

# Georgia Industry Association Legislative Update

Week Number 9

## Budget

Dismal February Revenue numbers were released, and showed 9.9% less in revenues in comparison to February 2009. Individual income tax collections were down 12%, sales tax collections were down 12%, and corporate income taxes were off by 25.7% when measured against last year's numbers.

Governor Perdue announced further cuts. \$350 million in stimulus funds originally budgeted for next year's fiscal year will be used to seal the cracks in this year's budget. Next year's budget will see an additional \$443 million in cuts to reflect new estimates in state revenues. Although not as drastic as last week's proposal, there will still be additional cuts in FY 2011 to the University System of Georgia. Plans to increase state revenues are starting to surface and form. The bottom line is legislators have their work cut out for them in finalizing the FY2011 budget.



## Transportation

**HB 1135** - Transportation, Department of; enter into multiyear contracts; authorize- Representative Jay Roberts – This bill enables the GDOT to enter into multi-year construction agreements, which gives the Department the flexibility to obligate funds for projects in the year that the dollars are actually spent. This bill will allow the department to efficiently utilize every available dollar in a responsible manner.

Bill Status:

**HB 1218 and SB 366** would provide for regional T-SPLOSTs to fund local transportation projects. During 2 House subcommittee hearings, a number of proposals for amendments were heard. The amendments were concerning how projects would be selected and how the regions would be defined.

Bill Status: *HB 1218- House Second Readers & SB 366- Senate Read and Referred*

**SB 458- Safety Belts; eliminate certain exceptions to the required use of safety belts**- Senators Don Thomas, Tommie Williams, Dan Moody, Lee Hawkins, Seth Harp, and Donzella James- This legislation eliminates certain exceptions to the required use of safety belts and require all persons in the vehicle to wear seat belts. The only exception would be for people who are riding in off-road vehicles used for agriculture purposes.

Bill Status: *Senate Read and Referred*



## **Environmental**

**HB 970-Property boundaries; processioning; change certain provisions-** Representatives Ellis Black, Lee Anderson, Tom McCall, Jay Roberts, Lynmore James, and Jon Burns- This bill changes certain provisions relating to application for a new survey, marking of lines, and notice to owners of adjoining lands. It also gives adjoining landowners the opportunity to dispute a survey before it's recorded in the county tax assessor's office.

Bill Status: *House Second Readers*

**HB 1028- Ad Valorem tax; forest land conservations use property; revise provisions-** Representative Jay Roberts, Larry O'Neal, DuBose Porter, Tom McCall, Stephanie Benfield, Terry England- This bill spells out the objective of FLPA which was a point of contention between the legislative and rule-making phases regarding breach of contract and who is responsible for paying the fines related with a breach. The revisions require the person responsible for a breach in the contract to pay the fines.

Bill Status: *Senate Read and Referred*

**HB 1094 and SB 370 - Water; examine practices, programs, policies; develop programs for voluntary water conservation; reports of measurable progress-** Senators Ross Tolleson, John Bulloch, Bill Cowser, George Hooks, Dan Weber, and Bill Heath and Representatives Lynn Smith, Matt Ramsey, Terry England, Judy Manning, Edward Lindsey, and Jimmy Pruett- The House and Senate overwhelmingly passed these bills. The House vote was 166-5, while the Senate vote was 52-0.



Interbasin Transfers will dictate the focus now that major water conservation legislation has passed both chambers. The language of these bills will promote a stronger stewardship of our water resources.

**HB 1301 -River Basin Protection Act, enact-**Representatives Tom McCall, Alan Powell, Terry England, Jay Roberts, Mark Williams, and Mike Cheokas- This bill was introduced by Tom McCall, and has been signed by over 80 House members. It will create a vast list of criteria that must be accomplished by local governments before EPD approves an Interbasin Transfer approval. **SB 462- "River Basin Protection Act"; statement of policy; permitting of interbasin transfers of water,** is identical legislation introduced by Senator Jim Butterworth. A large number of Senators has already signed SB 462.

Bill Status: *HB 1301- House Second Readers and SB 462- Senate Read and Referred*

Regardless of the focus on water transfers in these identical bills, they are riddled with problematic definitions and terminologies in reference to water use and water management.



**HB 1267- Timber; penalty for converting timber; change-** Representatives Tom Weldon, Debbie Buckner, Mark Burkhalter, Charles Martin, Jay Neal, and Gene Maddox- This bill increases the retribution for cutting down timber on another person's property, requiring offenders to repay the property owners 3 times the

amount of their damages. It will also allow property owners to sue intentional offenders for punitive damages.

Bill Status: *House Second Readers*

## **Taxation:**

### **HR 1 and HB 517- Revenue and taxation; method of assessing real property; comprehensive revision-**

Representatives Lindsay Edward, Joe Wilkinson, and Harry Geisinger- These 2 pieces of legislation will establish a property tax assessment cap. The assessments could not go up by more than 3% a year or 9% over 3 years. This legislation requires a 2/3 vote in order to be considered as a constitutional amendment. If passed, this legislation would destroy uniformity in the property tax system, force local elected officials to raise millage rates and shift the property tax burden to new property owners and owners of relatively low appreciating property.

Bill Status: *House Committee Favorably Reported*

## **Other Bills of Interest:**

**SB 393 and SR 1013: Appointment of Top State Positions-** Senators Bill Heath, Jeff Mullis, Bill Jackson, Jim Butterworth, Chip Rogers, and Bill Cowser- This legislation allows the State School Superintendent and the Agriculture, Insurance, and Labor Commissioners to be appointed by the Governor starting in 2014.

Bill Status: *Senate Read and Referred*

## **Federal Issues:**



### **HB 1259 – Georgia Employer and Worker Protection Act of 2010; enact-**

Representatives Bobby Reese, Tom Rice, Rick Austin, Don Parsons, Barry Loudermilk, and James Mills- The intent of this bill is to hinder the potential for the employment of undocumented workers by

mandating the use of the E-Verify System. The E-Verify system uses information from an employee's I-9 to determine whether they are legally eligible to work in the United States. There is no charge to employers for the use of E-Verify, and it is operated by the U.S. Department of Homeland

Security partnered with the Social Security Administration.

Bill Status: *House Second Readers*

## **In the News:**

Former House Speaker Tom Murphy (1924-2007) was given distinct recognition with the placement of his portrait in the Capitol adjacent to the doors of the House Chamber. You'll recall that Speaker Murphy held that leadership post for 28 years, the longest tenure for a Speaker in any state legislature.

