

January 14, 2005

EXCLUSIVE BY E-MAIL

Legislative Update: The Georgia General Assembly convened its 2005 session this week. This is the first year of the 2005-2006 term, so there is no carry-over legislation from last year. With Republicans now in control of both chambers and the Governor's office, there promises to be some changes. Most of the attention this week was focused on the pomp and circumstance of swearing in of members of the General Assembly, the election of a new Speaker of the House, the adoption of new House rules which will place unprecedented power in the hands of the Speaker, and the appointments of new committee chairs and members, followed by Governor Perdue's State of the State address and the introduction of his proposed budget for FY 2006.

For the next few months, we will be tracking and reporting to you on a regular basis. As a general rule, you will receive weekly updates via e-mail every Friday for the duration of the session, and more frequently if warranted. Our web site will contain 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 follow the link to "Legislative Updates". The bills and regulatory issues we are tracking will be identified individually, so you can quickly find information on those issues of interest to you.

Throughout the course of this legislative session, GW&PCA will identify key issues which have potential to affect Georgia's water resources and/or our membership. These issues will surface as bills or resolutions are introduced, through meetings with the leadership of the Georgia Environmental Protection Division, staff coordination with and participation in the legislative processes of a number of other organizations, news reports, and general communications. Our staff actively participates in the environmental policy processes of a number of organizations, including the Georgia Municipal Association, the Association County Commissioners of Georgia, and the Georgia Chamber of Commerce; we make every effort to work in harmony with these groups. GW&PCA's Legislative Committee, under the leadership of committee chair Milbree Lankford, will be keeping a close eye on legislation introduced in the General Assembly, as well as on developments at the federal level, and will recommend positions on selected legislation for consideration by our Executive Committee. During the course of the session, if you have comments that you would like for our Legislative Committee and our Executive Committee to consider as we develop positions on these issues, or if you have other issues which you anticipate being addressed by the General Assembly, please let us know. Your input will help to guide our legislative efforts during the session and beyond.

Key Elections and Appointments:

Speaker of the House: Glenn Richardson (Paulding County)

House Majority Leader: Jerry Keen (St. Simons)

House Natural Resources Committee Chair: Lynn Smith (Newnan)

House Committee Assignments: <http://www.actmajority.com/default.aspx?tabid=2712>

Senate President Pro Tem: Eric Johnson (Savannah)
Senate Natural Resources Committee: Ross Tolleson (Perry)
Senate Committee Assignments: <http://www.georgiasenate.com/docs/2005comm.htm>

Overview: Wednesday marked the 3rd day of the 2005 session of the Georgia General Assembly; there are 37 days remaining (though the Republican leadership is promising to try to have a shortened session). The General Assembly will be in recess next week to work on the budget, and will reconvene Monday, January 24.

New Bills and Issues

State Budget: Governor Perdue introduced his budget for 2006, which includes funding for 35 positions in EPD for erosion & sedimentation inspection; putting \$1.5 million this year and \$4 million next year back into the Hazardous Waste Trust Fund and \$1.5 million back into the Solid Waste Trust Fund; \$60 million into the GEFA state revolving loan fund (an increase of \$40 million from previous years to allow funding of large projects in the metro area); and a paltry \$240,000 for development of the comprehensive statewide water management plan.

HB 53: Interbasin/Intrabasin Transfer Restrictions: HB 53 is nearly identical to House Bill 1615, which nearly passed last year. This bill would do the following:

Interbasin and intrabasin transfers that cross more than two adjacent counties (the “riparian” county and one adjacent county) would be prohibited, except to satisfy critical needs, which are temporary, short-term needs such as equipment failure, source contamination, or severe drought impacting public health and safety. These provisions apply to transfers of both surface water and groundwater. The bill excludes the 16-counties included in the Metropolitan North Georgia Water Planning District (metro Atlanta) from the two-county restriction, but these counties are specifically excluded in existing legislation from receiving interbasin transfers from outside the District’s boundaries. The bill also excludes the 24 county coastal area. The bill would also prohibit any new interbasin transfers of water withdrawn from the Etowah River upstream from Lake Allatoona.

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 should come out of the comprehensive statewide water management planning process rather than driving the process.

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

HB 55: More Interbasin/Intrabasin Transfer Restrictions: HB 55 is another bill designed to severely restrict or prohibit interbasin transfers. It includes a declaration of policy of the State of Georgia to approximate natural flow levels and rates in all waters of the state to the maximum extent practicable, to protect against over-allocations and under-allocations of water in all river systems and aquifers or portions thereof in the state to the maximum extent practicable, and to minimize consumptive uses of water to the

maximum extent practicable. HB 55 would probably be extremely restrictive, and include a term limit of 20 years on interbasin transfer permits; if the time limits on such permits would potentially mean revocation of authorization for the interbasin transfer, they would virtually eliminate consideration of interbasin transfers.

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 and minimum instream flows as proposed in HB 55 should come out of the comprehensive statewide water management planning process rather than driving the process.

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