



## 2009 General Assembly Legislative Wrap-up

2009 was a busy and challenging year under the Gold Dome. Georgia Trout Unlimited (GA TU) worked closely with our partners – Georgia Wildlife Federation’s (GWF) Camouflage Coalition, Georgia Water Coalition (GWC) and Georgia Conservation Voter’s Georgia Environmental Network (GEAN). GA TU teams with GWF, GWC and GEAN on issues regarding coldwater conservation when our goals are aligned. Our elected officials were faced with tough budget decisions in lean economic times. In addition to the budget, several bills were proposed concerning water quality and sportsmen’s matters. Details of the budget and legislation are enclosed.

HB 119 set the FY 2010 budget. Early plans from the Governor’s office to close the Lake Burton hatchery were set aside. However, one vacant position at the hatchery will not be filled. Closing the hatchery would have reduced trout stocking by 31%. Funding for land acquisition to provide continued access for hunting and fishing was restored by the House in Conference Committee. A significant cut in GA DNR law enforcement eliminated 10 vacant positions. Motor vehicle purchases were eliminated for 2010. Additional reductions in funds for operations and contracts are included in the budget. GA DNR employees will have their 2009 cost-of-living-adjustment deferred and cost of health benefits increased.

SB 155 defining ephemeral stream and providing an exception to buffers on non-trout waters for ephemeral streams passed the Senate and House. GA TU opposed this bill. Some feeder streams to trout waters are not classified as trout waters and other key definitions concerning buffer management are not codified. They are found in GA EPD guidance. We feel this can lead to confusion and land disturbances around intermittent streams that could degrade water quality.

HB 207 making operation of ORVs illegal in streams stalled in the Senate Rules Committee after wide bipartisan support in the House and a unanimous referral from the Senate Natural Resources Committee. This bill is pending for the 2010 session. GA TU supports this bill. ORV operators have left defined trails and travelled up streams damaging banks and stream beds resulting in erosion and sedimentation.

Water conservation continues to be an interest. GA TU supported GWC and GEAN on a number of bills.

- HB 158 requiring sub metering of multi-family housing passed in the House and is pending in Senate Rules.
- HB 239 addressing permitted surface water withdrawals and treated water returns was not heard by the full House Natural Resources Committee.
- HB 262 prohibiting homeowner associations enforcing covenants that barred drought resistant landscaping passed the House but was defeated in the Senate Natural Resources Committee.
- HB 552 extending the current moratorium on use of ASR in the Floridian aquifer passed the House and Senate.

HB 238 regulating sludge waste facilities was not taken up by the full House Natural Resources Committee.

HB 316 providing that state government entities shall be exempt from local government storm water utility charges was opposed by GA Water Coalition and not taken up by House Committee on Governmental Affairs.

SR 107 and HR 180 were proposed urging the U.S. Congress to build reservoirs upstream from Lake Sidney Lanier. SR 107 passed. HR 180 was not voted on and is pending for the 2010 General Assembly.

HB 326 allowing for multi-year fishing and hunting licenses passed the House and Senate. Purchasing multi-year licenses will be slightly less expensive than single year licenses.

HB 406 providing an exception for reservoir (drinking water supply) projects of GEFA to the prohibition for state funding and permits passed the House, failed in the Senate and was sent back to Rules for reconsideration.

SB 107 prohibiting billboards in conservation sensitive areas was countered by SB 164 allowing owners to remove vegetation by permit. SB 107 was not heard in Transportation Committee. SB 164 passed the Senate but was postponed in the House on reconsideration.

## AD-VO-CATE n. (AD•vuh•kit)

one who defends or supports a person or cause:  
*an advocate for protection of coldwater resources*

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### **Georgia Wildlife Federation Camouflage Coalition®**

Taking action to protect Georgia's  
natural resources & sporting heritage



[www.camocoalition.com](http://www.camocoalition.com)

*It isn't just about  
saving trees and clean water.*



WHAT WE'RE REALLY TRYING TO DO IS  
CONSERVE A WAY OF LIFE.

