

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

Georgia General Assembly Convened January 11th

MEMBERS: Senate, 34 Republicans, 22 Democrats; House, 103 Republicans, 76 Democrats

Vacant Seat: House District 90, Special Election February 9, 2021

COVID-19: Slightly Different House and Senate Rules Provide the Same Outcome

This year's session began January 11th, the second Monday of 2021, per the *Constitution of the State of Georgia*. Legislators and staff *without COVID symptoms* will have twice-weekly saliva-based tests conducted by the Georgia Tech Institute of Technology in Capitol Room 230.

Senators testing positive will quarantine at home until they test negative. Senate staff testing positive will be asked to telework and senators testing positive will be excused. The first tests were scheduled for January 5, and contact-tracing will be implemented.

Representatives and House staff experiencing COVID symptoms are asked not to report to the Capitol, but get off-site testing. Tests at the Capitol will be done on Mondays and Thursdays, with results reported to each individual within 24 hours. State funds will cover test costs.

Masks are mandatory for officials, employees and visitors in the Capitol Complex.

The *Page Program* is suspended until further notice. The *Chaplain of the Day* will continue, but no guest may accompany the Chaplain into the House or Senate.

The House Gallery and Room 341 became over-flow locations for representatives who were displaced after every-other-desk was deemed to be unoccupied to acquire social distancing. Now, the House Gallery is equipped with microphones and voting machine connections.

Senate Republican Leadership

Presiding Lt. Governor Geoff Duncan
President Pro Tem Butch Miller
Majority Leader Mike Dugan
Majority Whip Steve Gooch

Majority Caucus Chair John Kennedy
Caucus Vice-Chair Larry Walker
Caucus Secretary Dean Burke

Senate Democrat Leadership

Minority Leader Gloria Butler
Minority Whip Harold Jones II
Caucus Chair Elena Parent

First Vice-Chair Lester Jackson
Caucus Secretary Nan Orrock

House Republican Leadership

Speaker David Ralston
Speaker Pro Tem Jan Jones
Majority Leader Jon Burns

Majority Whip Trey Kelley
Caucus Chair Matt Hatchett
Caucus Vice-Chair Micah Gravley

House Democrat Leadership

Minority Leader James Beverly
Caucus Chair David Wilkerson
Caucus Vice-Chair Erica Thomas
Caucus Secretary Park Cannon

Caucus Chair Billy Mitchell
Caucus Secretary Mary Robichaux
Chief Deputy Whip Debra Bazemore

January 15, 2021

Georgia Vaccination Law in Declared Health Emergencies

O.C.G.A. 31-12-3¹ Power to require immunization and other preventive measures

- (a) “The department and all county boards of health are empowered to require, by appropriate rules and regulations, persons located within their respective jurisdictions to submit to vaccination against contagious or infectious disease ... whether or not the disease may be an active threat.... The department shall ... in the case of a declaration of a public health emergency ... include provisions permitting consideration of the opinion of a person’s personal physician as to whether the vaccination is medically appropriate or advisable for such person.”
- (b) “In the absence of an epidemic or immediate threat thereof, this Code section shall not apply to any person who objects in writing thereto on grounds that such immunization conflicts with his religious beliefs.”

O.C.G.A. 38-3-51 Emergency powers of Governor

- (i)(2)(B) “An order imposing a quarantine or a vaccination program may be appealed but shall not be stayed during the pendency of the challenge.... With respect to vaccination, the state’s burden of proof shall be met by clear and convincing evidence. With respect to quarantine, the state’s burden of proof shall be met by a preponderance of the evidence.”
- (C) “An individual or a class may challenge the order before any available judge of the superior courts in the county where the individual or a member of the class resides or in Fulton County.... Filing fees shall be waived and all costs borne by the state.”
- (D) The judge may uphold or suspend the quarantine or vaccination order. The vaccination order may be applicable on notice to the department or agents administering the vaccination or in the court’s discretion. A quarantine order will be automatically stayed for 48 hours.
- (F) “No provisions of this paragraph shall be construed to limit or restrict the right of habeas corpus under the laws of the United States.”

Bills to Protect Freedom-to-Choose-or-Refuse a Vaccine introduced in Tennessee

After pre-filing their bills in November 2020, Tennessee Representative Reedy introduced H.B. 0010 and Senator Pody introduced S.B. 0007 January 12, 2021, the first day of their session. The bills empower individuals to opt out of vaccinations, under some circumstances. Currently, Tennessee law allows an epidemic or its immediate threat to override individual rights to object to certain vaccinations, immunizations, and medical procedures.

A Tennessee General Assembly website summary says the bills (a) *remove provisions that limit* an individual’s objecting on religious grounds to vaccination, immunizations, and medical treatments; and (b) *create protection* from state agencies, departments, and political subdivisions that require medical examinations, immunization, and treatment to individuals who object on religious or right of conscience grounds. Although there are various exceptions in current Tennessee law that override an individual’s objection on religious grounds to medical examinations, immunizations, or treatment, (c) *these bills create an additional objection* for individuals objecting on religious grounds.

