

## A View from the House

By Representative Doug Holt

Last week saw the normal surge of legislating leading up to crossover day (which was Friday). We voted on 97 bills and resolutions during the week. Here are some of the notable measures.

HB 307 deals with what has been called the “bed tax”, which would be levied on hospitals in order to cover treatment of the indigent (those who can't pay). The Governor included it in his budget recommendation at the beginning of the session. He did so in part due to the fact that many hospitals would have more than recouped revenues lost to the tax, because contributing more to indigent care would let them draw additional federal Medicaid funds. I have been in opposition to the measure since the beginning of the session. At the same time, I've supported revoking various special interest tax exemptions, to include the sales tax exemption that many hospitals enjoy. Early in the week, the hospital associations approached the House and Senate leadership to negotiate this issue. The hospitals said that they would prefer to have a reduced version of the tax imposed, with an automatic sunset after three years, rather than lose their sales tax exemption. An agreement was reached. I, like many other legislators who have opposed this and other taxes, found myself in a strange situation. It is not a new or opposed levy, but rather a requested tax. Yet it is – and I won't resort to a euphemism -- a tax. After much thought, I concluded that honoring the negotiated agreement was appropriate. Thus I voted in favor of the bill, and it passed by 141 to 23.

HB 347 would eliminate the double taxation that occurs when someone who leases a vehicle ends up paying sales tax on the price of the lease, which normally includes funds to cover the ad valorem tax. The bill passed unanimously.

HB 938 is a dual measure regarding use of cell phones and related devices while driving. It puts restrictions on drivers under 18, during the “probationary” phase of their driving privileges. The bill restricts them from either texting or talking. It also addresses adults, and prohibits them from texting (only). Too much evidence has accumulated regarding the danger and frequency of texting, to include what happened locally with Caleb Sorohan. I voted “yes”, and the bill passed by 134 to 31.

HB 1023 is the Jobs, Opportunity and Business Success act. This legislation is focused on helping small businesses, since such firms create the majority of new jobs. It helps with starting a business by temporarily suspending certain filing fees, provides multiple incentives to hire unemployed workers, and creates an angel investor tax credit program. The bill has been structured so that it will not cost the state anything until the economy is in recovery and revenues are back up. It is a great package that I have been looking forward to supporting, and it passed, with strong bipartisan support, by 154 to 8.

HB 1055 would reset user fees charged for many services provided by state agencies and other arms of government. Since these fees set by law, they don't often get revised. Nonetheless, in five years as a legislator, I've come to realize that many of these fees have remained unchanged for decades. Thus I've grown concerned with the fact that money citizens have paid as general taxes is being used to make up the difference between fees and the actual cost of providing specific services. In other words, we are funding subsidies. Now that we are struggling to balance the budget, this concern must be addressed. Is it right to continue using taxes on all to subsidize services delivered to specific individuals or firms? I think the answer is no. I voted for the bill, and it passed by a fairly party line 100 to 57.

HB 1139 seeks to make it easier for property owners to submit appeals of their assessed values. The legislation would require that every property tax bill contain a brief form that the owner can fill out if he or she wants to appeal. The tax office will be required to forward the form to the assessor's office, setting the appeal in motion. This bill passed unanimously.

HB 1140 clears up some uncertainty over when the new judgeship in the Alcovy Circuit becomes official. The bill would make July 1<sup>st</sup> of this year the start date. The bill passed unanimously.

HB 1184 seeks to reduce health care costs through increased competition. The bill would allow insurance companies that are already licensed in Georgia to offer health care policies that they

provide in other states. Some states mandate coverage of fewer services than Georgia does, so this bill would make less expensive policies available (and just to address some misinformation being spread, mammograms are mandated by all states, so no policy would exclude them). Current law only allows policies that contain all of the Georgia mandates. The bill would require very clear disclosure of differences to potential customers, so they can make a fully informed choice. Also, all firms and policies would remain under the jurisdiction of the Georgia Commissioner of Insurance. I feel this is a very positive measure, and voted in favor. It passed by 108 to 55.

HB 1196 would prohibit local governments from mandating installation of sprinkler systems in single family homes and duplexes. It would not affect directives for larger, multi-unit dwellings. The cost increase for such a mandate could be significant, especially in rural areas where homes are largely on wells. Thus I supported the bill, and it passed by 111 to 51.

HB 1200 would authorize school systems to accept donations for field trips. Many kind folks have been willing to do this to help schools deal with budget problems, and the bill would put to rest questions about whether schools can legally accept the donations. I voted "yes", and it passed by 160 to 1.

I don't normally discuss measures that haven't passed, but HR 1086 needs to be mentioned. It calls for a referendum on changing the state constitution to state that no Georgian may be forced to participate in any health care plan, nor be fined for not participating. This measure is obviously aimed at asserting rights under the U.S. Constitution, both for the citizens of Georgia, and for the state itself. It draws on the 10th amendment, which, among other provisions, declares that the federal government may not exercise any powers expressly prohibited to it by the states. The measure ignited a sometimes fiery 2 ½ hour debate. Those of us who supported the measure held that whatever the specific intent of federal efforts, we had a sworn duty to protect and uphold both the U.S. and the Georgia constitutions in this matter. Opponents thought it was simply a matter of not opposing federal healthcare initiatives. I strongly supported this measure, and voted "yes". Since this was an effort to alter the state constitution, a 2/3rds vote was required. The tally was a nearly party line 111 to 61, or 9 votes short. I'm very disappointed we could not pass HR 1086, but the Senate may be working on a similar measure that could give us another shot.

HB 1359 is intended to streamline addition of sea walls and other shoreline stabilization to control erosion on Lake Oconee. While the existing process almost never denies a request to undertake such construction, it moves very slowly because the Environmental Protection Division (EPD) must send an agent out for every request. The bill would create an exemption to the state water buffer requirement, limited strictly to such structures. The EPD supports this change. I agreed with the measure, and it passed unanimously.

HB 1405 would create a special committee to perform a comprehensive review of Georgia's tax structure. That structure has been assembled over the decades in what is really a rather haphazard fashion. The result is that we have situations of inequity, strange incentives and pressures that reduce the competitive abilities of Georgia firms. It is high time that we look at adopting a more rational tax system, so I voted "yes", and the bill passed by 111 to 55.

On Monday, I had a chance to see Laura Butler, her son Walter Curtis the III, Pastor W.J. Reid of Springfield Baptist Church and Councilman Mike Naples when they came to speak to the Resolutions Committee about naming a bridge for Walter Curtis Butler. They spoke to the committee considering the matter, and the naming resolution is now moving forward through the legislative process. Covington Fire Chief Don Floyd was at the Capitol that day with many other chiefs from around the state to discuss legislative issues. Chief Floyd has always gone to the trouble of contacting me personally on the issues, and I appreciate his information, commitment and professionalism. On Friday, which was crossover day, I had three dedicated kids come to page. Elijah Alexander and Kirsten West, both from Rutledge, along with Katie Windham from Madison all came to work on one of the busiest days of the session. They put in a long day, and did a great job. Thanks guys!!

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