

SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE

2005-2006 Term

Senator Mitch Seabaugh, 28th, Chairman
P. O. Box 504
Sharpsburg, GA 30277

Senator Eric Johnson, 1st, Vice-Chairman
128 Baymeadow Point
Savannah, GA 31405

Senator David Shafer, 48th, Secretary
4231 Pleasant Hill Road, Suite B
Duluth, GA 30096

Senator Gloria Butler, 55th
6241 Southland Trace
Stone Mountain, GA 30087

Senator Ed Harbison, 15th
415 Hannahatchee Avenue
Columbus, GA 31907

Senator Jack Hill, 4th
P. O. Box 486
Reidsville, GA 30453

Senator Judson Hill, 32nd
3102 Raines Court
Marietta, GA 30064

Senator Chip Pearson, 51st
P.O. Box 38
Dawsonville, GA 30534

Senator Doug Stoner, 6th
P. O. Box 1781
Smyrna, GA 30081

Senator Regina Thomas, 2nd
1406 E. 35th Street
Savannah, GA 31404

Senator Tommie Williams, 19th
148 Williams Avenue
Lyons, GA 30436

SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE

RULES

2005-2006 Term

- 1. Quorum of the Committee shall be six (6) members.**
- 2. The Chair shall determine which bills and resolutions are to be considered and the order in which said measures are considered.**
- 3. The Chair shall have the authority to refer bills and resolutions to subcommittees for study. Such subcommittees in turn shall have the authority to make recommendations on such measures to the full Committee.**
- 4. The Committee shall convene, recess, put all questions, and adjourn upon the order of the Chair.**
- 5. Any member or members of the committee who disagree with the majority report of the committee shall be privileged to file a minority report if they so desire.**
- 6. These rules may be amended upon a motion duly made and subsequently approved by two thirds of the members of the committee.**
- 7. A bill, resolution, or other matter will be considered only after a presentation by its principal author or a legislator whom he designates to do so. In the event more than one member of the General Assembly has signed a measure, the principal author shall be the one whose name appears first in the list of authors.**
- 8. Where these rules are silent on a specific issue, the Rules of the Senate, as adopted, shall govern.**

**MINUTES OF THE
SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE**

January 25, 2005

Chairman Seabaugh called the meeting to order at 2:32pm on Tuesday, January 25, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Johnson, 1st, Senator Shafer, 48th, Senator Butler, 55th, Senator Hill, 32nd, Senator Pearson, 51st, Senator Stoner, 6th, Senator Thomas, 2nd, and Senator Williams, 19th.

Chairman Seabaugh welcomed everyone to the first meeting in 2005 of the Senate Regulated Industries and Utilities Committee. Members of the Committee introduced themselves, and the Chairman introduced the Committee support staff.

The adoption of the Committee Rules was the first order of business. Copies were distributed to all members. Senator Johnson moved, and Senator Thomas seconded, that these rules **Do Pass**; motion passed unanimously.

Chairman Seabaugh recognized Public Service Commissioners Angela Speir, Bobby Baker, and Stan Wise from the audience.

Jim Bottone of the Public Service Commission, who is also the Chairperson of the Senate Advisory Committee on Excavation Safety, gave a presentation on the status of pending legislation the Advisory Committee has been working on for months. Other speakers addressing this subject were Rick Lonn of Atlanta Gas Light, Jim Laplander of the City of Savannah, Jim Weldon of Georgia Power, Danny McGriff with the Pipeline Safety Division of the Public Service Commission, and Todd Edwards of the Association County Commissioners of Georgia.

Members of the Committee asked questions regarding this proposed legislation.

Meeting was adjourned at 3:15pm.

Respectfully submitted,

/s/ Senator David Shafer, Secretary

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE**

February 1, 2005

Chairman Seabaugh called the meeting to order at 2:35pm on Tuesday, February 1, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Johnson, 1st, Senator Butler, 55th, Senator Harbison, 15th, Senator Hill, 4th, Senator Hill, 32nd, Senator Pearson, 51st, Senator Stoner, 6th, Senator Thomas, 2nd, and Senator Williams, 19th.

