

CITY COUNCIL  
ATLANTA, GEORGIA

01-R-0250

**A RESOLUTION BY  
FINANCE / EXECUTIVE COMMITTEE**

**A RESOLUTION TAKING THE BELOW STATED POSITIONS ON VARIOUS  
PIECES OF LEGISLATION PRESENTLY PENDING BEFORE THE 2001  
GEORGIA GENERAL ASSEMBLY**

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA,  
GEORGIA as follows:**

**Section 1: That the following positions are hereby taken on the  
following legislation that is presently pending before the 2001  
Georgia General Assembly:**

Senate Bill 130 – A bill to amend Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources of the state, so as to create the Metropolitan North Georgia Water Planning District to provide a statement of legislative intent; to provide a statement of purpose; and for other purposes

**NO POSITION**

Senate Resolution 142 – A Resolution creating the Joint Comprehensive Water Plan Study Committee; to create the Water Plan Advisory Committee; and for other purposes

**SUPPORT**

House Bill 71 – A Bill to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to authorize loans from certain funds granted to the state by the administrator of the federal Environmental Protection Agency for purposes of financing water pollution control projects; to repeal conflicting laws; and for other purposes

**SUPPORT**

Senate Bill 67 – A Bill to amend Code Section 50-8-101 of the Official Code of Georgia Annotated, relating to books of accounts, population estimates, operating funds, and programs and budgets of metropolitan area planning and development commissions; so as to increase the amount of certain dues; to provide for future such increases; to repeal conflicting laws; and for other purposes

**NO POSITION**



House Bill 520 - A Bill to amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to redemption of property sold for taxes, so as to change the premium required to be paid for redemption; to repeal conflicting laws; and for other purposes

**SUPPORT**

House Bill 267 - a Bill to amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation of municipal corporations, so as to change the time in which certain minimum distance requirements apply; to provide an effective date; to repeal conflicting laws; and for other purposes

**OPPOSE**

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

FEB 19, 2001  
FEB 24, 2001



## Senate Bill 130

By: Senators Thompson of the 33<sup>rd</sup>, Tanksley of the 32<sup>nd</sup>, Stokes of the 43<sup>rd</sup>, Walker of the 22<sup>nd</sup> and Johnson of the 1<sup>st</sup>

## A BILL TO BE ENTITLED

## AN ACT

1 To amend Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating  
2 to water resources of the state, so as to create the Metropolitan North Georgia Water  
3 Planning District; to provide a statement of legislative intent; to provide a statement  
4 of purpose; to define certain terms, including the district area; to provide for  
5 responsibilities of the district; to provide for governance of the district; to provide for  
6 coordinating committees and advisory councils to the district; to provide for  
7 watershed and storm-water management planning for the district area; to provide for  
8 waste-water management planning for the district area; to provide for water supply  
9 and conservation management planning for the district area; to promote public  
10 education and awareness; to provide for meetings; to provide for a budget and  
11 funding; to provide for oversight; to provide for powers and duties of the Board of  
12 Natural Resources and the director of the Environmental Protection Division of the  
13 Department of Natural Resources with respect to requirements and standards for plans  
14 and for water resources; to provide for related matters; to provide an effective date;  
15 to repeal conflicting laws; and for other purposes.

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

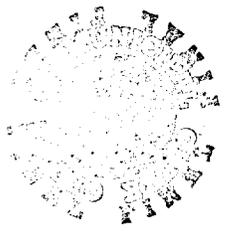
17 SECTION 1.

18 Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water  
19 resources of the state, is amended by adding at its end a new Article 10 to read as  
20 follows:

21 ARTICLE 10

22 12-5-570.

23 This article shall be known and may be cited as the 'Metropolitan North Georgia  
24 Water Planning District Act.'



1 12-5-571.

2 (a) The General Assembly recognizes the value of the metropolitan North Georgia  
3 area watersheds for water supply, recreation, habitat for fish and wildlife, economic  
4 prosperity, and quality of life. The General Assembly finds that adequate supplies  
5 of clean water for drinking and other purposes constitute the lifeblood of the  
6 metropolitan North Georgia area and are, therefore, essential to the health, welfare,  
7 and economic progress of the area. The purpose of this article is to create a  
8 planning entity dedicated to developing comprehensive regional and  
9 watershed-specific plans to be implemented by local governments in the district.  
10 These plans will protect water quality and public water supplies in and downstream  
11 of the region, protect recreational values of the waters in and downstream of the  
12 region, and minimize potential adverse impacts of development on waters in and  
13 downstream of the region.

14 (b) The General Assembly finds that the waters and watersheds of the district are  
15 natural resources, environments, and vital areas within the meaning of Article III,  
16 Section VI, Paragraph II of the Constitution of the State of Georgia.

17 12-5-572.

18 (a) There is created the Metropolitan North Georgia Water Planning District.

19 (b) The general purposes of the district shall be to establish policy, create plans, and  
20 promote intergovernmental coordination for all water issues in the district; to  
21 facilitate multijurisdictional water related projects; and to enhance access to funding  
22 for water related projects among local governments in the district area.



23 (c) It is the primary purpose of the district to develop regional and  
24 watershed-specific plans for storm-water management, waste-water treatment, water  
25 supply, water conservation, and the general protection of water quality, which plans  
26 will be implemented by local governments in the district.

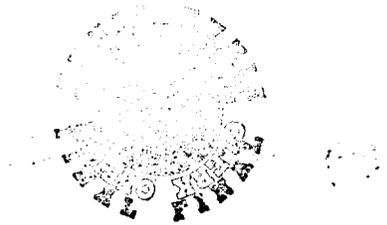
27 12-5-573.

28 As used in this article, the term:

29 (1) 'Board' means the Metropolitan North Georgia Water Planning District  
30 Governing Board created under Code Section 12-5-575.

31 (2) 'Director' means the director of the Environmental Protection Division of the  
32 Department of Natural Resources.

33 (3) 'District' means the entity established by this article that shall have planning  
34 responsibility for watershed and storm-water management, waste-water



1 management, and water supply and conservation management within the district  
2 area.

3 (4) 'District area' means any county which has a population of 500,000 or more  
4 according to the 2000 United States decennial census or any future such census  
5 and all counties geographically contiguous to any such county; provided, however,  
6 that any such contiguous county having population of 100,000 or less according  
7 to the 2000 United States decennial census or any future such census may, by  
8 majority vote of the governing authority thereof and with the written approval of  
9 the director, remove itself from the district area. The district area may be  
10 expanded from time to time as provided in this article.

11 (5) 'Local government' means any county or municipality of this state lying in  
12 whole or in part within the district area.

13 12-5-574.

14 (a) The district shall promote regional coordination and cooperation through the  
15 exercise of the following powers:

16 (1) Development of regional and watershed-specific plans for storm-water  
17 management;

18 (2) Development of regional and watershed-specific plans for waste-water  
19 management;

20 (3) Development of regional and watershed-specific plans for water supply and  
21 water conservation;

22 (4) Development of regionally consistent policies, model ordinances, and  
23 minimum standards of performance for local governments relating to the creation  
24 and implementation of the plans developed by the district;

25 (5) Development and coordination of an effective regional and watershed-specific  
26 water quality monitoring program and development and maintenance of a  
27 corresponding data base reflecting available monitoring data;

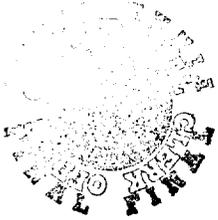
28 (6) Establishment of education programs on water quality issues and promotion  
29 of water conservation; and

30 (7) Identification of funding sources, including without limitation federal funding  
31 sources for the creation and implementation of plans provided for under this  
32 article.

