

**2005-2006 SENATE NATURAL RESOURCES AND THE ENVIRONMENT
COMMITTEE ROSTER**

Senator Ross Tolleson
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Senator George Hooks
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Senator Ralph Hudgens
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Senator Michael Meyer von Bremen
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Senator Casey Cagle
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Senator Terrell Starr
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Senator Jeff Chapman
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Senator Dan Weber
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Senator Steve Henson
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Senator Jim Whitehead, Sr
4715 Silverlake Drive
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Senator Eric Johnson
Ex-Officio
128 Baymeadow Point
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NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE RULES

1. These Committee Rules of Operation shall be consistent with Senate Rule 2-1.5 (d) regarding the establishment of Rules of Operation.
2. Quorum of the Committee shall be Seven (7) members.
3. The Chairman shall have the authority to refer bills and resolutions to be considered and the order in which said measures are considered; the Chairman shall have the authority to call a bill, resolution, substitute or amendment for debate and explanation only.
4. The Chairman shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittee in turn shall have the authority to make recommendations on such measures to the full Committee at such time as shall be designated by the Chairman.
5. The Committee shall convene, recess, and adjourn upon the order of the Chairman.
6. A bill or resolution will be considered only after presentation by its principal author or other legislator whom he/she may designate. The principal author shall be the legislator whose name first appears on the list of authors.
7. The Chairman reserves the right to delay action on substitutes and amendments not provided to the Chairman at least 24 hours prior to the hearing.
8. Any Member or members of the Committee who disagree(s) with the majority report of the Committee shall be privileged to file a minority report if they so desire.
9. These rules may be amended upon a motion duly made and subsequently approved by two-thirds of the members of the Committee.
10. Where these rules are silent on a specific issue, the Rules of the Senate as adopted shall govern. (Senate Rule 2)

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, January 25, 2005 at 4:36 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hill of the 4th
Hooks of the 14th
Meyer von Bremen of the 12th
Whitehead of the 24th
Johnson of the 1st

Note: Senators Cagle, Henson, Starr and Weber were absent.

Chairman Tolleson called the meeting to order. The rules of the committee were discussed. Senator Hill made a motion to adopt the Rules and Senator Hooks seconded the motion. The motion carried 9-0.

Chairman Tolleson introduced Noel Holcomb, Commissioner of the Department of Natural Resources. Commissioner Holcomb introduced other members of DNR and EPD.

NOTE: Senator Cagle arrived at 4:50 p.m.

Todd Holbrook, Assistant Director of Wildlife Resources gave a PowerPoint presentation on the Georgia Comprehensive Deer Management Plan. The presentation described the key issues and recommendations generated by a steering committee. Response management surveys were given to the general population, resident hunters, and landowners. Public meetings were held in Ellijay, Jesup, Dacula, Macon and Albany in order to allow the steering committee to generate its objectives. The plan focuses on 10 key issues; density, access, car collisions, public/private ownership, urban/nuisance deer management, dog deer hunting, hunting seasons/bag limits, DNR policies, supplemental feeding and baiting, and hunting and wildlife management techniques. Proposed law changes include modification of dog deer permits, increasing bag limits to 15, non-resident license fee, scopes on muzzle loaders, and a "good Samaritan" law for venison. Regulation changes include increasing enclosure to 640 acres, extending archery season to January 15, and extending firearms season to January 15 among other ideas.

NOTE: Senator Meyer von Bremen left at 4:45
Senator Whitehead left at 4:58
Senator Johnson left at 4:59

Senator Hooks asked Mr. Holbrook about the lack of desire for hunters to kill doe, or “non-trophy” deer. He also asked if a liability was incurred for a person not being charged to hunt on private property. Mr. Holbrook responded there were no problems that he knew about. There were no more questions and the presentation was completed.

There being no further business, Chairman Tolleson adjourned the meeting at 5:14 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in the Mezzanine of the Capitol, January 31, 2005 at 4:33 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Henson of the 41st
Hooks of the 14th
Meyer von Bremen of the 12th
Weber of the 40th
Whitehead of the 24th

Note: Senators Cagle, Hill of the 4th, Starr and Johnson were absent.

Chairman Tolleson called the meeting to order.

