

**2007 SENATE NATURAL RESOURCES AND THE
ENVIRONMENT COMMITTEE ROSTER**

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Chairman
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Vice Chairman
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Senator Jeff Chapman, 3rd
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Brunswick, GA 31521

Senator Lee Hawkins, 49th
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Senator Steve Henson, 41st
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Senator Jack Hill, 4th
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Senator George Hooks, 14th
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Senator Michael Meyer von Bremen, 12th
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Senator Dan Weber, 40th
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Senator Jim Whitehead, 24th
4715 Silverlake Drive
Evans, GA 30809

Senator Eric Johnson, 1st
Ex-Officio
128 Baymeadow Point
Savannah, GA 31405

Senator J. B. Powell, 23rd
Ex-Officio
228 Church Street
Blythe, GA 30805

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 six (6) 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 NATURAL RESOURCES & THE ENVIRONMENT COMMITTEE

The Senate Natural Resources & the Environment Committee met in Room 450 of the State Capitol, January 24, 2007, at 1:00 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Henson of the 41st
Hill of the 4th
Hooks of the 14th
Johnson of the 1st
Meyer von Bremen of the 12th
Powell of the 23rd
Weber of the 40th
Whitehead of the 24th

Chairman Tolleson called the meeting to order at 1:07 p.m.

Chairman Tolleson introduced the Committee and staff and reviewed the Committee rules with the Committee.

Senator Johnson made a motion that the Committee rules be adopted. Senator Hudgens seconded the motion. The Committee rules were unanimously adopted.

Chairman Tolleson introduced Mr. Dan Forster, Director of Wildlife Resources Division, Georgia Department of Natural Resources. Director Forster thanked the Committee for their time and energy in assisting with keeping Georgia's wildlife a priority. Director Forster then introduced Assistant Chief of Fisheries, Mr. John Biogi. Chief Biogi presented the *Go Fish Georgia* Initiative.

The purpose of the *Go Fish Georgia* Initiative is to promote and enhance boating and fishing tourism and to boost economic development in communities across the state. This initiative will result in a quality fisheries resource statewide,

including family friendly fishing and recreation access points that will increase fishing participation in Georgia.

The *Go Fish Georgia* Initiative is designed to reach Georgia's untapped potential. Fishing tournaments are a growing economic force in the nation. A single, large tournament can contribute several million dollars to a local economy. Currently, all neighboring states, except South Carolina, attract more large bass fishing tournaments than Georgia. Georgia is the sixth highest among states in sending resident anglers to other states and twenty-first in attracting non-resident anglers. A better quality fishery would encourage those anglers to spend their dollars here. Georgia is also home to the world record largemouth bass. This catch presents a significant attraction for bass anglers.

Go Fish Georgia Goals

Goal 1: Improve Access to Georgia Waters

Goal 2: Increase Fishing Participation by Promoting Georgia Resources

Goal 3: Improve Quality of Fishing in Georgia Waters

Resident and non-resident anglers currently spend about \$569 million each year on fishing in Georgia. The economic effect of angler spending is about \$1.5 billion. There are 10,649 jobs related to sport fishing in Georgia, which generates \$15 million in state income taxes and \$19 million in state sales taxes. A major bass fishing tournament can have a \$4-5 million economic impact on the local community. A championship event can have a \$27 million economic impact.

In conclusion, the *Go Fish Georgia* Initiative is a \$30 million initiative that will leverage \$19 million in state funds with private donations and financial support from local communities with the prospect for one multiple-day championship event generating \$27 million.

Chief Biogi stated that the *Go Fish Georgia* Initiative is good for Georgians.

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There being no further business, Chairman Tolleson adjourned
the meeting at 1:55 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 held a joint meeting with the House Natural Resources Committee on January 25, 2007, in room 406 of the Coverdell Legislative Office Building, at 8:00 a.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Hawkins of the 49th
Whitehead of the 24th

Note: Senator Chapman of the 3rd, Senator Henson of the 41st, Senator Hill of the 4th, Senator Hooks of the 14th, Senator Johnson of the 1st, Senator Meyer von Bremen of the 12th, Senator Powell of the 23rd, Senator Weber of the 40th were absent.

Chairman Lynn Smith of the House Natural Resources Committee called the meeting to order at 8:00 a.m.

Dr. Carol Couch, Director of the Environmental Protection Division (EPD), Georgia Department of Natural Resources, spoke to the Committees about developing a Statewide Comprehensive Water Management Plan for Georgia. She stated that demand is expected to outpace the limited supplies that are available and that regional resources are already stressed. In 2004, the legislature assigned responsibility for developing the plan to EPD. The legislation also created the Georgia Water Council for oversight and directs EPD to solicit extensive stakeholder involvement. The Statewide Water Management Planning Act introduces regional water planning and directs the Water Council to submit a plan to the Legislature by 2008.

Dr. Couch presented a vision statement from the 2004 Comprehensive Statewide Water Management Planning Act. "Georgia manages water resources in a sustainable manner to support the state's economy, to protect public health and natural systems, and to enhance the quality of life for all citizens." She also stated that the guiding principals for the

legislation were economy and environment interconnected; interrelationship of surface water and groundwater; interrelationship of water quality and quantity; and the need for a reasonable and efficient use.

Dr. Couch further stated that guiding principles were to encourage local and regional innovation, implementation, adaptability and responsibility, and that a periodic revision of the Comprehensive Statewide Water Management Plan would be needed.

Dr. Couch then told the Committees that there were seven Basin Advisory Committees (BACs) covering the State's major river basins and Metropolitan North Georgia Water Planning District. These BACs will provide regional perspectives on policy options and management practices. The BACs consist of 188 total members (approximately 20-30 per committee). The water-related interests that the BACs address in each region include: cities and counties, agriculture, forestry, industry, mining, water providers, economic development, recreation, and environmental groups.

The Statewide Advisory Committee will provide statewide perspectives on policy options and management practices. There are 32 members on this committee. These members represent water-related organizations with statewide membership, including: cities and counties, agriculture, water providers, forestry, industry, mining, economic development, recreation, and environmental groups.

Dr. Couch then gave the Committee an approximate timeline from the conception of the Plan, which stated that the BACs were convened in January 2006; the town hall meetings were held July 2006, January 2007 and May 2007; and that EPD proposes to submit a draft plan to the Water Council in July 2007. Then, in January 2008, the Water Council will transmit a plan to the General Assembly. The Plan will have two major components: (1) A state policy framework addressing the four management objectives and (2) Guidance for sub-state planning.

