

# Georgia insight

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

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## H.B. 757 Repeals Georgia Definition of Marriage

H.B. 757, Representative Kevin Tanner introduced January 14<sup>th</sup> as a religious liberty bill to uphold pastors' right of conscience, does far more than that. It repeals Georgia marriage law that is quoted in Paragraph 1 below, and replaces it with language in Paragraph 2 below.

### Paragraph 1: Georgia's Current<sup>1</sup> Marriage Law

"19-3-3.1. (a) It is declared to be the public policy of this state to recognize the union only of man and woman. Marriages between persons of the same sex are prohibited in this state. (b) No marriage between persons of the same sex shall be recognized as entitled to the benefits of marriage. Any marriage entered into by persons of the same sex pursuant to a marriage license issued by another state or foreign jurisdiction or otherwise shall be void in this state. Any contractual rights granted by virtue of such license shall be unenforceable in the courts of this state and the courts of this state shall have no jurisdiction whatsoever under any circumstances to grant a divorce or separate maintenance with respect to such marriage or otherwise to consider or rule on any of the parties' respective rights arising as a result of or in connection with such marriage."

### Paragraph 2: Marriage Law as Proposed in H.B. 757

"19-3-3.1. No minister of the gospel or cleric or religious practitioner ordained or authorized to solemnize marriages according to the usages of the denomination, when acting in his or her official religious capacity, shall be required to solemnize any marriage in violation of his or her right to free exercise of religion under the Constitution of this state or of the United States."

**If H.B. 757 passes**, Georgia law would not define marriage, though the *Georgia Constitution*, Article I, Section IV, Paragraph I would continue to define it as between a man and a woman.

**ACTION – Oppose.** Call House Judiciary Committee Representatives Willard, Ch., 404 656-5125; Fleming, V-Ch., 656-0152; Allison, Sec., 656-0188; Bennett, 656-0220; Beskin, 656-0254; Bruce, 656-7859; Caldwell, 656-0325; Evans, 656-6372; Golick, 656-5943; Jones, 656-7859; Kelly, 657-1803; Mabra, 656-7859; Weldon, 656-5105; Wilkinson, 463-8143.

**H.B. 756**, dubbed the "cake and florist bill," was introduced by Representative Kevin Tanner on January 14<sup>th</sup>, to uphold the right of proprietors, business partners and corporations to decline to sell goods or services directly to a religious organization or for a religious or matrimonial ceremony if doing so would infringe on their free exercise of religion under U.S. and Georgia constitutions.

**ACTION – Support.** Call House Judiciary Committee Representatives listed above.

**S.B. 284, The First Amendment Defense Act** introduced by Senator Greg Kirk, prohibits governmental discrimination against individual beliefs, speech, or actions that are based on personal religious beliefs about marriage and abstinence until marriage.

**ACTION – Support.** Call Rules Senators Mullis, Ch., 404 656-0057; Jack Hill, V-Ch., 656-5038; B. Jackson, 651-7738; Butler, 656-0075; Cowser, 463-1366; Gooch, 656-9221; Heath, 656-3943; Henson, 656-0085; H. Hill, 463-2518; J. Hill, 656-0150; Ligon, 656-0045; F. Millar, 463-2260; B. Miller, 656-7454; Shafer, 656-0048; Tate, 463-8053; Unterman, 463-1368; and Wilkinson, 463-5257.

<sup>1</sup>76 percent of voters in 2004 ratified the marriage amendment that remains in the *Constitution of the State of Georgia*, Article I, Section IV, Paragraph I. The General Assembly passed the marriage definition into law in 2010.