33 (b) Approval by the district of any storm-water management plan, waste-water  
34 management plan, water supply and conservation plan, or other plan pursuant to this  
35 article shall not obligate any governing authority comprising a part of the district to  
36 provide funding for facilities planned or constructed pursuant to such plans which



- 1 do not provide services to all or a portion of the population of such governing  
2 authority.
- 3 (c) No extension of time by the board for preparation of a plan provided for under  
4 this article shall exceed six months, nor shall more than one extension be granted  
5 for any such plan.
- 6 12-5-575.
- 7 (a) Any county in the district area and any municipality in the district area having  
8 a population of 15,000 or more according to the United States decennial census of  
9 2000 or any future such census shall be a member of the district.
- 10 (b) There is established for the management of the business and affairs of the  
11 district a Metropolitan North Georgia Water Planning District Governing Board to  
12 be comprised of members selected as follows:
- 13 (1) The board shall consist of ten county commission chairpersons or chief  
14 executive officers of county members of the district and five mayors of  
15 municipalities within the district, appointed by majority vote of the board of the  
16 Atlanta Regional Commission; provided, however, that five of such appointments  
17 shall represent counties within the district area having a population of 200,000 or  
18 more according to the 2000 United States decennial census or any future such  
19 census, and one of such appointments shall represent a city within the district area  
20 having a population of 200,000 or more according to the 2000 United States  
21 decennial census or any future such census. Additionally, six members of the  
22 board shall be appointed by the Governor, two members shall be appointed by the  
23 Lieutenant Governor, and two members shall be appointed by the Speaker of the  
24 House of Representatives. All members appointed by the Atlanta Regional  
25 Commission shall be entitled to designate alternates who may exercise any of the  
26 powers and discharge any of the duties of such members provided for in this  
27 article in the absence of such members; provided, however, that members serving  
28 as chairperson of the board of directors, vice chairperson of the board of directors,  
29 secretary-treasurer, or member of the executive committee may not be represented  
30 in such capacities by their alternates. Each member appointed by the Atlanta  
31 Regional Commission shall be designated to serve a one, two, or three-year term,  
32 and such members shall be allocated equally among such terms. All successors  
33 to those members shall serve for terms of three years and until the appointment  
34 and qualification of their successors. Of the initial appointments of the Governor,  
35 two shall be for a term of one year, two for a term of two years, and two for a term  
36 of three years, and their successors shall serve for terms of three years and until



1 the appointment and qualification of their successors. Of the initial appointees of  
2 the Lieutenant Governor and the Speaker of the House of Representatives, one  
3 shall be for a term of one year and one for a term of three years, and their  
4 successors shall serve for terms of three years and until the appointment and  
5 qualification of their successors; and

6 (2) Priority shall be given in appointments made by the Atlanta Regional  
7 Commission to county commission chairpersons and chief executive officers of  
8 member counties and mayors of municipalities which have been unrepresented on  
9 the board; provided, however, that counties and municipalities in the district area  
10 having a population of 200,000 or more according to the 2000 United States  
11 decennial census or any future such census shall at all times be represented by  
12 their chairperson or chief executive officer, in the case of counties, or by their  
13 mayor, in the case of municipalities, on the board. When all member counties or  
14 municipalities have had representation on the board, priority shall be given in  
15 appointments made by the Atlanta Regional Commission to county commission  
16 chairpersons or chief executive officers of counties or mayors of municipalities  
17 having had the shortest term of representation on the board. At no time shall more  
18 than one member of the governing authority or executive branch of any member  
19 county or municipality serve on the board.

20 (c) Any vacancy on the board shall be filled for the remainder of the unexpired  
21 term in the same manner as the original appointment to the vacated position. No  
22 vacancy on the board shall impair the right of the quorum of the remaining members  
23 then in office to exercise all rights and perform all duties of the board.

24 (d) The executive committee of the district shall consist of a chairperson, a vice  
25 chairperson, a secretary-treasurer, and such additional executive committee officers  
26 as the board may determine are appropriate from time to time, provided that the  
27 overall representation on the executive committee shall reflect the same ratio of  
28 members as comprise the district under subsection (a) of this Code section.

29 (e)(1) The initial chairperson and vice chairperson of the board shall be appointed  
30 by the Governor from among the membership of the board for a term of three  
31 years, and thereafter the chairperson and vice chairperson shall be appointed by  
32 majority vote of the board for a term of three years.

33 (2) As a qualification for office of chairperson, except for the initial chairperson,  
34 he or she shall have served at least one year as a member of the board. No  
35 chairperson shall serve in that capacity in excess of two consecutive terms.

36 (3) The chairperson shall preside at all meetings of the district. He or she shall  
37 be the chief executive officer of the district.



1 (4) The vice chairperson shall serve in the absence of the chairperson and, in  
2 addition, shall assist the chairperson and shall perform such other duties as may  
3 be assigned by the board.

4 (5) The secretary-treasurer shall be the custodian of the books and records of the  
5 district, shall keep the minutes of all meetings, shall be the chief fiscal officer of  
6 the district, and shall perform such other duties as may be assigned by the board.

7 12-5-576.

8 (a) The board shall meet at least six times per year at a time and place set forth in  
9 the minutes of the district and at such other times as the chairperson may direct. All  
10 such meetings shall be open to the public.

11 (b) Thirteen members of the board shall constitute a quorum.

12 (c) Once a quorum has been established, a majority of those present and voting  
13 shall be required to adopt any matter before the district.

14 (d) Each member of the board shall have one vote to be cast in person or by  
15 designee as provided in this article, and there shall be no voting by proxy.

16 (e) The district, by a majority vote of those members of the board present, may go  
17 into executive session for the purposes of discussing personnel matters, meeting  
18 with attorneys representing the district in adversarial or potentially adversarial  
19 situations, and for any other purpose authorized by and consistent with Chapter 14  
20 of Title 50.

21 12-5-577.

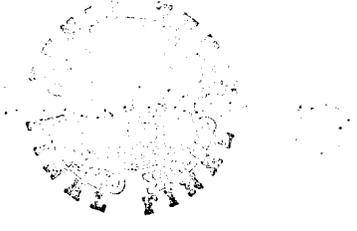
22 (a) Prior to July 1 each year, the officers of the board shall submit to the district for  
23 adoption a preliminary budget required for the operation of the district during the  
24 ensuing calendar year, which shall also be the fiscal year.

25 (b) Funding for the district operations shall be derived from the following sources:

26 (1) Dues paid by cities and counties within the district such that the aggregate  
27 total of all such dues from all such cities and counties shall be no less than \$1  
28 million annually. Such fees shall be raised on a per capita assessment or  
29 water-usage fee basis or based on a formula adopted and approved by the local  
30 government members of the district; and

31 (2) Appropriated or contracted state funds.