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Dr. Couch then presented the four major objectives: (1) Minimize withdrawals from Georgia's water sources; (2) Maximize returns to Georgia's water sources; (3) Effective use of water storage to meet off-stream and in-stream water needs; and (4) Meet assimilative capacity needs of Georgia's water resources. Dr. Couch also stated that the State had made progress in controlling pollution from wastewater treatment plants, but that a portion of the problem from nonpoint sources was increasing and that much work still needed to be done.

With the end of Dr. Couch's presentation, she opened the floor for question and addressed some of the concerns of the Senators and Representatives attending the meeting.

There being no further business, Chairman Lynn Smith adjourned the joint meeting at 8:55 a.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 State Capitol, January 29, 2007 at 3:00 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Henson of the 41st
Hill of the 4th
Hooks of the 14th
Meyer von Bremen of the 12th
Powell of the 23rd

Note: Senators Johnson of the 1st, Weber of the 40th, and Whitehead of the 24th were absent.

Chairman Tolleson called the meeting to order at 3:06 p.m.

Chairman Tolleson stated that the Committee would be presented with a briefing of "Alternative Energy from Georgia's Forests."

Chairman Tolleson introduced Ms. Jill Stuckey, Director of Alternative Fuels, Georgia Environmental Facilities Authority to begin the briefing. Ms. Stuckey spoke to the Committee about where the State is going with alternative fuels and discussed what other states were doing about incentives, funding limits, minimum and maximum production limits, and other details. She stated that the E-85 initiative seems to be right on track with other states.

The next speaker, Mr. Nathan McClure, Chief of Forest Products Utilization and Forest Energy, Georgia Forestry Commission, gave a PowerPoint presentation about the biomass industry. In this program, he highlighted what Georgia is doing to develop a good and sound State Energy Plan which would include executive orders for State use of biofuels and permits. He also stated that wood resources

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would be able to take care of 22 percent of Georgia's energy consumption.

Mr. Jim Stokes, President, Georgia Conservancy, stated that Georgia's efforts to use pine tree energy was a win/win situation for everyone in Georgia and the Nation.

Mr. Gary Black, President, Georgia AgriBusiness Council, urged the Committee to work diligently to promote biomass energy. He stated that pine trees are the future for Georgia.

There being no further business, Chairman Tolleson adjourned the meeting at 3:56 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 State Capitol, February 7, 2007 at 1:00 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Henson of the 41st
Hill of the 4th
Johnson of the 1st
Weber of the 40th
Whitehead of the 24th

Note: Senators Hooks of the 14th, Meyer von Bremen of the 12th, and Powell of the 23rd were absent.

Chairman Tolleson called the meeting to order at 1:12 p.m.

SR 123 (Hawkins, 49th) Urging the US Army Corps of Engineers to begin a Study of the Costs and Effects of Raising the Full Pool for Lake Lanier

Senator Hawkins spoke to **SR 123**. He stated that the Resolution was urging the U.S. Army Corps of Engineers to raise the level of water supply in Lake Lanier by 25 billion gallons of water. He stated that he was hopeful that they would consider this study because it would not have a cost factor since there were currently studies under way of a similar nature.

Senator Whitehead stated that he would like to see the resolution amended to include all of Georgia's lakes, but Senator Hawkins requested that the Resolution be left to just Lake Lanier at this time.

Mr. Joe Maltese, City Manager, City of LaGrange, commended Senator Hawkins and urged the Senate to compel the U.S. Army Corp of Engineers to allow a higher water pool in all of Georgia's lakes.

Ms. Sally Bethea, Upper Chattahoochee Riverkeeper, thanked Senator Hawkins, but stated that all of the Corps' controlled lakes need to be looked at.

Senator Bulloch made a motion that **SR 123** "do pass." Senator Hudgens seconded the motion. [SR 123](#) passed by unanimous vote.

[SB 27](#) (Johnson, 1st) Abandoned Vessels

Senator Johnson spoke to **SB 27**. He stated that at the present time, there are 65 identified boats and many other unidentified boats. He stated that this bill proposes to amend existing law adding criteria. This criterion would give the Georgia Department of Natural Resources (DNR) the tools needed to go after abandoned vessels in Georgia's waters. He stated that the DNR would give written notice to the owner, or a public notice when the owner cannot be located. He stated that the Committee Substitute would change the wording from "shall" to "may" and that a tariff would create a disposal fund.

Senator Henson questioned "certificate of" phrasing in the legislation.

Senator Weber asked if this would include existing vessels. Senator Johnson thinks this will include all abandoned vessels.

Senator Bulloch and Senator Hudgens had concerns about specific areas of the bills.

Ms. Pam Davidson, Georgia Shrimp Association (Association), addressed the Committee stating that the Association had realized for some time that a problem exists and that in many cases, the problem is unintentional but that the abandoned vessels do not belong to their membership. She stated that the cost of insurance is a problem for an industry fighting with cost issues. She also wanted the Committee to understand that tariff money is not in their hands now and would take a long period to collect.

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Chairman Tolleson suggested that [SB 27](#) go back to be worked on further and that the Committee would address and vote on this legislation at the next meeting.

Senator Tolleson recognized Ms. Jill Stuckey, Director of Alternative Fuels, Georgia Environmental Facilities Authority, for her work on alternative fuels for Georgia. Senator Tolleson described Ms. Stuckey as a tireless worker who makes Georgia a better place for all Georgians to live. He then presented Ms. Stuckey with the “pretty” copy of [SR 305](#) and a cake, congratulating her on her achievements with alternative fuels. The Committee applauded her work and Chairman Tolleson invited them to share in the cake after the meeting.

There being no further business, Chairman Tolleson adjourned the meeting at 2:15 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 State Capitol, February 14, 2007 at 1:00 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Hill of the 4th
Powell of the 23rd
Whitehead of the 24th

Note: Senators Hooks of the 14th, Henson of the 41st, Johnson of the 1st, Meyer von Bremen of the 12th, and Weber of the 40th were absent.

Chairman Tolleson called the meeting to order at 1:32 p.m.

SB 27 (Johnson, 1st) Abandoned Vessels

Senator Tolleson stated that Senator Johnson would not be able to attend and therefore had his Chief of Staff, Ms. Melanie Stockwell present the proposed Committee Substitute to **SB 27**.

Senator Bulloch made a motion that **SB 27** “do pass by substitute.” Senator Hudgens seconded the motion. **SB 27** passed by unanimous vote.

