



The Capitol Report March 23rd, 2007

Provided by The Georgia Railroad Association

P.O. Box 2363

Woodstock, GA 30188

770.617.4676

The Georgia General Assembly will reconvene on Tuesday, March 27 for its 30th legislative day. Bills that fail to clear their House of origin by the 30th day are ineligible for further consideration this year, and will carry over to the 2008 legislative session.

HB 430 on the Calendar for Day 30

The GRA sponsored initiative to alleviate encroachments of railroad rights of way will be on the floor of the House next Tuesday. Day 30 of the legislative session is typically a long one as lawmakers try to get bills out of their house of origin by crossover day. There is no known opposition to this bill but GRA will continue to educate the legislators of the importance of this piece of legislation.

GA EPD sponsors workshop on Air Quality and Railroads

In a day long technical working group representatives from GA EPD, railroads, GA DOT met Wednesday to discuss locomotive emissions.

Currently there are 28 counties affected by non attainment designations, in addition there are 2 additional counties currently not meeting the annual particulate matter standard – Muscogee and Richmond counties. GA EPD also believes that at some point Washington and Clarke counties probably will not meet the standards.

Particulate matter emission sectors of concern for EPD are Coal/Oil fired stationary sources, diesel burning mobile sources (on and off road), open burning and commercial cooking. EPD explained that power plants have already made significant contributions in the reduction of emissions. Off road diesel burning sources consists of construction vehicles, agriculture, airports and rail. Of these, construction and agriculture are not major sources of polluters. This leaves airports and rail. EPD has begun the same kind of workshops with airports.

EPD is aware of their limited authority on railroads. They would like to see voluntary programs in place to reduce emissions. They would also like for the rail industry to provide data on what they are emitting.

Alan Powell with the Environmental Protection Agency presentation was on funding assistance for emissions controls. There are two guaranteed loan programs. TIFIA is through DOT but is mainly for passenger rail. The other program is Railroad Rehabilitation Improvement Financing which is through the FRA.

GRA will continue to attend any future meetings and report back to the association.

GRA Spring Conference

Don't forget to register for the GRA Spring Conference at St. Simons on May 29-31. Registration forms went out last week for the GRA Spring Conference. The format will be similar to past conferences. May 29th there will be a reception and dinner on your own. The meetings on the 30th and 31st will be half day meetings. The golf tournament will be on the 30th and a group dinner at the hotel that evening.

The room rates are as follows: Oceanfront Rooms - \$175 Oceanview Rooms - \$160 Resortview Rooms - \$150. The number for reservations is 800-342-0212. There is a link to the King & Prince Resort at www.georgiarailroad.org

Other Bills of Interest

HB 268 Davis 109th, Franklin 43rd, Lane 167th to amend Article 9 of Chapter 9 of Title 46, relating to the Georgia Rail Passenger Authority, so as to repeal said article in its entirety; to provide for related matters. *Transportation*

HB 269 Davis 109th, Lakly 72nd to amend Chapter 9 of Title 32, relating to mass transportation, so as to provide for a referendum to approve funding for a commuter rail project within or through a county or municipality. *Transportation*

HB 289 Roberts 154th Freeman 140th Williams 178th Sims 119th Hatfield 177th Peake 137th to amend Article 11 of Chapter 5 of Title 48, relating to ad valorem taxation of public utilities, so as to provide an exemption for eligible expenses for maintenance, repairs, and improvements of a railroad equipment company's railroad cars; to provide for related matters; to provide for a referendum. *Rules Consideration Calendar*

HB 426 Jones 44th, Fludd 66th, Sims 151st, Rynders 152nd, Smith 129th to amend Code Section 32-6-200, relating to the installation of protective devices at railroad grade crossings, so as to provide for legislative findings; to define a certain term; to provide that local school districts shall provide the Department of Transportation with information regarding rail crossings without active warning devices that are used by school buses; to provide that local school districts shall use best efforts to reroute buses to minimize use of such crossings. *Rules Consideration Calendar*

HB 430 Ralston 7th, Roberts 154th, Hatfield 177th, Crawford 127th to amend Title 44 of the O.C.G.A., relating to property, so as to clarify the scope of the provisions applicable to the acquisition of title to land by adverse possession, the acquisition of easements and private ways through prescription, and the acquisition of land by railroad corporations or railroad companies; to amend Article 2 of Chapter 4 of Title 24 of the O.C.G.A., relating to presumptions and estoppel, so as to provide that occupancy of a railroad right of way is by permission; to amend Code Section 46-8-100 of the O.C.G.A., relating to the general powers of railroad companies, so as to provide that issues arising as to the dimensions of property acquired by a railroad corporation or railroad company prior to 1913 shall be determined by reference to the official map filed with the Interstate Commerce Commission pursuant to the Railroad Valuation Act of March 1, 1913. *Floor of the House on 3/27*