Chairman Tolleson introduced Becky Kelly, Director of Parks and Historic Sights for the Department of Natural Resources. Ms. Kelly introduced Steve Saunders and Chuck Gregory and together they gave a presentation on deer in state parks. This program was the culmination of a two- year study on deer overabundance and options for herd control. The presentation was centered on the ecological impact of too many deer in the park areas. Public hunting and sharp shooting were recommended as the most feasible methods to reduce herds based on cost effectiveness and public support. The proposal was to have hunting introduced in state parks only under specific conditions and with a quota, not necessarily for recreational purposes. Sharp shooting would then be used in conditions that do not support hunting. Deer reduction plans were developed for Red Top Mountain, Hard Labor Creek, and Richard B. Russell Parks.

It was stated that the primary role of the Deer Management Plan in State Parks is to provide sustainable stewardship of our natural, cultural and recreational resources. Maintaining a healthy ecosystem is a fundamental requirement for sustainable stewardship, and properly managing our park deer populations is required for this process.

Senator Bulloch asked about the acreage per hunter in the parks and Ms. Kelly advised there is 10-14 acres per hunter.

Senator Hooks asked if the limit was different within the parks and was advised that the legal limit of 10 antler-less and 2 antlered per hunter is observed. However, within the parks the antler-less must be killed first.

Senator Hudgens asked what was to be done with the deer that were killed by sharp shooters. Mr. Gregory advised that they were to be donated to "Hunters for the Hungry", a charitable organization.

In concluding the program, the following goals were discussed: restoring biodiversity, maintaining a healthy deer population, ensuring ecological balance, considering public concerns and upholding correct business practices.

Chairman Tolleson asked how many parks will be hunted and Ms. Kelly advised that under the present plan only the three previously mentioned parks are being considered at this time. The reason for the deer problems in these parks is the significant drop in natural predators' existence in these areas.

Chairman Tolleson thanked Ms. Kelly and her assistants for their presentation to the committee.

There being no further business, Chairman Tolleson adjourned the meeting at 4:59 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, February 3, 2005 at 2:32 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Hill of the 4th
Hooks of the 14th
Meyer von Bremen of the 12th
Starr of the 44th
Weber of the 40th
Whitehead of the 24th
Johnson of the 1st

Note: Senator Henson was absent.

Chairman Tolleson called the meeting to order.

Chairman Tolleson stated that [SB 70](#), which was on the agenda, would not be heard at this meeting by request of the author.

[HB 98](#) (Rep. Golick, 34th) Georgia Land Conservation Act

Senator Chip Pearson of the 51st presented [HB 98](#) to the committee. He deferred to Terry DeMeo King, policy advisor to Governor Sonny Perdue to make explanations to the bill. Mrs. King explained the legislation and stated that it created the Georgia Land Conservation Act, which broadens the Community Greenspace program, creating eligibility statewide. It is designed specifically to protect heritage corridors and it creates a nine-member council to oversee a revolving loan and trust fund which will receive and issue grants for construction projects of two types, community (city/county) sponsored and state (DNR) sponsored. Section 8 states previous local programs will not be impacted unless local government submits a change. Section 9 discusses the intent to keep land in private ownership.

Senator Hudgens asked if in Subsection 9, concerning state-sponsored projects, this land could be used for production of agriculture. Mrs. King stated that if a shift in land usage is possible, including building, negotiations would occur on each parcel of land.

Senator Cagle asked if the legislation included an acreage limit and was told that it does not. However, the minimum criteria states that the land must apply to resource goals and that prior rules must be used to protect use of the land. Multi-jurisdiction property must have resource protection, and changes apply only to the State.

Senator Hudgens asked if statewide federal development rights could be brought back if they were stripped. He was informed that this can occur if provisions were made at the local level.

Senator Bulloch proposed Amendment AM 25 0798-EC. This amendment sought to comply with the Georgia Real Estate law and to change the provisions so that DNR would be the receiver of the appropriations.

NOTE: Senator Johnson left at 3:00 p.m.

Senator Starr motioned to accept the amendment. Senator Cagle seconded the motion. The motion carried 11-0.

Senator Weber suggested that money in the metro area jurisdictions was not necessarily being put into green spaces and a system of checks and balances would now be created within the bill. Mrs. King agreed.

Senator Meyer von Bremen stated that there was a lack of appointments to the council in the bill. He questioned if this was an oversight to be dealt with during the process of the bill's passage.

Senator Bulloch followed with clarification of the appointment process.

