

**SENATE COMMITTEE ON AGRICULTURE AND CONSUMER AFFAIRS
2016 MEMBERS**

Senator John Wilkinson, Chairman, 50th District
PO Box 2227
Toccoa, GA 30577

Senator Tyler Harper, Vice Chairman, 7th District
PO Box 798
Ocilla, GA 31774

Senator Ellis Black, Secretary, 8th District
5900 Jumping Gully Road
Valdosta, GA 31601

Senator Dean Burke, 11th District
1500 East Shotwell Street
Bainbridge, GA 39819

Senator Bill Heath, Ex-Officio, 31st District
2225 Cashtown Road
Bremen, GA 30110

Senator Greg Kirk
P.O. Box 6085
Americus, GA 31709

Senator Larry Walker
1110 Washington Street
Perry, GA 31069

Senator Nan Orrock, 36th District
1070 Delaware Avenue SE
Atlanta, GA 30316

Committee on Agriculture and Consumer Affairs

The Senate Committee on Agriculture and Consumer Affairs held a meeting on Friday, February 19, 2016 in 125 room of the State Capitol at 1:00 p.m.

The following Senators were present:

Sen. John Wilkinson (50th), Chairman
Sen. Tyler Harper (7th), Vice-Chairman
Sen. Ellis Black (8th), Secretary
Sen. Dean Burke, 11th
Sen. Bill Heath (31st), Ex-Officio
Sen. Greg Kirk (13th)
Sen. Nan Orrock (36th)
Sen. Larry Walker (20th)

Sen. Wilkinson (50th) convened the meeting at 1:00 p.m.

SR 1018 (Sen. Wilkinson, 50th, LC 40 1101) U.S. Environmental Protection Agency; encouraged to withdraw the proposed Water of the US Clean Water Plan rule

Sen. Harper (7th) made a motion **Do Pass**. Sen. Black (8th) seconded the motion. The motion passed 6-1. Sen. Burke (11th), Sen. Black (8th), Sen. Heath (31st), Sen. Kirk (13th), Sen. Walker (20th), and Sen. Harper (7th) voted in favor, while Sen. Orrock (36th) voted against.

SR 1018 DO PASS

HB 219 (Rep. Jeff Jones, 167th, LC 40 1051S) Health; swimming pools; exempt certain privately owned pools from inspection and licensing requirements

Rep. Jones (167th) spoke of HB 219 pertaining to public and private pools in condominiums and townhomes. Sen. Kirk (13th) questioned the size of the pool pertaining to water quality, and Sen. Orrock (36th) questioned deck square footage and agency inspections.

Testimonies:

- Sen. William Ligon (3rd) spoke in support, saying that condominiums are responsible for pools.
- Shawn Still, Home Spa Association liaison, spoke in favor.
- Keith Hatcher, Georgia Realtors, spoke in favor.
- David Bayan and Chris Ruston, Department of Public Health, spoke in opposition.

Sen. Heath (31st) made a motion **Do Pass**. Sen. Black (8th) moved to **table HB 219** and Sen. Orrock (36th) seconded the motion to table.

HB 219 TABLED

SB 354 (Sen. Bill Jackson, 24th, LC 43 0297) **Taxation and Revenue; provide an exception to a breach of covenant and qualified use for bona fide conservation use property**

Testimonials:

- Richard Royal, Georgia Forestry Association, spoke in favor of legislation.
- Alex Bradford, Georgia Farm Bureau, spoke in favor of legislation.

Sen. Heath (31st) passed out an opinion letter from Legislative Counsel to the Committee members and discussed it briefly.

NOTE: Sen. Orrock (36th) left the meeting at 1:28 p.m.

Sen. Black (8th) made a motion **Do Pass** and Sen. Walker (20th) seconded the motion. The vote was 3-3. Sen. Kirk (13th), Sen. Black (8th), and Sen. Walker (20th) voted in favor of the motion and Sen. Burke (11th), Sen. Harper (7th), and Sen. Heath (31st) voted against.

SB 354 MOTION FAILED

NOTE: Chairman Wilkinson (50th) announced the vote incorrectly as 3-2. The motion was made again the following meeting to correct the mistake.

HB 815 (Rep. Trey Rhodes, 120th, HB 815/FA) **Meat inspection; inspection and regulation of certain avian meat products and facilities; provide**

Rep. Rhodes (120th) presented the bill.