32 (c) The district is specifically empowered to contract or otherwise participate in and  
33 to accept grants, funds, gifts, or services from any federal, state, or local  
34 government or its agencies or instrumentalities and from private and civic sources  
35 and to expend funds received therefrom under provisions as may be required and



1 agreed upon by the district in connection with any program or purpose for which the  
2 district exists.

3 (d) All funds of the district not otherwise employed shall be deposited from time  
4 to time to the credit of the district in such banks, trust companies, or other  
5 depositories as the district may select.

6 12-5-578.

7 Any county or municipality adjoining a member county or municipality shall be  
8 added to the district area upon the application of such entity to be included in the  
9 district by resolution of its governing authority.

10 12-5-579.

11 (a) The district staff shall consist initially of the existing staff of the Environmental  
12 Planning Division of the Atlanta Regional Commission. Additional staff may be  
13 added or the staffing modified as necessary to fulfill the responsibilities of the  
14 district. The district may contract for such additional staff and consulting services  
15 as the board in its discretion may determine to be necessary from time to time.

16 (b) The Atlanta Regional Commission, the Georgia Mountains Regional  
17 Development Center, the Coosa Valley Regional Development Center, and the  
18 Northeast Georgia Regional Development Center shall cooperate with the district  
19 and shall assist it in its efforts.

20 12-5-580.

21 (a) The board shall create one or more technical coordinating committees  
22 comprised primarily of water and waste-water officials from counties, cities, and  
23 authorities in the district. Such committees shall provide additional support to the  
24 board and staff for specific areas and issues such as water treatment, waste-water  
25 treatment, and storm-water management.

26 (b) The board shall create a finance committee which shall meet with the boards  
27 and staffs of the Georgia Environmental Facilities Authority, the Department of  
28 Community Affairs, and the Department of Natural Resources for the purpose of  
29 developing recommendations for a funding structure for the district and for projects  
30 included in the district plans developed pursuant to this article, and that authority  
31 and those departments, their boards, and staffs are directed to cooperate with the  
32 district in developing such recommendations. The board shall consider the  
33 recommendations of the finance committee and forward them as adopted or  
34 amended to the Governor and the chairpersons of the Senate Natural Resources



1 Committee and the House Natural Resources and Environment Committee not later  
2 than December 1, 2001. Such recommendations may be updated and revised from  
3 time to time thereafter.

4 12-5-581.

5 (a) The board shall create separate advisory councils for the Chattahoochee,  
6 Etowah, Flint, Oconee, and Ocmulgee river basins. Each basin advisory council  
7 shall be comprised of a minimum of 20 individuals. These individuals shall be from  
8 within the district area as well as from outside the district area, upstream and  
9 downstream of the district. These representatives shall be selected and shall serve  
10 based upon procedures and rules established by the board.

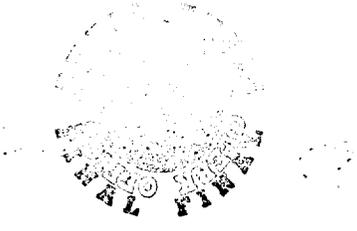
11 (b) The basin advisory councils shall advise the district in the development and  
12 implementation of policy, provide input to the director concerning the development  
13 of minimum elements and standards for plans provided for under this article, and  
14 provide input on the content of plans provided for under this article as such plans  
15 are developed.

16 (c) The board chairperson shall appoint one or more board members to convene  
17 meetings of the basin advisory councils from time to time. The district may provide  
18 advance drafts of such plans or recommendations as it may make pursuant to this  
19 article to basin advisory councils for review and input, and the basin advisory  
20 councils shall prepare reports and recommendations for consideration by the district  
21 in formulating any plan or taking any other action provided for under this article.

22 12-5-582.

23 (a) Within one year after the effective date of this article, unless such time period  
24 is extended by majority vote of the board, the district shall prepare for public  
25 comment one or more model ordinances for local governments designed to provide  
26 for effective storm-water management. Such model ordinances shall also include  
27 minimum design and development standards for local development as it may affect  
28 storm-water run-off quality and storm-water conveyance and infrastructure  
29 standards applicable to local governments. Upon receipt of public comment, the  
30 district shall finalize the model ordinances and publish the same.

31 (b) Within two years after the effective date of this article, unless such time period  
32 is extended by majority vote of the board, the district shall prepare for public  
33 comment a district-wide watershed management plan containing elements common  
34 to all watersheds within the district and containing within it watershed-specific  
35 components for watershed management. The plan shall build upon and be



1 coordinated with existing watershed planning efforts undertaken by local  
2 governments and other entities in the district area and plans otherwise developed  
3 under this title. After receipt of public comment, the district shall approve the plan  
4 which shall meet all standards established by the director and shall include the  
5 following elements:

6 (1) Appropriate standards and methodologies for monitoring water quality and  
7 maintaining and organizing an inventory of collected water quality data;

8 (2) Descriptions of current pollutant loads by source categories, subsource  
9 categories, and specific sources where identifiable;

10 (3) Forecasts of potential future pollutant load increases by virtue of new  
11 development, growth, or other changes in watershed activities;

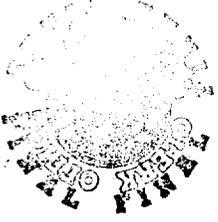
12 (4) Identification of streams or bodies of water within the applicable watershed  
13 having or requiring total maximum daily loads under applicable federal  
14 regulations; provisions for incorporating into the watershed-specific plan any  
15 implementation plan for total maximum daily loads as established by the director;  
16 and provisions to ensure that the watershed-specific plan conforms to  
17 requirements for implementation plans for streams requiring total maximum daily  
18 loads, such that said watershed-specific plan could be readily utilized by the  
19 director to meet applicable federal requirements for implementation plans for total  
20 maximum daily loads;

21 (5) Establishment of priorities for protecting watershed resources and for  
22 obtaining pollutant load reductions or preventing future pollutant load increases,  
23 or both, and an explanation of the rationale for such priorities;

24 (6) Identification of specific effective control programs and strategies including  
25 specific regulatory or voluntary actions to attain and maintain applicable water  
26 quality standards, including any pollutant load reductions mandated by  
27 implementation plans for total maximum daily loads; identification of specific  
28 public or private organizational responsibility for carrying out such control  
29 programs or voluntary actions, including without limitation instances where  
30 control programs require coordination among multiple jurisdictions, such that  
31 there are reasonable assurances that applicable water quality standards will be  
32 attained or maintained, or both;

33 (7) The model ordinances established under subsection (a) of this Code section  
34 and any recommended additions or modifications to such model ordinances, if  
35 appropriate, to provide additional measures to improve storm-water run-off  
36 quality, including without limitation, requirements to retrofit or modify existing  
37 developments in order to improve storm-water run-off quality;

