

A View from the House

By Representative Doug Holt

We expected this session to be intense, and that's how it started. You may remember, last year Governor Perdue vetoed a large number of budget items, as well as over 40 bills. Line item vetoes are common, and are usually accepted as a matter of course. Regarding the bills, and to Governor Perdue's credit, he successfully found compromises with most of the authors last year.

However, authors of 12 of the remaining bills made motion on Monday to override their vetoes. I voted on each based on its merits; agreeing with the Governor in three of the 12 cases. All 12 overrides passed. The Senate is studying the overrides before voting. This is appropriate for a smaller body intended to have more time to deliberate. Some comment has been made that all this amounted to a "power struggle". However, both the Senate and the Governor were alerted to the plans of those 12 representatives in advance. Having dispatched these actions in the first day of the session, we were ready to move on to the more important issues facing us.

By Friday, both House and Senate had already acted on the first draft of the state water management plan. The drought in the early part of this decade prompted legislators to pass HB 237 during the 2004 session. The bill created a council to gather information and present a draft water management plan this year. HB 237 set out a process to ensure that a plan would be adopted during this session. This is important, because the process requires that we either adopt the plan presented, an amended version of it – or that we reject it, and pass another version. If we reject the plan and fail to pass another version, then the draft plan is enacted. This decision framework is having a tremendous impact on our actions. I'm not so sure that it's the best way to move the process forward; but I wasn't a legislator in 2004, so I guess I shouldn't quibble.

The draft plan is, in many ways, very well thought out. It also has some flaws. The water districts it creates are drawn via a compromise that sets rough river basin boundaries according to county lines. The existence of the metro water district, created in 2001, undermines basin separation even more because it includes five basins. Also, there are a couple of notable conflicts between the plan and current law. These conflicts can't be corrected by revising the plan, since HB 237 makes the plan subordinate to existing law. The two most important conflicts are: 1) the plan's moratorium on inter-basin water transfers until subordinate plans for each basin are completed (existing law allows new transfers), and: 2) selection of planning board members for each of the new basin districts (existing law allows the state EPD [Environmental Protection Division] to make these appointments, rather than elected officials, who are directly responsible to the people).

These flaws, and the near impossibility of drafting a complete replacement in one session, were key decision points. Most House members felt that the best course was to adopt the plan, and then proceed quickly to passing legislation to correct the flaws. I agreed because of the tremendous support for passing corrections. We passed the plan by 131 to 37. So I'll be looking for, and perhaps sponsoring, bills on these issues. I also want to see more controls on the metro water district, so it can't undermine the plan's protections for the other basin districts.

I'll update you on the fine-tuning as it unfolds. With my next column, I'll return to my normal practice of giving you a "bird's eye" view of interesting new House bills.

For reference: bills and live session and committee video are online at www.legis.ga.gov.
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