

# Georgia insight

Sue Ella Deadwyler  
www.georgiainsight.org  
"She hath done what she could."  
Mark<sup>14:8a</sup>  
"...and having done all ... stand."  
Ephesians 6:13c

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## Marijuana: House Passes H.B. 1 Authorizing Use of Schedule I Narcotic

*Schedule I Narcotics have [a] "no currently accepted medical use in the United States, [b] a lack of accepted safety for use under medical supervision and [c] a high potential for abuse.*

*Examples of Schedule I Narcotics: heroin, LSD, marijuana, peyote, methaqualone and 3, 4-methylenedioxymethamphetamine (Ecstasy)."*

– Drug Enforcement Administration, Office of Diversion Control

**H.B. 1**, pre-filed November 17<sup>th</sup> by Representative Allen Peake (R), was debated on February 23<sup>rd</sup> in Representative Rich Golick's Non Civil Judiciary committee that amended it twice before voting to give it a "do pass" recommendation. The House passed it 158-2 on February 25<sup>th</sup>, and sent it to the Senate. That vote is available online as House Vote #80.

The committee refused to close a major loophole that allows card-holders to possess 20 ounces of marijuana oil with no oversight by the Drug Enforcement Administration. So, registered card-holders would not be under DEA jurisdiction for possessing or using a Schedule I drug.

A House floor amendment to H.B. 1 added sickle cell to conditions<sup>1</sup> that qualify patients for treatment with marijuana oil. If this passes, within the Department of Public Health would be established a Low THC Oil Patient Registry for patients and caregivers deemed eligible for a card authorizing the use of low THC oil. Since federal law prohibits the prescribing of marijuana, physicians would not prescribe, but would "certify" patients for treatment. It is unclear (a) who would dispense the oil, or (b) how it would be secured, or (c) regulated.

H.B. 1 would create a 16-member<sup>2</sup> Georgia Commission on Medical Cannabis to be attached for administrative purposes to the Governor's Office for Children and Families. The Commission could conduct meetings wherever and whenever necessary or convenient, and would be reimbursed for expenses. By December 31<sup>st</sup>, the Commission would recommend regulations and legislation to govern a state-sanctioned system for using marijuana to medicate.

H.B. 1 gives immunity from liability to health care institutions wherein registered THC oil card-holders and caregivers administer to a registered patient the physician-certified product. However, such institutions (hospitals, etc.) and their employees could not administer THC oil to a patient, because marijuana is a federally classified Schedule I dangerous drug.

**ACTION – Oppose.** Contact Health & Human Services Committee Senators Unterman, Ch., 404 463-1368; Hufstetler, V-Ch., 656-0034; Millar, Sec., 463-2260; Burke, 656-0040; Butler\*, 656-0075; Cowsert, 463-1366; Henson\*, 656-0085; Judson Hill, 656-0150, L. Jackson\*, 463-5261; Kirk, 463-5258; Ligon, Jr., 656-0045; Orrock\*, 463-8054; Shafer, 656-0048; and Watson, 656-7880. (\* denotes Democrat)

<sup>1</sup> The conditions H.B. 1 deems eligible for THC oil treatment: cancer, amyotrophic lateral sclerosis, seizure disorders, multiple sclerosis, Crohn's disease, mitochondrial disease, fibromyalgia, Parkinson's disease, or sickle cell disease.

<sup>2</sup> Commission members: Directors of the Governor's Office for Children & Families, GBI, Georgia Drugs & Narcotics Agency, plus the commissioner of agriculture, the Governor's executive counsel, who would be permanent members, but may appoint someone else to serve instead of themselves. In addition, the Governor would appoint the following members: two from the Senate, two from the House, a board certified oncologist, a board certified epitologist, a board certified neurologist, a pharmacist, an attorney employed by the Prosecuting Attorneys' Council of Georgia or a prosecuting attorney, a sheriff, and a police chief. The committee chair would be appointed by the Governor.