GEORGIA ENVIRONMENTAL ACTION NETWORK

[www.protectgeorgia.net](http://www.protectgeorgia.net)

*Georgia Trout Unlimited Urges You to Join Our Partners Action Alert Networks*

**Join the Camouflage Coalition**

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### **TU National Action Center**

[www.tu.org/site/c.kkLRJ7MSKtH/b.4505497/k.8CF1/Action\\_Center.htm](http://www.tu.org/site/c.kkLRJ7MSKtH/b.4505497/k.8CF1/Action_Center.htm)

A place where you can stay on top of TU's government affairs work. Here you can search for current, federal legislation relevant to TU's mission and read a brief description about what the bill does and whether TU supports it. You can also take action on specific issues by sending your comments to the appropriate decision-maker. Finally, you can search for your elected representatives and read background information and obtain contact information. We hope you can use these tools to engage in our advocacy work and help to influence key decision-makers.

*Trout Unlimited is North America's leading coldwater fisheries conservation organization, with more than 150,000 members – including over 3,600 members in the Georgia – dedicated to the protection and restoration of trout and salmon fisheries and their watersheds. More information on Georgia Trout Unlimited is available at [www.georgiatu.org](http://www.georgiatu.org).*

HB 119 [www.legis.ga.gov/legis/2009\\_10/sum/hb119.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb119.htm)

House Budget Documents [www.legis.ga.gov/legis/2009\\_10/house/budget/budgetDocs.htm](http://www.legis.ga.gov/legis/2009_10/house/budget/budgetDocs.htm)

Senate Budget Reports [www.legis.ga.gov/legis/2009\\_10/senate/budgetreports.htm](http://www.legis.ga.gov/legis/2009_10/senate/budgetreports.htm)

- **Hatcheries.** Eliminate 1 vacant position for the Lake Burton cold-water hatchery. [*Fisheries Management*] (\$47,896)  
Both Lake Burton and Buford hatcheries are funded. An early plan from the Governor’s office included: Closing one cold-water hatchery and reduce management of wild trout habitat and populations; eliminating 2 Fisheries Biologist positions that work with trout stocking, wild trout habitat and populations, monitors trout streams and stocked trout survival, and recommends stocking locations and numbers. This cut would have eliminated 4 Fisheries Technician positions. Three state and one federal hatchery currently work together to produce 1.1 million catchable sized trout. The trout stocking goal would have been be 31% less and eliminated or reduced in 115 smaller north Georgia streams and lakes that have somewhat limited public access.
- **Land Acquisition.** Reduce funds due to reductions in acres leased as a result of nearby state land acquisitions. (House and Conference Committee: Decrease the initial acreage to be reduced to provide for continued access for hunting and fishing) \$0
- **Law Enforcement.** Reduce funds by eliminating ten vacant law enforcement positions funded in HB990 (FY09G). (\$450,000)
- **Licensing Outsourcing.** Eliminate 7 positions for License and Boating Registration due to implementation of automated system. [*Occurs in 2 subprograms*] (\$269,107). Increase funds to reallocate expenses resulting from the Georgia Technology Authority (GTA) Georgia IT (GAIT) outsourcing project. \$22,660
- **Motor Vehicles.** Eliminate funds for motor vehicle purchases. [*occurs in 3 subprograms*] (\$138,407)
- **Contracts.** Reduce funds from contracts. (\$68,000)
- **Operations.** Reduce funds from operations. (\$20,000)
- **Personnel.** Defer the FY09 cost of living adjustment. (\$332,523)
- **Personnel.** Defer funds to provide a special pay raise effective January 1, 2009 to address retention and compression issues for the following POST certified law enforcement positions: Conservation Captain Academy Director, Conservation Corporal, Conservation Captain Safety Education Officer, Conservation Captain Special Projects Officer, Conservation Ranger, Conservation Ranger First Class, Conservation Sergeant, Conservation Sergeant Administrative Specialist, Conservation Sergeant State Investigator, Law Enforcement Assistant Chief, Law Enforcement Region Supervisor, and Wildlife Technician. State (\$1,411,373)
- **Personnel.** Reduce funds to reflect the adjustment in the employer share of State Health Benefit Plan and Other Post-Employment Benefits (OPEB) contributions from 22.165% to 17.856%. (Governor Rev: Reduce funds to reflect an adjustment in the employer share of State Health Benefit Plan and Other Post-Employment Benefits (OPEB) contributions from 22.165% to 16.567%) (House: Reduce funds to reflect an adjustment in the employer share of State Health Benefit Plan and Other Post-Employment Benefits (OPEB) contributions from 22.165% to 17.329% in order to restore the expected state employee contribution to 25% of the cost of the plan) \$0