SR 133 (Tarver, 22nd) Create a Joint Study Committee on Augusta GA Environmental Issues

Note: Senator Henson arrived at the meeting.

Senator Tarver spoke to **SR 133**. He stated that the study committee would be made up of delegation members who realized the environmental problems that were a part of the Augusta region.

Senator Henson made a motion that **SR 133** “do pass.”

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Senator Powell seconded the motion. [SR 133](#) passed by unanimous vote.

[SR 243](#) (Harp, 29th) Urging the US Army Corps of Engineers to study the effects of adding to the storage capacity of all Corps Reservoirs in the State of GA

Senator Harp spoke to **SR 243**. He stated that this was a request to the U.S. Army Corps of Engineers to study the effects of raising lake level capacity for storage of water.

Dr. Carol Couch, Director, Environmental Protection Division, stated it was her belief that the Corps would begin increasing the storage capacity of the Reservoirs, but that it would be a costly and lengthy project.

Senator Henson made a motion that **SR 243 “do pass”**. Senator Hudgens seconded the motion. [SR 243](#) passed by unanimous vote.

There being no further business, Chairman Tolleson adjourned the meeting at 1:43 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 State Capitol, February 21, 2007 at 1:00 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Henson of the 41st
Hill of the 4th
Hooks of the 14th
Johnson of the 1st
Powell of the 23rd
Whitehead of the 24th

Note: Senators Meyer von Bremen of the 12th and Weber of the 40th were absent.

Chairman Tolleson called the meeting to order at 1:08 p.m.

SB 116 (Tolleson, 20th) Changing Qualifications for the Director of the State Forestry Commission

Senator Tolleson spoke to **SB 116**. He said that the face of the world had changed. Our area has become more global, encompassing so much more that the State should not narrow the focus of the candidates for the Director of the State Forestry Commission to a registered forester. Now, our State needs strong business leadership in Directors' positions.

Mr. Steve McWilliams, Executive Vice President, Georgia Forestry Association, spoke to the bill. He stated that his organization had been in business for 100 years and includes 2,000 members. He said that the Board of Directors for the Georgia Forestry Association had originally opposed this bill until discussions with the Governor assured them that the Governor wants the next Director to be a registered forester, if a qualified candidate is available. He stated that they had worked with the Governor's office on language for the statute. After that time, the Board had voted overwhelmingly to

withdraw their original position and broaden the search. The Board of Directors for the Georgia Forestry Association is now backing [SB 116](#).

Senator Henson asked about the search committee's composition. He was told that this was the same type of appointment by the Governor as is done with other agency heads. The Governor does ask for suggestions of candidates.

Mr. David Westmoreland of Perry, GA, Registered Forester, stated that he retired as commission director nine years ago. He said that Georgia has a reputation of the finest forestry department in the nation. He stated that he wants the language of the bill to include at least a large background in forestry and there should be no one included in the search that does not have that background.

Mr. William "Bob" Lazenby of Jones County stated that he had concerns that the interest would stay centered around forestry. He said that he was very upset about the bill in the first place. It is his belief that the Forestry Commission has been doing innovative things since back in the 1970s and there is nothing that a new bill can do to improve on that. He said emphatically that the Director needed to be a registered forester and because of this type of leadership, he believed that Georgia is one of the top three Forestry Commissions in the nation. He went on to say that the last time there was a national director needed; U.S. Senators and the National Search Committee looked only one place, the Georgia Forestry Commission, to find someone qualified to fill that position. He said that he is a member of the Georgia Urban Forest Council and they are very opposed to this legislation.

Senator Bulloch asked how many registered foresters there are in the nation and he was told approximately 1200.

Mr. John Mixon of Zebulon, GA, stated that he had spent 34 years with the Forestry Commission. He said he majored in forestry and that it was a tough curriculum, but that he believed there are plenty of registered foresters across the nation to choose from. He emphasized that it was imperative to not

pass this bill and keep the Director's requirements as a registered forester.

He said that this is a good, clean operated organization and he wanted it to stay that way. He said not only would he like to see the language changed back to registered forester, but that the Director should be approved by the Board.

Senator Tolleson followed up the discussion by stating that the Georgia Forestry Commission is a great organization with a very small budget. The work that they do is instrumental in making Georgia the leader among other states.

Senator Hill made a motion that **SB 116 "do pass."** Senator Bulloch seconded the motion. [SB 116](#) passed by unanimous vote.

[SB 157](#) (Tolleson, 20th) "E-85 Project" Grant Program

Senator Tolleson spoke to **SB 157**. He stated that this program was for setting up a grant incentive program for building a web for E-85 pumps and it was contingent upon finding funding for these grants through funds from federal, state, and private monies.

Senator Henson made a motion that **SB 157 "do pass."** Senator Whitehead seconded the motion. [SB 157](#) passed by unanimous vote.

There being no further business, Chairman Tolleson adjourned the meeting at 1:42 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 State Capitol, February 28, 2007 at 2:00 p.m.

The following Senators were present:

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

Note: Senators Hill of the 4th, Johnson of the 1st, Meyer von Bremen of the 12th, Powell of the 23rd, and Weber of the 40th were absent.

Chairman Tolleson called the meeting to order at 3:05 p.m.

SR 283 (Tolleson, 20th) Create Joint Nonpoint Source Pollution Control Study Committee

Senator Tolleson introduced **SR 283**. He asked Dr. Couch, Director, Environmental Protection Division, Georgia Department of Natural Resources, to speak to the resolution. Dr. Couch explained the need for the Study Committee and thanked the Committee for bringing it up.

Senator Bulloch made a motion that **SR 283 “do pass”**. Senator Hawkins seconded the motion. **SR 283** passed by unanimous vote.

Note: Senator Hill and Senator Meyer von Bremen came into the meeting.

SB 185 (Hill, 4th) Registration, Operation & Sale of Watercraft

Senator Hill spoke to **SB 185**, which he presented as a substitute. He discussed the registration process and that the purchase of a new boat would require proof of sales tax for

any boat over 16 feet in length.

Note: Senator Powell came into the meeting.

Senator Hill further stated that this was a means of starting the process and he felt that titling is a good idea.

Senator Hudgens asked if this was Georgia Sales and Use Tax and Senator Hill answered yes.

Senator Chapman asked about a home built boat and there was some question, but it was believed this applied to all boats over 16 feet.

Senator Meyer von Bremen asked about moving a boat from state to state and there was agreement that a proof of paid sales tax would have to be shown.