John Sibley of the Georgia Conservancy spoke for the bill on behalf of 5 conservation organizations that he represents.

Todd Edwards of the ACCG stated that their organization was proud to support this legislation. He stated that County Officials strongly encourage the Senators' favorable approval.

Keith Hatcher from the Georgia Realtors Association stated that his organization strongly supports the bill and the amendment.

April Ingle representing the Georgia River Network stated that her organization strongly supports the legislation.

Tom Gehl from GMA stated that the Municipal Associations were behind the bill and asked for its passage.

Commissioner Noel Holcomb, Department of Natural Resources, stated that the Department fully supports and commends this outstanding legislation.

Senator Hooks made the motion that [HB 98](#), **“do pass as amended”**. Senator Bulloch seconded the motion. The motion carried 11-0.

[SR 54](#) (Sen. Tolleson, 20th) Creating the Joint “Future of Georgia Forestry” Study Committee.

Senator Tolleson introduced [SR 54](#) to the Committee and explained the importance of Georgia Forestry to the State of Georgia.

Senator Cagle made the motion that [SR 54](#), **“do pass”**. Senator Starr seconded the motion. The motion carried 11-0.

There being no further business, Chairman Tolleson adjourned the meeting at 3:20 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, February 9, 2005 at 3:34 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Henson of the 41st
Hill of the 4th
Hooks of the 14th
Meyer von Bremen of the 12th
Starr of the 44th
Weber of the 40th
Whitehead of the 24th
Johnson of the 1st

Chairman Tolleson called the meeting to order.

SB 95 (Sen. Harp, 29th) Legislation creating the "Soil Scientists Licensing Act"

Senator Harp spoke to **SB 95**, which creates licensing for soil scientists. Senator Harp called on Dr. Larry West from the University of Georgia's school of Crop and Soil Sciences to assist in presenting the bill.

Senator Henson stated that as of 1985, GA Law 434-A, a bill requiring licensing for an occupation should pass through the Georgia Occupational Review Commission, and he recommended that procedure prior to the bill being heard by the Committee.

Senator Hudgens asked about the current licensing and was instructed that soil scientists are not licensed at this time. Many now are civil engineers, but with this bill they would be required to have a degree in science.

Senator Chapman asked if there were currently problems with persons performing the job of soil scientists, and he was informed that there were shortages and funding problems in many areas.

Senator Starr stated that he felt like this licensing was very needed.

Senator Bulloch expressed some concerns about rural areas facing the unavailability of licensed soil scientists. He questioned that if there are problems with availability now, would the bill not make for a lot more problems.

Dr. West answered that the bill would not exclude county officials from fulfilling their normal duties, especially in rural counties, and cited Page 3 of [SB 95](#).

Senator Henson then directed a question to Molly Fleeman of the Secretary of State Licensing Division. He asked if they had approved the licensing and Ms. Fleeman stated that they had voted this license down.

Chairman Tolleson stated that due to the committee's many concerns, he would postpone [SB 95](#) for this meeting and revisit it at the next committee meeting.

Senator Chapman asked to later hear any problems with case history of E-coli.

Senator Hooks asked to know how many license boards had already been sunset over the years and if this board would soon fall into that category.

[SR 67](#) (Sen. Johnson, 1st) Amend the Constitution to provide that Fishing & Hunting be preserved for the Public Good.

Senator Johnson spoke to the resolution.

Dino Vilachos, American Fisherman Association, asked that the committee not pass this bill. He said he felt that it was unnecessary because the right currently existed in the state, and also, in his opinion, that it was not a noble endeavor.

Senator Whitehead made the motion that [SR 67](#), "do pass". Senator Henson seconded the motion. The motion carried 13-0.

NOTE: Senator Cagle left at 4:00.

[SB 119](#) (Sen. Chapman, 3rd) Taking, Possession, and Dealing with Sponge Crabs.

Senator Chapman presented **SB 119**, which extends the date barring capture of sponge crabs (egg carrying blue crabs).

Senator Hooks questioned whether the Senators representing the coastal areas approved of this bill. Senators Johnson, Whitehead and Chapman all stated that they fully supported the legislation.

Senator Whitehead questioned how the egg bearing crabs were separated from the others and he was informed that a very visible difference made them distinctly different.

David Kavacki of the Crabbers' Association stated that he felt the legislation may not be necessary, but he and his organization were not opposed to the bill.

