



The General Assembly returned to work on Monday after a long recess and, over the course of the week, made progress on several bills representing the session's hottest issues. Both the House and the Senate passed their respective versions of the Governor's water bill. The Senate voted unanimously to pass a bill that will ease the burden on property taxpayers across the state. The House Transportation Committee has devoted hours upon hours to reach a solution for funding transportation projects throughout Georgia, and will likely pass the Governor's transportation bill at some point next week.

Tuesday will mark the 25th legislative day, and there are now only 15 days left to complete the 2010 session. This is the point during a session where the pace really picks up as day 30, the last day a bill has to pass out of its originating chamber before it's considered dead, approaches. It is essential that an organization stay on top of everything during this period, and that's exactly what the Georgia Forestry Association is committed to doing. We will be monitoring all bills very closely to make sure that you, the member, stay alert with all action and movement.

Issue Watch

House Bill 1028 by House Transportation Chairman **Jay Roberts** (R-Ocilla), GFA's legislative priority for the 2010 session, is currently in what one could call "legislative limbo". HB 1028 will amend the Forest Land Protection Act to remove obstacles to enrollment related to potential liability of an owner of land in a covenant who sells or transfers a portion of the property to someone who later breaches the covenant. It has passed out of the House of Representatives, and is currently waiting to be placed on the Senate Finance Committee's agenda. GFA has learned that the Senate would like to pass all Senate bills before 'crossover day' (referenced earlier) before hearing any House bills, and vice versa.

Senate Bill 409 by Senate Finance Chairman **Ronnie Chance** (R-Tyrone) requires that when subsidies are granted for new industries on the purchase of raw materials, those same incentives will be given to existing businesses as well. SB 409 was scheduled to be heard on the Senate floor Thursday, but was tabled until the Senate reconvenes next week. GFA supports this legislation.

House Resolution 1/House Bill 517 by House Majority Whip **Ed Lindsey** (R-Atlanta) will cap property tax reassessments at 3% per year or 9% for a 3 year period. These two bills passed out of the House Ways & Means Committee on Thursday, and now head to the House Rules Committee to be placed on the debate calendar.

Senate Bill 346 by Senate Majority Leader **Chip Rogers** (R-Woodstock) attempts a major overhaul of the property tax appeals process in Georgia. The bill would assure that all property owners receive a valuation from their county annually. They would also get information on when to file an appeal. Under the substitute bill, each county would now send an annual assessment to each property owner. SB 346 passed out of the Senate on Thursday by a vote of 54 to 0, and now heads into the House for action by that chamber. GFA supports this legislation.

The Governor's water bills, **Senate Bill 370** by Senator **Ross Tolleson** (R-Perry) and **House Bill 1094** by Representative **Lynn Smith** (R-Newnan), both passed out of their respective chambers and will now cross over into the other. **SB 370** will move through the committee process in the House, and **HB 1094** will do the same in the Senate. The water bills focus heavily on conservation in new commercial and residential construction, and additional language requiring that local governments get EPD approval before enacting more stringent outdoor water use regulations than the state has been added.

House Bill 1008 by Rep. **Allen Peake** (R-Macon) extends the time during which the price of various forms of energy used by manufacturers is capped for purposes of the state sales tax. HB 1008 could face trouble as several legislators have stated that any bill containing a fiscal note (a document that details the financial effect of certain bills and resolutions) might have trouble passing. GFA supports this bill.

Cutting over the line could cost you

Earlier in the session, the Georgia Forestry Association learned of Representative **Debbie Buckner's** intention to introduce a measure that would increase the restitution for unintentional timber harvest to three times fair market value. After receiving numerous comments against the bill, GFA decided this is an issue that cannot be fully understood in a 40 day legislative session. Rep. Buckner eventually agreed to introduce a bill creating a study committee on the issue instead.

Now, weeks later, the proposal has resurfaced with a new sponsor. **House Bill 1267** by Rep. **Tom Weldon** (R-Ringgold) will increase the penalty for timber harvests where the defendant is a willful trespasser to 3 times the full value of the property at the time, in addition to punitive damages and attorney fees; where the defendant is an unintentional purchaser to 3 times the value at the time of conversion, also covering the attorney fees of the damaged party; and where the defendant is a purchaser without notice from a willful trespasser to the value of the timber at the time of removal, in addition to the damaged party's attorney fees.

Not only is HB 1267 overkill in the amounts it requires to be paid when timber is removed in an unintentional timber harvest, it also attempts to apply a 'one size fits all' solution to circumstances whose causes are extremely varied. "GFA is willing to work with proponents of the legislation to educate them on how these situations are typically resolved in our industry and to discuss possible changes in the law," said GFA's Steve McWilliams. "But we will actively oppose HB 1267 and its simplistic approach to unintentional timber harvests."

Noting that these situations are commonly settled to affected landowners' satisfaction, HB 1267 may be one of those solutions looking for a problem, McWilliams said. The bill was introduced earlier this week and will be heard in the subcommittee of the House Civil Judiciary Committee on Monday, March 15 at 1pm.

Forestry protection fee could see increase

Georgia legislators could soon be looking at raising a fee very important to the forestry community in this state. The Georgia Forestry Commission (GFC) currently charges counties 4¢ per acre annually for fire protection, and it costs them about \$1.30 per acre to implement that protection. Obviously, there is a huge gap there.

The state established the rate of 4¢ per acre fee in 1955, and the fee has not increased since. In the past, the idea about raising the fee has been proposed. However, lawmakers were not inclined to raise the fee when the economic climate in the state was more robust. That may change though as the state faces cutting an additional \$1 billion from the budget on top of the \$3 billion in cuts made over the past 2 years.

Raising this fee of 4 ¢ per acre could be a possible solution for the Georgia Forestry Commission. If the fire protection fee is increased, the extra money could save them from making any additional cuts to their budget. The reductions made by GFC this year include the loss of state funding for 49 positions, closing and disposing of 7 more offices, eliminating all crawler tractor replacement funds, cutting \$375,000 in regular operating funds, 6 days of furlough for all personnel, and 9 days of furlough for senior management.

Inquiries made to the Commission by the state budget offices indicate that a boost in this fee is a possibility. There is currently no set figure on how much the fee could be increased.

For more information on the Georgia General Assembly, including contact information for your Representative and Senator, visit the Georgia Forestry Association website at www.gfagrow.org and click on Georgia General Assembly under the **Links** tab, or under the **Government Affairs** tab you may go to 'Contact Your Legislator', a particularly helpful resource if you are uncertain of the members in your local legislative delegation.

Archived *Capitol Forestry Reports* can be found on GFA's homepage, www.gfagrow.org.

**For questions or information regarding GFA's legislative program, please contact
Josh Stancil, Director of Government Affairs
478.992.8110 | josh@gfagrow.org**