Senator Henson made a motion that **SB 185** “do pass by substitute.” Senator Hudgens seconded the motion. [SB 185](#) passed by unanimous vote.

[HB 81](#) (Hill, 180th) Saltwater Fishing Guide and Pier Licenses

Representative Hill spoke to **HB 81**. She stated that guides had asked to be regulated. Ms. Susan Shipman, Director Coastal Resources Division, Georgia Department of Natural Resources (DNR), stated that the DNR supports this bill and that it is very customer friendly.

Senator Meyer von Bremen made a motion that **HB 81** “do pass.” Senator Chapman seconded the motion. [HB 81](#) passed by unanimous vote. Senator Chapman will carry **HB 81** in the Senate.

[SB 176](#) (Tolleson, 20th) State Forestry Commission Reports

Senator Tolleson introduced **SB 176**. He stated that this changed the reporting period. Mr. Steve McWilliams, Senate

Executive Vice President, Georgia Forestry Association, stated the Board of Directors of his organization are in favor of this legislation. Senator Tolleson stated that the substitute merely changes the effective date from 2008 to 2012 to help with clerical problems.

Senator Hudgens made a motion that **SB 176 “do pass by substitute.”** Senator Whitehead seconded the motion. [SB 176](#) passed by unanimous vote.

[SB 3](#) (Douglas, 17th) Veteran’s Lifetime Sportsman’s License

Senator Douglas spoke to **SB 3**. He stated that this was something the State of Georgia should do for veterans.

Senator Hooks registered concerns about the money that would be taken from the Department of Natural Resources and stated that it would have to be made up somewhere. Senator Tolleson echoed that concern and said that he felt Senator Douglas should have some source of funding.

Senator Henson made a motion that **SB 3 “be tabled.”** Senator Hooks seconded the motion. Senators Bulloch, Chapman, Henson, Powell, Hooks, and Meyer von Bremen voted to table. Senators Hawkins, Hudgens, Whitehead, and Hill were opposed. [SB 3](#) was tabled by a vote of 6-4.

[SR 327](#) (Johnson, 1st) Joint Atlantic Coastal Beach Preservation and Maintenance Study Committee

Senator Tolleson spoke to **SR 327** on behalf of Senator Johnson. Senator Chapman also spoke to the need for constant concerns about beach erosion and problems with the sand dunes. Ms. Susan Shipman said that Tybee Island is an ongoing study and this legislation is prompted by the fact that Federal funding for maintenance on Georgia’s Coastal Beaches are going away. She said that by use of the latest technology, a lot of the problems have been stabilized. There is a funding issue for continuing to maintain.

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Senator Hooks stated that the State spent \$2 million in the 1990's and that the Federal Government was paying 60 percent of costs at that time. This program is running out and Federal funds will be drying up.

Senator Bulloch made a motion that **SR 327 "do pass."** Senator Hudgens seconded the motion. [SR 327](#) passed by unanimous vote.

There being no further business, Chairman Tolleson adjourned the meeting at 3:45 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 State Capitol, March 14, 2007, at 9:00 a.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Weber of the 40th
Whitehead of the 24th

Note: Senators Henson of the 41st, Hill of the 4th, Hooks of the 14th, Meyer von Bremen of the 12th, and Johnson of the 1st were absent.

Chairman Tolleson called the meeting to order at 9:05 a.m.

SB 3 (Douglas, 17th) Veteran's Lifetime Sportsman's License

Chairman Tolleson removed **SB 3** from the table. Senator Douglas brought a substitute bill before the committee that gave the veterans a discount on the Sportsman's Lifetime License. This appeared to have been a compromise acceptable to the Department of Natural Resources.

Senator Bulloch made a motion that **SB 3 "do pass by substitute"**. Senator Hudgens seconded the motion. **SB 3 passed** by unanimous vote.

SB 263 (Bulloch, 11th) Soil and Water Conservation Districts

Senator Bulloch introduced **SB 263**. He stated that the legislation that is being presented with a substitute would change the effective date. He also stated that under present law district supervisors have to be elected each year at an enormous cost. The Soil and Water Board voted to ask the General Assembly for changes to the law. They would like to have supervisors appointed by the Board rather than elected.

This change would require approval by the Justice Department.

Note: Senator Meyer von Bremen came into the meeting.

A supervisor cannot hold any other elected position and would have to file financial reports. At present time there are problems finding people to run for the office. There were a total of 27 positions last election cycle that no one wanted to return to. There were only 9 contested races and there are no provisions for reimbursement of expenses of the district supervisor.

Senator Hudgens asked who made the decisions referred to on Line 5, Page 3 of the legislation. Senator Bulloch deferred to Wayne Allen of Legislative Council to answer the question.

Alan Toney, Fulton County Soil and Water District, requested to speak. He stated that he is elected to the position and that he is very opposed to the legislation. He stated that it was an unreasonable solution to the problem.

Dee West, Fulton County Soil and Water District, spoke stating that she was appointed to the position. She said that she invests a lot of hours in the job, many more than she is compensated for. She stated that the elected people have the input of the public and make all those filling positions in conservation have the proper balance. She asked Senator Bulloch why he wanted to change a law that accommodates the public. She asked if a good compromise would be to keep electing officials but move the elections to coincide with other elections. She encouraged the Committee to look at fixing the law in a different way.

Neil Bradley, ACLU, stated that he thought it would be better to change the terms to a 4 year term that coincided with other elections. He cautioned that the present legislation was going to be very difficult to get through the Justice System.

Note: Jack Hill came into the meeting.

Alice Champagne, Cobb County Soil and Water, stated that she was elected and echoed the idea of changing the legislation to coincide with general elections.

Jim Ham, Towalga Soil and Water and President of the Georgia Soil and Water Association, spoke for the bill. He stated that he personally did not have anything against this legislation. He said that they only had 9 people in the last election cycle that were opposed. He said that once you get out of the Metropolitan areas of Atlanta, fewer people are interested in the jobs. He stated that appointments would not make the Boards more or less effective. He urged the committee to pass the legislation.

Senator Weber questioned Mr. Ham as to whether this legislation would have an adverse impact to the independence from the Board. Mr. Ham said he did not feel that it would.

Senator Hudgens made a motion that **SB 263 “do pass by substitute”**. Senator Weber seconded the motion. [SB 263](#) passed by unanimous vote.

[SB 226](#) (Harp, 29th) Reports of Qualified Soil Scientists

Senator Harp spoke to **SB 226**. He stated that this legislation will help soil scientists to complete the reports that are required.

