

February 11, 2005

**EXCLUSIVE BY E-MAIL
GW&PCA's Legislative Update**

Overview: Thursday marked the 16th day of the 2005 session of the Georgia General Assembly; there are 24 days remaining. For complete descriptions of bills we are tracking and links to actual copies of the bills, simply go to our web site at www.gwpca.org and click on "Legislative Updates". The bills and regulatory issues we are tracking are identified individually, so you can quickly find information on those issues of interest to you. The updates reported in this "Exclusive" will be posted on our web site by Monday afternoon, February 14.

New Bills and Hot Issues

SB 163: Disposal of Septic Tank Wastes: Senate Bill 163 would require that each county provide an acceptable site for disposal of septic tank wastes collected in that county or by a septic tank hauling business located within that county; as an alternative, the county could establish written agreements with neighboring counties, cities, or private companies, or allow land application of such wastes within the county, as long as it met State requirements.

Status: Introduced 2/10. Not yet assigned.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/sb163.htm

HB 352: Hauling of Septic Tank Waste: House Bill 352 would require any wastes removed from septic tanks to be hauled only to approved facilities, and tracked by manifest. Waste haulers would be required to be licensed by EPD or a local governing authority. A similar bill dealing with hauling of wastes from commercial grease traps, oil-water separators, grit traps, etc. was passed last year. HB 352 would also outlaw the land disposal of septage, which is common practice. All septage, if this bill passes, would be required to go to publically owned sewage treatments plants.

Status: Assigned to House Natural Resources Committee 2/9.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb352.htm

Other Bills We Are Tracking

"Dig Law": See www.gwpca.org for background.

Status: The Senate Study Committee's advisory committee continues to try to develop language which will satisfy all of its representative group, including Public Service Commission staff, utility representatives, local government representatives, and others; GW&PCA is well-represented on the advisory committee. We will keep you posted on developments.

GW&PCA Position: Since we have not seen anything in writing yet, it is premature to take a position on a non-existent bill. However, GW&PCA will oppose any effort to remove the exemption from civil penalties for local government.

Permit Fees: See www.gwpca.org for background.

Status: Still in the discussion stage. No bill yet.

GW&PCA Position: GW&PCA supports a strong EPD, with strong permitting, regulation, and enforcement programs. These should be fully supported through direct appropriations in the State budget. Unless Constitutional and/or legislative guarantees can be provided that any fees collected would result in direct increases in funding in the program area where such fees are generated, with no reduction in funding for such program area from other sources, GW&PCA opposes any permit fee system proposal.

HB 53 and HB 55: Interbasin/Intrabasin Transfer Restrictions:

Status: Assigned to House Natural Resources Committee 1/12.

GW&PCA Position: It has been GW&PCA's consistent position that decisions on specific issues such as interbasin/intrabasin transfer restrictions as proposed in HB 53 and HB 55 should come out of the comprehensive statewide water management planning process rather than driving the process. GW&PCA opposes HB 53 and HB 55.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb53.htm

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb55.htm

HB 98: Land Conservation Trust Fund/Revolving Loan Fund

Status: Passed House 1/31. Passed out of Senate Natural Resources 2/3. Going to Senate floor 2/14.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb98.htm

HR 87 and SB 86: Restrictions on Condemnation

Status: HR 87 was assigned to the House Judicial Committee 1/28; SB 86 was assigned to the Senate Judicial Committee 1/28.

GW&PCA Position: HR 87 would have severe adverse impacts on many of our water and sewer authorities by eliminating their right to exercise their power of eminent domain. GW&PCA supports the approach outlined in SB 86, and opposes HR 87.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hr87.htm

Link: http://www.legis.state.ga.us/legis/2005_06/sum/sb86.htm