

# Georgia insight

*Sue Ella Deadwyler*  
[www.georgiainsight.org](http://www.georgiainsight.org)  
*"She hath done what she could."*  
*Mark 14:8a*  
*"...and having done all ... stand."*  
*Ephesians 6:13c*

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## Georgia Newcomers in 2015 General Assembly & Congress

Several pieces of legislation – pre-filed and new – took a backseat to multiple office changes, new assignments and freshmen legislators during the first week of the Georgia General Assembly. On Thursday they adjourned for ten days and will return on January 26<sup>th</sup> for the fifth day of the 40-day legislative session.

Meanwhile, two vacant seats in the House of Representatives will be decided in a February 3<sup>rd</sup> special election. Georgia legislators taking the oath of office on January 12<sup>th</sup> included the following newcomers:

### **New Representatives in the Georgia General Assembly, Listed by District**

22 Wes Cantrell (R), Woodstock	132 Bob Trammell, Jr. (D), Albany
34 Bert Reeves (R), Marietta	147 Heath Clark (R), Warner Robins
39 Erica Thomas (D), Austell	153 Darell Ealum (D), Albany
50 <i>Special Run-off in February</i>	157 Werkheiser (R), Glennville
54 Beth Beskin (R), Atlanta	166 Jesse Petrea (R), Savannah
98 David Clark (R), Buford	167 Jeff Jones (R), Brunswick
112 Dave Belton (R), Buckhead	169 Dominic LaRiccia (R), Douglas
120 <i>Special Run-off in February</i>	174 John Corbett (R), Lake Park

[Governor's House Floor Leaders: Representatives Dickey, Rogers, Nimmer and Coomer]

### **New Senators in the Georgia General Assembly, Listed by District**

1 Ben Watson (R), Savannah	18 John F. Kennedy (R), Macon
8 Ellis Black (R), Valdosta	22 Harold V. Jones, II (D) Augusta
9 P.K. Martin (R), Lawrenceville	27 Michael F. Williams (R), Cumming
13 G.M. "Greg" Kirk (R), Americus	33 Michael Rhett (D), Marietta
16 Marty Harbin (R), Tyrone	42 Elena Parent (D), Atlanta

[Governor's Senate Floor Leaders: Senators Miller, Dugan and Kennedy]

### **U.S. Senate, Georgia Members**

Johnny Isakson (R)      David Perdue (R)\*

### **Georgia Members, U.S. House of Representatives, Listed by District**

1 Buddy Carter (R)*	8 Austin Scott (R)
2 Sanford Bishop, Jr. (D)	9 Doug Collins (R)*
3 Lynn Westmoreland (R)	10 Jody Hice (R)*
4 Hank Johnson (D)	11 Barry Loudermilk (R)*
5 John Lewis (D)	12 Rick Allen (R)*
6 Tom Price (R)	13 David Scott (D)
7 Rob Woodall (R)	14 Tom Graves (R)

Georgia's 14 congressmen and two U.S. senators took the oath of office in Washington, D.C. on January 6, 2015. An asterisk (\*) indicates Georgia's freshmen in the U.S. Congress.

January 16, 2015

## *Decriminalizing Sexual Conduct*

**S.R. 7**, introduced January 14<sup>th</sup> by Senator Renee Unterman, proposes a constitutional amendment allowing the imposition of additional penalties or fees on anyone convicted of certain sexual crimes<sup>1</sup>. The fees would be deposited in a newly created Safe Harbor for Sexually Exploited Children<sup>2</sup> Fund to provide victim compensation services and benefits.

**S.B. 8 decriminalizes prostitution and other sexual offenses for anyone under age 18.** S.B. 8, companion bill to S.R. 7, also introduced by Senator Renee Unterman January 14<sup>th</sup>, creates (a) an eight-member *Safe Harbor for Sexually Exploited Children Fund Commission* and (b) a *Safe Harbor for Sexually Exploited Children Fund*, administered by the Commission.

The Governor would appoint four members; department heads of state agencies would appoint the other four. All would be reimbursed for daily expenses.

The Commission to be assigned to the Department of Family and Children Services would develop criteria for funding services – rehabilitation, safe houses, residential housing, health and social services – for anyone up to age 18 who is classified as “sexually exploited children”.

The Fund would be the recipient of the bill’s proposed new fines up to \$100,000 to be imposed on individuals convicted of one or more of ten sexual crimes committed against anyone under age 18. Failure to pay the added penalty would be a misdemeanor.