Sen. Black (8th) made a motion **Do Pass** and Sen. Heath (31st) seconded the motion. The motion passed unanimously 6-0.

HB 815 DO PASS

HB 697 (Rep. Tom Kirby, 114th, HB 697/CSFA) **Unsolicited merchandise; solicitors to receive from consumers affirmative assent to continued receipt of certain merchandise following a free trial before charging; require**

NOTE: Sen. Black (8th) left at 2:03 p.m.

Sen. Kirk (13th) made a motion **Do Pass by Substitute**. Sen. Burke (11th) seconded the motion. The vote was unanimous, 5-0.

HB 697 DO PASS BY SUBSTITUTE (LC 40 1122S)

Sen. Wilkinson (50th) adjourned the meeting at 2:08 p.m.

Respectfully submitted,

/s/ Sen. Ellis Black (8th), Secretary

/s/ Taylor Hartshorn, Recording Secretary

Committee on Agriculture and Consumer Affairs

The Senate Committee on Agriculture and Consumer Affairs held a meeting on Wednesday, February 24, 2016 in room 125 of the State Capitol at 8:30 a.m.

The following Senators were present:

Sen. John Wilkinson (50th), Chairman
Sen. Tyler Harper (7th), Vice-Chairman
Sen. Ellis Black (8th), Secretary
Sen. Dean Burke (11th)
Sen. Bill Heath (31st), Ex-Officio
Sen. Greg Kirk (13th)
Sen. Larry Walker (20th)

NOTE: Sen. Nan Orrock (36th) was absent.

Chairman Wilkinson (50th) convened the meeting at 8:30 a.m. with the purpose to correct the misunderstanding with the vote count for **SB 354** from Friday, February 19, 2016.

[SB 354](#) (Sen. Bill Jackson, 24th, LC 43 0297) Taxation and Revenue; provide an exception to a breach of covenant and qualified use for bona fide conservation use property

Sen. Black (8th) moved Do Pass. Sen. Walker (20th) seconded the motion. The vote was 3-3. Sen. Kirk (13th), Sen. Black (8th), and Sen. Walker (20th) voted in favor of the motion and Sen. Burke (11th), Sen. Harper (7th), and Sen. Heath (31st) voted against. Chairman Wilkinson (50th) voted in favor, as the tie breaker.

SB 354 DO PASS

Sen. Wilkinson (50th) adjourned the meeting at 8:33 a.m.

Respectfully submitted,

/s/ Sen. Ellis Black (8th), Secretary

/s/ Taylor Hartshorn, Recording Secretary

Committee on Agriculture and Consumer Affairs

The Senate Committee on Agriculture and Consumer Affairs held a meeting on Monday, March 7, 2016 in room 125 of the State Capitol at 1:00 p.m.

The following Senators were present:

Sen. John Wilkinson (50th), Chairman
Sen. Tyler Harper (7th), Vice-Chairman
Sen. Ellis Black (8th), Secretary
Sen. Dean Burke (11th)
Sen. Bill Heath (31st), Ex-Officio
Sen. Greg Kirk (13th)
Sen. Nan Orrock (36th)
Sen. Larry Walker (20th)

Chairman Wilkinson (50th) convened the meeting and opened with a prayer at 1:00 p.m.

HB 579 (Rep. Tom McCall, 33rd, LC 40 1119S) Motor vehicles; operation of certain vehicles upon highways when used in connection with agricultural pursuits; provide

Rep. McCall (33rd) introduced the bill, which would make it legal to move certain farm vehicles on state highways (ATVs and four-wheelers included), as long as they are engaging in farm activities.

With no questions, Sen. Heath (31st) made a motion **Do Pass**, and Sen. Black (8th) seconded the motion. The motion passed unanimously. Sen. Wilkinson (50th) will be the Senate sponsor.

HB 579 DO PASS

HB 800 (Rep. Rick Jasperse, 11th, LC 40 1016) Veterinarians; veterinarian-client-patient relationship; clarify scope

Rep. Tom McCall (33rd) spoke on behalf of Rep. Jasperse (11th). This bill allows veterinarians to look at animals in groups when making a general or preliminary diagnosis of the medical condition of an animal/group of animals. Nothing in this bill changes the Georgia Veterinary Practice Act.

Testimonies on HB 800:

- Mike Giles, President of the Poultry Federation, spoke in favor because, he said, it would benefit poultry veterinarians to visit each individual premise, but current law requires visitation to every premise. This bill would allow poultry veterinarians to make their diagnosis of an operation or production system where poultry is kept.