Passed House and Senate.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/19/2009	2:31PM	<a href="#">House Vote #301</a>	057	111	007	005	Suspend Rules
03/19/2009	2:36PM	<a href="#">House Vote #302</a>	123	049	003	005	PASS
04/01/2009	11:18AM	<a href="#">Senate Vote #343</a>	021	031	002	002	ADOPTION OF AMENDMENT #1 BY SENATOR FROM THE 26TH TO COMMITTEE SUB
04/01/2009	11:20AM	<a href="#">Senate Vote #344</a>	052	003	001	000	PASSAGE BY SUBSTITUTE

**HB 158 - Public water systems; water usage among tenants; revise provisions**

[www.legis.ga.gov/legis/2009\\_10/sum/hb158.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb158.htm)

By: Representatives Manning of the 32nd and Meadows of the 5th. Sponsored in the Senate by Tollison, Ross 20th. A conservation bill to require that new multi-family housing provide a separate water meter for each unit. Passed House. Referred by Senate Committee on Regulated Industries and Utilities but did not make it out of Senate Rules Committee and is pending there for the 2010 General Assembly.

Supported by GA Water Coalition and Georgia Environmental Action Network (GEAN).

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/12/2009	3:18PM	<a href="#">House Vote #234</a>	109	053	016	002	PASS

**HB 207 - Off-road vehicles; operating restrictions; change certain provisions**

[www.legis.ga.gov/legis/2009\\_10/search/hb207.htm](http://www.legis.ga.gov/legis/2009_10/search/hb207.htm)

By: Representatives Sims of the 169<sup>th</sup>, Williams of the 178<sup>th</sup>, Smith of the 168<sup>th</sup>, Hatfield of the 177<sup>th</sup>, Roberts of the 154<sup>th</sup>, and others. Sponsored in the Senate by Tollison, Ross 20<sup>th</sup>.

Makes operating ORVs in streams illegal. Passed in House. Referred favorably by Senate Natural Resources Committee but was not taken up by Senate Rules Committee. Pending for 2010 General Assembly. Modified from "waters of the state" to "navigable and nonnavigable streams" in House Motor Vehicles Committee. Substitute bill in Senate Natural Resources changed language to "perennial stream."

Supported by GA TU and GA Wildlife Federation. Supported by GA DNR.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/05/2009	1:56PM	<a href="#">House Vote #150</a>	149	014	006	011	PASS

**HB 238 - Water pollution control; sludge and water-waste systems; regulate**

[www.legis.ga.gov/legis/2009\\_10/sum/hb238.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb238.htm)

By: Representative Benton of the 31st

Requires facilities that handle sludge waste to prove financial ability to cover accidental clean-up costs; to comply with local zoning ordinances; to prohibit operation of a land application system site during the appeal of a permit revocation or denial. Industry objects to expenses that would be incurred by the regulation.

Not taken up by the full House Natural Resources Committee. Can be considered in the 2010 General Assembly.

**HB 239 - Water pollution control; regulate surface water returns; county boards of health; change certain provisions**

[www.legis.ga.gov/legis/2009\\_10/sum/hb239.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb239.htm)

Smith, Richard 131st; Hanner, Bob 148th; Lane, Roger 167th

A bill requiring local governments to issue quarterly reports to EPD on permitted surface water withdrawals and treated water returns, and to allow EPD to prohibit new water service connections unless the water returned equals 75% or more of withdrawals. Bill not heard by the full House Natural Resources Committee. Can be considered in the 2010 General Assembly. Faces significant political opposition.

**HB 262 - Property; land covenants which prohibit certain xeriscape practices; prohibit**

[www.legis.ga.gov/legis/2009\\_10/sum/hb262.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb262.htm)

By: Representatives Hill of the 21st and McCall of the 30<sup>th</sup>

Prohibit enforcement of restrictive covenants which prohibit certain xeriscape (drought resistant) landscaping.

Supported by GA Water Coalition and garden Clun of GA.

Passed House. Defeated in Senate Natural Resources Committee. 2009 is the second year this bill failed.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/10/2009	4:07PM	<a href="#">House Vote #198</a>	157	001	010	012	PASS

**HB 316 - Local government storm water utility charges; exempt state government entities; provide**

[www.legis.ga.gov/legis/2009\\_10/sum/hb316.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb316.htm)

By: Representatives Ehrhart of the 36th and McCall of the 30<sup>th</sup>.

Provides that state government entities shall be exempt from local government storm water utility charges.

Opposed by GA Water Coalition.

Not taken up by House Committee on Governmental Affairs. Can be considered in the 2010 General Assembly.

