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Monday marks the 34th day of the 2010 session of the Georgia General Assembly. It is the final day set aside as an 'in session' day for lawmakers under the current adjournment resolution. A new adjournment resolution will be adopted by the House and the Senate on Monday, perhaps indicating what legislative leadership believes will be the 40th and final day of the session.

CFR readers will recall that in the last report we highlighted 'crossover day', the 30th day of the session after which a bill that has not moved from its originating chamber to the other is essentially 'dead'. In the closing legislative days, lawmakers and lobbyists must watch carefully for efforts to amend lost bills onto surviving legislation. It is a precarious time indeed and holds the potential for much mischief, mayhem and madness.



House Economic Development Chairman Rep. Ron Stephens, R-Savannah, will carry the 'Forest Product Fairness Act' in the House.

This issue of Capitol Forestry Report will highlight those issues that are still alive. There are now only 7 legislative days remaining...

Issue Watch

House Bill 1028 by House Transportation Chairman **Jay Roberts** (R-Ocilla), will amend the Forest Land Protection Act of 2008 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, making it clear that liability rests with the breaching party. Senator **Ross Tolleson** (R-Perry), Chairman of the Senate Natural Resources Committee, will handle the bill in the Senate. The earliest possible day for full Senate consideration is Day 35 which will not be known until a new adjournment resolution is adopted on Monday – Day 34. GFA **SUPPORTS** HB 1028.

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 has cleared the Senate and awaits action by the House Ways & Means Committee. GFA friend State Rep. **Ron Stephens** (R-Savannah), Chairman of the House Economic Development Committee, will carry the bill in the House. GFA **SUPPORTS** this legislation.

The following bills did not pass out of their originating chamber by day 30, and must be reintroduced next session should the sponsor choose to pursue the issue.

House Bill 970 by Rep. **Ellis Black** (D-Valdosta) would require property owners or surveyors to notify adjoining landowners by certified mail when a new survey is to be conducted. The bill also contains a provision

allowing a survey to be disputed prior to its being recorded in the county tax assessors office. GFA **OPPOSED** this legislation which never made it out of its Judiciary Subcommittee.

House Bill 1267 by Rep. **Tom Weldon** (R-Ringgold) would 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. GFA **OPPOSED** HB 1267 which did not gain the approval out of the House Civil Judiciary Subcommittee.

***NOTE:** HB 1267 and HB 970 could be subjects of a legislative study committee during the interim. If so, we will advise GFA members and seek assistance in representing the forestry community's position on these bills.*

House Bill 1218 by Rep. **Jim Cole** (the Governors' Transportation Act of 2010) would have let regions decide whether to levy a one cent sales tax to fund projects, but the bill was dropped in favor of a more comprehensive transportation bill from last session, **House Bill 277** by former House Transportation Chairman and current DOT Commissioner Vance Smith. The House and Senate will now negotiate on HB 277, as it made it out of its original chamber by day 30 last year. HB 1218 did not pass out of the full House of Representatives.

House Bill 1008 by Rep. **Allen Peake** (R-Macon) would extend 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 will expire December 31, 2010. The legislation would extend the cap to 2012, thus protecting Georgia manufacturers from potential spikes in energy costs for another two years. GFA **SUPPORTED** HB 1008 which fell victim to the severe revenue crunch and legislators' reluctance to extend any type of tax caps. The bill did not pass out of the Ways & Means Sales Tax Subcommittee.

HB 1405 by Rep. **Larry O'Neal** (R-Warner Robins) and several other House leaders creates a 'Council on Tax Reform and Fairness' charged with studying the state's current revenue structure (tax system) and reporting its findings and recommendations to the Speaker of the House and Lt. Governor no later than next January. In addition, a 'Special Joint Committee on Georgia Revenue Structure' is appointed to introduce any legislation necessary to implement the recommendations of the Council. All current tax exemptions, credits, etc. will be carefully scrutinized during the study process and some may be marked for repeal. GFA will follow the study process closely and participate in the Council's deliberations when possible during the interim. HB 1405 has passed the House and is expected to pass the Senate as well.

SB 346 by Senate Majority Leader **Chip Rogers** (R-Woodstock) is hailed as the most sweeping property tax reform legislation in many years. If enacted, the 47-page bill would require counties to distribute annual property tax assessments to property owners and would extend the time owners have to appeal assessments. All types of property owners are covered by the provisions of the bill, which GFA **SUPPORTS**.

Follow the work of your Regional Water Council

The regional water councils for the Statewide Water Management Plan have already begun their meetings for 2010. The schedule can be accessed by logging on to www.georgiawaterplanning.org and clicking on your region (the map of Georgia on the right side of the homepage breaks the state into 11 regions). The site is an excellent source of information detailing what each region did in 2009 as well as what it hopes to accomplish in 2010. Let's make sure forestry's voice is heard as the state moves to adopt a comprehensive water management plan.

Don't forget: GFA's Regional Meetings begin this month. Be sure to check the regional meeting page of www.gfagrow.org to locate one to be held in your area.

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.

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