and liability in tort actions; to change provisions relating to venue in actions with joint defendants; to change provisions relating to affidavits; to provide for defendants' access to plaintiff's health information in medical cases; to provide for offers for judgment. Passed Senate and substitute version passed House. Motion to agree failed in Senate. Second motion to agree pending.

SB 5: Moody of the 56th – to provide for comprehensive regulation of public-private infrastructure projects; to provide for property dedication, eminent domain, and the exercise of police powers. Still in Senate Economic Development Committee.

SB 18: Golden of the 8th – would amend Employment Security law to make persons who are discharged due to absenteeism ineligible for unemployment compensation. Still in Senate Insurance and Labor Committee.

SB 86: Chapman of the 3rd – would provide for a limitation on the public purposes for which eminent domain may be exercised. Favorably reported by Senate Judiciary Committee Feb. 7.

SB 107: Williams of the 19th – would add a section of SR 15 to the Developmental Highway System. Referred to Senate Transportation Committee.

SB 143: Mullis of the 53rd – to create the Georgia Rural Development Council. Referred to Senate Economic Development Committee.

SB 144: Mullis of the 53rd – relating to the creation of the State Advisory Committee on Rural Development. Referred to the Senate Economic Development Committee.

SR 1: Thompson of the 5th -- A Resolution proposing a Constitutional Amendment to provide that funds derived from motor fuel taxes may be appropriated for and grant made for maintaining an adequate system of public roads and bridges. Referred to Senate Appropriations 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. Still in 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. Still in 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. Still in 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. Still in House Insurance Committee.

HB 94: Borders of the 175th – Similar to SB 18, would make employees discharged for absenteeism ineligible for unemployment compensation. Still in House Industrial Relations 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. Still in Ways & Means Committee.

HB 194: Martin of the 47th – would provide income tax credits for tele-working. Still in House 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. Still in 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. Referred to House Industrial Relations Committee.

HB 279: Floyd of the 147th – to allow weight variances for trucks hauling timber out of the forest. Referred to House Transportation Committee.

HB 281: Vance Smith – to give Georgia Regional Transportation Authority additional powers to enter any upon any lands for the purpose of making surveys, drillings, and examinations; to provide for a sales and use tax exemption for property purchased or used by the Authority. Referred to House Ways & Means 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. Referred to Ways & Means Committee.

HB 389: Roberts of the 154th – to provide for an additional tax credit for creation of manufacturing, processing, distribution or telecommunications jobs in less developed counties of the state. Referred to Ways & Means.

HB 393: Casas of the 103rd – to provide for an income tax credit for employers who convert a certain percentage of their work force to telecommuting status. Referred to Ways & Means.

HR 1: Royal of the 171st – A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for limitations upon the rate of increase of the ad valorem tax millage rate and value of property. Referred to Ways & Means Committee.

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