

House Resolution 17 (AS PASSED HOUSE AND SENATE)

By: Representatives Royal of the 164th, Hanner of the 159th and McCall of the 90th

A RESOLUTION

1 Ratifying the rules of the Board of Natural Resources for administration and implementation
2 of Article 9 of Chapter 5 of Title 12 of the O.C.G.A., the "Flint River Drought Protection
3 Act"; to provide an effective date; and for other purposes.

4 WHEREAS, subsection (a) of Code Section 12-5-543 of the O.C.G.A. authorizes the Board
5 of Natural Resources to promulgate rules and regulations for a drought abatement program
6 for the Flint River basin; and

7 WHEREAS, subsection (b) of Code Section 12-5-543 of the O.C.G.A. authorizes the Board
8 of Natural Resources to implement and enforce the provisions of Article 9 of Chapter 5 of
9 Title 12 of the O.C.G.A., the "Flint River Drought Protection Act"; and

10 WHEREAS, subsection (a) of Code Section 12-5-546 of the O.C.G.A. mandates that the
11 Environmental Protection Division of the Department of Natural Resources issue a prediction
12 on severe drought conditions for the year by March 1 of each year; and

13 WHEREAS, subsection (b) of Code Section 12-5-546 of the O.C.G.A. requires the
14 Environmental Protection Division of the Department of Natural Resources to conduct an
15 irrigation reduction auction to maintain acceptable Flint River stream flows when a severe
16 drought condition prediction is issued; and

17 WHEREAS, the auction and final irrigation acreage removal agreements must be completed
18 by March 30 of each severe drought year in order to help maintain acceptable Flint River
19 stream flows from April through September when irrigation is most needed; and

20 WHEREAS, subsection (c) of Code Section 12-5-543 of the O.C.G.A. requires the Board of
21 Natural Resources to submit to the members of the General Assembly any promulgated rules
22 and regulations for review, with said rules and regulations to become effective upon the

1 expiration of the legislative session unless a resolution disapproving such regulations shall
2 have been adopted by both houses of the General Assembly; and

3 WHEREAS, there is the possibility that the 2001 regular session of the General Assembly
4 may extend beyond March 1, 2001, thereby preventing an effective program for the year
5 2001 from being in place in a timely fashion; and

6 WHEREAS, the Board of Natural Resources on December 6, 2000, promulgated the Flint
7 River Drought Protection Rules and submitted these to the Speaker of the House of
8 Representatives and the President of the Senate for distribution to the members of the
9 General Assembly; and

10 WHEREAS, the General Assembly has reviewed the board's December 6, 2000, Flint River
11 Drought Protection Rules and determined that they are acceptable pursuant to the Flint River
12 Drought Protection Act.

13 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
14 GEORGIA that, notwithstanding the provisions of subsection (c) of Code Section 12-5-543,
15 the Flint River Drought Protection Rules promulgated by the Board of Natural Resources on
16 December 6, 2000, are ratified and approved to become effective on February 21, 2001.

17 BE IT FURTHER RESOLVED that the Department of Natural Resources is authorized to
18 undertake and carry out all activities necessary to implement the rules, effective February 21,
19 2001.