SB 55 (Senator Seabaugh, 28th) Accountancy, Board; change composition; certification; provisions

Senator Seabaugh explained his bill to the Committee, and offered a Committee Substitute (LC 34 0196S). Robin Riebe of the Georgia Society of Certified Public Accountants spoke regarding the legislation. Senator Williams moved, and Senator Stoner seconded, that this bill **Do Pass by Substitute**; motion carried unanimously.

SB 68 (Senator Seabaugh, 28th) Real Estate Appraisers; change definitions; continuing education courses; provisions

Senator Seabaugh introduced his bill to the Committee, and recognized Charles Clark of the Georgia Real Estate Commission to explain the changes in the Committee Substitute (LC 19 6460S) that was distributed. Ron Jayson of the Georgia Real Estate Investors Association spoke in favor of the bill, as well as Keith Hatcher of the Georgia Association of Realtors. Senator Hill, 4th, moved, and Senator Johnson seconded, that this bill **Do Pass by Substitute**; motion carried unanimously.

The following people gave presentations before the Committee relating to a state-wide energy plan for Georgia:

Paul Burks of Georgia Environmental Facilities Authority

Marlin Gottschalk of Georgia Department of Natural Resources, Environmental Protection Division

Ed Holcomb of Georgia Power Company

Lindsay Thomas of Atlanta Gas Light Company

Ric Cobb of Georgia Petroleum Association, assisted by Mike Kumpf of BP American, Inc.

Meeting was adjourned at 3:52pm.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE**

February 8, 2005

Chairman Seabaugh called the meeting to order at 1:37pm on Tuesday, February 8, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Johnson, 1st, Senator Shafer, 48th, Senator Butler, 55th, Senator Harbison, 15th, Senator Hill, 32nd, Senator Pearson, 51st, Senator Stoner, 6th, and Senator Thomas, 2nd.

Chairman Seabaugh announced that [SB 120](#) (**Senator Seabaugh, 28th**) would not be taken up on this date, but postponed until later.

[SB 113](#) (Senator Butler, 55th**) **Nonemergency Phone System; establish/operate “311”****

Senator Butler asked Will Wingate, representing DeKalb County Government, to explain the concept of 311 service as outlined in this bill. A handout was distributed to the members to further illustrate, and Kristin Gonzenback of DeKalb County Government expressed support for this bill.

Chairman Seabaugh appointed a subcommittee for the perfection of SB 113, consisting of Senator Butler (chair), Senator Shafer, and Senator Stoner.

[SB 124](#) (Senator Seabaugh, 28th**) **Licensing Board for Residential/General Contractors; method of appointing****

Senator Seabaugh asked Mark Woodall of Georgia Associated General Contractors, assisted by Suzanne Williams of the Homebuilders Association of Georgia, to explain the need for this legislation and the philosophy behind the bill. Senator Seabaugh further explained the provisions of the bill. Mollie Fleeman from the Secretary of State's office, Professional Licensing Boards division, spoke in regard to funding needed in order to implement this legislation.

Senator Johnson moved, and Senator Hill, 32nd, seconded, that this bill **Do Pass**; motion carried unanimously.

Meeting was adjourned at 2:03pm.

Respectfully submitted,

/s/ Senator David Shafer, Secretary

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE**

February 22, 2005

Chairman Seabaugh called the meeting to order at 10:03am on Tuesday, February 22, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Johnson, 1st, Senator Butler, 55th, Senator Hill, 32nd, Senator Pearson, 51st, Senator Stoner, 6th, and Senator Williams, 19th.

SB 91 (Senator Adelman, 42nd) Physically Impaired; audible access; authorize Public Service Comm.; funding

Senator Adelman explained this legislation to the Committee. Senator Hill moved, and Senator Williams seconded, that this bill **Do Pass**; motion carried unanimously.