## **H.B. 716 Prohibits Sexual Orientation Change Counseling of Minors Under 18**

(a) *H.B. 716 Promotes Counseling Minors into Variant Sexual Orientations*

(b) *H.B. 716 Forbids Counseling Minors out of Variant Sexual Orientations*

### **H.B. 716 Violates Free Speech and Free Exercise of Religion**

**H.B. 716**, pre-filed December 11<sup>th</sup> by Representative Keisha Waites and officially introduced January 25<sup>th</sup>, (a) prescribes how licensed professional counselors must counsel minors under age 18, (b) is diametrically opposed to Bible doctrine on morality, (c) blatantly, promotes propagation of homosexuality and its variations, and (d) has no religious exemption. Meaning, its passage could affect pastors and religious personnel who are licensed counselors. H.B. 716 is available online at [www.legis.ga.gov](http://www.legis.ga.gov). The following paragraphs are quoted verbatim from the bill, with italics and bold print explanations supplied by this writer.

“A person who is licensed to provide professional counseling under Title 43, including but not limited to psychiatrists, psychologists, professional counselors, social workers, marriage and family therapists, or any person who performs counseling as part of the person’s professional training for any of these professions, *shall not engage in sexual orientation change efforts with a person under 18 years of age.*” [Italics added for emphasis.]

**Forbidden counseling is explained in the first half of this paragraph:** “Sexual orientation change efforts means the practice of seeking to change a person’s sexual orientation, including but not limited to efforts to change behavior, gender<sup>1</sup> identity, or gender expression, or to reduce or eliminate sexual or romantic attractions or feelings toward persons of the same gender; **Acceptable counseling starts here, in mid-paragraph:** “except that sexual orientation change efforts shall not include counseling for a person seeking to transition from one gender to another, or counseling that provides acceptance, support and understanding of a person or facilitates a person’s coping, social support, and identity exploration and development, including sexual orientation-neutral interventions to prevent or address unlawful conduct or unsafe sexual practices.” [Bold print and mid-paragraph insert supplied by this writer.]

**ACTION – Oppose.** Call Health and Human Services Representatives Cooper, Ch., 404 656-5069; Hawkins, V-Ch., 656-0213; Rynders, Sec., 656-6801; Barr, 656-0325; Bennett, 656-0202; Beverly, 656-0220; Broadrick, 656-0298; Cheokas, 656-7857; V. Clark, 656-0202; Dempsey, 463-2247; D. Douglas, 656-7859; Drenner, 656-0202; Frye, 656-0265; Gordon, 656-0287; Harden, 656-0188; Hatchett, 656-5025; Henson, 656-7859; Howard, 656-6372; Jasperse, 656-7857; S. Jones, 656-0126; Kaiser, 656-0265; T. Kelley, 657-1803; Kidd, 656-0202; Lott, 656-0178; Price, 656-0202; Pruett, 656-7855; Randall, 656-0109; C. Rogers, 656-7855; Sharper, 656-0126; Sims, 656-7857; M. Stephens, 656-0265; and Stephenson, 656-0126.

### **Loss of State Funding for Sanctuary Locations**

**S.B. 269**, introduced January 14<sup>th</sup> by Senator Jesse Stone, uses only 77 words to demonstrate a powerful fact. One word can reverse the meaning of a law. Currently, the Department of Community Affairs or the Department of Transportation, or any state agency MAY require compliance with Georgia sanctuary policies. However, S.B. 269 changes the word “may” to SHALL that mandates compliance with Georgia’ immigration sanctuary policy. Any non-compliant county, consolidated government, municipality, authority, school district, commission, board or any other local public body or government would lose state funding.

**ACTION – Support.** Call State and Local Governmental Operations Committee Senators Albers, Ch., 404 463-8055; Kirk, V-Ch., 463-5258; Williams, Sec., 656-7127; Butler, 656-0075; Harbin, 656-0078; Martin, 656-3933; Tate, 463 8053.

<sup>1</sup>Gender is not a synonym for sex. Sex identifies males and females, based on physiological fact. Gender means sexual behavior. Its meaning is evident in Leviticus 19:19, “Thou shalt not let thy cattle gender with a diverse kind.”