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- 1 (8) Recommended changes to state or local laws, regulations, or ordinances  
2 necessary to implement the plans;
- 3 (9) A timetable for implementation of necessary elements of the plans for each  
4 jurisdiction including description of annual, measurable milestones for  
5 determining whether identified measures are being implemented;
- 6 (10) Estimates of costs and identification of potential sources of funding  
7 necessary for implementation of the plans; and
- 8 (11) Education and public awareness measures regarding watershed protection.
- 9 (c) The district shall review the watershed management plan annually to determine  
10 whether there is a need to update such plan, and in any case the district shall prepare  
11 an updated watershed management plan no less frequently than every five years  
12 after finalization of the initial plan.
- 13 (d) The district shall hold public meetings concerning any plan or updated plan  
14 developed by the district under subsection (a), (b), or (c) of this Code section and  
15 shall publish for public notice and comment any proposed approval, disapproval,  
16 or conditional approval of any such plan.
- 17 (e)(1) Local governments within the district shall implement the provisions of the  
18 district plans that apply to them. Should any jurisdiction fail to do so, the director  
19 shall exercise his or her powers pursuant to this chapter.
- 20 (2) Upon the district's approval of the plan, the director may modify all existing  
21 permits under Code Sections 12-5-29, 12-5-30, 12-5-31, 12-5-96, 12-5-97, and  
22 12-5-179 and any NPDES Phase I or Phase II General Stormwater permits to  
23 make them consistent with the plan. The director may include as a condition in  
24 any issued, modified, or renewed permit to any local government under Code  
25 Section 12-5-29, 12-5-30, 12-5-31, 12-5-96, 12-5-97, or 12-5-179 or any NPDES  
26 Phase I or Phase II General Stormwater permit the applicable contents of the  
27 district plan.
- 28 (3) The director shall not approve any application by a local government in the  
29 district to issue, modify, or renew a permit under Code Section 12-5-29, 12-5-30,  
30 12-5-31, 12-5-96, 12-5-97, or 12-5-179, if such permit would allow an increase  
31 in the permitted water withdrawal, public water system capacity, or waste-water  
32 treatment system capacity of such local government, or any NPDES Phase I or  
33 Phase II General Stormwater permit, unless such local government is in  
34 compliance with the applicable provisions of the plan or the director certifies to  
35 the board that such local government is making good faith efforts to come into  
36 such compliance.



1 (4) Any local government that fails to adopt substantially the applicable model  
2 storm-water ordinance developed by the district under subsection (a) of this Code  
3 section, or something at least as effective as said model ordinance, and any local  
4 government that fails to adopt the applicable plans developed by the district under  
5 this Code section shall be ineligible for state grants or loans for storm-water  
6 related projects determined by the director to be inconsistent with the terms of  
7 such model ordinance or such plans. The determination of the director may be  
8 appealed by the local government to the board, whose decision by majority vote  
9 shall be final.

10 (f) The watershed management plan shall be approved by the district only after  
11 certification by the director that the proposed plan is consistent with standards  
12 established by the director for such plan.

13 12-5-583.

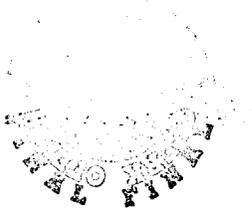
14 (a) Within one year after the effective date of this article, unless such time period  
15 is extended by majority vote of the board, the district shall develop a short-term plan  
16 to ease immediate waste-water capacity constraints and to reduce the need for sewer  
17 tap moratoria.

18 (b) Within two years after the effective date of this article, unless such time period  
19 is extended by majority vote of the board, the district shall develop a long-term  
20 waste-water management plan for the district covering a period of time of no less  
21 than 20 years. The plan shall be coordinated with and address any existing  
22 waste-water planning efforts undertaken by local governments in the district area  
23 and plans otherwise developed under this title. After receipt of public comments,  
24 the district shall approve the plan which shall meet all standards established by the  
25 director, and the plan shall consist of the following minimum elements:

- 26 (1) Identification of anticipated waste-water treatment capacity requirements over  
27 the life of the plan;
- 28 (2) Recommended future upgrades and expansions of existing waste-water  
29 treatment facilities;
- 30 (3) Measures to maximize efficiency through multijurisdictional approaches to  
31 avoid duplication of efforts and unnecessary costs;
- 32 (4) A timetable for phasing out existing plants if appropriate; upgrading or  
33 expanding existing plants; and construction of new plants;
- 34 (5) An inspection and maintenance program for septic tanks in critical areas and  
35 recommendations for effective approaches to phase out existing septic tank use or  
36 discourage increased septic tank use, or both;



- 1 (6) Identification of appropriate opportunities for gray-water reuse or the  
2 implementation of other technologies to increase waste-water treatment capacity  
3 or efficiency; and
- 4 (7) Education and public awareness measures regarding waste-water  
5 management.
- 6 (c) The district shall review the waste-water management plan developed under  
7 subsection (b) of this Code section annually to determine whether there is a need  
8 to update such plan, and in any case the district shall prepare an updated  
9 waste-water management plan no less frequently than every five years after the  
10 director's approval of the initial plan.
- 11 (d) The district shall hold public meetings concerning any plan or updated plan  
12 developed by the district under this Code section and shall publish for public notice  
13 and comment any proposed approval, disapproval, or conditional approval of any  
14 such plan.
- 15 (e)(1) Local governments within the district shall implement the provisions of the  
16 district plans that apply to them. Should any jurisdiction fail to do so, the director  
17 may exercise his or her powers pursuant to this chapter.
- 18 (2) Upon the district's approval of the plan, the director may modify all existing  
19 permits under Code Sections 12-5-29, 12-5-30, 12-5-31, 12-5-96, 12-5-97, and  
20 12-5-179 to make them consistent with the plan. The director may include as a  
21 condition in any issued, modified, or renewed permit to any local government  
22 under Code Section 12-5-29, 12-5-30, 12-5-31, 12-5-96, 12-5-97, or 12-5-179 the  
23 applicable contents of the district plan.
- 24 (3) The director shall not approve any application by a local government in the  
25 district to issue, modify, or renew a permit under Code Section 12-5-29, 12-5-30,  
26 12-5-31, 12-5-96, 12-5-97, or 12-5-179, if such permit would allow an increase  
27 in the water withdrawal, public water system capacity, or waste-water treatment  
28 system capacity of such local government, unless such local government is in  
29 compliance with the applicable provisions of the plan or the director certifies that  
30 such local government is making good faith efforts to come into compliance.
- 31 (4) Any local government that fails to adopt the applicable plans developed by the  
32 district under this Code section shall be ineligible for state grants or loans for  
33 waste-water related projects determined by the director to be inconsistent with the  
34 terms of such plan. The determination of the director may be appealed by the  
35 local government to the board, whose decision by majority vote shall be final.



1 (f) The waste-water management plan shall be approved by the district only after  
2 certification by the director that the proposed plan is consistent with the standards  
3 established by the director for such plan.

4 12-5-584.

5 (a) Within two years after the effective date of this article, unless such time period  
6 is extended by majority vote of the board, the district shall prepare a water supply  
7 and water conservation management plan. The plan shall build upon and be  
8 coordinated with existing watershed planning efforts undertaken by local  
9 governments in the district area and plans otherwise developed by the state. After  
10 receipt of public comments, the district shall approve the plan which shall meet all  
11 standards established by the director, and the plan shall include the following  
12 minimum elements:

13 (1) A description of current water supply resources within the district and  
14 potential limitations on such supply resources;

15 (2) Projected water supply requirements over a 20 year period for the district,  
16 including projections given differing population, consumption, and conservation  
17 scenarios;

18 (3) Identification of opportunities to expand water supply resources;

19 (4) A water conservation program including voluntary measures, best  
20 management practices, and measures enforceable through local ordinances; and

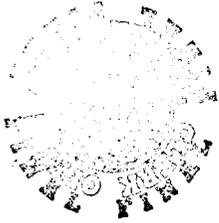
21 (5) Education and public awareness measures regarding water conservation.