Chairman Seabaugh stated that consideration of **SB 145 (Senator Grant, 25th)** would be postponed until a later time.

SB 209 (Senator Stoner, 6th) Public Service Commission; change time period for issuance; gas supply plan

Senator Stoner asked Bill Edge of the Public Service Commission to assist in explaining the legislation. Senator Williams moved, and Senator Butler seconded, that this bill **Do Pass**; motion carried unanimously.

SB 210 (Senator Stoner, 6th) Public Service Commission; superior court filing; provide venue, judgment

Bill Edge and Tom Bond of the Public Service Commission explained the legislation. Senator Butler moved, and Senator Johnson seconded, that this bill **Do Pass**; motion carried unanimously.

HB 217 (Representative Neal, 1st) Athletic trainers; service in schools, licensing requirements; exception

Representative Neal and Senator Whitehead, 24th, explained this legislation to the Committee. Suzanne Webb, a concerned parent, spoke in support of the bill. Senator Williams moved, and Senator Stoner seconded, that this bill **Do Pass**; motion carried unanimously. Senator Whitehead will be the Senate sponsor.

Chairman Seabaugh called on Jim Bottone of the Public Service Commission to give an update on the “dig bill.” Jim Bottone reported that the Advisory Committee met yesterday. He is doing the final editing and should have a draft within the next few days.

Meeting was adjourned at 10:21am.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE**

March 1, 2005

Chairman Seabaugh called the meeting to order at 2:35pm on Tuesday, March 1, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Johnson, 1st, Senator Thomas, 2nd, Senator Hill, 4th, Senator Pearson, 51st, Senator Williams, 19th, Senator Stoner, 6th, Senator Butler, 55th, and Senator Hill, 32nd.

SR 298 (Senator Seabaugh, 28th) Emerging Communication Technologies Study Committee; create

Senator Seabaugh introduced his resolution to the Committee, and offered an amendment (LC 14 9146). Senator Johnson moved, and Senator Williams seconded, that this resolution **Do Pass as Amended**; motion carried unanimously.

SB 274 (Senator Seabaugh, 28th) Georgia Utility Facility Protection Act; sewer laterals, add provisions

Senator Seabaugh introduced his bill to the Committee, and offered a Substitute. He called on Jim Bottone of the Public Service Commission to give a section-by-section explanation of the Committee Substitute, which was a product of the Excavation Safety Advisory Committee's work. Two amendments were distributed and explained. Jim Bottone listed the organizations who were supporting the draft, and the following speakers addressed the legislation:

Randy Clements of Georgia Municipal Association stated GMA's basic support, although not 100%. Claudette Campbell of the Utilities Protection Center stated support for the bill. Chris Browning of the Georgia Water and Pollution Control Association stated that his organization was opposed to two provisions within the bill. Jim Weldon of Georgia Power Company stated support for the bill. Rick Lonn of Atlanta Gas Light Company, Regulatory Compliance, stated support for the bill. Bill Edge and Danny McGriff of the Public Service Commission spoke in support of the bill. Todd Edwards of the Association County Commissioners of Georgia spoke in regard to the bill, mentioning sewer laterals as a point of contention. Rusty Sewell, representing Georgia Cable TV Association, spoke in favor of the legislation. Ronnie Jones of the Georgia Utility Contractors Association stated that this was basically a good bill.

Senator Williams and Senator Hill, 4th, departed the meeting at this time.

After questions, Senator Pearson moved that the \$100 penalty on Page 12, line 25 be increased to \$500. Senator Hill, 32nd, seconded the motion that the Committee Substitute

be amended as stated by Senator Pearson; motion carried. Senator Hill, 32nd, moved, and Senator Johnson seconded, that the legislation **Do Pass by Substitute** which would incorporate the discussed changes; motion carried with Senator Thomas, 2nd, voting no.

