

**GEORGIA ENVIRONMENTAL COUNCIL**

**LEGISLATIVE MONITOR**

**TRACKING ENVIRONMENTAL LEGISLATION IN GEORGIA**

Week 4, Days 10-14

February 4, 2007

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**1. HIGHLIGHTS**

**Georgia Environmental Council & Georgia Conservation Voters  
Annual Environmental Legislative Reception**

Tuesday February 6, 2007, 5:30 PM - 8:30 PM at the Georgia Tech College of Management.  
For more information, or to RSVP, contact the Georgia Conservation Voters at 404-522-8144.

**Georgia Water Coalition Legislative Partner Meeting**

Wednesday February 7, 2007, 8:30 AM – 2:00 PM  
Carl E. Sanders Fireplace Room, Capitol Education Center.  
(Press Conference to follow.)

**2. CALENDAR ITEMS**

The week of Monday, January 29th, the Legislature was in session Monday through Friday. Session convenes again on Thursday, February 8, 2007 at 10:00 am. The General Assembly will hold a special session this Saturday.

Monday 2/5/07

No Meetings Scheduled

Tuesday 2/6/07

10:30 House Appropriations Economic Development Subcommittee 515 CLOB

*(Agenda: 08 Budget; Economic Dev., Ports, GWCC, Agriculture, Community Affairs, Forestry, PSC, Soil & Water)*

Wednesday 2/7/07

10:00 Joint House & Senate Agriculture and Consumer Affairs 450 CAP *(Agenda: SB16)*

10:30 House Appropriations Economic Development Subcommittee 515 CLOB

*(Agenda: 08 Budget; DOT, GRTA)*

11:00 Senate Appropriations Transportation Subcommittee 125 CAP  
12:00 Senate Appropriations Human Development Subcommittee 450 CAP  
1:00 Senate Natural Resources and Environment 125 CAP (*Agenda: SB27, SR123*)  
2:00 Senate Appropriations Economic Development Subcommittee 310 CLOB  
(*Agenda: FY 2007 Amended Budget & FY 2008 Gen. Budget*)  
2:00 Senate Reapportionment & Redistricting 307 CLOB  
2:30 Senate Transportation Committee 450 CAP  
3:00 Senate Regulated Industries & Utilities Mezz. CAP  
3:00 House State Institutions & Property 406 CLOB  
(*Agenda: Extension of the State's lease to the Jekyll Island Authority and of the Authority's existence; HB214*)

#### Thursday 2/8/07

8:00 House Natural Resources & Environment 606 CLOB  
(*Briefing on Alternate Energy from Georgia's Forests*)  
9:00 House Rules Committee Meeting 341 CAP  
1:00 Senate Interstate Cooperation 450 CAP  
3:00 Senate Science & Technology 310 CLOB  
4:00 House Regulated Industries Committee Meeting 515 CLOB  
5:00 Senate Rules 450 CAP

#### Friday 2/9/07

9:00 House Special Rules Subcommittee Meeting 515 CLOB  
9:00 House Rules Committee Meeting 341 CAP  
2:00 House General Government (Gov. Affairs) Subcommittee Meeting 515 CLOB  
4:00 Senate Rules 450 CAP

#### Saturday 2/10/07

9:00 House Rules Committee Meeting 341 CAP

Please check <http://www.legis.state.ga.us/> for updates to the schedule of committee meetings this week.

### **3. CONTACTS**

The environmental community provides many resources, (in addition to this Monitor) to help you stay up to date on legislative issues that affect the environment.

- ▶ To learn about the Georgia Water Coalition's agenda, find your legislators, and get tips on talking and writing to your elected officials, go to <http://www.gwf.org/gawater/legislator.html>
- ▶ To sign up for the Georgia Environmental Action Network to be alerted when environmental action is urgently needed go to <http://www.protectgeorgia.net>

Other helpful numbers that may you might want are House Information (404-656-0305 or 800-282-5800) and Senate Information (404-656-0028 or 800-282-5803). You may also want to look up information, including Committee assignments, or to view the Senate and House Chambers live at [www.legis.state.ga.us](http://www.legis.state.ga.us).