Senator Henson made the motion that [SB 119](#), **"do pass"**. Senator Hudgens seconded the motion. The motion carried 12-0.

Bob Donahue, Director of the Pollution Prevention Assistance Division of the Georgia Department of Natural Resources, presented a program to the committee on the Department's goals to create a sustainable Georgia. He spoke of many major companies in Georgia working voluntarily to find the balance between economic development and the environment. At the present time the Department is stressing non-regulatory technical assistance, voluntary participation, common sense approaches and promoting high return on companies' investments and improving competitiveness. Mr. Donahue sited several Georgia companies that were leaders in these projects. Among the leaders are Dalton Utilities, who work in tandem with the carpet manufacturing sector to take a proactive approach on decreasing wastewater phosphorous levels, and Delta Airlines, who improved water use efficiency by 55% and saved their company \$510,000.00 last year. Mr. Donahue then sited the fact that Rural Georgia is working very diligently to keep thousands of tons of waxed cardboard, the packaging for produce, out of landfills. This is the result of a new facility in Fitzgerald, Enviro-Log, which employs 35 people and produces 3,000,000 fire logs annually. Director Donahue concluded by explaining that these programs are an investment in the future of our State and our children.

There being no further business, Chairman Tolleson adjourned the meeting at 4:21 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, February 16, 2005 at 3:35 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Henson of the 41st
Hill of the 4th
Weber of the 40th
Whitehead of the 24th

Note: Senator Meyer von Bremen of the 12th arrived at 4:10 p.m.

Note: Senators Hooks, Starr and Johnson were absent.

Chairman Tolleson called the meeting to order.

SB 95 (Sen. Harp, 29th) Creating the "Soil Scientists Licensing Act"

Senator Harp and Dr. West of the University of Georgia again presented [SB 95](#). Dr. West stated that this is a good bill because of the need to evaluate sites for septic systems.

Walter George of the Soil Scientists Association stated that his organization feels there is a real need for this bill and the legitimacy of the soil science profession.

With the assistance of Wayne Allen of Legislative Council, it was decided to create a committee substitute, which would serve to harmonize the bill with current code sections.

Senator Cagle questioned whether the substitute would not still limit who gathers information and how that affects counties' authority. The answer, after much discussion, was that if the person gathering the information was included in those listed in the bill, they would not be limited to their authority.

Senator Weber expressed a concern with the fact that he felt the bill used too broad a definition for soil scientists.

Senator Bulloch asked if the bill eliminated the job of a soil and water technician and he was directed to page 3 of the bill, where those who may practice was spelled out.

Senator Cagle pointed out that on page 9, line 14, of the bill, it is unlawful for soil scientists to engage in design of engineering works unless he is a professional engineer.

Senator Weber asked if a technician working for an engineering firm had to be licensed as a soil scientist, and he was informed that the bill does not restrict or mention people that engineers hire to perform certain duties.

Senator Chapman asked again why we are doing this and what is the true purpose behind the bill.

Dr. West addressed the question and stated that DNR's certification program was audited and it was noted that they did not possess legislative authority to certify soil scientists.

Senator Hill of the 4th asked if the fees collected from members are intended to fund the board, if true the board would then be self-supported.

Debbie Simpson with DNR spoke on behalf of the bill stating that the department is in support of the bill, although they are somewhat concerned about the fiscal impact of self-support. Scott Ulrich, also with DNR and serving with the current certification program, stated concerns about the fiscal impact and that it is important that the funding be clearly worked out.

Senator Cagle suggested that DNR make a presentation to the committee at sometime stating their goals.

Senator Whitehead asked what would be the cost to an individual needing soil testing.

Senator Bulloch questioned the economic impact to rural counties and county officials.

Senator Kemp requested to address the committee. He stated that he wanted to take the opportunity to commend Walter George, Soil Scientists Association, for the job that he does. He urged the committee to pass the bill to clarify what their profession is doing for the State of Georgia.

The committee was then called on to vote for each amendment, so that a true committee substitute could be drawn.

Senator Bulloch made a motion to adopt amendment # 0805. Senator Hudgens seconded the motion. The amendment was adopted 8-1. Senator Chapman cast the Nay vote.

Senator Cagle made a motion to adopt amendment # 0806. Senator Hudgens seconded the motion. The amendment was adopted 8-1. Senator Chapman cast the Nay vote.