Meeting was adjourned at 3:40pm.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
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March 4, 2005

Chairman Seabaugh called the meeting to order at 8:01am on Friday, March 4, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Williams, 19th, Senator Thomas, 2nd, Senator Hill, 32nd, Senator Stoner, 6th, and Senator Butler, 55th.

SB 113 (Senator Butler, 55th) Nonemergency Phone System; establish/operate “311”
(Formerly assigned to sub-committee, reported out favorably as amended.)

Senator Butler called on Will Wingate, who represents DeKalb County Government, to explain the bill. Kristen M. Gozenbach and Denise Walker, also speaking on behalf of DeKalb County Government, expressed support for this legislation. Senator Williams moved, and Senator Thomas, 2nd, seconded, that this bill **Do Pass as Amended**; motion carried unanimously.

SB 145 (Senator Grant, 25th) Cosmetologists; define terms; qualifications; hair braiders/designers

Senator Grant explained his substitute (LC 21 8278S) to the Committee, assisted by Kay Kendrick and John Siggers of the Cosmetology Board, who answered questions from the members. Senator Butler moved, and Senator Williams seconded, that this bill **Do Pass by Substitute**; motion carried unanimously.

Chairman Seabaugh announced that there would be one meeting next week to consider House bills, and one more the following week to finalize House bills.

Meeting was adjourned at 8:20am.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
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March 9, 2005

Chairman Seabaugh called the meeting to order at 3:38pm on Wednesday, March 9, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Johnson, 1st, Senator Butler, 55th, Senator Harbison, 15th, Senator Hill, 32nd (arrived late), Senator Pearson, 51st, Senator Stoner, 6th, and Senator Thomas, 2nd.

HB 207 (Representative Rogers, 26th) Plumbing; licensure requirements; exception

Representative Rogers explained his bill to the Committee. Senator Harbison moved, and Senator Johnson seconded, that this bill **Do Pass**; motion carried unanimously.

HR 92 (Representative Burkhalter, 50th) Joint LNG and Natural Gas Infrastructure Study Committee; create

Senator Seabaugh explained this resolution to the Committee. Senator Thomas, 2nd, asked what the current situation was, and her question was addressed by Richard Moore of AGL Resources. Senator Stoner moved, and Senator Pearson seconded, that this bill **Do Pass**; motion carried unanimously.

Meeting was adjourned at 3:45pm.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
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March 16, 2005

Chairman Seabaugh called the meeting to order at 11:45am on Wednesday, March 16, 2005 in the Senate Mezzanine in the State Capitol. Members present were: Senator Butler, 55th, Senator Harbison, 15th, Senator Hill, 32nd, Senator Pearson, 51st, Senator Stoner, 6th, and Senator Thomas, 2nd.

HB 17 (Representative Hill, 21st) Private detective/security; license renewal; continuing education

Representative Hill introduced his bill to the Committee. Senator Thomas moved, and Senator Harbison seconded, that this bill **Do Pass**; motion carried unanimously. Senator Hill, 32nd, will be the Senate sponsor.

HB 353 (Representative Dodson, 75th) Ind Hygiene, Health Physics, & Safety Prof Recognition & Title Protection Act

In Representative Dodson's absence, Representative Reese, 27th, presented the bill to the Committee. Drew Peake of the American Industrial Hygiene Association spoke in favor of the legislation. Senator Thomas, 2nd, moved, and Senator Harbison seconded, that this bill **Do Pass**; motion carried unanimously. Senator Pearson will be the Senate sponsor.

HB 622 (Representative Burkhalter, 50th) Telegraph companies; dispatch or message deliveries; repeal certain provision

Senator Seabaugh presented the bill to the Committee. Senator Stoner moved, and Senator Pearson seconded, that this bill **Do Pass**; motion carried unanimously. Senator Hill, 32nd, will be the Senate sponsor.

Chairman Seabaugh stated that consideration of **HB 470 (Representative Lunsford, 110th)** would be postponed at this time.