## 4. ANIMALS

HB 105      Animals; poultry; revise certain provisions      Read 1st 1/23/07,  
Read 2nd 1/24/07, A&CA,  
Comm. Fav. Rpt. (Sub)  
1/30/07, Read 3rd 2/2/07,  
**House Passed 2/2/07, CS**

[HB 301 Dogfighting; prohibit; punishments; amend provisions](#) by Reps. Reese, Knight, Roberts, Williams, Jacobs, and others, to amend Part 1 of Article 2 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to gambling offenses, so as to change certain provisions relating to dogfighting; to prohibit dogfighting and related conduct; to provide for punishments; to define a term; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 16      Animal Fighting Act; change certain provisions (PF)      Read 1st 1/10/07,  
Recommitted 1/22/07,  
withdrawn from Judy,  
committed to A&CA

## 5. AGRICULTURE

[HB 248 State sales and use tax; certain fuels; dairy production; provide exemption](#) by Reps. McCall, Roberts, Royal, Floyd, Channell, and others to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use tax, so as to provide for an exemption for a limited period of time from state sales and use tax only regarding the sale or use of liquefied petroleum gas or other fuel used in dairy production by family owned qualified farm products producers; to provide an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 2/1/07,  
Read 2nd 2/2/07, W&M*

[SB 101 Agricultural Facilities; redefine a term](#) by Sens. Tolleson, Whitehead, Sr., Hooks, Meyer von Bremen, Hill and others to amend Code Section 41-1-7 of the Official Code of Georgia Annotated, relating to treatment of agricultural facilities and operations and forest land use as not being nuisances under certain conditions, so as to redefine a term; to repeal conflicting laws; and for other purposes.

*Read 1st 2/2/07, AG&CA*

## 6. DEVELOPMENT, PLANNING & LAND USE

HB 2      Annexation of territory; establish state policy; prov.      Read 1st 1/10/07,  
Read 2nd 1/11/07, GAff

HB 33      Metropolitan area planning and dev. commissions      Read 1st 1/9/07,  
Read 2nd 1/10/07, GAff

HB 36      Landowners; annexation into adjoining co., change prov.      Read 1st 1/10/07,  
Read 2nd 1/11/07, GAff

HB 46      Annexation of prop.; rezoning; objections to land use; prov.      Read 1st 1/11/07,  
Read 2nd 1/22/07, Judy

HB 70      Metropolitan North Georgia Water Planning District Act      Read 1st 1/22/07,

HB 78	Bona fide conservation use property; additional acts	Read 2nd 1/23/07, NR&E Read 1st 1/22/07, Read 2nd 1/23/07, W&M
HB 109	County and municipality; consolidation; provisions	Read 1st 1/23/07, Read 2nd 1/24/07, GAff
HB 123	Municipal territory; deannexation; change certain prov.	Read 1st 1/24/07, Read 2nd 1/25/07, Judy
HB 177	Historic sites; initial inves.; state archeologist; notice; req.	Read 1st 1/26/07, Read 2nd 1/29/07, NR&E

[HB 198 Income tax credit; certain businesses; biotechnology; provide](#) by Reps. Casas, Stephens, Cox, Scott, and Horne to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of income tax, so as to provide for an income tax credit with respect to qualified businesses engaged in biotechnology or new or expanding businesses incurring qualified research expenses; to provide for definitions; to provide for procedures, conditions, and limitations; to provide for transfer of such credits; to provide for powers, duties, and authority of the state revenue commissioner, the Department of Revenue, and the Department of Economic Development with respect to the foregoing; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

*Read 1st 1/30/07,  
Read 2nd 1/31/07, W&M*

[HB 214 Jekyll Island - State Park Authority; renewal of property lease; provisions](#) by Reps. Barnard, Smith, Stephens, Parsons, Lane, and others to amend Part 1 of Article 7 of Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to the Jekyll Island— State Park Authority, so as to provide for a renewal of the property lease to the authority; to extend the existence of the authority consistent with such lease renewal; to provide for legislative oversight of the authority; to provide for legislative intent; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 1/31/07,  
Read 2nd 2/1/07, SI&P*