22 (b) The district shall review the water supply and water conservation management  
23 plan developed under this Code section annually to determine whether there is a  
24 need to update such plan, and in any case the district shall prepare an updated water  
25 supply and water conservation management plan no less frequently than every five  
26 years after approval of the initial plan.

27 (c) The district shall hold public meetings concerning any plan developed by the  
28 district under subsection (a) of this Code section and shall publish for public notice  
29 and comment any proposed approval, disapproval, or conditional approval of any  
30 such plan.

31 (d)(1) Local governments within the district shall implement the provisions of the  
32 district plans that apply to them. Should any jurisdiction fail to do so, the director  
33 may exercise his or her powers pursuant to this chapter.

34 (2) Upon the district's approval of the plan, the director may modify all existing  
35 permits under Code Sections 12-5-29, 12-5-30, 12-5-31, 12-5-96, 12-5-97, and  
36 12-5-179 to make them consistent with the plan. The director may include as a



1 condition in any issued, modified, or renewed permit to any local government  
 2 under Code Section 12-5-29, 12-5-30, 12-5-31, 12-5-96, 12-5-97, or 12-5-179 the  
 3 applicable contents of the district plan.

4 (3) The director shall not approve any application by a local government in the  
 5 district to issue, modify, or renew a permit under Code Section 12-5-29, 12-5-30,  
 6 12-5-31, 12-5-96, 12-5-97, or 12-5-179, if such permit would allow an increase  
 7 in the water withdrawal, public water system capacity, or waste-water treatment  
 8 system capacity of such local government, unless such local government is in  
 9 compliance with the applicable provisions of the plan or the director certifies that  
 10 such local government is making good faith efforts to come into compliance.

11 (4) Any local government that fails to adopt the applicable plans developed by the  
 12 district under this Code section shall be ineligible for state grants or loans for  
 13 water supply and conservation projects determined by the director to be  
 14 inconsistent with such plans. The determination of the director may be appealed  
 15 by the local government to the board, whose decision by majority vote shall be  
 16 final.

17 (e) The water supply and water conservation management plan shall be approved  
 18 by the district only after certification by the director that the proposed plan is  
 19 consistent with the standards established by the director for such plan.

20 12-5-585.

21 Any district plan required to include an element of education and public awareness  
 22 shall describe those measures to be taken by the district and recommendations for  
 23 measures to be taken by other state agencies or local governments, by public  
 24 education institutions, or by any other public or semi-public entity. The district  
 25 shall make these recommendations known to the affected entities and strive to  
 26 coordinate educational and public awareness efforts. The district's efforts shall be  
 27 designed to reach 75 to 90 percent of the population in the district within five years.

28 12-5-586.

29 The district shall submit a written report not later than December 31 of each year  
 30 to the chairperson of the House Committee on Natural Resources and Environment  
 31 and the chairperson of the Senate Natural Resources Committee, which report shall  
 32 contain a detailed account of the activities and progress of the district throughout  
 33 the previous year and an accurate accounting of all funds received and expended by  
 34 the district."



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**SECTION 2.**

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Code Section 12-5-23, relating to powers and duties to control water pollution and surface-water use, is amended by striking the word "and" at the end of subparagraph (a)(1)(Q); by adding the word "and" at the end of subparagraph (a)(1)(R); and by adding a new subparagraph (a)(1)(S) to read as follows:

"(S) Establishing requirements for units of local government which have waste-water discharge permits that allow a discharge of at least one million gallons per day to submit to the director for approval watershed assessments and watershed protection plans for areas within their political boundaries and for implementation of such plans;"

11

**SECTION 3.**

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Said Code Section 12-5-23 is further amended by striking the word "and" at the end of paragraph (14) of subsection (c); by replacing the period at the end of paragraph (15) of subsection (c) with the symbol and word "; and"; and by adding a new paragraph (16) of subsection (c) to read as follows:

"(16) Establish the standards for water plans prepared by the Metropolitan North Georgia Planning District and certify such plans as consistent or inconsistent with such standards."

19

**SECTION 4.**

20

This Act shall become effective on May 1, 2001.

21

**SECTION 5.**

22

All laws and parts of laws in conflict with this Act are repealed.

## Senate Resolution 142

By: Senators Thompson of the 33<sup>rd</sup>, Stokes of the 43<sup>rd</sup>, Tanksley of the 32<sup>nd</sup>, Walker of the 22<sup>nd</sup> and Johnson of the 1<sup>st</sup>

## A RESOLUTION

- 1 Creating the Joint Comprehensive Water Plan Study Committee; to create the Water Plan  
2 Advisory Committee; and for other purposes.
- 3 WHEREAS, the task of securing sustainable water sources for Georgia while improving and  
4 preserving the quality of rivers, lakes, and ground water is very important; and
- 5 WHEREAS, since 1964, the General Assembly has passed laws relating to water quality  
6 protection and water quantity allocation; and
- 7 WHEREAS, these laws and subsequent programs form a strong foundation for water policy  
8 in Georgia; and
- 9 WHEREAS, recent stresses to Georgia's water resources mandate a re-examination of  
10 Georgia's water policy in Georgia; and
- 11 WHEREAS, the potential for salt-water intrusion into the Floridian Aquifer in coastal  
12 Georgia is a major concern and is the subject of the interim strategy of the Environmental  
13 Protection Division of the Department of Natural Resources for groundwater withdrawal  
14 reduction and is the subject of ongoing scientific studies funded jointly by the State of  
15 Georgia and the private sector; and
- 16 WHEREAS, agricultural water use in the Flint River in southwest Georgia has the potential  
17 to harmfully deplete the flow of the Flint River in drought years and the Environmental  
18 Protection Division is preparing a water development and conservation plan for this area;  
19 and
- 20 WHEREAS, Georgia has been negotiating water allocation formulas with the States of  
21 Alabama and Florida under interstate water compacts for the Coosa, Tallapoosa, Flint, and