## H.B. 722 In-State Cultivation of Marijuana

During the last half of 2015, the seventeen appointees to the Georgia Commission on Medical Cannabis gathered information from five hearings in Atlanta, and from Commission delegates that went to Colorado and Minnesota. The delegation to Colorado included GBI Director Vernon Keenan, Georgia Sheriff's Association officials, and Commission Chairman Allen Peake. In Denver they conferred with representatives from two different manufacturers of medical cannabis, and visited their cultivation sites and laboratory facilities.

Representative Peake and Representative Micah Gravley visited Minneapolis on December 7<sup>th</sup>, to study Minnesota's strict, controlled medical marijuana law. Two days after that experience the Commission voted 11 to 5 against a recommendation to cultivate marijuana in Georgia.

Despite his position as chair of the Commission on Medical Cannabis, Representative Peake plunged ahead with a bill that authorizes in-state growing and full-blown marijuana business.

**H.B. 722**, introduced by Representative Peake on January 14<sup>th</sup>, would legalize the cultivation process for cannabis and undefined products. It would increase from seven<sup>1</sup> to 16<sup>2</sup> the number of medical conditions to be treated, and would authorize the addition of "any other condition or treatment approved by the commissioner."

To qualify for cannabis oil and a unique ID registry number, patients must be Georgia residents under medical treatment for one of the 16 conditions listed in H.B. 722. Qualifying physicians must have a Georgia license to practice medicine or their patients would not qualify.

Since medical cannabis oil was legalized last year, patients, caregivers, and certain other individuals are authorized to possess 20 ounces of marijuana oil, without indicating how long the 20 ounces must last or when it may be replenished. Distribution to patients is set for July 1<sup>st</sup> this year, but H.B. 722 gives producers until July 1, 2017 to begin supplying the oil.

H.B. 722 authorizes six in-state manufacturers<sup>3</sup> who will each operate one medical cannabis location that will cultivate, harvest, manufacture, package, and process the products. Medical cannabis is defined as any species of the cannabis plant, or any *mixture or preparation of them*, including whole plant extracts and resins, delivered in a liquid or pill, including but not limited to oils or a vaporized delivery method using liquid or oil that does not require using dried leaves or plant matter or any other commissioner-approved method, excluding smoking.

Medical marijuana would be prohibited on school buses or vans, on preschool or primary or secondary school grounds, in correctional facilities, or on the grounds of a child care facility or home day care.

**ACTION – Oppose.** Call Judiciary Non-Civil Representatives Golick, Ch., 404 656-5943; Pak, V-Ch., 656-0254; Hightower, Sec., 657-1803; Abrams, 656-5058; Atwood, 656-0152; Ballinger, 656-0254; Coomer, 656-7153; Cooper, 656-5069; Dickerson, 656-0314; Gravley, 656-0325; Kendrick, 656-0109; Ramsey, 656-5124; Randall, 656-0109; Reeves, 656-0287; Setzler, 656-7857; Strickland, 656-0109; Trammell, 656-0314; Willard, 5125.

<sup>1</sup> Conditions authorized in 2015: Cancer, amyotrophic lateral sclerosis (severe or end stage), seizure disorders (epileptic or from head injuries), multiple sclerosis (severe or end stage), Crohn's disease, mitochondrial disease, Parkinson's disease (severe or end stage) or sickle cell disease (severe or end stage)

<sup>2</sup> Conditions listed in H.B. 722: Cancer (end stage), mitochondrial disease, Parkinson's disease, sickle cell disease, glaucoma, HIV/AIDS, Tourette's syndrome, amyotrophic lateral sclerosis, seizures, severe/persistent muscle spasms including characteristics of MS, Crohn's disease (ulcerative colitis, or irritable bowel syndrome), epidermolysis bullosa, terminal illness (severe pain, nausea or severe vomiting, severe wasting), post-traumatic stress disorder, intractable pain, autism spectrum disorder, Alzheimer's disease, and other commissioner-approved condition or its treatment.