[HB 232 Georgia Development Impact Fee Act; change definitions; provisions](#) by Reps. Lindsey, Lunsford, Geisinger, Jones, and Smith to amend Chapter 71 of Title 36 of the Official Code of Georgia Annotated, relating to the "Georgia Development Impact Fee Act," so as to change definitions; to increase community participation in development impact fee advisory committees; to provide for the expenditure of impact fees; to change certain provisions relating to deposit and expenditure of fees and an annual report; to correct cross-references; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 1/31/07,  
Read 2nd 2/1/07, GAff*

[HB 237 Sales and use tax; water pollution eliminating machinery exemptions; change certain provisions](#) by Reps. Martin, Stephens, Lewis, Watson, Royal, and others to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use tax, so as to change certain provisions regarding exemptions with respect to the sale of certain manufacturing machinery, certain primary handling equipment, certain aircraft machinery or equipment, certain parts, machinery clothing, molds, dies, or tooling, and certain air or water pollution eliminating machinery and equipment; to provide an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 1/31/07,  
Read 2nd 2/1/07, W&M*

[HB 258 Department of Community Affairs; planning procedures; public hearings; provide](#) by Reps. Jacobs, Walker, Geisinger, Davis, Bearden, and others to amend Code Section 50-8-7.1 of the Official Code of Georgia Annotated, relating to general powers and duties of the Department of Community Affairs, so as to provide that planning procedures with respect to developments of regional impact shall include at least one public hearing; to repeal conflicting laws; and for other purposes.

*Read 1st 2/1/07,  
Read 2nd 2/2/07, SP&CA*

[HB 275 Municipality incorporation; General Assembly local Acts; provide additional requirements](#) by Reps. Henson, Stephenson, Watson, Drenner, Mosby, and others to amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation of municipalities, so as to provide for additional requirements with respect to local Acts of the General Assembly proposing the creation of new municipal corporations; to provide for an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 2/2/07, GAff*

[HB 306 Municipal corporations; annexations of territory; provisions](#) by Reps. Fludd, Beasley-Teague, and Bruce to amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation of municipal corporations, so as to provide that at a point in time in the process of legislative consideration of a new incorporation, other municipal corporations shall be prohibited from annexing territory proposed for inclusion in a new municipal corporation; to provide for the defeasance of annexations of territory proposed for inclusion in a new municipal corporation when such annexations took place after a point in time; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

[SB 89 Georgia Township Act; creation](#) by Sens. Adelman, Pearson, Weber, Golden, Stoner and others to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide for the creation of townships; to provide a short title; to provide for the requirements for the creation of such townships; to provide for boards of town supervisors for such townships; to provide for powers, duties, and functions of such town supervisors; to provide for officers, meetings, elections, and filling of vacancies for such town supervisors; to provide for certain immunities; to provide that property within such townships shall not be subject to municipal annexation; to provide for the enactment of ordinances; to prohibit certain conflicts of interest; to provide for an audit; to provide for a transition of services; to provide that counties shall continue to provide services in the township that are not specifically delegated by law to the township; to conform related laws; to provide for related matters; to provide for an effective date and for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

[SB 110 Municipal; deannexation; repeal certain provisions](#) by Sens. Pearson, Seabaugh, Rogers, Murphy and Johnson to amend Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to municipal annexation of territory, so as to repeal certain provisions relating to authority, procedures, identification, and status of lands relative to municipal deannexation; to provide for municipal deannexation of property pursuant to application of landowners thereof; to provide for procedures, conditions, and limitations; to provide for facilities and services; to provide for other matters relative to the foregoing; to repeal conflicting laws; and for other purposes.

## **7. ENERGY & UTILITIES**

HB 59 Sales tax; water and sewer authorities; exempt

Read 1st 1/11/07, W&M

[HB 186 Sales and use tax; certain alternative fuel facilities; five year exemption](#) by Reps. Cole, O'Neal, Smith, Golick, Maddox, and others to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, to provide for a five-year exemption regarding the sale of tangible personal property to, or used in or for the construction of, a new alternative fuel facility dedicated exclusively to the processing and production of ethanol, biodiesel, and butanol; to provide for definitions; to provide for powers, duties, and authority of the state revenue commissioner with respect to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 1/29/07,*

*Read 2nd 1/30/07, W&M*

[HB 193 Sales and use tax; jet fuel; additional exemption](#) by Reps. Burkhalter, Ehrhart, and Harbin to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxation, so as to provide for an additional, limited period of time for a sales and use tax exemption under certain circumstances of jet fuel sold to or used by certain qualifying airlines; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 1/30/07,*

*Read 2nd 1/31/07, W&M*

HR 48            Motor fuel taxes; jet fuel; funds from sales & use; prov.

