

"This is a good bill. This is a bill that Georgia needs. And, frankly, this bill is past due. In a legislative process, it's never a winner take all process or system. We don't always get every single thing we want in a bill...but at the end of the day the goal is not to lose sight of the good by striving for what, individually, we believe to be the perfect."

Speaker of the House **David Ralston** made an unusual appearance in the House Transportation Committee Wednesday to urge the passage of the Governor's Transportation Act of 2010. The issue of how to fund transportation projects throughout the state is something legislators have grappled with for three years in a row. The full committee met again



House Speaker David Ralston, left, urging the House Transportation Committee to pass the Governor's transportation bill late Wednesday afternoon.

Thursday morning to discuss the legislation one final time before voting. The plan allows for a penny sales tax to pay for projects in twelve regions across the state. A change made in the committee Thursday will allow a region to opt out of this sales tax vote. The Governor's Floor Leader and bill sponsor, Rep. **Jim Cole** (R-Forsyth), made it clear that the Governor will veto the bill if the 'opt out' plan is included. Following the Speaker's advice, the committee voted favorably for the bill and sent it on its way to the House floor.

The General Assembly has completed 27 of the 40 legislative days allowed, and the dreaded day 30 (commonly referred to as 'crossover day', the last day a bill has to pass out of its originating chamber before it is considered 'dead') is a mere three days away.

Issue Watch

GFA's legislative priority for the 2010 session, **House Bill 1028** by House Transportation Chairman **Jay Roberts** (R-Ocilla), finally made it onto the Senate Finance Committee's agenda and passed out unanimously Wednesday afternoon. The bill 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. HB 1028 will now go to the Senate Rules Committee where the bill's sponsor will request that it to be put on the debate calendar for the Senate.

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. The bill is currently 'tabled' in the Senate, and can be brought up by the sponsor at any time. It is expected that Senator Chance will bring SB 409 off the table on Monday, March 22 so that the bill can be voted on by the full Senate. GFA supports this bill.

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. HB 1267 was heard in the Subcommittee of House Judiciary on Monday and GFA's Steve McWilliams and Monte Simpson, Weyerhaeuser, testified against the bill, stating that it applies a "simplistic approach to a complicated subject". The bill was held in the subcommittee so that Rep. Weldon could meet and discuss solutions with GFA. The Association has suggested numerous times that this is not an issue that can be dealt with in a 40 day legislative session and deserves the benefit of a study committee involving all stakeholders.

SB 486 by Senate Natural Resources Chairman **Ross Tolleson** (R-Perry) requires an administrative law judge to give deference to a technical expert when evaluating a case. The Department of Natural Resources is the only agency where this is not the case. SB 486 passed out of the Senate Natural Resources Committee Wednesday afternoon, and will now head to the Senate Rules Committee to be placed on the debate calendar.

Senate Bill 370, the Governor's water bill sponsored by Senator **Ross Tolleson** (R-Perry), has successfully passed out of both the House and the Senate, and now awaits the Governor's signature to become law. The companion bill to SB 370, **House Bill 1094** by Representative **Lynn Smith** (R-Newnan), has passed out of the House and is awaiting a hearing from the Senate Natural Resources Committee. The water bills focus heavily on conservation in new commercial and residential construction, and also includes language requiring that local governments get EPD approval before enacting more stringent outdoor water use regulations than the state has been added.

House Bill 1218 by Rep. **Jim Cole** (the transportation legislation mentioned earlier) will let regions decide whether to levy a one cent sales tax to fund projects. An amendment offered by Rep. **Tom McCall** (R-Elberton) exempts fuel and energy used in manufacturing from any new sales tax. The amendment was adopted and HB 1218 was passed out of committee.

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. The caps were established in 2008 and are set to expire December 31, 2010. Because of a hold placed on all measures pertaining to tax exemptions, HB 1008 is currently stalled in the Sales Tax Subcommittee of Ways & Means. GFA supports this bill.

Taxable value of conservation use properties will not increase

Forest landowners with property enrolled in Georgia's Conservation Use Valuation Assessment (CUVA) or Forest Land Protection Act (FLPA) property tax programs should study this year's tax bills very carefully. Legislation passed in 2009 (O.C.G.A. 48-5-2(3)(6)) prohibits the assessed value of property, including CUVA and FLPA property, from increasing until after the law's sunset date of January 1, 2011. Informational Bulletin #2010-1 released on March 16 by the Georgia Department of Revenue reminds tax officials and property owners that "increases in the current use value cannot be applied to existing covenants with the exception of a few counties that have implemented constitutional millage cap rates". Click [here](#) for a copy of DOR's informational bulletin.

Williams appointed to GFC Board

GFA is pleased to report the appointment of Association Executive Committee member **Chuck Williams** of Watkinsville to the Georgia Forestry Commission Board. Governor Perdue announced the Williams' appointment on March 18.

Williams is president and chief executive officer of North Georgia Bank and is Chairman-elect of the Georgia Bankers Association. He is also a member of the Georgia Forestry Association and Forest Stewardship Steering Committee. He and wife Beth were named Georgia Tree Farmers of the Year in 2005 and Chuck is a member of

the Georgia Tree Farm Advisory Committee. He is a member of the University of Georgia Alumni Association Board of Directors and Finance Committee, the Board of Directors of the Oconee County Rotary Club and is chairman-elect of the Georgia Bankers Association. He is also a member of the Georgia Forestry Association and Forest Stewardship Steering Committee. Williams is a member of the UGA College of Agricultural and Environmental Sciences Advisory Council, the Clarke- Oconee Cattlemen's Association, and the Oconee County 4-H Program Development Team.

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**