Senator Chapman asked if a person who is not a registered engineer can write a report now.

Senator Bulloch asked about the permits and if they are able to continue. Senator Chapman and Senator Bulloch expressed concern about the number of people that would be able to give septic tank permits and the shortage already of those people.

Bob Kendall, Soil Science Society of Georgia, stated that septic tanks are not involved. Senator Weber asked what makes a person considered a soil scientist and Mr. Kendall answered a degree in soil science. Senator Whitehead

stated that there needs to be more soil scientists because of tremendous growth.

Note: Senator Powell and Senator Hawkins left the meeting.

Senator Bulloch made a motion that **SB 226 “do pass by substitute”**. Senator Hudgens seconded the motion. [SB 226](#) passed by unanimous vote.

[SB 197](#) (Harp, 29th) Repeal Certain Provisions relating to Municipal Solid Waste Disposal Facility Sites Near Adjoining Counties; to Provide Restrictions on Landfill Sites near Adjoining Counties

Senator Harp stated that this legislation would prohibit landfills within 2 miles of an adjoining county.

Senator Hill expressed concern about how many landfills would be pushed to South Georgia from North Georgia because of this legislation.

Harold Reheis, Joe Tanner and Associates, stated that Georgia has the toughest laws in the Southeast. Georgia law gives local government control and that he knew personally of landfills that have not been able to be zoned in the last 7 years and are still trying for permits. He said that SB 197 will make the process even harder and that [SB 197](#) would represent 38% of all of Georgia's land. Mr. Reheis stated that this is a big step toward not being able to have any landfills in Georgia and would this really be good public policy for Georgia.

Bill Hodges, Macon Environmental Engineer, stated that this legislation would prevent landfills from expanding.

Note: Senator Powell returned to the meeting.

Ernest Kouffmann, Greenbow Landfill Company, stated that their company does everything within their power to insure property values. He says that they give surrounding residents a 20 year property value guarantee. He stated that the permit

this legislation was attempting to block did not happen overnight and many public hearings were held. He also stated that Meriwether County was not opposed to this landfill and would receive \$2.25 per ton of trash. He stated that every city affected passed the landfill and that it was EPD approved.

Tom Griffin, Meriwether County Resident, stated that he has land adjacent to the Greenbow project and that he thinks this is an attempt at trying to terminate the city and county land use permits. He said that this project is good for the community.

Keri Murphrey, Meriwether County Resident, says that she is 7 miles from the site. She stated that other counties should not be able to impact what Meriwether County agrees on. She stated she is very opposed to the legislation.

Bob Norman, Macon Attorney, stated that he has been involved with this project since the 1980's. He said that he has primarily represented the waste facility and this legislation would limit more than ever the gap in Georgia law. He said that Georgia law is very specific now and that the subject of landfills is very well addressed. He said the Greenbow project is a model project and that counties should have the right to make their own decisions. He stated that this legislation is opening a huge door not just about landfills but other county projects and would allow the State jurisdiction to make an input.

Neill Herring, Sierra Club, spoke in favor of SB 197, stating that this is good neighbor legislation and not only do they support the 2 mile county line restriction but feel that the ½ mile city restriction should be added to the legislation.

Senator Harp closed the discussion by stating that the representatives speaking from Meriwether County were a chosen few. That Greenbow sued Meriwether County.

Senator Seabaugh stated that people of these communities do not want this landfill.

Chairman Tolleson asked for a motion from the Committee.

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No motion was made. Chairman Tolleson **tabled** [SB 197](#).

There being no further business, Chairman Tolleson adjourned the meeting at 11:45 a.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 State Capitol, March 15, 2007, at 9:00 a.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Henson of the 41st
Hill of the 4th
Johnson of the 1st
Powell of the 23rd
Weber of the 40th

Note: Senators Hooks of the 14th, Meyer von Bremen of the 12th, and Whitehead of the 24th were absent.

Chairman Tolleson called the meeting to order at 9:12 a.m.

SB 221 (Bulloch, 11th) Permits for Land Disposal Sites

Senator Bulloch spoke to **SB 221**. He stated that this legislation was brought about as the result of the Senate Septage Disposal Study committee. He said that during the Study Committee meetings, a great deal of time was spent looking at Georgia laws and this legislation takes the permits out of the counties' hands and puts it with the Department of Natural Resources (DNR), Environmental Protection Division (EPD). This Department has the expertise to regulate the disposal of waste through proper sites. The problem had become such that there were a lot of costs coinciding with the pumping and illegal dumping in manholes and other areas. The findings of the Study Committee were that permitting needed to be under EPD so that EPD can regulate permit sites and regulate hauling of waste. Senator Bulloch stated that they looked at multiple municipalities and also at means of tracking pumping. He also stated that this would take effect in 2012, to give time for companies to fall under the EPD guidelines.

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Senator Henson asked if this was a Department of Natural Resources' bill. Senator Bulloch answered no.

Senator Hudgens asked if DNR was willing to take on this permitting and Senator Bulloch said that his indications were that they would.

Senator Hudgens made a motion that **SB 221 "do pass."** Senator Powell seconded the motion. **SB 221 passed** by unanimous vote.

SB 292 (Hawkins, 49th) Commercial Shrimping Waters

Senator Hawkins briefly spoke to **SB 292**. He stated that this legislation gives power back to the Commissioner of the Department of Natural Resources and that it includes a one mile limitation for the taking of commercial shrimp.

Ms. Pam Davidson, Georgia Shrimp Association, introduced Mr. Fred Dennis who has been making his living shrimping for 30 years. Mr. Dennis stated that he had supported his family and educated his children. He stated that 60 percent of the shrimp are within the one mile area and that the livelihood of the shrimp industry was at stake with this legislation.

Captain Wendell Harper, Shrimp Boat Captain, stated that they need to be able to fish the inner and outer waters. They have a real difficulty with the one mile closure. Many shrimpers make a lot of their living within this area. He stated that shrimp boats are very careful of the environment and showed films about how the other fish can escape the nets.

Captain Harper answered questions asked by many of the Senators concerning by-catch, state laws, and surrounding state laws. Also, Mr. Spud Woodward, Assistant Director for Marine Fisheries, Georgia Department of Natural Resources, answered questions comparing Georgia's laws with other states.

Ms. Paige Morrison, wife of a Shrimper, spoke to the Committee. She stated that she was representing her husband. She said with the increasing price of fuel, forcing the

shrimp boats to go further out to sea would be a cost that would be hard to overcome. She also said that 80 percent of the time the shrimp is caught within the one mile. She said that her husband had always been a shrimper and did not know any other profession.