Sen. Orrock (36th) clarified that there are procedures in place to keep poultry from exposure.

Sen. Walker (20th) made a motion **Do Pass** and Sen. Kirk (13th) seconded the motion, which passed unanimously. Sen. Walker (20th) will be the Senate sponsor.

HB 800 DO PASS

HB 219 (Rep. Jeff Jones, 167th, LC 401170S) Health; swimming pools; exempt certain privately owned pools from inspection and licensing requirements

Rep. Jones (167th) introduced the bill asking for full support, allowing condominium and townhome pools, but not apartment pools, to be considered private rather than public, and to be treated as such. Condominium pools in that case, will not be subject to state regulation.

Testimonies on **HB 219**:

- Debra Nesbitt, Association of County Commissioners, spoke in favor of all except capping the inspection fee of \$100 and suggested a language change, as the charge can change per inspection across counties.
- John Barbour, Georgia Association of Realtors, spoke in favor, stating there needs to be a balance between property rights and safety.
- Department of Public Health (DPH), spoke in opposition, due to public health issues caused by these pools being unregulated and not subject to health inspections.
- Association of Pool and Spa Professionals (ASPA), spoke in opposition, due to public health issues caused by these pools being unregulated and not subject to health inspections.

Sen. Heath (31st) proposed an amendment (#1) to the bill requesting to change lines 84-85 which read: “The county board of health may change an inspection fee not to exceed \$100.00; provided, however, that no fee shall be charged for any follow-up inspection.” Sen. Heath (31st) stated that there are different terms for actual costs, and that the rate becomes different depending on what was done (actual vs. usual/customary cost).

Sen. Heath (31st) made a motion to amend amendment (#1) to strike the usual and customary in lieu of actual cost. Sen. Harper (7th) seconded. Sen. Heath (31st), Sen. Harper (7th), and Sen. Burke (11th) voted in favor of the amendment, while Sen. Kirk (13th), Sen. Orrock (36th), Sen. Black (8th), and Sen. Walker (20th) voted against the amendment. The amendment failed 4-3.

Sen. Kirk (13th) proposed an amendment (#2) regarding lines 84 & 85, as well. Concerned that the Board of Health average fees and requests may exceed \$100.00, he wanted the language changed so the cost would be determined by the county. Rep. McCall (33rd) argued that it is important for there to be a cap on the charge so the private pool owners have an idea what they will be charged. Sen. Walker (20th) thinks they would be forced to use local control only when necessary. Rep. McCall (33rd) stated he was open to amending the legislation. In addition, this amendment states that counties are not allowed to charge for follow-up inspections.

Sen. Heath (31st) moved to adopt amendment (#3). Sen. Harper (7th) seconded the motion. The amendment passed unanimously.

Sen. Heath (31st) proposed an amendment (#4) in reference to follow-up inspections if a pool fails its initial inspection (line 81), limiting the follow-up inspection to matters detailed in the initial inspection to avoid extra requirements being tacked on the pool owner.

A motion was made to adopt amendment (#5). Sen. Heath (31st), Sen. Kirk (13th), Sen. Harper (7th), Sen. Walker (20th), Sen. Black (8th), and Sen. Burke (11th) voted for the amendment, while Sen. Orrock (36th) voted against it. The amendment passed 6-1.

Sen. Black (8th) made a motion to adopt amendment (#6), which proposed inserting that the inspection fee be “non-revenue generating.” There was no second, so it did not get a vote.

Sen. Heath (31st) made a motion to **Do Pass by Substitute**. Sen. Black (8th) seconded the motion. The motion passed unanimously. Sen. Ligon (3rd) will be the Senate Sponsor.

HB 219 DO PASS BY SUBSTITUTE (LC 40 1170S)

Sen. Wilkinson (50th) adjourned the meeting at 1:47 p.m.

Respectfully submitted,

/s/ Sen. Ellis Black, 8th, Secretary

/s/ Taylor Hartshorn, Recording Secretary

Committee on Agriculture and Consumer Affairs

The Senate Committee on Agriculture and Consumer Affairs held a meeting on Monday, March 14, 2016 in room 125 of the State Capitol at 1:00 p.m.