## ***S.B. 185, Marijuana Oil for Medication-Resistant Epilepsies***

*Authorizes Clinical Trials of Marijuana, a.k.a. Cannabidiol or Cannabidiol-containing Products*

**S.B. 185**, put in the Senate Hopper February 26<sup>th</sup> by Senator Lindsey Tippins (R), confines marijuana use in Georgia to youth with medication-resistant epilepsies. Clinical treatment would be available in a four-year state-controlled research program under the auspices of the Board of Regents of the University System of Georgia<sup>1</sup>. Georgia residents under 18 years of age, who suffer from medication-resistant epilepsies, could volunteer to participate in clinical trials of cannabidiol or cannabidiol-containing products. The program would adhere to regulatory processes of the federal Food, Drug, and Cosmetic Act and other federal laws and regulations governing the development of new medications containing controlled substances.

The Board would be (a) responsible for having the program designed, developed, implemented, and administered, with a focus toward informing and expanding the scientific understanding of cannabidiol as a potential treatment for medication-resistant epilepsies. The Board would be (b) responsible for providing to participants, their parents or legal guardians, designated employees, and other specified program participants certificates authorizing them to possess, distribute, sell, purchase, administer, and otherwise use cannabidiol or cannabidiol-containing products as authorized.

If passed, it would stand repealed July 1, 2019, indicating it to be a four-year research program.

**ACTION – Oppose.** This could be “the camel’s nose under the tent.” Contact Health & Human Services Committee Senators Unterman, Ch., 404 463-1368; Hufstetler, V-Ch., 656-0034; Millar, Sec., 463-2260; Burke, 656-0040; Butler\*, 656-0075; Cowsert, 463-1366; Henson\*, 656-0085; Judson Hill, 656-0150, L. Jackson\*, 463-5261; Kirk, 463-5258; Ligon, Jr., 656-0045; Orrock\*, 463-8054; Shafer, 656-0048; and Watson, 656-7880. (\*denotes Democrat)

## ***S.B. 6 is stalled. It Must Pass to Stop Issuance of Licenses to Illegal Aliens 15,000 Illegal Aliens have a Georgia Driver’s License, Thousands More Expected***

Why won’t Georgia’s Republican majority in the General Assembly pass S.B. 6 to prevent the issuance of driver’s licenses to illegal aliens? Why won’t the Republican Governor, Lieutenant Governor or the Attorney General stop the issuance of driver’s licenses to illegal aliens?

**S.B. 6**, by Senator Josh McKoon (R), is necessary to combat the 2012 “deferred action” amnesty the federal government granted illegals who say they came here as children. Deferred action authorizes them to get a driver’s license, work permit and a REAL Social Security number. With no age-limit for DACA, illegal aliens in their 40s are claiming “children” status to get amnesty, while more recent changes further extend amnesty to parents of “the children.”

With a driver’s license, illegal aliens can buy explosives, enter federal buildings, rent a car and register to vote. In October, 145 deferred action aliens were on North Carolina voting rolls.

**ACTION – Support.** Contact Public Safety Committee Senators Harper, Ch., 404 463-5263; Albers, 463-8055; Dugan, 656-7454; H. Jones\*, 463-3942; Seay\*, 656-5095; Watson, 656-7880; and M. Williams, 656-7127. (\*denotes Democrat.)

<sup>1</sup> The Board of Regents of the University System of Georgia has 19 members – five from the state-at-large, plus one from each of 14 congressional districts – appointed by the Governor for seven-year terms, subject to reappointment. The position is voluntary and they serve without remuneration. Members: C. Dean Alford; W. Paul Bowers; Lori Durden; Larry R. Ellis; Rutledge A. Griffin, Jr.; C. Thomas Hopkins, Jr., M.D.; James M. Hull; Donald M. Leebem, Jr.; Doreen Stiles Poitevint; Neil L. Pruitt, Jr. (Chair); Sachin Shailendra; E. Scott Smith; Kessel Stelling (V-Chair); Benjamin J. Tarbutton, III; Richard L. Tucker; Thomas Rogers Wade; Larry Walker; Don L. Waters; and Philip A. Wilheit, Sr. The Board was created in 1931 as part of a state government reorganization, in which public higher education in Georgia was first unified under a single governing and management authority. The Board oversees 30 colleges and universities comprising the University System of Georgia, the Georgia Archives and Public Library System.