Mr. John Woods, commercial fisherman, asked the Committee to not pass this legislation.

Mr. Ricky Boone, Shrimper, stated that his grandfather, father, himself, and now his son are all shrimpers. He stated it was all they have ever done. He said 60 percent of their catch is within one mile.

Senator Weber asked the shrimpers about the bycatch nets and how they affect the sandy bottoms.

Ms. Pam Davidson explained that the new types of nets, as shown in the video, were bycatch friendly and there was no reason to believe they were harmful to the bottoms. Ms. Davidson stated that there are already federal regulations pertaining to nets in the Magnison Stephens Act, Section 116.

Ms. Davidson urged the Committee to not pass this bill that she believed would remove shrimpers from making a living and place them on the unemployment rolls.

Mr. John Duren, Coastal Conservation Association, spoke in favor of the legislation. He stated that this organization has 1800 members and that they are made up of recreational salt water fishers. He stated that their organization wants sustainable fisheries and fewer boats in the waters. He said the problem is bycatch vs. catch and there is a frequent disturbance of the waters. He stated that food fish is caught instead of shrimp. He said that Florida prohibits commercial fishing within the one mile limitation, South Carolina prohibits from May to September, and that Mississippi is very restrictive.

Mr. Spud Woodward again spoke and stated that while bycatch is a concern, there is random information as to how much bycatch is really happening.

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Senator Weber asked if the bycatch had improved since the law changed the nets and Mr. Woodward stated that it was believed to be less with the new types of nets.

Mr. Woodward also stated that the Commissioner of DNR has the power to move the shrimpers at any time the shrimp population seems to be decreasing.

Senator Henson made a motion that **SB 292 “do pass.”** There was no second to the motion. [SB 292](#) was tabled.

Note: Senator Powell left the meeting.

[SB 187](#) (Pearson, 51st) Change Provisions Relating to Review and Approval or Denial of Applications for Certain Permits or Variances

Senator Pearson introduced **SB 187**. He began by saying that a substitute to this legislation would be necessary to strike section 2 and make section 3 section 2. He stated that this legislation would help small businesses.

Mr. Neill Herring, Sierra Club, stated that the real solution to the topic was more people within the Environmental Protection Division.

Ms. Jill Johnson, Georgia Water Coalition, stated that there was a desperate need for more people to handle permits.

Senator Bulloch made a motion that **SB 187 “do pass by substitute.”** Senator Hudgens seconded the motion. [SB 187](#) passed by unanimous vote.

There being no further business, Chairman Tolleson adjourned the meeting at 11:30 a.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 State Capitol, April 10, 2007, at 8:30 a.m.

The following Senators were present:

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

Note: Senators Henson of the 41st, Hill of the 4th, Hooks of the 14th, Meyer von Bremen of the 12th, and Powell of the 23rd were absent.

Chairman Tolleson called the meeting to order at 8:34 a.m. and stated that this meeting had been called as a presentation/update meeting. The topic of discussion would be [HB 214](#), which deals solely with Jekyll Island and this would give an opportunity for the Jekyll Island Authority (Authority), as well as the public, to speak to the Committee and share their views.

Mr. Ben Porter, Chairman, Jekyll Island Authority, began by speaking on the natural beauty of Jekyll Island. He stated that the Authority is committed to the economic improvement. He stated that the Authority would be the governing body on those improvements. According to Chairman Porter, Jekyll Island is losing conventions and vacationers because of the condition of some of the structures on the Island. He stated that some of the older hotels are boarded up and are a true eyesore to guests of the Island. He then addressed the concerns that had been voice about Jekyll becoming packed and a commercial Island. He stated that under the law, 65 percent of the Island could never be developed and that not all of the 35 percent was under development.

Senator Weber asked how many acres could still be developed and Chairman Porter stated 108 acres were still available for development. Chairman Porter further stated that there could be no development on the beaches or behind the dunes and that the Authority has to approve the plans. These plans come under rigid guidelines including the height of a building and the façade.

Mr. Ed Boshears, Authority member and former Senator, spoke about the legislation that was coming up. He stated that he was strongly in support of the lease extension and the rejuvenation of the Island but that he had fundamental disagreements with the Authority. He stated that in his opinion, Section 1 of [HB 214](#) expresses the intent to protect the beaches from development and that in the substitute that was to be offered this protection has been removed. He stated that he anticipated the mass development of the areas that had previously not been developed. Senator Boshears stated that the south end of Jekyll Island is an extremely environmentally sensitive area inhabited by endangered species of turtles and birds. He stated that his concern was that this is some of the last beach area that is undeveloped and that it needs to be preserved as a State Park, not a real estate development. He stated that 12,000 school children had visited the 4-H Center for nature study programs. Senator Boshears said that he believed that it is the intent of some members of the Authority to place large scale housing on the south end and had heard members comment that the 4-H Center was a waste of prime property.

In closing, Senator Boshears stated that Jekyll Island is a State Park and must have limitations put on the Authority. He asked that the Committee not let Jekyll Island be destroyed and just revitalize that area which has been developed in the past.

Mr. Frank Mirasola, representing the Jekyll Island Citizens' Association, stated that his group had been in existence for over 35 years. He said that it supports HB 214 and appreciated the hard work that Representative Barnard had put into this legislation. He stated that the Citizens'

Association is pleased with the inclusion of an oversight committee and likes the idea of legislative members. He stated that the Citizens' Association would continue to support the Jekyll Island Authority.

Senator Weber asked Mr. Mirasola if it was his belief that the primary purpose of the legislation was to extend the lease and to reaffirm the 65/35 land use. Mr. Mirasola answered in the affirmative.

Ms. Dorothy Ingram, Initiative to Protect Jekyll Island, stated that she believes that the legislation opens the door to over-development. She stated that there must be provisions for protecting the South End of Jekyll.

Mr. J. D. Dell, Trammell Crow Company, spoke in support of [HB 214](#). He stated that the revitalization of the existing hotels and properties were economically necessary for the State to enjoy the continued use of the Island by visitors. He stated that as a developer, his company was willing to work within the existing plan but they would need a longer lease to make their investment profitable. He urged that the legislation move forward.