<sup>3</sup> "Manufacturers" would cultivate, track, and test plants; package/batch/transfer and sell undefined and unlisted products.

## Conference Committee Reports are Important

**S.R. 716**, introduced by Senator Mike Crane on January 20<sup>th</sup> to amend the State Constitution, addresses a very important rule. If it passes, conference committee reports must be publicly available on the General Assembly website for 48 hours before the vote.

Conference committees are appointed – three representatives, three senators – to reconcile language if the same bill passes both House in Senate, but is changed during the process. When the conference committee agrees on the final language, the bill goes back to the House and Senate for an up or down vote, but no further change is allowed. It lives or dies as written.

As a proposed constitutional amendment, S.R. 716 requires a 2/3<sup>rd</sup>s vote in both House and Senate. If it passes both, voters will be asked the following question on the November Ballot:

*“Shall the Constitution of Georgia be amended to prohibit the General Assembly from adopting a conference committee report, bill, or resolution unless such report, bill or resolution has been publicly available for 48 hours?”*

**ACTION – Support.** Call Rules Senators Mullis, Ch., 404 656-0057; Jack Hill, V-Ch., 656-5038; B. Jackson, 651-7738; Butler, 656-0075; Cowsert, 463-1366; Gooch, 656-9221; Heath, 656-3943; Henson, 656-0085; H. Hill, 463-2518; J. Hill, 656-0150; Ligon, 656-0045; F. Millar, 463-2260; B. Miller, 656-7454; Shafer, 656-0048; Tate, 463-8053; Unterman, 463-1368; and Wilkinson, 463-5257.

## English as Official Language

**S.R. 675**, introduced by Senator Josh McKoon on January 22<sup>nd</sup>, is a proposed constitutional amendment to declare English as the official language of the State of Georgia. The General Assembly passed a law in 1996 designating English as Georgia’s official language, but it is not stated in the State Constitution. So, S.R. 675 would amend the State Constitution with a section entitled, *“English as Official Language,”* that says in part:

“No law, ordinance, decree, program, or policy of this state or any of its political subdivisions, including, but not limited to, the administration of driver’s license examinations for all classes of licenses by the Department of Driver Services, shall use any language other than English for any documents, regulations, orders, transactions, proceedings, meetings, programs, or publications except as provided in subparagraph (c) of this Paragraph.”

If it passes by a 2/3<sup>rd</sup>s vote, the following question would be on the November Ballot.

*“Shall the Constitution of Georgia be amended so as to provide that English is the official language of the State of Georgia?”*

**ACTION – Support.** Call Senate Rules Committee listed above. [Note: All drivers’ license exams would be in English.]

## Casino Update

**H.B. 677** was introduced by Representative Ron Stephens in 2015 to regulate six casino resort facilities in Georgia. Representative Stephens said he is “essentially trying to kill” his bill, since it would be useless unless his H.R. 807 passes to make casinos constitutional in Georgia. Therefore, H.R. 807 must be defeated to prevent the possibility of casinos in this state.

**ACTION – Oppose H.R. 807. Contact Regulated Industries Committee Representatives** Maxwell, Howard, Ch. 404 656-5143; Harrell, Brett, Vice Ch., 656-0254; Dickson, Tom, Sec. 463-4427; Bennett, Karen. 656-0202; Chandler, Joyce, 656-0254; Cooke, Kevin, 656-0188; Cooper, Sharon, 656-5069; Deffenbaugh, John, 656-0202; Fludd, Virgil, 656-0116; Golick, Rich, 656-5943; Hawkins, Lee, 656-0213; Jones, Jan, 657-0498; Martin, Chuck, 656-5064; Mitchell, Billy, 656-0126; Powell, Alan, 463-3793; Rakestraw, Paulette, 656-0177; Ramsey, Matt, 656-5024; Rogers, Terry, 651-7737; Rutledge, Dale, 656-0109; Stephens, Mickey, 656-0265; Taylor, Tom, 656-3947; Welch, Andrew J., 656-0213.

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