Senator Bulloch made a motion to adopt an amendment inserting a line at page 9, line 5, stating "or exempted from". Senator Hudgens seconded the motion. The amendment was adopted 8-1. Senator Chapman cast the Nay vote.

Senator Bulloch made a motion to adopt amendment # 4, changing wording on page 10, line 36. Senator Henson seconded the motion. The amendment was adopted 8-1. Senator Chapman cast the Nay vote.

Senator Meyer von Bremen asked if this was the same bill that was vetoed the previous year by Governor Perdue. Bruce Widener of Widener & Associates, Inc., stated that it was because Governor Perdue thought that DNR rather than DHR should oversee the licensing. He explained that he felt all aspects of this objection had been worked out with the Governor and his office.

Senator Bulloch made the motion that **SB 95**, "do pass by committee substitute". Senator Hudgens seconded the motion. The bill passed by a vote of 5-4. Senators Bulloch, Hudgens, Cagle, Meyer von Bremen and Hill of the 4th voted Yea, Senators Chapman, Whitehead, Henson and Weber voted Nay.

SB 163 (Sen. Cagle, 49th) Septic Tank Waste Disposal

Chairman Tolleson placed **SB 163** in a sub-committee for further study. He appointed Senator Bulloch as chair and Senators Henson, Hooks, Weber and Whitehead to serve.

There being no further business, Chairman Tolleson adjourned the meeting at 4:31 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, February 23, 2005 at 6:13 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Hooks of the 14th
Whitehead of the 24th
Johnson of the 1st

Note: Senators Henson, Hill of the 4th, Meyer von Bremen, Starr and Weber were absent.

Chairman Tolleson called the meeting to order.

SB 122 (Sen. Whitehead, 24th) Tire Disposal Fees

Senator Whitehead presented the bill in a substitute form. This bill provides a method for dealing with solid waste management. Senator Whitehead stated that this bill has the full support of the Georgia Tire Dealers. He then introduced Dr. Carol Couch and Jennifer Cato of the Georgia Environmental Protection Division. Dr. Couch stated that the bill's purpose was to extend the \$1 tire fee to June 30, 2008, and to provide for a trust fund to clean up and prevent mountains of tires. She discussed construction and demolition of waste and the fees that were required for all. She further stated that this bill provides the clarification of the authority of the Director of EPD and compliance of rules for scrap tire processors.

Senator Hooks questioned whether the process would stay the same and whether the trust fund would have safe guards.

Dr. Couch stated that the commitment is 110% with an eye constantly kept on the subject. She also stated a commitment to the protection of the trust fund.

Senator Whitehead said that he has a commitment from the Governor that the money in the trust fund will no longer be raided as has been in the past. The Georgia Tire Dealers want to be a part of the board.

Senator Cagle proposed an amendment to include landfill restrictions.

Dr. Couch stated that she was not opposed to the amendment.

Senator Chapman asked about additional fees and Jennifer Cato stated there were no additional fees.

Lee Lemke, with the Mining Association, stated that they are very much for the bill and encouraged the Senate to see that all money from the trust fund go to tire disposal.

Todd Edwards, ACCG, gave full support to [SB 122](#). He thanked the Georgia Tire Dealers for their efforts to clean up after themselves.

Pam Davidson, Rubber Manufacturers of America, gave full support to the bill and felt that this bill provided solutions to the problems.

Tony Sexton, Rubber Manufacturers of America, spoke to the committee about the importance of proper disposal of tires cutting the breeding grounds for West Nile Virus carriers.

Tom Gehl, GMA, supports the bill and hopes that the trend for good stewardship continues.

Senator Bulloch made the motion that [SB 122](#), **“do pass by substitute”**. Senator Hudgens seconded the motion. The bill passed 8-0.

[SB 190](#) (Sen. Tolleson, 20th) Stay Rule-Filing of Petitions Does Not Stay the Order of Action

Senator Tolleson spoke to the bill stating that the Superior Court can still stay construction and it does not limit the powers of EPD. It does, however, prevent the infringement upon the rights of permit holders.

Note: Senator Hooks left at 6:51 p.m.

Chuck Huling, representing Georgia Power Company, spoke in favor of the bill.

Mike Vaquer, representing the Georgia Coalition of Sound Policy, spoke in favor of the bill.

