



CAPITOL FORESTRY

REPORT



SESSION WRAP UP | FORESTRY INITIATIVES GET 'THUMBS UP' FROM GEORGIA LAWMAKERS

April 20, 2015

Once again the state legislature was responsive to the forestry community's legislative proposals resulting in another successful session of the Georgia General Assembly as adjournment arrived late on April 2.

Two of the Association's priorities – timber harvest notification amendments and support for Georgia forest products in green building standards used by the state - await Governor Deal's signature in order to become law.

"GREEN BUILDING" AND GEORGIA GROWN WOOD | HOUSE BILL 255

[House Bill 255](#) is a Georgia Forestry Association (GFA) initiative to codify the language in [Governor Deal's 2012 Executive Order](#) requiring that green building standards used in the construction of state buildings give equal consideration to all credible forest certification programs.

This is important for Georgia's forestry community because more and more public buildings are being designed as LEED certified buildings, a designation created and promoted by the U.S. Green Building Council (USGBC). LEED criteria and credit scoring give preference to wood from forests certified by the Forest Stewardship Council, of which there is very little in Georgia – only 32,000 acres. Most certified wood in Georgia is certified under the Sustainable Forestry Initiative or the American Tree Farm System, a combined 4.3 million acres.

"The passage of House Bill 255 addresses the inequality toward forest certification embedded in the USGBC's LEED green building program. Hopefully, with the passage of the bill, the USGBC will finally correct this flaw directed at sustainable wood and wood products," Monte Simpson, public affairs manager, Weyerhaeuser, said. "It is important that Georgia landowners and manufacturers not have market access limited by any green building standard or program, especially those paid for by Georgia taxpayers."

On March 27, the Senate on a 41-7 vote approved HB 255, and the bill currently, awaits approval by the Governor. The legislation was introduced by [Rep. Mike Cheokas](#) (R-Americus), co-sponsored by more than 30 House members and carried by [Sen. Dean Burke](#) (R-Bainbridge) in the Senate.

HARVEST NOTIFICATION | HOUSE BILL 199

[House Bill 199](#) amends Georgia's timber harvest notification law to achieve greater uniformity among counties that have a timber harvest ordinance and to create operational efficiencies for Georgia loggers.

The current law is administered differently in counties throughout the state and is onerous in many respects for loggers. The legislation will change several provisions of the current law to be more "logger friendly," by increasing efficiencies and simplifying the compliance process.

"I appreciate the work that GFA put into shaping and getting HB 199 passed and hope the Governor will sign it soon," Lyle Taylor, president of Woodlands Enterprises, Inc. in Cartersville, said. "This legislation is going to make my life a whole lot easier by simplifying what I have to do to log my clients' timber."

HB 199 accomplishes the following:

- » Removes the requirement for a bond on every tract harvested in favor of a single bond per county per year
- » Clarifies that local governing authorities cannot charge fees for notification of a harvest
- » Allows a contractor 24 hours to notify the county after moving onto a tract rather than having to notify authorities prior to moving onto a tract
- » Allows notification by email
- » Clarifies that the notification form provided by the State Forester is the only information a local governing authority can require from a contractor

On March 25, the Senate on a 49-0 vote approved HB 199, and it currently awaits the Governor's signature. The legislation was sponsored by [Rep. John Corbett](#) (R-Lake Park) and carried in the Senate by [Sen. Tyler Harper](#) (R-Ocilla).

TRUCK WEIGHTS | HOUSE BILL 411

A third priority, increasing truck weights ([House Bill 411](#)) to gain parity with surrounding states, was passed by the House Transportation Committee and has been promised additional hearings prior to being considered on the floor of the House in 2016. House leadership felt strongly that seeking an increase in truck weights while at the same time engaging in a highly charged debate over proposals to raise \$1 billion to maintain and repair the state's roads and bridges was not advisable. GFA agreed.

Future discussions will focus on the economic disparity created due to Georgia's lower weights compared to those of states around us during hauling of forest products between Georgia and adjacent states. This year is the first in a two-year session. Any legislation not passed or outright defeated automatically carries over to the 2016 (election year) session.

GEORGIA FORESTRY COMMISSION FUNDING | STATE BUDGET

Both the House and Senate retained the addition of \$1.8 million to the Georgia Forestry Commission budget to address pay parity and retention issues. This additional funding, along with the \$1.8 million in appropriations from 2014, will bring the Commission's funding to \$3.6 million of the \$4.2 million needed to increase its professionals' salaries to 85 percent of the market average.

Last year, the Georgia Forestry Commission reported an alarming loss of trained, experienced personnel due to salary rates being significantly below the market average. By the end of 2013, turnover had doubled over the historical five year average. Across the agency's southern districts in 2010, GFC Rangers with less than two years' experience averaged six percent of the work force. At the end of 2013, the average increased to 30 percent, and today that average is almost 38 percent.

To reverse the ongoing attrition and to attract qualified candidates for vacancies, GFC must receive funding to fully address the remaining pay parity issues.

FORESTRY OUTREACH FUNDING | STATE BUDGET

The final 2016 State Budget also retained the proposed \$300,000 to support three new outreach positions in University of Georgia's Warnell School of Forestry & Natural Resources. The positions will focus on three areas critical to Georgia's private forest landowners – Economics & Taxation, Forest Health, and Wildlife.