## *Suspending Kindergartners, Horse Racing, Pari-mutuel Betting, & Casinos*

**H.B. 135, “Too Young to Suspend Act,”** introduced January 28<sup>th</sup> by Representative Wayne Howard (D) would prohibit the suspension or expulsion of a pre-kindergarten or kindergarten student, unless the school principal knows the student has willfully or attempted or threatened to cause serious bodily injury to another person, except in self-defense, or possessed or gave someone a gun, knife, explosive, or other dangerous substance or object on school property.

**ACTION – You decide.** Contact House Education Committee Representatives Coleman, Ch., 404 656-9210; Dudgeon, V-Ch., 656-0298; Benton, Sec., 463-3793; Belton, 656-0152; Beskin, 656-0254; Cantrell, 656-0202; Carter, 463-2248; Casas, 656-0254; Chandler, 656-0254; Clark, 656-0325; Dickerson\*, 656-0314; Dickson, 463-2246; Glanton\*, 657-1803; Howard\*, 656-6373; Jones, 656-5072; Kaiser, 656-0265; Maxwell, 656-5143; Mayo\*, 656-6372; Setzler, 656-7857; Stovall\*, 656-0314; Tanner, 656-0152; and Teasley, 656-5146. (\*denotes Democrat)

**S.R. 135, Horse Races & Gambling** introduced February 3<sup>rd</sup> by Senator Brandon Beach (R), authorizes the passage of laws to operate and regulate pari-mutuel betting on horse racing and associated businesses; and (b) dividing after-expense proceeds to organizations and educational institutions for the development and support of the equine industry. The Governor would make specific recommendations as to which programs the proceeds would be appropriated, such as scholarships, grants or loans to college students and voluntary pre-kindergarten.

Since S.R. 135 is a proposed constitutional amendment, a two-thirds vote is necessary for passage in the General Assembly. If it were to pass, voters<sup>1</sup> would be asked this question on the November 2016 General Election ballot:

*“Shall the Constitution of Georgia be amended so as to authorize the General Assembly to provide by law for pari-mutuel wagering in Georgia on horse racing?”*

**S.R. 143, Horse Racing, Casinos & Gambling** introduced February 4<sup>th</sup> by Senator Curt Thompson (D) is a slightly different proposed constitutional amendment in that it authorizes the General Assembly to pass laws for the operation and regulation of *pari-mutuel wagering on horse racing and casino gambling* in Georgia, and “any matters relating to such activities.” It requires net proceeds and revenues derived from such activities (after expenses, purses and cash prizes are paid) to be placed in a separate budget category entitled “Pari-mutuel Wagering and Casino Gambling Proceeds.”

As mentioned in other gambling legislation, left-over money would be dedicated to tuition scholarships, grants, or loans for Georgians to attend voluntary pre-kindergarten or colleges and universities within this state, as recommended by the Governor.

If passed, voters would be asked the following question on the 2016 General Election ballot:

*“Shall the Constitution of Georgia be amended so as to authorize the General Assembly to provide by law for pari-mutuel wagering on horse racing and casino gambling in this state and for the use of the net revenues and proceeds only for the purposes of funding higher education tuition scholarships, grants, or loans and voluntary pre-kindergarten programs?”*

**ACTION – Oppose S.R. 135 and S.R. 143.** Contact Regulated Industries & Utilities Committee Senators Jeffares, Ch., 404 463-1376; Ginn, V-Ch., 656-4700; McKoon, Sec., 463-3931; Beach, 463-1378; Cowser, 463-1366; Gooch, 656-9221; Harbison\*, 656-0074; Henson\*, 656-0085; Hill, Jack, 656-5038; Lucas\*, 656-5035; Miller, 656-7454; Mullis, 656-0057; Shafer, 656-0048; and Unterman, 463-1368. (\*denotes Democrat)

<sup>1</sup> A simple majority vote is required for passage of referenda questions.