**A major problem:** S.B. 8 legalizes prostitution and other sexual crimes for ALL participants under age 18, regardless of their reason for engaging in illicit conduct. Those that are coerced or deceived may be true victims, but those choosing to engage in illicit sexual activity are not victims. They are volunteers, although **current state law** defines “sexual servitude” as:

“Code Section 16-5-46. Sexual servitude means: (A) Any sexually explicit conduct or performance involving sexually explicit conduct for which anything of value is directly or indirectly given, promised to, or received by any person, which conduct is induced or obtained by coercion or deception or which conduct is induced or **obtained from a person under the age of 18 years.**”[This calls any under-age sex act “servitude,” whether it’s sex-by-choice or sex-by-force.]

The above Code Section classifies **all** illicit sex acts by those under 18 as “**sexual servitude,**” including **voluntary acts** that are **not induced, not coerced or not obtained by deception.**

**S.B. 8 legalizes childhood prostitution as follows:**

“A person shall not be guilty of a sexual crime<sup>1</sup> if the conduct upon which the alleged criminal liability is based was committed by an accused who was less than 18 years of age at the time of the conduct **or was committed** under coercion or deception while the accused was being trafficked for sexual servitude in violation of subsection (c) of Code Section 16-5-46.”

[Note: The underlined language would amend current law.]

**ACTION – Oppose.** Call Senate Judiciary Non-Civil Committee Members: Senators Stone, Ch., 404 463-1314; Ligon, V-Ch., 656-0045; Kennedy, 656-7454; Bethel, 463-1383; Crane, 656-6446; Fort, 656-5091; H. Hill, 463-2518; McKoon, 463-3931. Call 404 656-5040 and ask for Senators Parent and Harold Jones. Their numbers are not assigned, yet.

**[Note: Currently, this is the Senate’s best list. If you get the wrong office, ask for the senator’s correct number.]**

<sup>1</sup> The sexual crimes to be decriminalized for participants under age 18 are: prostitution, criminal acts related to prostitution, sodomy, solicitation of sodomy, or masturbation for hire.

<sup>2</sup> “Sexually exploited child” is defined as anyone under 18 who was (a) trafficked for sexual servitude, OR (b) voluntarily OR otherwise engaged in sodomy, prostitution, solicitation of sodomy, masturbation for hire, OR (c) pornography.

## ***Reapportionment & Voting***

**S.R. 23**, introduced by Senator Elena Parent January 14<sup>th</sup>, proposes a constitutional amendment to create a “Citizens’ Redistricting Commission” of seven members, one each to be appointed by the Lt. Governor, Senate minority leader, Speaker of the House, and House minority leader. The Governor would appoint two members, one of whom may be in the Governor’s political party. The seventh would be appointed by the other six appointees. If the six members cannot agree on an appointee, the Georgia Supreme Court would appoint the seventh.

**Majority leaders in the House and Senate could not appoint anyone** and the seventh appointee would be chairman of the commission. Members would be reimbursed for expenses in the same amount as legislators and the General Assembly may pass legislation to provide salaries for the commissioners. The Commission would be adequately funded and may employ staff to carry out Commission responsibilities and duties as follows:

2. They must hold at least one public hearing per congressional district;
3. Provide advance notice of meetings, discussions, and deliberations;
4. Configure legislative districts for Congress, and State House and Senate;
5. Submit proposed district boundaries to the General Assembly.
6. Revise and resubmit the proposal, if it is rejected by legislators.
7. If a re-submission is rejected, legislators enact district boundaries.

If S.R. 23 passes the House and Senate by two-thirds vote, this question would be on the ballot:

“Shall the Constitution of Georgia be amended so as to provide that legislative and congressional redistricting shall be done by an independent<sup>1</sup>, nonpartisan commission?”

**S.B. 20**, also introduced January 14<sup>th</sup> by Senator Elena Parent, is the same proposal as the above, but it would become a law to implement the constitutional amendment. Both S.R. 23 and S.B. 20 were assigned to the Reapportionment and Redistricting Committee.

**ACTION – Oppose S.R. 23 & S.B. 20.** Call Reapportionment and Redistricting Committee Senators Crane, Ch., 404 656-6446; Bethel, V-Ch., 656-7454; Tate, 463-8053; Cowser, 463-1366; Fort, 656-5091; Harbison, 656-0074; Henson, 656-0085; H. Hill, 463-2518; B. Jackson, 651-7738; Shafer, 656-0048; and Williams, 656-0089.

**S.B. 25**, introduced by Senator Fort January 14<sup>th</sup>, authorizes individuals to apply to vote at the local precinct polling place, then vote at that precinct, the same day of the primary or election.

**S.B. 26**, introduced by Senator Fort January 14<sup>th</sup>, adds a third Saturday for advance voting.

**S.B. 27**, introduced by Senator Fort January 14<sup>th</sup>, would authorize advance voting to begin at the same time as the period for absentee voting before each primary, election or runoff.