SR 297 (Senator Mullis, 53rd) Domestic Energy Policy; urge Congress to establish

Senator Seabaugh presented the bill to the Committee. Rudy Underwood of the Georgia Chemistry Council answered questions. Senator Thomas, 2nd, suggested changing the resolution to include residential consumers. Senator Stoner moved, and Senator Pearson seconded, that this resolution **Do Pass by Substitute**; motion carried unanimously.

Meeting was adjourned at 12:06pm.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary

**MINUTES OF THE
SENATE REGULATED INDUSTRIES
AND UTILITIES COMMITTEE**

March 22, 2005

Chairman Seabaugh called the meeting to order at 8:40am on Tuesday, March 22, 2005 in the Senate Mezzanine in the State Capitol. Members present at the beginning of the meeting were: Senator Johnson, 1st, Senator Pearson, 51st, and Senator Thomas, 2nd.

HB 470 (Representative Lunsford, 110th) Official Code of Georgia; change references to “911” to read 9-1-1

Representative Lunsford distributed a substitute for HB 470 (LC 21 8424S), and explained the need for this legislation. Senator Johnson asked why it was necessary to change from 911 to 9-1-1. Representative Lunsford explained that this was requested by Mike Sherberger of Georgia Emergency Management Agency in order to mirror Federal regulations.

Kem Kimbrough of Association County Commissioners of Georgia spoke in support of the bill, and stated that he was authorized to speak in support of the bill for Georgia Municipal Association, as well as 911 Directors. Chris Jones of Verizon stated that he had some concerns with the substitute, specifically on page 25, because there had been no time for his legal department to review. Representative Lunsford stated that this was an exact reprint of Federal regulations. Holly Henderson of Southern Linc spoke in opposition to the bill. Their issue is with the cost recovery provision, since \$.30 is not enough for Southern Linc to recover their costs. John Bozeman of Georgia Link spoke in support of HB 470, as did Meredith Melvin of Alltel.

At this point, Senator Hill, 4th, and Senator Williams came in for the vote, constituting a quorum. Senator Johnson moved, and Senator Pearson seconded, that HB 470 **Do Pass by Substitute**; motion carried unanimously. Senator Williams and Senator Hill then departed the meeting.

HB 444 (Representative Graves, 137th) Professional engineers and land surveyors; change certification requirements

Representative Graves explained his bill to the Committee. He stated that he was aware of an amendment (AM 28 0541) to HB 444, but he did not speak in support of this amendment.

At this point, Senator Thomas, 2nd, departed the meeting.

William Higgins of the Cobb County Water System spoke in support of the bill, but was not in favor of the amendment, which he stated would allow surveyors to practice without an engineering license. Randy Bass of the Georgia Society of Professional Engineers spoke in support of the original bill, but did not support amendment. Todd Edwards of the Association County Commissioners of Georgia spoke in support of HB 444, but objected to amendment. John Sweitzer, a professional engineer for 40 years, spoke in favor of the original bill, but stated that the amendment was not in the public interest. Tom Leslie of the American Council of Engineering Companies spoke in support of HB 444, but not the amendment, stating that it could endanger the public. Trent Turk of Surveying and Mapping Society of Georgia (SAMSOG) spoke in support of the bill, but was against the amendment. Tom Gehl of Georgia Municipal Association supported HB 444, but not the amendment.

At this point, Senator Hill, 32nd, joined the meeting.

Representative Graves closed by stating that HB 444 would increase professionalism by upgrading the requirements for engineers, but that he would question the germaneness of the amendment.

At this point, Senator Hill, 4th, and Senator Williams returned to the meeting.

Senator Johnson moved, and Senator Hill, 32nd, seconded, that [HB 444](#) **Do Pass**; motion carried unanimously.

Meeting was adjourned at 9:15am.

Respectfully submitted,

/s/ Senator Mitch Seabaugh, Chairman
(In the absence of the Secretary)

/s/ Cheryl Germany, Recording Secretary