Others speaking in favor of the bill were John Pool of the Georgia Paper and Pulp Association and Mark Woodall of the Association of General Contractors of America.

Gil Rogers of the Southern Environmental Law Center stated that they were adamantly against the bill. He stated that the bill eliminates the rights of property owners and increases the cost of legal fees.

Senator Johnson questioned Mr. Rogers about persons with legal permits and their rights.

Senator Chapman asked Mr. Rogers what higher legal fees were implied. Mr. Rogers was unable to answer that question.

John Silvey of Georgia Water Coalition stated their opposition to the bill based on the belief that the bill takes away property values and homeowner rights.

Elizabeth Nicholas, Upper Chattahoochee RiverKeeper, stated that they were adamantly opposed to the bill.

Senator Johnson made a motion that [SB 190](#), **“do pass”**. Senator Bulloch seconded the motion. The bill passed 7-0.

There being no further business, Chairman Tolleson adjourned the meeting at 7:13 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, March 1, 2005 at 3:35 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Hill of the 4th
Weber of the 40th
Whitehead of the 24th
Johnson of the 1st

Note: Senators Henson, Hooks, Meyer von Bremen and Starr were absent.

Chairman Tolleson called the meeting to order.

SB 206 (Sen. Williams, 19th) Deer Management

Senator Williams presented the bill. He stated that Section 1 removes the restriction on muzzleloading firearms of .44 caliber or larger so that all such firearms are legal. Current law allows such firearms with iron sights only and with out telescopic sights. He explained that Section 2 extended open season for hunting deer in the southern zone to end not sooner than January 15th. Additionally, this section increases the daily and season bag limit from 10 to 15 antlerless deer. Section 3 of the bill prohibits the Department of Natural Resources from issuing a permit for hunting deer with dogs to a lessee of deer hunting rights for any tract of real property that is less than 1,000 contiguous acres or to the property owner or owners for any tract of real property that is less than 250 contiguous acres. This section also removes the fee requirement for a permit.

Senator Bulloch asked about the loss of departmental control and DNR stated that they had no real problems with the bill.

Senator Hudgens questioned the meaning of contiguous acreage restrictions.

Senator Cagle made the motion that **SB 206, "do pass by substitute"**. Senator Hudgens seconded the motion. The bill passed 9-0.

SB 201 (Sen. Goggans, 7th) "Deer Management Act of 2005"

Senator Goggans introduced the bill with a committee substitute that was based on DNR's Deer Management Study.

Senator Bulloch asked for a review of Section 3, where it stated 500 acres of leased land. This applies only to State owned land.

Chairman Tolleson asked if a permit number would be required for a dog.

NOTE: Johnson left at 3:50 p.m.

Senator Cagle made a motion that **SB 201**, "**do pass by substitute**". Senator Bulloch seconded the motion. **SB 201** passed 8-0.

There being no further business, Chairman Tolleson adjourned the meeting at 3:53 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 125 of the Capitol, March 3, 2005 at 5:32 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Henson of the 41st
Hooks of the 14th
Whitehead of the 24th

Note: Senators Hill of the 4th, Meyer von Bremen, Starr, Weber and Johnson were absent.

Chairman Tolleson called the meeting to order.

SB 283 (Sen. Bulloch, 11th) Deadhead Logging Operations

Senator Bulloch presented the bill in substitute form. This bill is designed to give the Department of Natural Resources authority to establish a program to authorize Deadhead Logging Operations. This would cover 2 rivers in Georgia only. These rivers are the Altamaha and the Flint River and only involves 2 miles each. There would be a surety bond required for the companies bidding on this process.

Senator Hudgens asked how many logs would usually be found in two miles of river. Senator Bulloch replied that there were a great deal of them and that their value is tremendous.

Neill Herring, Upper Chattahoochee River Keepers, stated that he strongly objected to the bill. He sited disturbance to the natural habitat and the State allowing the equivalent of strip mining for profit.

Senator Chapman asked about DNR's opinion of the disturbance and they felt it would be minimal if any at all.

Senator Hooks pointed out that the removal also created a safer river.

Senator Hooks made the motion that [SB 283](#), “do pass by substitute”. Senator Bulloch seconded the motion. The bill passed 7-1. Senator Henson cast the Nay vote.