**HB 326 - Licenses; hunting, fishing, and trapping; change certain provisions**

[www.legis.state.ga.us/legis/2009\\_10/sum/hb326.htm](http://www.legis.state.ga.us/legis/2009_10/sum/hb326.htm)

By: Representatives Lane of the 158th, Knight of the 126th, Williams of the 165th, Burns of the 157th, Dobbs of the 53rd, and others. Sponsored in the Senate by Tollison, Ross 20<sup>th</sup>.

Provides for multi-year fishing and hunting licenses.

Passed House and Senate.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
02/17/2009	11:41AM	<a href="#">House Vote #48</a>	164	002	007	007	PASS
03/30/2009	6:28PM	<a href="#">Senate Vote #319</a>	043	002	007	004	PASSAGE

**HB 406 - Service delivery strategies; certain drinking water projects; funding limitation; provide exemption**

[www.legis.ga.gov/legis/2009\\_10/sum/hb406.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb406.htm)

By: Representatives Coan of the 101st, McCall of the 30th, Ehrhart of the 36th, Amerson of the 9th, and Smith of the 70<sup>th</sup>. Sponsored in the Senate by Tollison, Ross 20<sup>th</sup>.

A bill to provide an exception for reservoir (drinking water supply) projects of GEFA to the prohibition for state funding and permits.

Passed House. Failed in Senate (needed 29 votes) and was sent back to the Rules Committee for reconsideration on request by Senate sponsor. Can be considered in the 2010 General Assembly.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/03/2009	11:29AM	<a href="#">House Vote #97</a>	131	033	006	010	PASS
04/01/2009	5:34PM	<a href="#">Senate Vote #377</a>	025	029	002	000	ADOPTION OF AMENDMENT #2 BY THE SENATOR FROM THE 35TH
04/01/2009	5:37PM	<a href="#">Senate Vote #378</a>	028	026	002	000	PASSAGE AS AMENDED
04/01/2009	5:39PM	<a href="#">Senate Vote #379</a>	032	023	001	000	RECONSIDERATION

**HB 552 - Water well standards; contractors or drillers; change certain provisions**

[http://www.legis.ga.gov/legis/2009\\_10/sum/hb552.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb552.htm)

By: Representatives Barnard of the 166th, Stephens of the 164th, Lane of the 167th, Bryant of the 160th, Williams of the 178th, and others. Sponsored in the Senate by Johnson, Eric 1<sup>st</sup>.

Extends the current moratorium on the use of aquifer storage and recovery in the Floridan aquifer.

Passed by House and Senate.

Supported by GA Water Coalition and Georgia Environmental Action Network (GEAN).

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/10/2009	10:47AM	<a href="#">House Vote #172</a>	149	000	014	017	PASS
03/26/2009	1:27PM	<a href="#">Senate Vote #291</a>	048	000	002	006	PASSAGE

**HB 639 - Special license plates; protect wild dolphins in Georgia**

[www.legis.ga.gov/legis/2009\\_10/sum/hb639.htm](http://www.legis.ga.gov/legis/2009_10/sum/hb639.htm)

By: Representatives Dollar of the 45th, Butler of the 18th, Lane of the 167th, Burkhalter of the 50th, Keen of the 179th, and Gardner of the 57th.

Provide a special license plate supporting the protection of wild dolphins in Georgia; to provide that a portion of the funds generated by the sale of such special license plate be disbursed to EarthEcho International, Inc., for scientific research to conserve the ocean environment and protect wild dolphins. Senate substitute bill removed EarthEcho International, Inc. and allowed for a GA Aquarium license plate to support its mission of global biodiversity.

Opposed by GA Wildlife Federation; funds would be sent out-of-state.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/12/2009	8:37PM	<a href="#">House Vote #277</a>	162	008	003	007	PASS
04/03/2009	11:08AM	<a href="#">Senate Vote #399</a>	054	001	001	000	PASSAGE BY SUBSTITUTE
04/03/2009	2:27PM	<a href="#">House Vote #459</a>	128	037	013	002	Agree Sen Sub

**SB 107 - State Highway System; prohibit outdoor advertising from being maintained in certain areas**

[www.legis.ga.gov/legis/2009\\_10/sum/sb107.htm](http://www.legis.ga.gov/legis/2009_10/sum/sb107.htm)

By: Senators Harp of the 29th, Unterman of the 45th, Weber of the 40th, Chapman of the 3rd, Adelman of the 42nd and Henson of the 41st.

