



Georgia Farm Bureau Federation **LEGISLATIVE REPORT**

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Farmers Plant Georgia's Future



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2011 Legislative Session

Last week marked the final days of the 2011 Legislative Session. This report will revisit the bills of interest to Farm Bureau and update you on their status.

We want to thank Farm Bureau members all over Georgia for their efforts in communicating Farm Bureau positions on issues important to agriculture throughout the year.



We also express our sincere appreciation to the legislators who weigh farm interests when determining policy decisions for Georgia. Finally, we are grateful for other groups around the state working to support the agriculture industry. Our efforts can only be successful with your continued involvement.

Legislative Board Committee

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Tax Reform Stalls

At the beginning of the year, the GFB Board of Directors set priority issues for the 2011 legislative session. In accordance with the priority issues

dealing with taxes and the budget, GFB sought to protect current agricultural sales tax exemptions and broaden the scope of exemptions to cover all farm input costs.

A tax bill was introduced this session that would broaden exemptions for farmers, but the General Assembly adjourned this year without taking up the legislation that was supported by Farm Bureau. The agricultural provisions in the bill were never contested, but there had been major controversy regarding other sections in the bill.

As the legislative session came to an end, House leadership decided against bringing the bill up for consideration, which meant the proposal was dead for the 2011 session.

Farm Bureau strongly supports all sales tax exemptions on agricultural inputs. ***All current sales tax exemptions for farm input costs remain intact.*** GFB will continue to keep this issue in front of legislators when the General Assembly reconvenes.

\$18.3 Billion 2012 State Budget

The budget for Fiscal Year 2012 was passed last week and sent to the Governor for approval. There were cuts all around, but many programs fared better than the Governor's January request due to an increase in state revenues.

The UGA Cooperative Extension Service was reduced \$2.05 million from FY 2011, but the General Assembly added \$400,000 more than the Governor's original request for the 2012 budget. The Experiment Stations were cut by \$2.3 million from FY 2011, but \$600,000 was added by the Legislature for FY 2012.

Funding was also reduced for Agricultural Education by \$322,000, which was less than the \$644,000 reduction proposed in January.

The Georgia Soil & Water Conservation Commission was reduced by roughly 9 percent, and there was no funding in the budget for the Georgia Water Planning and Policy Center.

Immigration Bill Passes

House Bill 87 passed the legislature on Day 40 after much debate. Below is a breakdown of some of the key elements in HB 87.

E-Verify- Every private employer with more than 10 employees must use the federal work authorization program, known as E-Verify. This requirement shall be effective on January 1, 2012 for employers with 500 or more employees; on July 1, 2012 for employers with 100-499 employees; on July 1, 2013 for employers with 11-99 employees. In order to obtain business licenses, employers will be required to sign a sworn affidavit attesting they use the E-Verify program.

January 1 Provision- Determining the number of employees for the E-Verify requirement will be based on the number of full-time employees hired as of January 1 each year. If the employer has eleven or more full-time employees on January 1, that employer will be required to sign a sworn affidavit attesting to E-Verify use in order to legally obtain a business license. The bill defines a full-time employee as a person working more than 35 hours per week.

Department of Agriculture Report- The bill instructs the Georgia Department of Agriculture to develop a report on federal guest worker programs and make recommendations related to those programs.

1099 Contract Labor- There are no provisions pertaining to 1099 contract labor in the legislation. Earlier bills would have tied business expense deductibility of 1099 contract labor to the use of E-Verify.

Transporting/Harboring Illegal Aliens- The legislation makes it unlawful to *knowingly* transport or hide persons who are in this country illegally. The first offense for transporting or harboring seven or fewer illegal aliens is a misdemeanor with penalties being up to a year in prison and/or a \$1000 fine. Penalties are substantially increased under the felony provisions for subsequent offenses, offenses with eight or more illegal aliens, or when the offender is profiting from the traffic.

False Documents- The legislation makes it a crime for a person to willfully and fraudulently use false identifying information for the purpose of obtaining a job. If convicted, the person who intentionally provided the false information is subject to imprisonment between 1 -15 years, and fines not to exceed \$250,000 or both.

Animal Issues

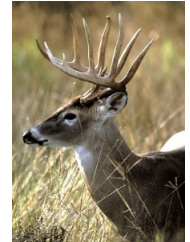
Another priority issue was animal agriculture, in which GFB sought opportunities to increase support for food animal veterinary services in the state and seek additional avenues to control feral hogs. Below are bills that addressed this priority issue during the 2011 legislative session:

HB 60 – Provide a State Veterinary Education Board

Representatives Gene Maddox and Ellis Black- This bill creates a State Veterinary Education Board that could assist with loans of applicants who have completed a doctor of veterinary medicine program. Only persons whose veterinary medicine practices in this state include food animals will be eligible for loan forgiveness. *Governor's Desk*

HB 277 – Hunting and Baiting Deer and Feral Hogs

Representatives Jason Shaw, Gene Maddox, Jay Roberts, Al Williams, Ellis Black, and David Lucas- This bill allows for hunting deer and feral hogs over feed or bait in the southern hunting region of Georgia. *Governor's Desk*



HB 485 – Feral Hogs

Representatives Tom McCall, Lee Anderson, Terry England, Bob Hanner, and Jay Roberts- This bill makes it illegal to release feral hogs into the wild and enacts penalties for those who break the law. *Governor's Desk*

Bills of Interest – Passed

HB 95 – Georgia Forest Land Protection Act

Representatives Jay Roberts, David Knight, Terry England, Tom McCall, Jon Burns, and Allen Peake- This bill provides that a FLPA applicant has the one-time election to declare their tract as contiguous irrespective of a boundary. It also clarifies when covenant breaches occur. *Governor's Desk*