*Read 1st 1/23/07,*

*Read 2nd 1/24/07, W&M*

[HB 247 Local government; water and sewer systems; change certain provisions](#) by Reps Smith, Shaw, Roberts, Stephens, England, and others to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to change certain provisions relating to acquisition and construction of water and sewage systems; to prohibit counties, municipalities, and local authorities from requiring connection with or use of water supplied by a public water system except when other water is unfit; to prohibit charges or fees for services made available but not used; to provide for applicability; to provide for exceptions; to repeal conflicting laws; and for other purposes.

*Read 1st 2/1/07,*

*Read 2nd 2/2/07, GAff*

[HB 272 Sales & use tax; natural or artificial gas sales; provide phased-in exemption](#) by Reps. Lewis, Stephens, Martin, Ralston, Williams, and others to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxes, so as to provide for a phased-in exemption with respect to state sales and use tax for the sale of natural or artificial gas, electricity, or any other energy used directly or indirectly in the manufacture or processing of tangible personal property; to repeal conflicting laws; and for other purposes.

*Read 1st 2/2/07, W&M*

[HB 293 Gas Unification and Tax Simplification Act of 2007; enact](#) by Representative Davis to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to provide for the comprehensive revision of the "Motor Fuel Tax Law" into the "Gas Unification and Tax Simplification Act of 2007"; to eliminate the second motor fuel tax; to change certain provisions relating to definitions regarding sales and use taxes; to change certain provisions relating to sales and use tax exemptions regarding motor fuel; to change certain provisions relating to dealers' sales and use tax returns; to change certain provisions relating to compensation of dealers; to provide for the collection of motor fuel excise taxes at the point of removal of motor fuel from a registered refinery or terminal; to provide for a short title; to provide for definitions; to provide for procedures, administration, conditions, and limitations; to provide for powers, duties, and authority of the state revenue commissioner and the Department of Revenue; to provide for civil and criminal penalties; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

## 8. ENVIRONMENTAL HEALTH, POLLUTION & POLICY

HB 42	Coastal Marshlands Protection Act; exempt...private docks	Read 1st 1/11/07, Read 2nd 1/22/07, NR&E
HB 54	Water resources; surface & ground water; permits; chg prov.	Read 1st 1/11/07, Read 2nd 1/22/07, NR&E
HB 55	Water resources; river basins; protection; provisions	Read 1st 1/11/07, Read 2nd 1/22/07, NR&E
HB 68	Coastal Marshlands Protection Act; exempt certain private docks	Read 1st 1/22/07, Read 2nd 1/23/07, NR&E

[HB 217 County boards of health; soil reports; modify standards](#) by Reps. Rogers, Harbin, Smith, Manning, Smith, and others to amend Chapter 3 of Title 31 of the Official Code of Georgia Annotated, relating to county boards of health, so as to modify standards for county boards of health reviewing soil reports; to repeal conflicting laws; and for other purposes.

*Read 1st 1/31/07,  
Read 2nd 2/1/07, NR&E*

HR 51	Coastal salt marshlands; urge Bd of Nat. Res. to protect	Read 1st 1/23/07, Read 2nd 1/24/07, NR&E
HR 56	U.S. A.C.O.E.; raising full pool for Lake Lanier; urge to study	Read 1st 1/24/07, Read 2nd 1/25/07, NR&E, Comm. Fav. Rpt. 2/2/07, CS
SB 69	River Basin Protection Act; reg. interbasin trans. of water; in-stream flow policy	Read 1st 1/29/07

