

Georgia insight

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"She hath done what she could."
Mark 14:8a
"...and having done all ... stand."
Ephesians 6:13c

What's New for 2017?

Not only was January 1, 2017 a **new** day, it was the first day of a brand **new** year that was escorted in with bells and whistles and world-wide celebrations. The **new** 2017 calendar reminds us that a **new** year has come and gone 2,016 times since the birth of Jesus Christ.

So, what's **new** for 2017? Nobody knows the future, but if it goes according to the state constitution, the Georgia General Assembly will convene on January 9th to begin a **new** 40-day session on the second Monday in January. That's when the **new** crop of senators and representatives will take the oath of office to start their **new** two-year terms.

Twenty-eight **new** legislators will become part of the 180-member House of Representatives. Fourteen **new** legislators are Democrats and 14 are Republicans, so the make-up of the House will be 61 Democrats and 119 Republicans, meaning Republicans are one seat short of a two-thirds majority in the House. But that's nothing **new** for the House.

The 56-member Senate has five **new** members, 18 Democrats and 38 Republicans, which is a two-thirds majority for Republicans.

New bills and resolutions will pour in during the session, but eager legislators began pre-filing **new** bills and re-cycling old ones on November 15, giving us a taste of what's coming in the **New** Year. The **new**, H.B. 10 and H.B. 11 re-open the debate about guns; and H.B. 3 adds **new** language to an old law against wearing a mask or hood in public.

H.B. 16 will be the umpteenth time they've tried to give three behaviors – gender, sexual orientation, and gender identity – **new** civil rights status, but the **new** emphasis on trans-gender could create a **new** problem for Georgia parents. While trans-male or trans-female identities may be outwardly assumed by different clothes or mannerisms, and a permanent outward transition may be acquired by medication or surgery, the DNA **won't become new**. Biological male or female DNA remains the same.

New "trans" surgery: Surgical transition of male-to-female or female-to-male could create a **new** problem in Georgia, because Georgia's Family Planning Act authorizes minors to consent to unlimited reproductive healthcare – including surgery – without parental consent. That Act could provide the foundation for a situation in Georgia similar to the case in Minnesota, where the mother of a teen-age son went to court to stop the surgical removal of her son's genitalia.

She is suing her child's school district and the county board of health because her 17-year-old son has been receiving (without parental consent or even knowledge) hormonal treatments to change his secondary sex characteristics to those of a woman. The suit refers to "life-changing surgery."

Such facts should prompt Georgia legislators to restore parental authority the state took away in the 1960s, when the Family Planning Act passed the General Assembly, decades before anyone saw "trans" coming. If parental authority is restored, 2017 will be a much happier **New** Year!

December 2016

State Constitutional Changes Mean More Laws

Results of the Four Proposed Constitutional Amendments on the November 8th Ballot

1. **Question No. 1 failed to pass.** Result: there will be no state-wide opportunity school district, no appointed shadow school superintendent, and no over-ride of local control of schools. The elected State School Superintendent and local school boards remain in control.
2. **Question No. 2 passed.** Result: a Safe Harbor for Sexually Exploited Children Fund (SHSECF) was authorized. Extra fines will be assessed for those found guilty of keeping a place of prostitution, pimping, pandering, pandering by compulsion, solicitation of sodomy, masturbation for hire, trafficking of persons for sexual servitude, and/or sexual exploitation of children. Such new fines will be directed to the Fund, which the eight-member SHSECF Commission will administer. Both the Fund and the Commission expand state government and reward minors that voluntarily enter the sex trade.

FYI: The SHSECF and its Commission are results of a recently passed Georgia law that removed criminal charges for minors under age 18 who engage in prostitution, pimping, pandering, pandering by compulsion, pornography, solicitation of sodomy, or masturbation for hire. On September 26, 2016 California's governor approved a similar law for that state.

