

## House Resolution 362

By: Representatives Smith of the 70<sup>th</sup>, Harden of the 148<sup>th</sup>, Williams of the 119<sup>th</sup>, and Watson of the 172<sup>nd</sup>

## A RESOLUTION

1 Creating the Joint Study Committee on Stream Buffers in Georgia; and for other purposes.

2 WHEREAS, the protection of water quality is an important issue for this state; and

3 WHEREAS, it is crucial to consider the rights of property owners to build upon their land  
4 and exercise freedom in land usage when considering government action which may impinge  
5 on those rights; and

6 WHEREAS, the requirements for stream buffers vary greatly from state to state, even within  
7 the southeastern geographic region; and

8 WHEREAS, for the purposes of determining an appropriate plan of action and  
9 recommendations for the State of Georgia to strike the proper balance between water  
10 protection and private property rights, it would be beneficial to review the existing data and  
11 current practices relating to stream buffers prior to recommending legislation.

12 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF  
13 GEORGIA:

14 (1) **Creation of joint study committee.** There is created the Joint Study Committee on  
15 Stream Buffers in Georgia.

16 (2) **Members and officers.**

17 (A) The committee shall be composed of 17 members as follows:

18 (B) Five members of the House of Representatives appointed by the Speaker of the  
19 House of Representatives, including the chairperson of the Natural Resources and  
20 Environment Committee, who shall serve as cochairperson;

21 (C) Five members of the Senate appointed by the President of the Senate, including the  
22 chairperson of the Natural Resources and the Environment Committee, who shall serve  
23 as cochairperson;

24 (D) The director of the Environmental Protection Division of the Department of  
25 Natural Resources, or his or her designee;

26 (E) Three members from the private sector with experience in water resource  
27 management appointed by the Speaker of the House of Representatives; and

28 (F) Three members from the private sector with experience in water resource  
29 management appointed by the President of the Senate.

30 (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs,  
31 issues, and problems mentioned above or related thereto and recommend any action or  
32 legislation which the committee deems necessary or appropriate.

33 (4) **Meetings.** The cochairpersons shall call all meetings of the committee. The  
34 committee may conduct such meetings at such places and at such times as it may deem  
35 necessary or convenient to enable it to exercise fully and effectively its powers, perform  
36 its duties, and accomplish the objectives and purposes of this resolution.

37 (5) **Allowances, expenses, and funding.**

38 (A) The legislative members of the committee shall receive the allowances provided  
39 for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

40 (B) Members of the committee who are state officials, other than legislative members,  
41 or state employees shall receive no compensation for their services on the committee,  
42 but they may be reimbursed for expenses incurred by them in the performance of their  
43 duties as members of the committee in the same manner as they are reimbursed for  
44 expenses in their capacities as state officials or employees.

45 (C) Members of the committee who are not legislators, state officials, or state  
46 employees shall receive a daily expense allowance in an amount the same as that  
47 specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia  
48 Annotated, as well as the mileage or transportation allowance authorized for state  
49 employees.

50 (D) The allowances and expenses authorized by this resolution shall not be received  
51 by any member of the committee for more than five days unless additional days are  
52 authorized. Funds necessary to carry out the provisions of this resolution shall come  
53 from funds appropriated to the House of Representatives and the Senate; except that  
54 funds for the reimbursement of the expenses of state officials, other than legislative  
55 members, and state employees shall come from funds appropriated to or otherwise  
56 available to their respective agencies.

57 (6) **Report.**

58 (A) In the event the committee adopts any specific findings or recommendations that  
59 include suggestions for proposed legislation, the cochairpersons shall file a report of the

60 same prior to the date of abolishment specified in this resolution, subject to  
61 subparagraph (C) of this paragraph.

62 (B) In the event the committee adopts a report that does not include suggestions for  
63 proposed legislation, the cochairpersons shall file the report, subject to  
64 subparagraph (C) of this paragraph.

65 (C) No report shall be filed unless the same has been approved prior to the date of  
66 abolishment specified in this resolution by majority vote of a quorum of the committee.  
67 A report so approved shall be signed by the cochairpersons of the committee and filed  
68 with the Clerk of the House of Representatives and the Secretary of the Senate.

69 (D) In the absence of an approved report, the cochairpersons may file with the Clerk  
70 of the House of Representatives and the Secretary of the Senate copies of the minutes  
71 of the meetings of the committee in lieu thereof.

72 (7) **Abolishment.** The committee shall stand abolished on December 31, 2017.