

Senators Goodman of the 8th and Watson of the 11th offered the following amendment:

1 *Amend HB 43 (LC 44 2156) by replacing lines 1 and 2 with:*

2 To amend Title 44 of the Official Code of Georgia Annotated, relating to property, so as to
3 provide for intent, title to, and public use of navigable waters; so as to revise

4 *By replacing lines 8 and 9 with the following:*

5 Title 44 of the Official Code of Georgia Annotated, relating to property, is amended in Code
6 Section 44-8-5, relating to rights of adjoining landowners in navigable streams, by adding
7 a new subsection to read as follows:

8 "(c) The General Assembly finds that the state procured ownership of all navigable stream
9 beds within its jurisdiction upon statehood and, as sovereign, is trustee of its peoples' rights
10 to use and enjoy all navigable streams capable of use for fishing, hunting, passage,
11 navigation, commerce, and transportation, pursuant to the common law public trust
12 doctrine. The state continues to hold title to all such stream beds, except where title in a
13 private party originates from a valid Crown or state grant before 1863. The General
14 Assembly further finds that the public retained the aforementioned rights under such
15 doctrine even where private title to beds originates from a valid grant."

16 **SECTION 2.**

17 Said title is further amended in Code

18 *By replacing "article" in line 28 with "title".*

19 *By redesignating Sections 2 and 3 as Sections 3 and 4, respectively.*