- 
- 1 Chattahoochee River Basins, and the results of these negotiations will most likely establish  
2 the basis of future water management in these basins; and
- 3 WHEREAS, the droughts of 1998, 1999, and 2000 had profound negative impacts on  
4 agriculture and on drinking water systems in Georgia; and
- 5 WHEREAS, there are many potential methods to augment water supply sources to reduce  
6 water shortages in future droughts; and
- 7 WHEREAS, there are many potential methods to reduce water demands in Georgia during  
8 drought and nondrought periods; and
- 9 WHEREAS, the Georgia Municipal Association and the Association of County  
10 Commissioners of Georgia have developed recommendations for improvements in water  
11 resource management; and
- 12 WHEREAS, the quality of Georgia's rivers and streams is diminished by pollution from  
13 stormwater runoff; and
- 14 WHEREAS, this pollution, called "nonpoint source" pollution, cannot be corrected only by  
15 the treating of stormwater runoff but will involve new approaches to stormwater management  
16 and new approaches in land development; and
- 17 WHEREAS, many local governments are performing watershed assessments to identify and  
18 correct water pollution problems coming from stormwater runoff; and
- 19 WHEREAS, the Environmental Protection Division is preparing total maximum daily loads  
20 which allocate pollution loads in river basins; and
- 21 WHEREAS, implementation of total maximum daily load solutions will require close  
22 coordination and cooperation between state government, local government, agriculture, and  
23 business; and
- 24 WHEREAS, the metropolitan Atlanta Chamber of Commerce and the Regional Business  
25 Coalition convened a task force and made suggestions for a regional approach to water  
26 quality issues in metropolitan Atlanta; and
- 



1 WHEREAS, the Environmental Protection Division prepared a Water Resources Summary  
2 Document in 1986 which included plans to meet Georgia's water needs until the year 2000;  
3 and

4 WHEREAS, many local governments have implemented water source enhancement -  
5 reservoirs and wells - and water conservation as outlined in the 1986 document; and

6 WHEREAS, additional actions are necessary to provide safe and secure water supply for  
7 predicated population growth at least 20 years into the future; and

8 WHEREAS, in light of the above issues it is now time to prepare a new comprehensive water  
9 plan for Georgia.

10 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
11 GEORGIA that there is created the Joint Comprehensive Water Plan Study Committee to be  
12 composed of 23 members consisting of four members of the Senate to be appointed by the  
13 President of the Senate, four members of the House of Representatives to be appointed by  
14 the Speaker of the House of Representatives, and, as ex officio members, the chairperson of  
15 the Senate Natural Resources Committee and the chairperson of the House Committee on  
16 Natural Resources and the Environment who shall be cochairpersons of the study committee.  
17 The President of the Senate shall appoint two additional members, one each from the  
18 following: county government, and agricultural interest groups. The Speaker of the House  
19 of Representatives shall appoint two additional members, one each from the following: city  
20 government, and wildlife conservation groups. The Governor shall appoint five additional  
21 members. The director of the Environmental Protection Division of the Department of  
22 Natural Resources, the Commissioner of Natural Resources, the Commissioner of  
23 Agriculture, and the executive director of the Georgia Soil and Water Conservation  
24 Commission shall all serve in ex officio capacities as members of the committee. Either  
25 chairperson may call meetings of the committee. Such appointments shall be made by May  
26 15, 2001, with the first meeting of the study committee to occur by June 15, 2001.

27 BE IT FURTHER RESOLVED that the committee shall undertake a study of the water  
28 resource issues, including water quality and quantity, facing Georgia. The committee shall  
29 consider the existing policy, laws, rules, and programs to manage water resources. The  
30 committee shall recommend a process and schedule to prepare the details of a comprehensive

1 water plan, develop the principle for a comprehensive water plan, and recommend any other  
2 action or legislation the study committee deems appropriate.



3 BE IT FURTHER RESOLVED that there is created a Water Plan Advisory Committee,  
4 consisting of members of the scientific community, business community, agricultural  
5 community, environmental advocacy groups, professions with expertise in water quality and  
6 management, and the academic community to be selected by the cochairpersons of the Joint  
7 Comprehensive Water Plan Study Committee. The study committee cochairpersons shall  
8 appoint an advisory committee chairperson who shall be a faculty member of the University  
9 System of Georgia. The Water Plan Advisory Committee shall assist the study committee,  
10 as requested, in gathering information, preparing briefing documents, preparing  
11 recommendations, and evaluating proposed recommendations. The Water Plan Advisory  
12 Committee may be divided into subcommittees at the discretion of the advisory committee  
13 chairperson.

14 BE IT FURTHER RESOLVED that the study committee may conduct such meetings at such  
15 times and places as it may deem necessary or convenient to enable it to exercise fully and  
16 effectively its powers, perform its duties, and accomplish the objectives and purposes for this  
17 resolution. The legislative members of the study committee shall receive the allowances  
18 authorized for legislative members of interim committees but shall receive the same for not  
19 more than ten days unless additional days are authorized. The funds necessary to carry out  
20 the provisions of this resolution shall come from funds appropriated to the Senate and House  
21 of Representatives. No allowance shall be paid for other members of the committee. The  
22 study committee shall make a report of its findings and recommendations, with suggestions  
23 for proposed legislation, if any, prior to December 1, 2001. The study committee shall make  
24 a final report of its findings and recommendations with suggestions for proposed legislation,  
25 if any, prior to September 1, 2002. The study committee shall stand abolished on September  
26 1, 2002.

House Bill 71

By: Representatives Sims of the 167<sup>th</sup>, Coleman of the 142<sup>nd</sup>, Walker of the 141<sup>st</sup>, Mosley of the 171<sup>st</sup>, Bulloch of the 180<sup>th</sup> and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 50 of the Official Code of Georgia Annotated, relating to state government,  
2 so as to authorize loans from certain funds granted to the state by the administrator of the  
3 federal Environmental Protection Agency for purposes of financing water pollution control  
4 projects; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 SECTION 1.

7 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended  
8 by striking paragraph (1) of subsection (a) of Code Section 50-10-5, relating to powers and  
9 duties of the Georgia Development Authority, and inserting in lieu thereof the following:

10 "(a)(1) In addition to, and not in limitation of, the powers granted in this chapter, the  
11 Georgia Development Authority shall have and may exercise the power and authority to;

12 (A) Guarantee ~~guarantee~~ or insure loans made for rural rehabilitation purposes or for  
13 agricultural and industrial development, provided that, with respect to any such  
14 guarantee or contract of insurance made by the authority involving an asset provided  
15 to the authority under Public Law 499, Eighty-first Congress, Second Session, the  
16 authority shall maintain a reserve or insurance fund out of such assets in an amount not  
17 less than 15 percent of the contingent liability existing by reason of any such contracts  
18 of insurance or guarantee. The reserve or insurance fund of the authority may be  
19 invested; and

20 (B) Borrow money from funds granted to the state by the administrator of the federal  
21 Environmental Protection Agency pursuant to 33 U.S.C.A. Section 1381, et seq., and  
22 administered by the Georgia Environmental Facilities Authority pursuant to paragraph  
23 (30) of subsection (b) of Code Section 50-23-5 and to use the same to make loans to  
24 finance eligible water pollution control projects which are designed to mitigate  
25 pollution from agricultural operations. The borrowing of such moneys and

1 administration of such loans made by the Georgia Development Authority shall be in  
 2 accordance with federal requirements.'

3 **SECTION 2.**

4 Said title is further amended by striking subsections (b) and (c) of Code Section 50-23-2,  
 5 relating to legislative intent and assumption of rights, duties, and assets of the Georgia  
 6 Development Authority, and inserting in lieu thereof the following:

7 '(b) It is the purpose and intent of this article to provide an instrumentality ~~to provide~~  
 8 ~~environmental facilities~~ to assist ~~local governments~~ in constructing, extending,  
 9 rehabilitating, repairing, and renewing environmental facilities and to assist in the financing  
 10 of such needs by providing grants, loans, bonds, and other assistance to local governments  
 11 and instrumentalities of the state.