Mr. Jim Stokes, President of the Georgia Conservancy, opposed HB 214 unless it was amended to protect the South End of the Island. He stated that the South End is a premiere bird watching area in the Southern United States and that development would drive away the birds and nesting turtles. He stated that the need to save the South End was a clear and un-debatable necessity. He went on to remind the Committee that the General Assembly had set up the 65 percent non-development clause for Jekyll Island in 1950. He stated that under the master plan that he had seen, the 4-H Club and the Soccer fields that are located on the South End would now be developed. In a 2004 survey, 84 percent of the residents of the Island were opposed to further development of any kind, but the plan that had been discussed was for a South End village consisting of a 350 room hotel, 30 condominiums, and eight single family homes. He urged the Committee to amend [HB 214](#) to prohibit development of the South End.

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Senator Weber asked who owned the Island and was answered the State of Georgia owns the Island.

Senator Hudgens asked Jim Stokes if the major concern of development is the turtles and birds and Mr. Stokes stated that they were certainly two of the major concerns.

Senator Whitehead asked for a clarification of the 65/35 land use rule and it was stated that this was Code Section law.

Senator Chapman stated that he does not want the South End to be included in the 35 percent developable area.

Mr. Art Hurt, Atlanta Audubon Society, stated that over-development was the rule in most areas and he is afraid that Jekyll Island State Park would not be the exception. He stated that Jekyll offered wonderful assets and should not be another Daytona Beach or Hilton Head. He stated that Jekyll should not be used for the "cash cow of real estate" for developers or for the State of Georgia. He concluded by stating that there is no way to overestimate the value of the South End of the Island for the birds, some of which were very rare.

Representative Terry Barnard, author of [HB 214](#), stated that there had been a great deal of work put into the legislation and that it basically did four major things: (1) It extends the life of the Authority; (2) It extends the lease for 99 years; (3) It forms an oversight committee; and (4) It designates that four members of the oversight committee be legislators – two Senators and two House members. He concluded by saying that what we do in this legislation will affect the face of Jekyll Island for the next 100 years.

Mr. Bill Donohue, Jekyll Island Authority, assured the Committee that their purpose was to sustain the Island.

Senator Weber asked what would be the problem with restricting the use on the South End of the Island.

Mr. Donohue answered that the Authority would be looking at the best use moving forward, not necessarily what the best use

was in the past.

Senator Hawkins asked if it was possible to protect the South End to keep from running off the turtles.

Senator Chapman stated that there has been a decline in recent years in the Island and Mr. Donohue agreed. Senator Chapman asked if the South End was kept off limits, could the Island still have revitalization and Mr. Donohue stated it could be accomplished without including the South End. Senator Chapman asked if Mr. Donohue supported the increase of permanent housing and Mr. Donohue answered he had no opposition to the increase of houses.

Senator Whitehead asked if the campground had high use and Mr. Donohue stated it was very high use. Senator Whitehead asked if that use could be expanded and Mr. Donohue stated that was a recommendation of the Authority.

There being no further questions, Chairman Tolleson adjourned the meeting at 11:05 a.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 State Capitol, April 12, 2007, at 1:00 p.m.

The following Senators were present:

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

Note: Senators Henson of the 41st and Powell of the 23rd were absent.

Chairman Tolleson called the meeting to order at 1:14 p.m.

HB 214 (Barnard, 166th) Jekyll Island - State Park Authority

Representative Barnard spoke to **HB 214**. He stated that Section 1 of the legislation has no intent. Section 2 creates the oversight committee. Section 3 extends the life of the lease to 50 years. Sections 4 and 5 states how the selection of the committee is done. Section 6 extends the Jekyll Island State Park Authority (Authority) and Section 7 is current law, other than page 6 line 3 which requires notification to the legislature by certified mail. Section 8 is an exemption for Sales Tax for the Authority only.

Senator Bulloch asked Representative Barnard about the master plan from Section 1, why the policy existed if an objection was filed, and was this adding another level of safeguard if changes were made to the master plan.

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Representative Barnard answered that this was an additional safeguard and according to this legislation, the legislature would vote to override a stay.

Senator Chapman introduced a substitute LC 25 4946S. He stated that the Island could never be sold and includes the protection of the South End. It also stated that there could be no increase in homes built on Jekyll Island. He informed the Committee that he had an amendment to this substitute that would protect the 4-H Center and soccer fields.

Senator Bulloch expressed a concern that Senator Chapman's legislation would not protect the 25 homes that currently exist in the South section of the Island. He questioned whether they would be allowed to repair or rebuild after a hurricane or fire or other damage to the existing structure. He further questioned about upkeep or improvements.

Senator Tolleson introduced a substitute LC 25 4956S. He stated that Section 1 restates the 65/35 rule and Section 2 gives an additional 30-year lease. Section 3 kept the overview committee in place but altered it to add two legislative members to serve on the oversight committee. Section 5 deals with the Authority's sales tax exemption.

Note: Senator Hudgens left the meeting.

Senator Bulloch made a motion that **HB 214 "do pass by substitute."** (LC 25 4956S) Senator Johnson seconded the motion. [HB 214](#) passed 4 – 4 with Chairman Tolleson voting yes to break the tie.

Yes votes – Whitehead, Bulloch, Hill, Johnson and Tolleson
No votes – Weber, Hooks, Chapman and Meyer von Bremen

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There being no further business, Chairman Tolleson adjourned
the meeting at 2:12 p.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 State Capitol, April 16, 2007, at 5:00 p.m.

The following Senators were present:

Tolleson of the 20th
Bulloch of the 11th
Hudgens of the 47th
Chapman of the 3rd
Hawkins of the 49th
Henson of the 41st
Hill of the 4th
Hooks of the 14th
Johnson of the 1st
Meyer von Bremen of the 12th

Note: Senators Powell of the 23rd, Weber of the 40th, and Whitehead of the 24th were absent.

Chairman Tolleson called the meeting to order at 5:00 p.m.

HB 510 (Channell, 116th) Operations of Certain Vessels on Lake Oconee

Representative Channell spoke to **HB 510**. He stated that current law prohibits certain vessels from operating on Lake Oconee; however, the law does not prohibit a vessel which is no greater than 40 feet in length, used for conducting group tours on behalf of the owner or operator of a REAP, and certified by the Department of Community Affairs. Under this legislation, such a vessel is allowed to operate on Lake Oconee only if the vessel was lawfully operated on the lake by the REAP owner or operator immediately prior to the effective date of this legislation. Furthermore, the vessel may be replaced by the same REAP owner or operator one at a time and only if the predecessor vessel was retired and the replacement vessel does not exceed 40 feet in length. There is only one boat on Lake Oconee that is 40 feet or greater in length. This bill will ensure that it is the only one.