[SB 277](#) (Sen. Cagle, 49th) Georgia Hazardous Site Reuse and Redevelopment Act” - Amend

Senator Cagle was unable to attend the meeting. By his request, Senator Hudgens presented the bill with the assistance of Dr. Carol Couch, Director of the Environmental Protection Division with the Department of Natural Resources.

Dr. Couch explained that this bill merely extended the petroleum sites and did not change the current program.

Chairman Tolleson asked about fees. He questioned whether the expansion of private money was helping in the clean up. Dr. Couch answered in the affirmative.

Senator Hudgens asked Dr. Couch how this law matched with the Brownfield federal legislation and which federal grants will be available if the law becomes effective. Dr. Couch was to research this matter.

Jeff Henson, DNR, stated this bill was a “house-keeping” bill to correct a deficiency in the 2002 legislation.

Senator Hudgens made the motion that [SB 277](#), “do pass by substitute”. Senator Henson seconded the motion. The bill passed 8-0.

There being no further business, Chairman Tolleson adjourned the meeting at 6:00 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 125 of the Capitol, March 4, 2005 at 8:12 a.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Cagle of the 49th
Meyer von Bremen of the 12th
Weber of the 40th
Whitehead of the 24th
Johnson of the 1st

Note: Senators Hudgens, Chapman, Henson, Hill of the 4th, Hooks, and Starr were absent.

Chairman Tolleson called the meeting to order and announced that at the authors' request the committee would not hear [SB 292](#) at this time.

SB 294 (Sen. Pearson, 51st) Regulation of Timber Harvesting

Senator Pearson spoke to the bill stating that its intent is to make homeowners exempt from community tree ordinances due to private property rights. In past legislation, timber harvesting in South Georgia made a blanket fine of \$500.00 per tree for non-permitted cutting. This law appears to be infringing on the rights of single-family homeowners who wish to cut or trim trees in municipalities such as Atlanta, Fulton County. Senator Pearson went on to express concerns about the bill as drafted, stating that because of time constraints he was unable to work a proper amount of time with the City of Atlanta. He stated that the issue is punitive damages against homeowners.

Senator Bulloch asked if the Senator's intent was not to circumvent the tree ordinances to prevent private citizens from being seen as criminals. Senator Pearson answered yes.

Senator Weber asked if Senator Pearson knew why Atlanta has this ordinance.

Senator Pearson stated that he felt it started with good intent and that his purpose was to protect homeowners all over the state. He went on to say that he felt the exorbitant fines could be a revenue means for cities all over Georgia.

Senator Johnson asked about the effect this legislation would have on homeowners association covenants. Senator Pearson replied that there would be none, as the homeowner was made aware of the covenants going into a home.

Todd Edwards, ACCG, quoted Home Rule and spoke against the bill stating that ACCG is very opposed to the legislation.

Van Stephens, Gwinnett County Law Department, stated that they have very serious concerns about the wording of the legislation. They feel that, if passed, it could allow unintended consequences such as clear cutting.

Tom Gehl, GMA, stated that they are very opposed to the bill because of infringements on county and city government by the State.

NOTE: Senator Johnson left at 8:47 a.m.

Because of the loss of a quorum Chairman Tolleson **postponed [SB 294](#)**, and adjourned the meeting at 8:48 a.m.

Respectfully submitted,

/s/ Tolleson of the 20th, Chairman

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, March 16, 2005 at 3:37 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Henson of the 41st
Hooks of the 14th
Meyer von Bremen of the 12th
Weber of the 40th
Whitehead of the 24th
Johnson of the 1st

Note: Senators Cagle, Hill of the 4th, and Starr were absent.

Chairman Tolleson called the meeting to order.

Durham Middle School presented a program to the Committee about the Trail of Tears and saving New Echota, the former capitol of the Cherokee Nation. Their purpose was to bring to the attention of the Natural Resources Committee the need to make this area into a State Park.

HB 1 (Rep. Royal, 171st) Conservation Use Property

Representative Royal presented and explained this legislation to the committee. He stated that he was in favor of the substitute being presented.

Tom Crowe, landowner with fishing ponds, spoke in favor of the bill.

Senator Bulloch made the motion that **HB 1**, “do pass by substitute”. Senator Hooks seconded the motion. The motion carried 10-0.

Senator Bulloch is to carry **HB 1** in the Senate.

HB 292 (Rep. Rogers, 26th) Deer Season & Bag Limits

Representative Rogers introduced the bill and explained that it extends the archery-only deer hunting season in specified counties due to the need of herd reduction.

