

April 4, 2005

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

Overview: The General Assembly's 2005 session adjourned at the conclusion of last Thursday's session, finishing a symbolic one day early. The following is a quick synopsis of bills we tracked during the session. For complete descriptions of bills we tracked and links to actual copies of the bills, simply go to our web site at www.gwpc.org and click on "Legislative Updates". The bills and regulatory issues we tracked are identified individually, so you can quickly find information on those issues of interest to you.

Bills That Passed

SB 274: Dig Law

Status: Passed Senate 3/11. Passed House by committee substitute 3/22, to which the Senate agreed 3/31. Awaiting Governor's signature.

GW&PCA Position: GW&PCA opposed SB 274, and specifically opposed the removal of the exemption from civil penalties for local government. It should be noted, however, that the bill is dramatically improved from the bill which was originally introduced. With these changes, we stopped actively working to defeat the bill.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/sb274.htm

HB 98: Land Conservation Trust Fund/Revolving Loan Fund

Status: Passed House 1/31. Passed Senate 2/14 with minor amendments, to which the House agreed 2/16. Awaiting Governor's signature.

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

HB 444: EIT/PE Pre-requisite Requirements

Status: Passed House 3/2. Passed Senate 3/29. Awaiting Governor's signature.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb444.htm

SB 190: Limited Stay for Permit Appeals

Status: Passed Senate 3/11. Passed House committee substitute 3/24, to which the Senate agreed 3/31. Awaiting Governor's signature.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/sb190.htm

SR 469: Senate Environmental Program Privatization Study Committee

Status: Passed Senate 3/31.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/sr469.htm

Bills That Will Still Be Active Next Year

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 352: Hauling of Septic Tank Waste

Status: Assigned to House Natural Resources Committee 2/9. The Resource Management Subcommittee recommended that this issue be studied further. HB 352 was held in committee.

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

HB 510: Service to Satellite Areas

Status: Assigned to House Government Affairs Committee 2/17.

GW&PCA Position: GW&PCA opposes HB 510.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb510.htm

HB 547: Impact Fees

Status: Assigned to House Government Affairs Committee 2/18.

GW&PCA Position: The existing law requires that these fees not exceed actual costs of providing the covered infrastructure and these costs are not necessarily dependent on the value of the house. In some cases, these costs may be significantly more than 2% of the selling price. Impact fees are an important and legitimate cost recovery tool. GW&PCA opposes HB 547.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb547.htm

HB 550: Permit Fees

Status: Assigned to House Natural Resources Committee 2/17. Held in committee.

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.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb550.htm

HB 640: Liens for Defaults on Stormwater Utility Bills

Status: Assigned to House Public Utilities and Telecommunications Committee 3/2.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb640.htm

HB 889: Individual Metering Requirement

Status: Assigned to House Public Utilities and Telecommunications Committee 3/31.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/hb889.htm

HR 87: Restrictions on Condemnation

Status: Tabled for further study by House Judicial Committee 3/21.

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 opposes HR 87.

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

SB 86: Restrictions on Condemnation

Status: Passed Senate 3/10. Tabled for further study by House Judicial Committee 3/21.

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

SB 163: Disposal of Septic Tank Wastes

Status: Assigned to Senate Natural Resources Committee 2/10.

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

SB 191: Contract Assistance for Expedited EPD Review

Status: Assigned to Senate Natural Resources Committee 2/15.

Link: http://www.legis.state.ga.us/legis/2005_06/sum/sb191.htm