Senator Bulloch questioned that the version that passed the House had a length and width clause and the version that Representative Channell was presenting had that removed. Senator Bulloch asked if this would pass back through the House and Representative Channell stated that he felt that it would.

Senator Tolleson asked if the changes in the substitute were changes that Representative Channell wanted and Representative Channell answered yes.

Senator Henson asked what REAP stood for and meant. Representative Channell stated that REAP was Regional Economic Assistance Project, which is a project which meets certain criteria and which receives a certification of compliance from the Commissioner of the Department of Community Affairs.

Senator Bulloch made a motion that **HB 510** “do pass by substitute.” Senator Hudgens seconded the motion. [HB 510](#) passed by unanimous vote. Senator Tolleson will carry **HB 510** on the Senate floor.

Note: Senator Hawkins left the meeting.

[HB 100](#) (Hill, 180th) Shrimping

Representative Hill spoke to **HB 100**. Representative Hill stated that this legislation came about from stakeholder meetings. She stated that there were eight major points that came out of the meetings and this legislation was built around those eight points. The legislation defines a “bait shrimp cast net” which is constructed of a minimum of 3/8” mesh. The legislation prohibits the use of power-retrieved nets for commercial shrimping. The legislation increases the limits for number of shrimp taken in a 24-hour day. It defines the legality of shrimping for noncommercial purposes, food shrimping season, and removes language in current law which prohibits the taking of shrimp for bait. It also clarifies the address for the Department of Natural Resources (DNR) for the purpose of reporting and gives direction to DNR about

issuance of licenses.

Mr. Spud Woodward, Assistant Director for Marine Fisheries, Georgia Coastal Resource Division, Georgia Department of Natural Resources, spoke for the bill stating that the bill was a year-long process stemming from study and stakeholders meetings.

Mr. Frank Sheffield, Cast Netters Association, spoke for the bill and asked the Committee to pass this legislation.

Mr. John Wallace, Georgia Shrimp Association, stated that he felt the legislation was differential to the trawler industry and there would be enforcement problems.

Ms. Pam Davidson, Georgia Shrimp Association, stated that this legislation was really a recreational vs. commercial issue and that it would hurt the industry.

Senator Chapman introduced a substitute to the bill. Chairman Tolleson stated that since the previous legislation had been the product of stakeholder meetings, he was placing Senator Chapman's substitute in a study committee naming Senator Chapman the Chairman of the study committee.

Senator Chapman stated that someone had to take up for the trawlers who were greatly outnumbered.

Senator Johnson made a motion that **HB 100 "do pass".** Senator Hooks seconded the motion. [HB 100](#) passed by a vote of 5-4, with Chairman Tolleson voting yes to break the tie. Yea votes: Johnson, Hooks, Henson, Hill and Tolleson
Nay votes: Meyer von Bremen, Hudgens, Bulloch, Chapman
Senator Johnson will carry **HB 100** in the Senate.

Note: Senator Johnson left the meeting.

**[HB 463](#) (McCall, 30th) Soil Erosion and Sedimentation
Changing Provisions**

Representative McCall spoke to **HB 463**. He stated that the legislation sets guidelines for permitting of land-disturbing activities. It also defines the reporting, inspections, design standards, education and training requirements, and project size.

Senator Bulloch spoke to the substitute, which added permits for land disposal sites to the legislation.

Senator Hudgens made a motion that **HB 463 “do pass by substitute.”** Senator Bulloch seconded the motion. [HB 463](#) passed by unanimous vote. Senator Bulloch will carry **HB 463** in the Senate.

[HB 471](#) (Stephens, 164th) Privately Constructed Water or Sewage Systems

Senator Stephens spoke to **HB 471**. This legislation was brought about for an existing privately constructed water system. This legislation would prevent a local governmental authority from requiring the transfer of ownership of a privately constructed water or sewage system that will not be connected to a public-owned water or sewage system. Also, the government entity cannot require the transfer as a condition to permitting.

Senator Bulloch made a motion that **HB 471 “do pass”.** Senator Hudgens seconded the motion. [HB 471](#) passed by unanimous vote (Senator Chapman abstained). Senator Bulloch will carry **HB 471** in the Senate.

Note: Senator Johnson came back to the meeting.

[HB 239](#) (Lane, 158th) Effective Date of Certain Rules and Regulations Promulgated by the Board of Natural Resources

Senator Heath spoke to **HB 239**. He stated this legislation changes previous rules and regulations concerning game and fish criminal violations. Senator Heath also proposed a committee substitute that exempts water buffalo from the wild animal license requirement.

Senator Bulloch proposed a different committee substitute to allow hunting of deer over bait.

Senator Bulloch made a motion that **HB 239** “do pass by substitute.” Senator Meyer von Bremen seconded the motion. **[HB 239](#)** passed by a 5-3 vote. Senator Heath will carry **HB 239** in the Senate.

Yea votes: Meyer von Bremen, Hooks, Bulloch, Chapman, Hill
Nay votes: Henson, Hudgens, and Johnson

[HB 177](#) (Scott, 2nd) Notice to State Archeologist Prior to Investigating Historic Sites

Representative Scott spoke to **HB 177**. He stated that this legislation requires the state archeologist to maintain web sites and telephone lines at all times for the purpose of receiving notice of intention to investigate a historic site. Current law requires five days notice in writing before disturbance.

Senator Hudgens asked if the Department of Natural Resources would be expected to monitor phone lines 24/7 and was answered that the website covered that.

Senator Henson asked if the ethnic groups that investigate some of these sites had a problem with this legislation. Representative Scott answered that he did not know of any groups expressing concern.

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Senator Bulloch made a motion that **HB 177** “do pass.”
Senator Chapman seconded the motion. [HB 177](#) passed by
unanimous vote. Senator Bulloch will carry **HB 177** in the
Senate.

There being no further business, Chairman Tolleson adjourned
the meeting at 6:30 p.m.

Respectfully submitted,

/s/ Hudgens of the 47th, Secretary

/s/ Vicki Gibbs, Recording Secretary

May 23, 2007

Mr. Robert Ewing
Secretary of the Senate
353 State Capitol
Atlanta, GA 30334

Dear Mr. Ewing:

The following bills remained in the Senate Natural Resources and the Environment Committee at the close of the 2007 session.

[SB 69](#)
[SB 197](#)
[SB 198](#)
[SB 292](#)
[SR 439](#)

Respectfully submitted,

/s/ Vicki Gibbs
Recording Secretary