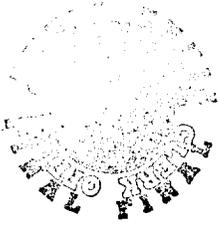
12 (c) The authority shall receive all assets of the Georgia Development Authority held  
 13 immediately prior to the creation of the Georgia Environmental Facilities Authority except  
 14 those assets received under the provisions of Public Law 499, Eighty-first Congress,  
 15 Second Session, or funds or assets derived from such funds or assets. The authority shall  
 16 be responsible for any contracts, leases, agreements, or other obligations entered into  
 17 regarding the environmental facilities projects of the Georgia Development Authority prior  
 18 to the creation of the Georgia Environmental Facilities Authority and the Georgia  
 19 Environmental Facilities Authority is substituted as party to any such contract, agreement,  
 20 lease, or other obligation and shall be responsible for performance thereon as if it had been  
 21 the original party and shall be entitled to all benefits and rights of enforcement by any other  
 22 parties to such contracts, agreements, leases, or other obligations.'

23 **SECTION 3.**

24 Said title is further amended by striking subsection (a) and paragraph (30) of subsection (b)  
 25 of Code Section 50-23-5, relating to the purpose, powers, and duties of the Georgia  
 26 Environmental Facilities Authority, and inserting in lieu thereof the following:

27 '(a) The corporate purpose and the general nature of the business of the Georgia  
 28 Environmental Facilities Authority shall be assistance ~~to local governments~~ in constructing,  
 29 extending, rehabilitating, repairing, replacing, and renewing environmental facilities  
 30 necessary for public purposes and commercial, residential, and industrial development  
 31 purposes or necessary or incidental to such purposes by providing grants, loans, bonds, and  
 32 other forms of financial and technical assistance to local governments and instrumentalities  
 33 of the state to finance any project or pay the cost of any project.'

34 '(30) To administer funds granted to the state by the administrator of the federal

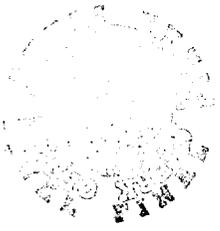


1 Environmental Protection Agency pursuant to Title VI of the Federal Water Pollution  
2 Control Act and Title XIV of the federal Safe Drinking Water Act, as now or hereafter  
3 amended, for the purpose of providing assistance to municipalities or counties or any  
4 combination thereof or to any public authority or, if authorized by law, any private  
5 agency, commission, or institution for construction of treatment works as that term is  
6 defined in Section 212 of the federal Clean Water Act of 1977, P.L. 95-217, which are  
7 publicly owned. The authority is further authorized to administer funds granted to the  
8 state by the administrator of the federal Environmental Protection Agency pursuant to  
9 Title XIV of the federal Safe Drinking Water Act, as now or hereafter amended, for the  
10 purpose of providing assistance to municipalities or counties or any combination thereof  
11 or any public or, if authorized by law, any private authority, agency, commission, or  
12 institution for the construction of public drinking water works as such term is defined in  
13 Section 1401 of the federal Safe Drinking Water Act Amendments of 1986, P.L. 99-339.  
14 The authority is further authorized to administer funds granted to the state by the  
15 administrator of the federal Environmental Protection Agency pursuant to 33 U.S.C.A.  
16 Section 1381, et seq., for the purpose of providing financial assistance for any eligible  
17 water pollution control project. The authority shall deposit any such funds received from  
18 the administrator of the federal Environmental Protection Agency into a separate water  
19 pollution control revolving fund or a drinking water revolving fund transferred to the  
20 authority from the Environmental Protection Division of the Department of Natural  
21 Resources or hereafter established. The forms and administration of such funds shall be  
22 established by the authority in accordance with federal requirements; and'

23

**SECTION 4.**

24 All laws and parts of laws in conflict with this Act are repealed.



Senate Bill 67

By: Senators Starr of the 44<sup>th</sup>, Thompson of the 33<sup>rd</sup>, Scott of the 36<sup>th</sup>, Thomas of the 10<sup>th</sup>, Balfour of the 9<sup>th</sup> and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 50-8-101 of the Official Code of Georgia Annotated, relating to  
2 books of accounts, population estimates, operating funds, and programs and budgets of  
3 metropolitan area planning and development commissions, so as to increase the amount of  
4 certain dues; to provide for future such increases; to repeal conflicting laws; and for other  
5 purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 SECTION 1.

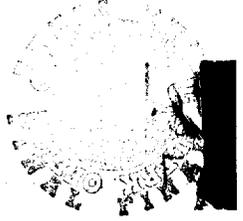
8 Code Section 50-8-101 of the Official Code of Georgia Annotated, relating to books of  
9 accounts, population estimates, operating funds, and programs and budgets of metropolitan  
10 area planning and development commissions, is amended by striking paragraph (2) of  
11 subsection (b) and inserting in its place a new paragraph (2) to read as follows:

12 \*(2) In addition to the amount required under paragraph (1) of this subsection, every  
13 county within the area and the most populous municipality within the area shall each  
14 provide the commission with an amount based upon the number of residents of that  
15 county or municipality, respectively, and determined as follows:

16 (A) Each county which has no portion of the most populous municipality within its  
17 boundary shall provide an amount determined by multiplying the number of persons  
18 residing in that county by the following per resident amounts based upon the  
19 appropriate calendar year specified:

20	1989 .....	40¢
21	1990 and all calendar years thereafter <u>2001</u> .....	80¢
22	<u>2002</u> .....	<u>90¢</u>
23	<u>2003</u> .....	<u>\$ 1.00</u>

24 Calendar years subsequent to 2003 in accord with subparagraph (D) of this paragraph.



1 (B) Each county which has some portion of the most populous municipality within its  
 2 boundary shall provide an amount determined by multiplying the number of persons  
 3 residing in the county but outside that most populous municipality by the per resident  
 4 amount specified for the applicable calendar year under subparagraph (A) of this  
 5 paragraph and shall also provide an amount determined by multiplying the number of  
 6 persons residing in the county inside that most populous municipality by the following  
 7 per resident amounts based upon the appropriate calendar year specified:

8	<del>1989</del> .....	<del>16¢</del>
9	<del>1990 and all calendar years thereafter</del> <u>2001</u> .....	32¢
10	<u>2002</u> .....	<u>36¢</u>
11	<u>2003</u> .....	<u>40¢</u>

12 Calendar years subsequent to 2003 in accord with subparagraph (D) of this paragraph.

13 (C) The most populous municipality shall provide an amount determined by  
 14 multiplying the number of persons residing in the municipality by the following per  
 15 resident amounts based upon the appropriate calendar year specified:

16	<del>1989</del> .....	<del>24¢</del>
17	<del>1990 and all calendar years thereafter</del> <u>2001</u> .....	48¢
18	<u>2002</u> .....	<u>54¢</u>
19	<u>2003</u> .....	<u>60¢</u>

20 Calendar years subsequent to 2003 in accord with subparagraph (D) of this paragraph.

21 (D) For calendar years subsequent to 2003, increases in the amounts specified in  
 22 subparagraphs (A), (B), and (C) of this paragraph shall be based upon increases in the  
 23 Average Annual Consumer Price Index for All Urban Consumers for the Atlanta  
 24 Metropolitan Statistical Area, hereafter referred to as CPI-U. Upon approval by the  
 25 commission, the amount specified for calendar year 2003 in subparagraph (A) of this  
 26 paragraph shall increase by 10¢ when the latest available CPI-U exceeds 110 percent  
 27 of the CPI-U for the base year 2001. The commission may also approve additional 10¢  
 28 increases in the amount specified in subparagraph (A) of this paragraph whenever the  
 29 latest available CPI-U exceeds 110 percent of the CPI-U that was the basis for the most  
 30 recent increase in that amount. Each time the amount in subparagraph (A) of this  
 31 paragraph increases by 10¢, then the amount in subparagraph (B) of this paragraph shall  
 32 increase by 04¢ and the amount in subparagraph (C) of this paragraph shall increase by  
 33 06¢.