Control of signs along the state highway system, so as to prohibit outdoor advertising from being erected or maintained in conservation areas including wetlands, floodplains, perennial streams, and other environmentally sensitive areas. Countered by SB 164.

Not taken up by Senate Committee on Transportation. Can be considered in the 2010 General Assembly. Faces significant political opposition.

**SB 155 - Soil Erosion and Sedimentation; 25 foot buffers along state waters; change certain provisions**

[www.legis.ga.gov/legis/2009\\_10/search/sb155.htm](http://www.legis.ga.gov/legis/2009_10/search/sb155.htm)

By: Senators Pearson of the 51st, Tolleson of the 20th, Williams of the 19th, Rogers of the 21st, Chance of the 16th and Hawkins of the 49<sup>th</sup>.

Defines ephemeral stream and provides exception to 25 foot buffer on non-trout waters.

Passed Senate and House.

Opposed by GA TU, GA Wildlife Federation, GA Water Coalition and Georgia Environmental Action Network (GEAN).

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
03/09/2009	3:58PM	<a href="#">Senate Vote #138</a>	023	029	000	004	ADOPTION OF AMENDMENT #1 BY SENATOR FROM THE 6TH TO COMMITTEE SUB
03/09/2009	4:00PM	<a href="#">Senate Vote #139</a>	035	017	000	004	PASSAGE BY SUBSTITUTE
03/26/2009	12:16PM	<a href="#">House Vote #348</a>	106	058	007	009	PASS

**SB 164 - State Highway System; signs and signals; height limitations; allow owners to obtain permits to remove vegetation from the viewing zones**

[www.legis.ga.gov/legis/2009\\_10/sum/sb164.htm](http://www.legis.ga.gov/legis/2009_10/sum/sb164.htm)

By: Senators Balfour of the 9th, Tarver of the 22nd, Mullis of the 53rd, Stoner of the 6th, Williams of the 19th and Rogers of the 21<sup>st</sup>.

Allows owners of legally erected and maintained signs to obtain permits to remove vegetation from the viewing zones. Opposed by GA Water Coalition and Georgia Environmental Action Network (GEAN).

Passed in Senate. Recommitted to Rules Committee in House. Can be considered in the 2010 General Assembly.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
02/26/2009	1:14PM	<a href="#">Senate Vote #94</a>	041	007	002	006	PASSAGE BY SUBSTITUTE
04/01/2009	4:39PM	<a href="#">House Vote #409</a>	074	089	010	007	PASS
04/01/2009	4:41PM	<a href="#">House Vote #410</a>	085	079	010	006	RECON

**HR 293 - Natural resources; dedication of revenues from certain fees; authorize**

[www.legis.ga.gov/legis/2009\\_10/sum/hr293.htm](http://www.legis.ga.gov/legis/2009_10/sum/hr293.htm)

By: Representatives Porter of the 143rd, Smyre of the 132nd, Gardner of the 57th, Buckner of the 130th, Thomas of the 100th, and McKillip of the 115th.

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the dedication of revenues derived from certain fees or assessments to any one or more state programs for the protection, preservation, management, remediation, and restoration of natural resources; to provide for the submission of this amendment for ratification or rejection; and for other purposes. Was not taken up by House Ways and Means Committee. Can be considered in the 2010 General Assembly.

**SR 107 - Congress; urged to facilitate the building of reservoirs upstream from Lake Sidney Lanier**

[www.legis.ga.gov/legis/2009\\_10/sum/sr107.htm](http://www.legis.ga.gov/legis/2009_10/sum/sr107.htm)

By: Senators Pearson of the 51st, Murphy of the 27th, Hawkins of the 49th, Butterworth of the 50th and Moody of the 56th.

Passed by Senate.

Date	Time	Vote No	Yeas	Nays	NV	Exc	Description
02/11/2009	11:25AM	<a href="#">Senate Vote #34</a>	050	001	004	001	ADOPTION

**HR 180 - United States Congress; build reservoirs upstream from Lake Sidney Lanier; urge**

[www.legis.ga.gov/legis/2009\\_10/sum/hr180.htm](http://www.legis.ga.gov/legis/2009_10/sum/hr180.htm)

By: Representatives Rogers of the 26th, Collins of the 27th, Mills of the 25th, Allison of the 8th, Amerson of the 9th, and others

Resolution heard by House Natural Resources Subcommittee. Not voted on. Can be considered in the 2010 General Assembly. Opposition from downstream.