The following Senators were present:

Sen. John Wilkinson (50th), Chairman
Sen. Tyler Harper (7th), Vice-Chairman
Sen. Ellis Black (8th), Secretary
Sen. Dean Burke (11th)
Sen. Bill Heath (31st), Ex-Officio
Sen. Greg Kirk (13th)
Sen. Nan Orrock (36th)
Sen. Larry Walker (20th)

Sen. Wilkinson (50th) convened the meeting at 1:00 p.m.

[HB 1030](#) (Rep. Sam Watson, 172nd, LC 40 1109) Georgia Seed Development Commission; change certain provisions

Rep. Watson (172nd) presented the bill. There were no questions or discussion.

Sen. Burke (11th) made a motion **Do Pass by Substitute** and Sen. Kirk (13th) seconded the motion. Sen. Harper (7th), Sen. Black (8th), Sen. Heath (31st), Sen. Kirk (13th), Sen. Walker (20th) and Sen. Orrock (36th) voted in favor. The motion passed with a vote of 7-0. Sen. Black (8th) will be the Senate sponsor.

HB 1030 DO PASS BY SUBSTITUTE (LC 40 1185S)

[HB 876](#) (Rep. Clay Pirkle, 155th, LC 40 1044) Animals; license and surety requirements of livestock dealers and market operators; update

Rep. Pirkle (155th) introduced the bill and Sen. Orrock (36th), Sen. Heath (31st), and Sen. Walker (20th) expressed their concerns.

Sen. Heath (31st) made a motion **Do Pass by Substitute** and Sen. Burke (11th) seconded the motion. The vote passed unanimously, 7-0. Sen. Harper (7th) will be the Senate sponsor.

HB 876 DO PASS BY SUBSTITUTE (LC 40 1187S)

Sen. Wilkinson (50th) adjourned the meeting at 1:13 p.m.

Respectfully submitted,

/s/ Sen. Ellis Black, 8th, Secretary

/s/ Taylor Hartshorn, Recording Secretary

Committee on Agriculture and Consumer Affairs

The Senate Committee on Agriculture and Consumer Affairs held a meeting on Monday, March 22, 2016 in room 125 of the State Capitol at 1:00 p.m.

The following Senators were present:

Sen. John Wilkinson (50th), Chairman
Sen. Tyler Harper (7th), Vice-Chairman
Sen. Ellis Black (8th), Secretary
Sen. Dean Burke (11th)
Sen. Bill Heath (31st), Ex-Officio
Sen. Greg Kirk (13th)
Sen. Larry Walker (20th)

NOTE: Sen. Nan Orrock (36th) was absent.

Sen. Wilkinson (50th) convened the meeting at 12:55 p.m.

The purpose of the meeting was to appoint a candidate to the Agriculture Commodity Commission. Sen. Walker (20th) made a motion to reelect Buddy Leger of Cordele, and Sen. Black (8th) seconded the motion. The motion passed unanimously.

Chairman Wilkinson (50th) adjourned the meeting at 1:00 p.m.

Respectfully submitted,

/s/ Sen. Ellis Black, 8th, Secretary

/s/ Taylor Hartshorn, Recording Secretary

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JOHN K. WILKINSON
District 50
PO Box 2227
Toccoa, Georgia 30577

421-A State Capitol
Atlanta, Georgia 30334
Tel: (404) 463-5257
Fax: (404) 651-6768

John.Wilkinson@senate.ga.gov



The State Senate
Atlanta, Georgia 30334

COMMITTEES:

Agriculture and Consumer Affairs, Chairman
Education and Youth, Vice-Chairman
Appropriations
Natural Resources and the Environment
Rules, Ex-Officio

March 28, 2016

Mr. David Cook
Secretary of the Senate
353 State Capitol
Atlanta, Georgia 30334

Dear Mr. Cook:

I return herewith to the Office of the Secretary of the Senate, the following bills which were not acted upon in the Senate Committee on Agriculture and Consumer Affairs during the 2016 Legislative Session:

- SB 180 by Senators McKoon of the 29th and Cowser of the 46th.
- SB 173 by Senators Stone of the 23rd, Cowser of the 46th, Hill of the 4th, Millar of the 40th, Unterman of the 45th and others.
- HB 1084 by Representative Houston of the 170th, England of the 116th, Watson of the 172nd, Shaw of the 176th, and Efrstration of the 104th.

Sincerely,

Taylor Hartshorn
Legislative Assistant
Majority Caucus Leadership Office
Office of Senator John Wilkinson, 50th District Office of Senator Hunter Hill, 6th District
404-463-5257
taylor.hartshorn@senate.ga.gov