Senator Henson had concerns about opening this ordinance in metro counties.

Senator Whitehead asked if there were provisions for other counties and was told that none exist as of now.

Senator Bulloch made the motion that [HB 292](#), “do pass”. Senator Hooks seconded the motion. The bill carried 9-1. Senator Henson cast the Nay vote.

Chairman Tolleson is to carry [HB 292](#) in the Senate.

[HB 54](#) (Rep. Powell, 29th) Septic Tank Waste

Representative Rogers explained this bill for Representative Powell.

Senator Hudgens made the motion that [HB 54](#), “do pass”. Senator Bulloch seconded the motion. The bill passed 10-0.

Senator Cagle is to carry [HB 54](#) in the Senate.

NOTE: Senator Meyer von Bremen left at 4:12 p.m.

[HB 496](#) (Rep. Smith, 70th) Relating to Inventory and Classification of Dams

Senator Chance brought this bill before the committee. He explained that the purpose was to further define dams in the Category 1 and Category 2 classifications. He stated that Georgia has 403 Category 1 dams which could cause loss of life downstream if there is a failure. This bill requires that citizens living downstream be notified of the dam's existence. There are 45 Category 2 dams in Georgia.

Senator Bulloch made the motion that [HB 496](#), “do pass”. Senator Hudgens seconded the motion. The bill passed 9-0.

Senator Chance is to carry [HB 496](#) in the Senate.

[HB 301](#)(Rep. Warren, 122nd) Spear Fishing

Representative Warren explained the bill to the committee, discussing noodling.

Senator Whitehead made the motion that [HB 301](#), “do pass”. Senator Chapman seconded the motion. The bill passed 9-0.

Senator Whitehead is to carry [HB 301](#) in the Senate.

HB 662 (Rep. Hanner, 148th) Game & Fish License, Permit, Tag and Stamp Fees.

Representative Hanner explained that this bill sets up an out of state 3-day license for non-resident hunters and fishermen.

Senator Hooks asked about the impact on Georgia's economy especially in the rural Georgia areas. Commissioner Holcomb, DNR, stated that they actually feel that this will increase state revenue.

Senator Henson made the motion that **HB 662, "do pass"**. Senator Bulloch seconded the motion. The bill passed 9-0.

Senator Hooks is to carry **HB 662** in the Senate.

There being no further business, Chairman Tolleson adjourned the meeting at 4:30 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

SENATE NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the Capitol, March 23, 2005 at 3:40 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Cagle of the 49th
Chapman of the 3rd
Hooks of the 14th
Whitehead of the 24th

Note: Senators Henson, Hill of the 4th, Meyer von Bremen, Starr, Weber and Johnson were absent.

Chairman Tolleson called the meeting to order.

SR 457 (Sen. Pearson, 51st) Creating the Senate Inverse Condemnation Study Committee

Senator Pearson spoke to the Resolution.

Senator Cagle made a motion that **SR 457**, "do pass". Senator Hooks seconded the motion. The resolution passed 7-0.

SR 458 (Sen. Pearson, 51st) Creating the Senate Tree Ordinance Study Committee

Senator Pearson spoke to the Resolution.

Senator Hudgens asked if this study included DOT tree trimming permits, and he was informed that it does not. This ordinance applies to Counties and Municipalities.

Tom Gehl, GMA, and Todd Edwards, ACCG, both stood to say they supported a study committee on this subject. They stated that they would give the study committee any assistance that they could.

Senator Bulloch made a motion that **SR 458**, "do pass". Senator Hudgens seconded the motion. The resolution passed 7-0.

SR 469 (Sen. Cagle, 49th) Creating the Senate Environmental Program Privatization Study Committee

Senator Cagle introduced the resolution creating this study committee.

Senator Bulloch made a motion that **SR 469, “do pass”**. Senator Hudgens seconded the motion. The resolution passed 7-0.

SR 499 (Sen. Tolleson, 20th) Creating the Senate Coastal Georgia Sound Science Initiative Study Committee

Chairman Tolleson explained the resolution and the need for this study committee.

Senator Cagle made a motion that **SR 499, “do pass”**. Senator Hooks seconded the motion. The resolution passed 7-0.

There being no further business, Chairman Tolleson adjourned the meeting at 3:46 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary