

## Plumbing and Mechanical Association of Georgia

# *Legislative Report*

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January 18, 2010

*The General Assembly is in recess this week for budget hearings after completing four of the 40 legislative days in the 2010 session. They will reconvene on Monday, January 25. Relatively few bills were introduced in the first week, which was highlighted by the election of a new Speaker of the House.*

### **David Ralston is the new Speaker of the House.**

Blue Ridge Attorney David Ralston was formerly elected Speaker of the House after winning the majority party nomination in December. Ralston's victory over Democrat Calvin Smyre was pro forma, but it was not entirely a party-line vote. Eleven Democrats crossed over to vote for Ralston. Democrats voting for Ralston were:

- Ellis Black of Valdosta
- Bob Bryant of Garden City
- Amy Carter of Valdosta
- Mike Cheokas of Americus
- Bubber Epps of Dry Branch
- Carol Fullerton of Albany
- Gerald Greene of Cuthbert
- Bob Hanner of Parrott
- Kevin Levitas of Atlanta
- Alan Powell of Hartwell
- Jay Shaw of Lakeland

The only independent in the House, Rusty Kidd of Milledgeville, also voted for Ralston as Speaker.

Late last week the Speaker announced that Rep. Bill Hembree of Douglas County will replace Rep. Earl Ehrhardt as Chairman of the House Rules Committee. The Rules Committee determines which bills go to the House floor after passing their committee of reference. The Speaker has also said there will be several changes in House procedures. Restrictive rules on floor amendments instituted by the previous speaker are being scrapped to allow more debate by the full House and a more open process.

Speaker Ralston also appointed Rep. John Meadows of Calhoun to succeed Rep. Austin Scott as Chairman of the Governmental Affairs Committee. Scott resigned as Chairman to devote more time to his campaign for Governor. The Governmental Affairs Committee handles some legislation of interest to plumbers and building trades. The Regulated Industries Committee, which may also handle bills of interest to PMA members, will continue under the leadership of Rep. Roger Williams of Dalton.

### **Administration water bills not yet introduced.**

Governor Sonny Perdue is expected to have two water measures introduced this session. The most pressing of the two bills would codify an anticipated compact with Florida and Alabama over water in Lake Lanier. A federal judge this summer gave the three states until 2012 to work out an agreement on use of the lake's water. If no agreement is reached, Georgia's use of the water would be restricted to the amounts used in the mid 1970s. While no such compact has yet been drafted, Governor Perdue has said he will call a special legislative session on this issue if necessary.

The second Administration water bill will apparently set conservation requirements under the Comprehensive Statewide Water Plan.

### **New Bill Introductions**

HB 887 – Levitas of Atlanta: would provide civil immunity for employers disclosing job performance information. Also provides immunity for prospective employers who reasonably rely on information disclosed by a former employer. Referred to House Industrial Relations Committee.

SR 794 – Hill of Marietta: A Resolution to amend the Constitution related to health care so as to provide that no law, rule, or regulation shall compel any person, employer, or health care provider to participate in any health care system. Referred to Senate Insurance and Labor Committee.

SR 801 – Pearson of Dawsonville: A Resolution requesting that Congress not pass Cap and Trade legislation “that hurts all Americans.” Referred to Senate Economic Development Committee.

### **Pre-filed bills of interest**

HB 895 – Buckner of Junction City: to change provisions relating to the policy statement of the Comprehensive Statewide Water Management Plan, its guiding principles and requirements. Would regulate inter-basin and intra-basin transfers.

SR 795 – Harp of Midland: A Resolution to amend the Constitution so as to provide that no law shall restrict a person's freedom to choose a private health care plan or system.

### **Carryover legislation from 2009 session**

HB 238 – Benton of Jefferson: to provide for the regulation of sludge and waste-water application systems; to require land application system operators to provide proof of financial ability to cover cleanup costs. House Natural Resources sub-committee.

HB 239 – Smith of Columbus: to require local governments to return surface water to the sources from which they were withdrawn. House Natural Resources Committee.

HB 244 – Pruett of Eastman: to change the name of the Environmental Facilities Authority to the Environmental Finance Authority. Passed House and referred to Senate Judiciary Committee.

HB 277 – Smith of Pine Mountain: to provide for a statewide one cent sales tax to fund transportation projects; to create the Georgia 2020 Transportation Fund and provide for oversight. Passed House, along with HR 206, the accompanying Constitutional amendment. Senate passed with language from SB 39 providing for a local option sales tax. Conference Committee failed to reach agreement.

HB 405 – Wilkinson of Atlanta: to provide an income tax credit for equipment that reduces business or domestic water or energy use. The credit would be granted only when federal funds for that purpose are available. House Ways & Means.

HB 468 – Martin of Alpharetta: to change provisions relating to corporate income taxes and specifying certain subtractions from taxable income. House Ways & Means.

HB 517 – Lindsey of Atlanta: to limit valuation increases of real property and revise method and manner of reassessing property. House Ways & Means.

HR 281 – Buckner of Junction City: A resolution proposing a Constitutional Amendment that would terminate all sales tax exemptions on December 31, 2013. Further provides that sales tax exemptions granted after January 1, 2014 would be limited to three years. House Ways & Means.

SB 108 – Cowsert of Athens: Administration bill to provide that plaintiffs be responsible for the prevailing party's attorney fees when a case is dismissed early in the process. Passed Senate and now in House Judiciary Committee.

SB 116 – Buckner of Morrow: would require Office of Planning and Budget to compile a listing of sales tax exemptions and income tax credits along with their revenue impact whenever the Governor orders a cutback in any budget unit. Senate Finance Committee.

SB 228 – Tolleson of Perry: to change provisions relating to 25-foot buffers on streams. Passed Senate and referred to House Natural Resources.

SR 109 – Tolleson of Perry: A resolution creating the Joint Study Committee on the Retrofit of Diesel Engines. Passed Senate 52 - 0. In House Natural Resources.

SR 453 – Johnson of Savannah: Joint Resolution to create the Georgia Tax Reform Commission to carry out a comprehensive study of state tax policy and make recommendations for reform. Passed Senate and referred to House Ways & Means.

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