

Vote NO on Senate Bill 486

- **SB 486 is a slightly modified version of SB 229 which was already voted down by the Senate in 2009.** The essence and purpose of the bill, the dismantling of the administrative process, remains the same.
- **SB486 unfairly favors government bureaucrats over average citizens.** The purpose of the administrative process is to provide a fair, impartial analysis of agency decisions, one that does not wrongly favor either the government or the affected citizens. SB 486 unfairly tilts the playing field in favor of the government bureaucracy and against the citizen who will be most impacted by the government's decision.
- **SB 486 is a special interest bill** designed to benefit one company with one project, but it would result in the overhaul of the entire administrative review process. This type of special interest legislation is repulsive to open, fair, and democratic government. If passed, this bill would be an embarrassment.
- **SB 486 removes the ability of independent administrative judges to act as neutral finders of fact and law.** In so doing, it undermines the integrity of judicial review by dramatically changing the administrative appeals process for all environmental appeals in Georgia.
- **SB 486 eliminates important checks and balances on agency power.** Under longstanding Georgia law, just reaffirmed by the courts last year, administrative law judges are vested with independence which allows them to judge cases fairly on their merits. Under SB 486, a trained and impartial Administrative Law Judge must put aside his or her judgment and defer to any DNR employee's opinion, which is antithetical to the notion of judicial independence.
- **SB486 removes the checks and balances of agency power for only one agency.** SB 486 creates a special exemption allowing one government agency to receive less scrutiny than other agencies, a result which is simply not rational.
- **SB 486 wastes scarce tax resources.** **SB486** forces judges to expend resources and go through the motions of judicial review while, in fact, this bill would create a "rubber stamp" process. Taxpayers do not want scarce resources dedicated to fruitless endeavors.
- **SB 486 hurts businesses.** **The vast majority** of the appeals of environmental permits and other agency actions in Georgia are brought **by permit holders, i.e. business and industry.** This bill, introduced to change the outcome of **one case**, would impact any entity in Georgia seeking an environmental permit. SB 486 would make it much more difficult to question the wisdom of an environmental regulation or permitting decision, even if that decision is detrimental to a business. **This is not what Georgia needs in the current economic climate.**