## ***HIV & Syphilis Tests for Pregnant Women***

**H.B. 436 Georgia HIV/Syphilis Pregnancy Screening Act of 2015**, introduced by Representative Valerie Clark (R) on February 23<sup>rd</sup> amends current law that now requires physicians to offer HIV testing to pregnant women in their care. If this bill passes, pregnant women would be offered, also, syphilis testing during prenatal care.

If at the time of delivery there is a question whether the pregnant woman had an HIV test previously, “the physician or other health care provider in attendance at the delivery shall order that a test for HIV be administered.” Additionally, a physician or health care provider that assumes responsibility for prenatal care during the third trimester *must* offer to test the pregnant woman for HIV and syphilis at her first examination. If either test is positive, counseling will be provided.

**ACTION – Support.** Contact Health & Human Services Committee Representatives Cooper, Ch., 404 656-5069; Jasperse, 656-0188; Rynders, 656-6801; Barr, 656-0326; Bennett\*, 656-0202; Beverly\*, 656-0220; Broadrick, 656-0298; Cheokas, 656-7857; Clark, 656-0202; Dempsey, 463-2248; Douglas\*, 656-7859; Drenner\*, 656-0202; Frye\*, 656-0265; Gordon\*, 656-0287; Harden, 656-0188; Hatchett, 656-5025; Hawkins, 656-0213; Henson\*, 656-7859; Howard\*, 656-6372; Jones\*, 656-0216; Kaiser\*, 656-0265; Kelley, 656-1803; Kidd, 656-0202; Mitchell\*, 656-0126; Mosby\*, 656-0287; Pak, 656-0254; Parsons, 656-9198; Peake, 656-5025; Petrea, 656-0109; Pezold, 656-0188; Pruett, 656-7855; Randall\*, 656-0109; Rogers, 656-0177; Sharper\*, 656-0126; Sims, 656-7855; Stephens\*, 656-0265; Stephenson\*, 656-0126; Wilkinson, 463-8143. (\*denotes Democrat)

## ***“America, Imagine the World Without Her”***

**H.R. 418** introduced by Representative David Clark (R) February 18<sup>th</sup> encourages local boards of education to conduct annual screenings of the film *America: Imagine the World Without Her* for students in eighth and eleventh grades to combat the idea that America is a “disgrace” to the world.

The 80-minute educational version of the film eliminates interviews with political pundits so it contains “purely historical content.” H.R. 418 directs the Clerk of the House of Representatives to make appropriate copies of this resolution available for distribution to local boards of education.

**ACTION – Support.** Contact House Education Committee Representatives listed on page 3.

## ***Celebrate Freedom Week***

**S.B. 116** introduced February 17<sup>th</sup> by Senator William Ligon would establish Celebrate Freedom Week for public elementary, middle, and high schools to be observed during the week containing Constitution Day, September 17<sup>th</sup>. The observance would include approximately three hours of age-appropriate study of the intent, meaning, and importance of the Declaration of Independence and U.S. Constitution, and the Bill of Rights, in historical context, including the colonial era, instruction about the Founding Fathers, the signers of the Declaration of Independence and the first six Presidents, particularly George Washington.

A list of historical documents is recommended for posting during the week. Local school systems would suggest that, during the school year, students in grades three through 12 would read at least one book focusing on the Founding Era and recite at least one of three suggested excerpts once during the week. An “opt-out” is allowed if parents want their children excused.

**ACTION – Support.** Contact Education & Youth Committee Senators Tippins, Ch., 404 656-0406; Wilkinson, V-Ch., 463-5257; Sims\*, Sec., 463-5259; Black, 656-3932; Fort\*, 656-5091; Hufstetler, 656-0034; James\*, 463-1379; Millar, 463-2260; Stone, 463-1314; and Tate\*, 463-8053. (\*Democrat)

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