**S.R. 27**, by Senator Josh McKoon, was introduced January 15<sup>th</sup> to lower the age requirement for members of the Senate. If this passes the House and Senate by a two-thirds majority, voters would decide the issue in a referendum. The question on the ballot would be as follows:

“Shall the Constitution of Georgia be amended so as to lower the age requirements for members of the Senate from at least 25 years of age to at least 21 years of age?”

**ACTION – Oppose S.B. 25, S.B. 26, S.B. 27, and S.R. 27.** Call Ethics Committee Senators Burke, Ch., 404 656-0040; Butler, Sec., 656-0075; Harbison, 656-0074; B. Jackson, 651-7738; Jeffares, 463-1376; Ligon, 656-0045; McKoon, 463-3931; Miller, 656-7454; Stone, 463-1314; C. Thompson, 463-1318; and Watson, 656-7880. Call 404 656-5040 and ask for V-Ch. Michael Williams’ office. [Note: S.B. 27 is a bill and S.R. 27 is a resolution, totally different legislation.]

<sup>1</sup>Note: Appointing seven commissioners does not ensure an independent, nonpartisan result.

## ***Minimum Wage Increase would Cause Loss of Jobs***

**S.B. 15**, introduced by Senator Donzella James January 13<sup>th</sup>, would increase the minimum wage to \$10.10 per hour. On January 1, 2016, and on January 1<sup>st</sup> of each successive year thereafter, the minimum wage would be raised by the cost of living, according to the Consumer Price Index for Urban Wage Earners and Clerical Workers. Each adjusted minimum wage rate calculated would take effective on the following January 1<sup>st</sup>.

The minimum wage increase would not apply to (a) employers with annual sales under \$40,000; (b) employers of up to five employees; (c) an employer of domestic employees; (d) an employer who is a farm owner, sharecropper, or land renter; (e) an employee whose salary consists wholly or partially of tips; (f) an employee who is a high school or college student; (g) an individual employed as a newspaper carrier; or (h) an employee of a nonprofit child-care or long-term care facility serving children or certain mentally disabled adults in residential institutions.

**ACTION – Oppose.** Call Insurance & Labor Committee Senators Bethel, Ch., 404 463-1383; Shafer, V-Ch., 656-0048; Harbison, 656-0074; B. Jones, 656-0082; McKoon, 463-3931; Ramsey, 463-2598; and Unterman, 463-1368. Call 404 656-5040 and ask for Senators Martin and Harbin. Their office numbers were not available at this writing.

**H.B. 8**, introduced January 14<sup>th</sup> by Representative Tyrone Brooks, increases the minimum wage from \$5.15 to \$6.20 per hour in the first sentence of paragraph (b), but, immediately raises it to \$15.00 in the next sentence. Then, the minimum wage would be increased by the cost of living on January 1, 2016 and on January 1<sup>st</sup> of each successive year thereafter, based on the Consumer Price Index for Urban Wage Earners and Clerical Workers.

The effects of this bill are different from S.B. 15 above, as follows:

- (a) An employer could have annual sales up to \$50,000, before being affected by this change.
- (b) The increase would not apply to an employer of domestic employees or employer who is a farm owner, sharecropper, or land renter or employees paid wholly or partially in tips.

**ACTION – Oppose.** Contact Industry and Labor Committee Chairman Representative Mark Hamilton, 404 656-5132. Since the list for his committee is not available, yet, but please call his office to register your opinion about this bill.

**H.B. 9**, introduced by Representative Tyrone Brooks January 13<sup>th</sup>, would prohibit employer s from asking job applicants, orally or in writing, whether they have been arrested for, charged with, or convicted of any crime. The only exceptions would be on applications for law enforcement agencies or related positions. However, an employer may ask such questions at the first interview, after which an employer may try to obtain an applicant's criminal record.

**ACTION – Oppose.** This is also in the Industry and Labor Committee. Please contact the chairman as listed above.

## ***Pre-filed Marijuana Bills Don't Mention Children***

*H.B. 1 is a bare-bones skeletal outline to be "fleshed-out" later. It does not mention children.*

*S.R. 6 amends the State Constitution to legalize medical and recreational use of marijuana.*

*S.B. 7 would authorize, regulate, and oversee marijuana use in Georgia.*

Proposed marijuana legislation was "sold" to the public as "for the children" and "for childhood seizures," but none of three pre-filed bills mentions minors or childhood seizures.

None of the three pre-filed bills has been officially introduced, although Representative Allen Peake's January 9<sup>th</sup> press release explained that conversations with the Governor resulted in a proposed re-write of H.B. 1, that he expected to introduce January 16<sup>th</sup>, but they had adjourned.

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