3. **Question No. 3 passed.** Result: the Judicial Qualifications Commission (JQC) created in 1972 will be abolished June 30, 2017 and replaced with a new JQC with members appointed per H.B. 808 as passed in the 2016 General Assembly. New JQC members will be selected as follows: Two will be appointed by the State Supreme Court; two by the Lieutenant Governor as President of the Senate; two by the Speaker of the House; and the Governor will appoint one. The Governor's appointee will always be chairman of the Commission.

For the next five years, terms will be in flux, until the final change occurs January 1, 2021, after which JQC commissioners will serve three-year terms or until their successors are appointed.

Anticipating future needs, H.R. 1363 passed, creating a "House Special Study Committee¹ on Judicial Qualifications Commission Reform in 2016" to investigate the operations of the JQC and uncover the conditions, needs, issues, and problems therein. Then, report to the House of Representatives the committee's findings and recommendations by December 1st.

Special Study Committee on JQC Reform Final Recommendations

Committee members have recommended the following: (a) Within the JQC there should be more accountability, (b) more transparency, (c) an equitable process for investigations, and (d) JQC members found guilty of misconduct should be removed from the Commission.

Those recommendations will be used as a framework for legislation during the 40-day 2017 session of the Georgia General Assembly that begins January 9, 2017 at 10:00 a.m.

4. **Question No. 4 passed.** Result: Excise taxes on fireworks sales are dedicated to the funding of trauma care, firefighter equipment and training, and local public safety. Regulatory bills – H.B. 727 and S.B. 369 – specify days, times and locations for the use of fireworks.

¹ JQC Special Study Committee members: Representatives Wendell Willard, Ch.; Christian Coomer; Trey Kelley, Mary Margaret Oliver; Earl Ehrhart; John Meadows, and Jay Powell

When Swearing is a Good Thing

“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect, and defend the Constitution of the United States.”

– U.S. Constitution, Article II, Section 1

Historic Presidential Inaugurations

POTUS: Before a newly elected President of the United States (POTUS) can take office, he must comply with Article II, Section 1 of the *Constitution of the United States* and take the Oath of Office (quoted above) on January 20th following his election the previous year.

Biggest crowd: The largest crowd to witness a presidential inauguration occurred in 1841, when William Henry Harrison became POTUS.

Affirm or swear: In 1853, Franklin Pierce became the only president to “affirm” rather than “swear” his oath of office, as permitted by the Constitution.

Bible: George Washington took the oath of office with his hand on a Bible, and almost all other presidents have done the same, most using a special family Bible opened to a personally meaningful passage.

Barack Obama: Chief Justice John Roberts administered the oath to Barack Obama on January 20, 2009. Both misspoke during the oath, and Roberts re-administered it January 21, 2009 in the White House Map Room, witnessed by a small audience of presidential aides, reporters and a White House photographer. Obama placed his hand on the Bible during the first ceremony, but no Bible was present when the retake was administered.

Death in office: Traditionally, the Chief Justice of the U.S. administers the oath, but when vice presidents have assumed the presidency because of death, others do the honors.

POTUS-elect Donald John “The Donald” Trump

Georgia’s previous voting record of 3.9 million set in 2008 was surpassed, as 74 percent of the state’s 6.6 million registered voters voted early or on November 8, 2016. The results: Donald J. Trump received 2,068,623 (51.3 %) votes to Hillary Rodham Clinton’s 1,837,300 (45.6 %).

Donald Trump is the oldest person elected to a first term as President of the United States. On inauguration day, January 20, 2017, he will be 70 years, seven months and seven days old, based on the Jewish calendar. The number seven is spiritually meaningful in the Bible.

Donald Trump is the first to be elected POTUS with no government or military experience. He’s the first New Yorker elected POTUS since Franklin Roosevelt. Although Ronald Reagan was an actor, POTUS-elect Donald Trump will be the first star of a reality show to be POTUS.

Vice POTUS-elect Michael Richard “Mike” Pence

Mike Pence, born June 7, 1959, is Vice President-elect of the U. S. He was inaugurated as the 50th Indiana Governor in 2013. On January 20th, he will become the 48th Vice POTUS. He’s a seasoned politician, having served in the U.S. House from 2001 to 2013. He finished high school in 1977, earned a history degree at Hanover College in 1981, and a law degree from McKinney School of Law five years later. He and his wife Karen have three children.

