

A View from the House

By Representative Doug Holt

Last week saw our first crescendo of legislating, as we passed the crossover mark of the session. We worked through 112 bills and resolutions. For the next few weeks, we'll be reviewing bills sent over from the Senate as we approach the end of the session.

A number of the measures we considered are worth mention. HB 23 would prohibit provisional driver's license holders under 18 from using cell phones and similar electronic communications devices. Young drivers generally don't have sufficiently solid driving skills to handle a car at the same time as talking on a phone, much less "texting". The bill does exempt situations where a call is made to report an accident or emergency. I voted for the bill, and it passed by 138 to 34.

HB 44 seeks to bring zero-based budgeting to Georgia state government. This is a process in which an agency or department must justify its budget request from the ground up, rather than simply asking for a continuance of the previous year's appropriation, plus new items. All departments would have to go through this process once out of every four years. This bill has been a goal for several years. It passed unanimously.

HB 123 responds to a dark underside of the internet. Existing law requires physical presence for a conviction of child molestation. This allows legal transmission of live immoral acts, to children or involving children, via the internet and other electronic communications tools. The bill would allow prosecution under such circumstances. I voted yes, and it passed by 157 to 3.

HB 126, called the Uniform Electronic Transactions Act, is meant to support the growing volume of electronic commerce. It provides standards and procedures for the use of electronic records, signatures, notarization and automated transactions. Having worked in the IT field for over 20 years, I'm very aware that these kinds of standards are necessary. The bill passed unanimously.

HB 160 is Governor Perdue's "Super Speeder" bill. Statistics show that flagrant speeding violations have become more common in Georgia, actually raising our average speed figures to among the highest in the nation. Sadly, this high speed correlates directly to higher fatal accident rates. The bill proposes dealing with this problem by raising fines for "super" speeding violations (over 85 mph on any road, and over 75 mph on two lane roads) by adding an additional \$200 fine. It leaves discretion in the hands of local officers and courts to consider extenuating circumstances. License reinstatement for habitual traffic law violators would go up significantly as well. These provisions are designed to fall on the worst of the worst violators. While the bill ties revenue from imposition of these fines to extension of the state trauma network, my primary concern is with the level of lawbreaking going on. The numbers do indeed show that habitual speeders are endangering others, so I supported the bill. It passed by 113 to 53.

HB 168 acknowledges the dramatic changes we have seen in the telecomm industry during the past decade. It disassembles the Georgia Universal Access Fund, a subsidy program that was created in the 1990's to ensure that rural areas could have basic telephone service at a reasonable cost. Improved technology and the widespread adoption of cell phones have eliminated the justification for adding this surcharge to urban and suburban telephone bills, so it's time to put an end to the program. I voted for the bill in committee, and was pleased to do so again on the House floor. It passed by 123 to 42.

HB 193 re-defines a school year as either 180 days, or an equivalent number of hours. This bill would give local school systems flexibility to explore four-day weeks and other options. I voted yes, and the bill passed by 155 to 1.

HB 227 responds to the fact individuals who are sheltered by a protective or restraining order often don't register to vote out of fear that they will be found by the person endangering them. This bill would allow such folks to register, but have their addresses concealed. I voted yes, and the bill passed by 155 to 3.

HB 228 is the Department of Human Resources reorganization plan that Governor Perdue has had a special committee working on for the last year. Units of DHR will be broken out and re-grouped in a way that will make more functional sense for the work concerned. The most important facet of this change will be putting Mental Health, Addictive Diseases and Developmental Disabilities under one roof. I support the change, and it passed by 147 to 12.

HB 261 offers a one-time income tax credit for purchase of a single-family residence, during a six-month window later this year. The amount of the credit would be either 1.2 percent of the purchase price of the home, or \$3,600, whichever is less. The goal of this bill is to get us past the bottom of the housing market. This is important because home sales drive many personal purchases – a key to stimulating the economy as a whole. The bill passed 162 to 4, with my backing.

HB 306 would allow sheriffs or courts to implement a program for electronic monitoring of defendants awaiting trial. This program has worked well in other areas, and has resulted in worthwhile cost savings. This bill passed unanimously.

HB 379 seeks to close a loophole in our tax law. Current law allows a business to deduct expenses paid to an affiliated real estate investment trust from its income taxes, and receive the money back in the form of a tax free dividend. Effectively, the business deducts an expense that never leaves the business. This certainly isn't proper. I voted yes, and the bill passed by 163 to 1.

HB 381 is aimed at some of the circumstances surrounding the peanut plant inspection failure. The bill would allow the state Department of Agriculture to temporarily "deputize" representatives from a county board of health, so they could report suspected violations to the state Department of Agriculture. The bill passed unanimously.

HB 480 proposes a significant change in how vehicles are taxed. Existing titles will stay under the old system, but future title transfers would see no initial sales tax or yearly ad valorem tax. Instead, they would see a one-time title fee. The title fee would be either \$2,000 or 7% of the value of the vehicle, whichever is less. The program was designed to be "revenue neutral" (meaning no change in receipts) to local governments. Once this fee is paid, ownership would be clear of the eternal government lien we now endure. This would be a big improvement on the present system, and it would also capture taxes presently lost to loopholes. I voted for the measure, and it passed by 133 to 39.

HB 481 and HB 482 are the "Jobs, Opportunity and Business Success Act of 2009", which I described several weeks ago. They include several incentives for starting new businesses and hiring new employees. The act is slanted towards small business, because such businesses generate the most new jobs. The bills enjoyed strong bi-partisan support: HB 481 passed by 164 to 4 (with my "yes"), and HB 482 passed unanimously.

HB 485 would change a tax credit available to companies that increase their export activity via Georgia's ports. The bill would make increases of activity due to import expansion qualify as well. America's vast appetite for imports is one of the main reasons we are losing so many jobs overseas, and I see absolutely reason why we should provide an incentive to import more. I voted no, but the bill passed by 153 to 9.

On Thursday, District Attorney Ken Wynne was at the Capitol to discuss legislation. I appreciate his time in coming by to visit.

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