Forestland represents two-thirds of the land base in Georgia with 24.8 million acres. Private, non-industrial landowners who depend on the guidance of the state's extension and research service own 56 percent of that forestland. These positions will prove to be critical to the efficiency of Georgia's landowners and the forest product manufacturers that depend on them.

AD VALOREM TAX REFORM | HOUSE BILL 202

[House Bill 202](#), sponsored by [Rep. Paul Battles](#) (R-Cartersville), is a comprehensive reform of laws related to ad valorem taxation, assessment and appeal has passed the House and Senate and awaits the Governor's signature. Three years in the making, HB 202 makes numerous tax-friendly changes, including:

- » Revises time lines for digest submission, appeal responses, types of appeals, and final determinations.
- » Creates an Appeal Administrator who is vested with administrative authority in all other matters governing the conduct and business of the boards of equalization to provide oversight and supervision of such boards.
- » The Appeal Administrator receives any complaint filed with respect to the official actions of any member of a county board of equalization regarding technical competence, compliance with state law and regulations, or rude or unprofessional conduct or behavior toward any member of the public and forwards the complaint to the grand jury for investigation. The grand jury shall issue a written report of its findings and make recommendations, as it deems appropriate. The findings of the report may be grounds for removal of a member of the board of equalization by the grand jury.
- » Provides for qualifications of board of equalization members such as being the owner of real property located in the county where such person is appointed to serve. Requires not less than 20 hours of instruction in appraisal and equalization processes and procedures as prepared and required by the DOR commissioner following the completion of each term of office. No person shall be eligible to hear an appeal as a member of a board of equalization unless, prior to hearing such appeal, such person shall satisfactorily complete the 20 hours of instruction in appraisal and equalization processes and procedures approved by the DOR commissioner.
- » Provides for qualifications of hearing officers. Each hearing officer shall annually complete at least four hours of instruction in recent legislation, current case law, and updates on appraisal and equalization procedures, as prepared and required by the DOR commissioner.
- » Provides for the award of attorney fees when the final determination of an appeal is 85% or less than the assessed value established by the board of equalization, hearing officer, or arbitrator as to any real property.

BILL TRACKER | OTHER ITEMS OF INTEREST

Legalization of Fireworks

[House Bill 110](#) | by [Rep. Jay Roberts](#) (R-Ocilla)

HB 110 removes the ban on the sale of bottle rockets and other consumer fireworks in Georgia. GFA President Steve McWilliams testified on the bill and noted that the sale and use of "Chinese fire lanterns" and similar

products should be excluded from the list of items legal for purchase due to the threat of increased forest fires. Status: Approved by the House and Senate.

Ad Valorem Tax Exemption for Farm Equipment Dealers

[House Bill 374](#) | by [Rep. Randy Nix](#) (R-LaGrange)

Currently, dealers of farm equipment are exempt from paying ad valorem tax on their inventory. HB 374 clarifies that forestry equipment is included in this exemption. The bill was amended in committee to further clarify that lease-purchase equipment is also exempt from ad valorem taxes. Status: Approved by the House and Senate.

Georgia Soil and Water Conservation Commission (GSWCC) Administrative Changes

[House Bill 397](#) | by [Rep. David Night](#) (R-Griffin)

HB 397 amends the code to administratively attach the GSWCC to the Georgia Department of Agriculture. With this administrative change the agency will retain its autonomy as an independent, stand-alone agency. Status: Approved by the House and Senate.

Workers Compensation

[House Bill 412](#) | by [Rep. Mark Hamilton](#) (R-Cumming)

According to the Georgia Paper & Forest Products Association, HB 412 is critical to Georgia employers, as it addresses an appeals court decision that, in certain circumstances, opens Georgia employers to lawsuits over work-related injuries. HB 412 clarifies that workers compensation is the exclusive remedy for work-related injuries, and that exclusive remedy is not nullified by any failure to meet contractual obligations with maintenance, construction, or other contractors on a work site. Status: Approved by the House and Senate.

Feral Hog Control

[House Bill 475](#) | by [Rep. Tom McCall](#) (R-Elberton)

HB 475 amends the code to ease restrictions on feral hog hunting. Among other things, the bill allows feral hogs to be hunted year round with certain exceptions. Status: Approved by the House and Senate.

Auxiliary Containers

[Senate Bill 139](#) | by [Sen. Tyler Harper](#) (R-Ocilla)

SB 139 would have prevented local governments from banning or taxing plastic or paper bags and other containers. Environmental groups opposed the bill, but the floor debate indicated that concern about loss of local control was the major factor in its failure. Status: The bill was defeated in the House on March 27 by a vote of 85 -67.

Conservation Use Valuation Assessment (CUVA) Changes

[Senate Bill 239](#) | by [Sen. Frank Ginn](#) (R-Danielsville)

SB 239 would enable county governments, on a case-by-case basis, to allow property in a CUVA covenant to be used for commercial or industrial development without breaching the CUVA covenant. Status: The bill was not voted on in the Senate.

LEARN MORE AT WWW.GFAGROW.ORG!

You can track the status of forestry-related bills, look up your elected officials, get election information, access GFA's position statements and more online at www.gfagrow.org. If you have any questions, contact Director of Communications and Public Relations Matt Hestad at matt@gfagrow.org.

Georgia Forestry Association | W: www.gfagrow.org | E: www.info@gfagrow.org | P: 478-992-8110