

Publication:The Dominion Post;**Date:**Jun 16, 2009;**Section:**Opinion;**Page Number:**10

EDITORIAL

Why not agree to disagree?

Most lawmakers have mastered art of casting yes votes — for everything

If 12 legislators all agree on everything, we're led to think that maybe one of them is doing all the thinking or none of them are thinking at all.

Earlier this month, the state Legislature met in special session to consider 15 bills. Each of those bills passed by overwhelming margins.

In all, this region's delegation of three state senators and nine delegate had the opportunity to cast 180 votes. In only four instances did they vote no.

Delegate Barbara Fleischauer, D-Monongalia, cast two of those nays, while Delegate Alex Shook, D-Monongalia, and state Sen. Dave Sypolt, R-Preston, the lone Republican, each cast one. Local lawmakers did not cast a vote in 11 instances. Delegate Linda Longstreth, D-Marion, accounted for eight of those cases of not voting. Fleischauer missed two votes and Shook one. We are not sure why Longstreth missed casting a vote on more than half the bills in this special session. However, we are sure that Fleischauer correctly cast her no votes.

In the case of Senate Bill 1003, providing for tax incentives to draw high-tech businesses to the state, these firms have just been given most favored industry status.

As Fleischauer notes, this bill unfairly allows high-tech firms' and Internet advertisers' personal property to be taxed at a different rate than any other businesses in that class, a salvage rate — at 5 percent of the purchase price.

Everyone else's personal property is taxed at the usual rate based on purchase price minus depreciation. But even worse, SB 1003, as Fleischauer points out also unfairly gives Internet firms a clear advantage for advertising dollars, which other industries heavily rely on for revenues. We understand incentives to attract business, but doing it to the extent and at the expense of businesses already competing for the same revenues and paying their taxes is backwards. In the other case where Fleischauer voted no, another entire class of businesses is being given a limited monopoly at the expense of fair competition. House Bill 105 not only provides for low-rate loans from the state for small stand-alone businesses to keep their liquor licenses, but allows them to only pay 10 percent above the minimum bid to preserve them. Clearly, voting no on some of this legislation that passed might not be politically savvy, but we get the impression most lawmakers just went along to get along. No one doubts it's always more comfortable to be in agreement with the majority than a lone voice of dissent, but we don't elect our legislators to be agreeable or comfortable. We elect them to speak up and question legislation, even if a committee has supposedly done all the heavy lifting before a bill reaches the floor. We need squeaky wheels in Charleston that think for themselves, and are not just along for the ride.