HB 125 – Agricultural Education Advisory Commission

Representatives Tom Dickson, Terry England, and Jon Burns- This bill requires the Agricultural Education Advisory Commission to meet at least once annually. It also creates an ex officio position for the Commissioner of Agriculture on the Georgia Agricultural Exposition Authority and to assign the authority to the Department of Agriculture for administrative purposes. *Governor's Desk*

HB 223 – Building Codes; Farms

Representatives Rick Jasperse, Terry England, Tom McCall, and Jay Roberts- This bill creates an exemption for farm buildings or farm structures from state minimum standard building codes. *Governor's Desk*

HB 225 – Sustainable Agriculture

Representatives Susan Holmes, Terry England, and Tom McCall- The bill provides a general definition for the term “sustainable agriculture.” *Governor's Desk*

HR 424 – Tennessee River Basin Feasibility Study

Representatives Jay Neal, Tom McCall, Jon Burns, Carl Rogers, Tom Dickson, and John Meadows- This resolution urges the Department of Natural Resources, the Water Supply Division of the Georgia Environmental Finance Authority, and private enterprises to study the feasibility of surface water withdrawal, storage, and distribution from a certain portion of the Tennessee River basin. *House Passed/Adopted*

HR 643 – Study Committee on the Horse Racing Industry
Representatives Harry Geisinger, Tom McCall, and Jon Burns- This resolution would create a committee to study the benefits of developing Georgia’s equine industry to include pari-mutuel wagering and training and racing horses at tracks in this state. *House Passed/Adopted*



SB 54 – Weight Limitations

Senators Jeff Mullis, Cecil Staton, Steve Gooch, Butch Miller, Bill Jackson, and Valencia Seay- This bill allows weight limitations on public roads to be exceeded for hauling poultry waste from the point of origin to a farm and allows a 5 percent variance from weight limitations within a 250 mile radius of the farm or point of origin. *Governor’s Desk*

SB 122 – Public & Private Contracting

Senators Ross Tolleson, Tommie Williams, George Hooks, John Bulloch, Tim Golden, and Jim Butterworth- This bill would give authority to local governments to partner with private entities to finance, build, operate, and maintain water infrastructure projects. *Governor’s Desk*

SR 15 – Joint Committee on Water Supply

Senator Ross Tolleson- This resolution would create the Joint Committee on Water Supply composed of ten members. The committee shall undertake a study and analysis of the current status of the state’s reservoir system. *Passed/Adopted*

Other Bills of Interest

The bills below will either carry over to the next legislative session or have failed.

HB 135 – Unauthorized Timber Cutting and Carrying Away

Representatives Ellis Black, Jon Burns, Debbie Buckner, Wendell Willard, Jay Powell, Tom Weldon- The bill provides that erroneously harvested timber will be repaid to the rightful owner at 3 times the value of the timber. It also clarifies that it is the land owner’s responsibility to clearly mark the accurate boundary lines of the property where trees are to be harvested. *Judiciary*



HB 224 – Off Road Vehicle Registration

Representative Amos Amerson- This bill requires that any person operating an off-road recreation vehicle shall apply for an off-road recreation vehicle license plate. *Motor Vehicles*

HB 564 – Solar Panels for CUYA

Representatives Billy Maddox, Jay Roberts, and Tom McCall- This bill states that property used for the collection and conversion of solar energy shall not constitute a breach of a conservation use covenant. *Ways and Means*

HB 621 – Qualified Reforestation Expenses

Representatives David Knight, Allen Peake, Jason Shaw, Robert Dickey, Chad Nimmer, and Jon Burns- This bill provides an income tax credit for qualified reforestation expenses not to exceed \$25,000. *Ways and Means*

HR 186 – Pari-mutuel Horse Racing

Representatives Harry Geisinger, Tom McCall, Edward Lindsey, Mary Margaret Oliver, Roger Bruce, and Ralph Long- If passed by a two-thirds majority in both Houses, the question of whether to allow pari-mutuel wagering on horse races will be put to Georgia voters. Farm Bureau policy supports allowing the voters to decide the issue of pari-mutuel betting on horse racing.
Regulated Industries

SB 9 – Georgia Energy Freedom Act

Senators Mitch Seabaugh, Bill Heath, Barry Loudermilk, Charlie Bethel, Rick Jeffares, and Lindsey Tippins- This bill allows the Governor to delay compliance with any federal program to regulate greenhouse gas emissions until a comprehensive analysis of the fiscal and regulatory impacts of the proposed program has been made. ***House Natural Resources & Environment***

SB 146 – Increase Vehicle Weight Variance

Senator Tommie Williams- This legislation would change the current 5% weight variance for hauling agricultural products to a 10 % variance. ***Transportation***

SB 188 – Alternative Livestock Farming

Senators Greg Goggans, Tommie Williams, John Bulloch, Ross Tolleson, Freddie Powell Sims, John Crosby- This bill provides for the production of farmed alternative livestock and to regulate the establishment and operation of harvest-hunt preserves. This bill failed on the Senate floor and is now dead. ***Failed***

Farm Bureau of Outer Mongolia?



Bryant Harden, from Thomas County, has worked as the GFB Legislative Intern since January. One of his primary responsibilities has been to develop and produce the weekly “GFB Legislative Report.” Harden has done an excellent job with the report this year, and we appreciate his efforts. When he departs GFB next month, he will begin a 27-month Peace Corps stint in Mongolia. We wish him well.

Thanks for reading. If you have any questions or if we can be of any assistance, please contact the Legislative Department at (478) 474-8411 ext. 5283.