HB 434 Martin 47th, Royal 171st, Burns 157th, Benefield 85th, Fludd 66th to amend Title 48 relating to revenue and taxation, so as to provide for a regional sales and use tax for transportation; to provide for definitions; to provide for the levy and collection of such tax; to provide for procedures, conditions, and limitations; to provide for expenditure of proceeds; to provide for collection and administration; to provide for powers, duties, and authority of the state revenue commissioner; to amend Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to the Georgia State Road and Tollway Authority, so as to provide for a Georgia Regional Transportation Fund to finance transportation projects. *Ways & Means*

HR 149 Epps 128th, Buckner 130th, Nix 69th A RESOLUTION creating the Joint Study Committee on the Viability of Commuter Rail Service from Atlanta to West Point; and for other purposes. *Transportation*

HR 509 Smith 129th Floyd 147th A RESOLUTION proposing an amendment to the Constitution so as to provide for the creation of a Transportation Trust Fund; to provide for a levy of a 1 percent sales and use tax on the purchase of tangible goods and certain services at retail; to provide for the deposit of the proceeds of such tax into such trust fund; to provide for the governance of such trust fund by the State Transportation Board and oversight of such trust fund by a Transportation Trust Fund Oversight Committee; to provide for the administration of such fund by a Transportation Trust Fund Agency; to provide for purposes and limitations on expenditures from such trust fund; to provide for the periodic submission of the continuance of such levy to the people for approval or disapproval. *Transportation*

SB 43 Rogers 21st, Whitehead 24th, Williams 19th, Johnson 1st, Heath 31st, Mullis 53rd to amend Part 3 of Article 4 of Chapter 11 of Title 16, 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. *Senate Rules committee*

SB 179 Staton 18th, Powell 23rd, Unterman 45th, Hudgens 47th, Murphy 27th, Butler 55th to amend Article 2 of Chapter 5 of Title 21, relating to campaign contributions, so as to repeal the prohibition against persons acting on behalf of a public utility regulated by the Public Service Commission contributing to political campaigns; to prohibit public utilities regulated by the Public Service Commission from contributing to Public Service Commission candidates or campaign committees for such candidates; to prohibit electric membership corporations from contributing to political campaigns. *Favorably reported Senate Ethics*

SB 203 Harp 29th, Staton 18th, Mullis 53rd, Shafer 48th, Hamrick 30th to amend Article 14 of Chapter 1 of Title 10, Code Section 16-8-12, and Chapter 1 of Title 46 of the O.C.G.A., relating to secondary metals recyclers, penalties for certain theft crimes, and general provisions for public utilities and public transportation, respectively, so as to provide for increased penalties for certain crimes involving public utility property; to change certain provisions relating to inspection by law enforcement officers; to change provisions relating to actions to recover property; to change provisions relating to penalties for violating Article 14 of Chapter 1 of Title 10; to provide for forfeiture of certain property and procedure therefor; to provide for legislative findings and preemption; to provide for the Governor to appoint certain special officers for purposes of investigating certain thefts of public utility property. *Passed Senate*

SR 263 Balfour 9th, Hudgens 47th, Cowser 46th, Unterman 45th, Shafer 48th, Thompson 5th, urging the Congress of the United States to provide funding for the engineering, construction, and land acquisition and other necessary costs for commuter rail connecting Athens to Atlanta. *House Transportation*

SR 365 Mullis 53rd, Pearson 51st, Whitehead 24th, Hill 32nd, Goggans 7th, Reed 35th A RESOLUTION creating the Joint Study Committee on Transportation Funding. *Transportation*

SR 428 Mullis 53rd, Staton 18th, Goggans 7th, Douglas 17th, Stoner 6th A RESOLUTION to create the Senate Railroad Safety and Security Study Committee. *Transportation*

Thanks to the following associate members who have rejoined the association:

Adams – Warnock
Atlas Railroad Construction
Aon Risk Services Inc.
Atlantic Track & Turnout
Boatright Enterprises Inc.
Century Group
C & S Signaling
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