## 10. PARKS & RECREATION

HB 29	Hunting and fishing licenses; exception for nonresidents 65+	Read 1st 1/10/07, Read 2nd 1/11/07, GF&P
HB 81	Salt water fishing; charter fishing guide and pier fishing licenses;	Read 1st 1/22/07, Read 2nd 1/23/07, GF&P, Comm. Fav. Rpt. 1/30/07, Read 3rd 2/2/07, <b>House Passed 2/2/07</b>
HB 100	Shrimp and shrimping; revise various provisions	Read 1st 1/23/07, Read 2nd 1/24/07, GF&P
HB 142	Nongame species; taking of; add	Read 1st 1/24/07, Read 2nd 1/25/07, GF&P

[HB 239 Board of Natural Resources; rules; game and fish criminal violations; change certain provisions](#) by Reps. Lane, Jerguson, and Burns to amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to change certain provisions relating to rules and regulations of the Board of Natural Resources used to

establish game and fish criminal violations; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 3            Hunting; provide for veterans' lifetime sportman's license; fees            Read 1st 1/10/07,  
NR&E

## **11. TRANSPORTATION**

HB 161            Right of way acq.; additional method; definitions; prov.            Read 1st 1/25/07,  
Read 2nd 1/26/07

[HB 192 Department of Transportation; contracts; provisions](#) by Reps. Smith, Everson, Rogers, and Loudermilk to amend Code Section 32-2-61 of the Official Code of Georgia Annotated, relating to limitations on the Department of Transportation's power to contract, so as to provide for an increase in the amount for which the department may execute a negotiated contract; to amend Code Section 32-2-70 of the Official Code of Georgia Annotated, relating to bonds to be posted by successful bidders on department contracts to increase the amount of the contract that requires such bonds; to amend Code Section 32-4-63 of the Official Code of Georgia Annotated, relating to limitations on a county's power to contract; to amend Code Section 32-4-67 of the Official Code of Georgia Annotated, relating to the proposal guaranty by the bidder on a county contract to exempt contracts for engineering or other professional services from the guaranty; to amend Code Section 32-4-69 of the Official Code of Georgia Annotated, relating to bonds of successful bidders on county contracts to increase the amount of the county contract that requires such a bond; to amend Code Section 32-4-113 of the Official Code of Georgia Annotated, relating to limitations on a municipality's power to contract; to amend Code Section 32-4-119 of the Official Code of Georgia Annotated, relating to bonds of successful bidders on municipal contracts; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

*Read 1st 1/30/07  
Read 2nd 1/31/07, Trans*

[HB 268 Georgia Rail Passenger Authority; certain article; repeal](#) by Reps. Davis, Franklin, and Lane to amend Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated, relating to the Georgia Rail Passenger Authority, so as to repeal said article in its entirety; to provide for related matters; to provide for an effective date; to repeal conflicting provisions; and for other purposes.

*Read 1st 2/2/07, Trans*

[HB 269 Commuter rail project; approve funding; provide referendum](#) by Reps. Davis and Lakly to amend Chapter 9 of Title 32 of the Official Code of Georgia Annotated, 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; to provide for related matters; to repeal conflicting laws; and for other purposes.

*Read 1st 2/2/07, Trans*

[HB 307 Income tax credit; personal mass transportation expenses; provide](#) by Reps. Martin and Drenner to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of income tax, so as to provide for income tax credits with respect to qualified personal mass transportation expenses; to provide for conditions, limitations, and exclusions; to provide for authority of the state revenue commissioner with respect to the foregoing; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

SB 19	Transportation, Department of; pay costs of removal, relocation, adj. of utility facilities necessitated by construction of public roads	Read 1st 1/9/07, TRANS Comm. Fav. Rpt. 1/24/07, Read 2nd 1/25/07, Read 3rd 1/26/07 <b>Senate Passed 1/26/07</b> House Read 1st 1/29/07, Read 2nd 1/30/07, Trans
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**12. KEY**

- S or H – before a committee means Senate or House
- A&CA – Agriculture & Consumer Affairs
- ECD – Economic Development
- EDU – Education
- Gaff – Governmental Affairs
- GF&P – Game, Fish & Parks
- H&HS – Health & Human Services
- JUDY – Judicial (Senate)
- JudyC – Judicial Civil (House)
- JudyNc – Judicial Non-Civil (House)
- MotV – Motor Vehicles
- NR&E – Natural Resources & Environment
- RI&Util – Regulated Industries & Utilities
- TRANS – Transportation
- W&M – Ways & Means

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