Mike Pence says this about himself, “I’m a Christian, a conservative and a Republican, in that order. ...I made a commitment to Christ. I’m a born-again, evangelical Catholic. I ... encourage you ... to pray that America will once again stand tall, stand strong.”

The U.S., a Representative Republic NOT a Democracy!

“Democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths....”

– James Madison

During the 2016 Georgia General Assembly, House Republican Representative Earl Ehrhart introduced H.B. 929 on February 9th, and a week later Republican Senator David Shafer introduced an identical bill in the Senate, S.B. 376. Both bills entitled, “Agreement Among the States to Elect the President by National Popular Vote,” died in committee.

The goal of both bills was to change the way the U.S. President and Vice President are elected, by eliminating the Electoral College¹ and replacing it with a national popular vote (NPV). The NPV plan would install majority rule (a pure democracy) and override the U.S. constitutional republic, which is representative government ruled by law under the U.S. Constitution.

Of 56 senators, 47 cosponsored Shafer’s S.B. 376; and, of 180 representatives, 48 cosponsored Ehrhart’s H.B. 929. By adding the bills’ sponsors (Shafer and Ehrhart), the total increases to 97, revealing that 97 of the 236 members in the Georgia General Assembly were willing to (a) bypass Congress, (b) skew results of the Electoral College, which has operated successfully for centuries, and (c) change the way our most powerful national officials are elected.

If either bill had passed, Georgia would have become the eleventh state to pass an NPV bill to allow presidents to be elected by large urban and suburban counties clustered around the most populous cities. If NPV passes in states that total 270 electoral votes, rural populations would be overlooked in presidential campaigns, because rural votes would be rendered insignificant.

The densely populated areas in the northeast form an almost-uninterrupted string from northeast Massachusetts and Boston to northern Virginia and Washington, D.C. On the left coast, Southern California’s dramatically larger counties present a similar string of unbroken suburban growth. Certainly, those two “strings” of counties could sweep every POTUS election.

The largest² 146 counties in the U.S. range from 9.8 million residents in Los Angeles County to Williamson County, Texas, where the bedroom community of Austin has 455,000 residents.

NPV plans would have states allocate their electoral votes to the candidate with the most votes nation-wide, regardless of the state’s popular vote or whether the candidate qualified for or appeared on the state ballot. As a result, a candidate could become president with as little as 25 percent of the popular vote, if several candidates ran for that office.

By the end of 2015, ten states³ and Washington, D.C. had passed NPV bills and accumulated a total of 167 electoral votes, 61 percent of the total needed to change the system. Five states, including Georgia, considered NPV bills in 2016. If all of them had passed, the movement would have collected 55 more electoral votes, but all five NPV bills died in 2016.

¹ Georgia Electors: Bruce Allen Azevedo, Brian K. Burdette, Lott Harris Dill, John David Elliott, James Randolph Evans, Bobbie D. Frantz, Linda D. Herren, Rachel Blackstone Little, Deborah M. McCord, Michael Neil McNeely, Mary L. Padgett, Neil L. Pruitt, Joshua Kirk Shook, Frank B. Strickland, John Padgett (replaced Baoky Nguyen. Vu who resigned), and John B. White

² Ten largest counties by population in the U.S.: Los Angeles County, CA, 9.8 million; Cook County, Illinois, 5.2 million; Harris County, TX, 4.2 million; Maricopa County, AZ, 3.9 million; San Diego County, CA, 3.1 million; Orange County, CA, 3.1 million; Miami-Dade County, FL, 2.9 million; Kings County, New York, 2.5 million; Dallas County, TX, 2.4 million; Queens County, NY, 2.3 million.

³ California, Hawaii, Illinois, Massachusetts, Maryland, New Jersey, New York, Rhode Island, Vermont, and Washington

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