34 **SECTION 2.**  
 35 All laws and parts of laws in conflict with this Act are repealed.

## House Bill 520

By: Representatives Dean of the 48<sup>th</sup>, Orrock of the 56<sup>th</sup>, Sinkfield of the 57<sup>th</sup>, Martin of the 47<sup>th</sup>, Smith of the 12<sup>th</sup> and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated,  
2 relating to redemption of property sold for taxes, so as to change the premium required to be  
3 paid for redemption; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 SECTION 1.

6 Article 3 of Chapter 4 of Title 48 of the Official Code of Georgia Annotated, relating to  
7 redemption of property sold for taxes, is amended by striking Code Section 48-4-42, relating  
8 to amount payable for redemption; and inserting in its place the following:

9 '48-4-42.

10 The amount required to be paid for redemption of property from any sale for taxes as  
11 provided in this chapter, or the redemption price, shall be the amount paid for the property  
12 at the tax sale, as shown by the recitals in the tax deed, plus any taxes paid on the property  
13 by the purchaser after the sale for taxes, plus any special assessments on the property, plus  
14 a premium of ~~20~~ 8 percent of the amount for each year or fraction of a year which has  
15 elapsed between the date of the sale and the date on which the redemption payment is  
16 made. If redemption is not made until after the required notice has been given, there shall  
17 be added to the redemption price the sheriff's cost in connection with serving the notice,  
18 the cost of publication of the notice, if any, and the further sum of ~~20~~ 8 percent of the  
19 amount paid for the property at the sale to cover the cost of making the necessary  
20 examinations to determine the persons upon whom notice should be served. All of the  
21 amounts required to be paid by this Code section shall be paid in lawful money of the  
22 United States to the purchaser at the tax sale or to the purchaser's successors.'

23 SECTION 2.

24 All laws and parts of laws in conflict with this Act are repealed.

## House Bill 267

By: Representatives Wilkinson of the 43<sup>rd</sup>, Willard of the 44<sup>th</sup>, Burkhalter of the 41<sup>st</sup>, Campbell of the 42<sup>nd</sup> and Irvin of the 45<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to  
2 incorporation of municipal corporations, so as to change the time in which certain minimum  
3 distance requirements apply; to provide an effective date; to repeal conflicting laws; and for  
4 other purposes.

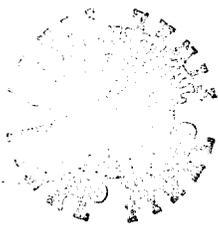
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation  
8 of municipal corporations, is amended by striking Code Section 36-31-2 thereof, relating to  
9 minimum distances between corporate boundaries, and inserting in its place the following:  
10 "36-31-2.

11 (a) On and after December 31, 2002, no ~~No~~ local Act granting a municipal charter shall be  
12 enacted wherein any part of the proposed corporate boundary is less than three miles  
13 distance from the corporate boundary of any existing municipal corporation in this state;  
14 provided, however, that, if the residents of a certain geographical area within three miles  
15 of an existing municipal corporation have been denied annexation to the municipal  
16 corporation by the people of the municipal corporation, the residents of such geographical  
17 area shall be entitled to incorporate a new municipal corporation at any time within 12  
18 months after such denial, and a local Act granting a municipal charter may be enacted;  
19 provided, further, that the population of the area proposed to be incorporated must exceed  
20 the population of the existing municipal corporation, and a certificate from the governing  
21 authority of the existing municipal corporation or from the judge of the superior court of  
22 the county, evidencing the denial of annexation and the population figures, must  
23 accompany the certificate of incorporation required by this chapter.

24 (b) Any provision of subsection (a) of this Code section to the contrary, a local Act  
25 granting a municipal charter to any area comprising the former boundaries of a municipal  
26 corporation the charter of which was repealed by operation of Code Section 36-30-7.1 may



1 be enacted at the regular 1996 or 1997 session of the General Assembly without regard to  
2 the proximity of the proposed municipal corporation to an existing municipal corporation.'

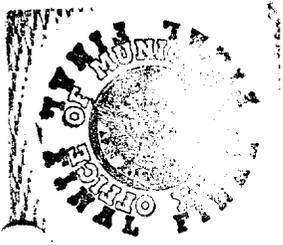
3 **SECTION 2.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law  
5 without such approval.

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.





RCS# 2656  
2/19/01  
9:38 PM

Atlanta City Council

Regular Session

01-R-0250

Taking positions on various legislation  
pending before 2001 General Assembly  
ADOPT

YEAS: 13  
NAYS: 1  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	N Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	Y Alexander
Y Winslow	NV Muller	Y Boazman	NV Pitts

01-R-0250

**01-8-0250**  
(Do Not Write Above This Line)

**A RESOLUTION**  
**FINANCE/EXECUTIVE COMMITTEE**  
**A RESOLUTION TAKING THE BELOW STATED**  
**POSITIONS ON VARIOUS**  
**PIECES OF LEGISLATION PRESENTLY**  
**PENDING BEFORE THE 2001**  
**GEORGIA GENERAL ASSEMBLY**

- Senate Bill 130 **NO REC.**
- Senate Resolution 142 **SUPPORT**
- House Bill 71 **SUPPORT**
- Senate Bill 67 **SUPPORT**
- House Bill 520 **SUPPORT**
- House Bill 267 **OPPOSE**

**ADOPTED BY**  
**FEB 19 2001**  
**COUNCIL**

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred  
Referred To:  
Date Referred  
Referred To:  
Date Referred  
Referred To:

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee F+D  
Date 2.15.01  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Action: \_\_\_\_\_  
Fav, Adv, Hold (see rev. side) \_\_\_\_\_  
Other: \_\_\_\_\_  
Members \_\_\_\_\_  
Refer To \_\_\_\_\_

**FINAL COUNCIL ACTION**  
 2nd  1st & 2nd  3rd  
Readings  
 Consent  V Vote  RC Vote

**CERTIFIED**

**CERTIFIED**  
**FEB 19 2001**  
ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

**CERTIFIED**  
**FEB 19 2001**  
*[Signature]*  
MUNICIPAL CLERK

**MAYOR'S ACTION**

**CERTIFIED**  
**FEB 24 2001**  
*[Signature]*  
MAYOR