

A View from the House

By Representative Doug Holt

The pace really picked up in the House last week. We held floor votes on 33 bills and resolutions during three lengthy sessions. We're 2/3rds of the way through the legislative session, getting close to what is called crossover day. Crossover (which is legislative day number 30) is the last day a bill can be passed out of one chamber and still be allowed to proceed in the other chamber. We spend a great deal of time on the House floor during this phase of the session in order to handle as much of the available legislation as possible.

Now I'll turn to some of the more interesting and significant measures we worked on during the week. HB 24 is a modernization of the rules of evidence for Georgia legal proceedings. Present Georgia code on evidence is based on common law (some of which dates back to pre-revolutionary times) and upon other accumulated measures back to the 1860's. Changes in court practice and procedure, as well as the impact of modern information technology has made this existing body of law ever more inefficient for present day needs. With HB 24, Georgia will become the 43rd state to revise its rules of evidence to a more modern and nationally standardized format. The bill is the result of five years of work, involving many interested parties, who include the business community as well as the legal one. All have endorsed the final product. The bill saw a moderate length presentation/question and answer period before being voted on. I supported it, and it passed by 150 to 12.

HB 936 restricts the state Board of Education from telling local systems that they can only use state school bus allotments for brand new buses. The Board has long maintained this policy, which means that school buses can't be simply reconditioned and returned to service. Such a policy certainly makes no sense, so I backed the bill, and it passed by 160 to 1.

HB 965 gives local governments control over allowing the use of bicycles on sidewalks. I don't understand why control of such decisions was ever taken out of local hands, but it certainly makes sense to give it back. The bill passed unanimously.

HB 1082 deals with the inventory tax that businesses must pay. None of Georgia's neighbor states employ this tax, which means that we lose a great deal of business. The bill would allow local governments to offer a referendum on reducing or eliminating this tax. Many have requested this flexibility as an economic development tool. I supported the measure, and it passed by 151 to 4.

HB 1093 addresses a widespread problem with the sales tax. In recent years it has become clear that a fair number of businesses skirt sales taxes in one fashion or another. Apparently, many of them collect the tax from their customers, but then just pocket the money. This bill proposes to deal with the problem by having local governments submit some basic information to the state whenever someone purchases a local business license. The information will be used to cross check that all businesses that should be paying sales taxes are actually on the books and complying. At first blush, one might think that there would be tremendous opposition to this measure from the business world, but the opposite is actually true. Large numbers of law abiding firms are upset over the unfair advantage their tax-avoiding competitors are getting. Thus the bill is supported by a fair number of major industry associations. Of course, better enforcement will help both the state and most local governments in these tight money times, while laying no additional burden on consumers and law abiding businesses. I supported the bill, and it passed by 160 to 2.

HB 1188 proposes to strengthen the Department of Revenue's ability to go after those who have not paid their taxes by letting the department appoint more special officers for enforcement. I agree that better enforcement is probably in order, since we have a backlog of folks who have not paid, despite having failed in their appeals. However, this bill would also give the revenue officers

all the powers of a normal police officer. Including being armed. I don't think we want to bulk up Revenue's enforcement powers to such a degree, so I voted no. While I had a fair amount of company, the bill nonetheless passed by 97 to 69.

SB 370 is a duplicate of HB 1094, the water conservation bill we passed early this month. Many times important legislative initiatives are undertaken both in the House and Senate in order to maximize the chances of something passing. In this case, the Senate bill has won the race to passage in both chambers, and now goes to the Governor. As with HB 1094, I voted yes, and the bill passed by 153 to 8.

I had a number of visitors during the week. On Wednesday, Laura Butler and her sister-in-law Helen were at the Capitol for NAACP Day and came by the House to say hello. On Thursday, Dave Belton of the school Board brought a group of teachers, parents and students to lobby the Senate in support of Senator Jack Murphy's anti-texting bill, SB 360. Helping guide the kids were Amy Saylor and Coaches Malone and Cain. Also in the group were Alex Sorohan, her mom Mandi and her grandparents Sallie and Larry Sorohan. Jonina Frische and her mom Barbara were there as well. They and the other kids all did a terrific job convincing senators to get on board with the bill, and their efforts were rewarded with unanimous passage. Their labors for this cause demonstrate democracy at its best, and I'm very proud of them.

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