ACTION – Ask Governor Kemp’s floor leaders to introduce and pass bills that protect against forced vaccination.
Representatives Dominic LaRiccia, 404 651-7737; Jodi Lott, 651-7737; Bert Reeves, 651-7737; Josh Bonner, 656-0254
Senators Clint Dixon, 656-7454; Russ Goodman, 656-7454; Bo Hatchett, 656-7454

¹ The requirements of (a) above allow individuals to avoid vaccination, only if their doctor agrees that they can. The requirement of (b) appears to override religious exemption in emergencies.

Pelosi calls New House Rules “Unprecedented, Bold Reforms”

U.S.H.R. 8 Introduced Jan. 3rd, Passed by Voice Vote Jan. 4th

U.S. H.R. 8, 45 pages long and entitled, “Adopting the Rules of the House of Representatives of the One Hundred Seventeenth Congress,” introduced by House Majority Leader Steny Hoyer (D-MD-5) January 3, 2021, passed January 4, 2021, after five voice votes. Two days before its introduction January 3rd House Rules Committee Communications Director Jeff Gohringer issued an assessment of H.R. 8. Excerpts from his report are included in the following:

H.R. 8 is “Visionary rules ... unprecedented, bold reforms,” says Pelosi. It effectively:

- *Dedicates a permanent office* to train congressional staff to properly handle whistleblowers;
- Establishes a *Select Committee on Economic Disparity and Fairness in Growth*;
- Creates a more accommodating process for the consideration of ideas;
- Continues the *Select Committee to Modernize Congress*;
- Reinstates remote vote-by-proxy¹ and virtual committee work for the COVID-19 pandemic;
- Eliminates a motion to recommit legislation for further discussion and possible amendment;
- Makes revealing ID of whistleblower illegal if executive branch wrongdoing² is alleged.
- Increases Inclusion/Diversity; gender-neutral pronouns replace mother/father/sister/brother;
- Renamed the Office of Whistleblower Ombudsman to Office of Whistleblower Ombuds³;
- Made permanent⁴ the *Office of Diversity and Inclusion*;
- Makes Members of Congress pay for discrimination settlements.
- *Assures compliance in the congressional staff and in all representatives’ home office staffs*;
- Embraces technology for more efficiency.

The following two paragraphs of Director Gohringer’s assessment further explain the use of gender-neutral pronouns and the plan for handling discrimination if it occurs in Congress and the D.C. staff. The same rules will apply to home-office staff of U.S. Representatives.

“Gender-Inclusive Language. Subsection (e) modernizes the use of pronouns, familial relationship terminology, and other references to gender in order to be inclusive of all Members, Delegates, Resident Commissioners, employees of the House, *and their families*. This also obviates the need for the former clause 2 of rule XXIX, which provided that ‘words importing one gender include the other as well.’”

“Requiring Members to Pay for Discrimination Settlements. Subsection (g) continues from the 116th Congress a requirement for a Member, Delegate, or the resident Commissioner to reimburse the Treasury for any settlement of a complaint related to a claim alleging a violation by the Member of sections 201(a), 206(a), or 207 of the Congressional Accountability Act of 1995, which cover discrimination based on race, color, religion, sex (which the Equal Employment Opportunity Commission recognizes as including sexual orientation and gender identity), national origin, age, disability, or an employee’s service in the uniformed services, and retaliation for claims alleging such discrimination.”

¹ Proxy voting: House Members that are sick or cannot travel can authorize a colleague to cast a vote on their behalf.

² A Democrat rule to protect a Democrat president?

³ Language Surgery: Writers of H.R. 8 neutered “ombudsman” by excising “man” to create a new word, “ombuds.”

⁴ Authorizes House offices to recruit/hire a diverse workforce and make diversity status reports each session.

Cancel Culture: *Censors & Censures* (Condemns, Judges, Punishes)

“*Cancel* is getting a new use. *Canceling* and *cancel culture* have to do with the removing of support for public figures in response to their objectionable behavior or opinions.” (Emphasis in original)

– *Merriam-Webster’s Collegiate Dictionary Eleventh Edition*

Censure/Punishment via Cancel Culture

Georgia Senators Brandon Beach, Matt Brass, and Burt Jones lost committee chairmanships in the Georgia General Assembly after striving for election integrity. Senator Beach is no longer Transportation chairman, Senator Jones is no longer Insurance and Labor Committee chairman, and Senator Brass no longer chairs the Reapportionment and Redistricting Committee.

President Trump’s accounts on Twitter, Instagram, Twitch, Facebook and other social media have been suspended. Stripe won’t process payments for Trump’s campaign and Shopify took down online stores for the Trump Organization and his campaign.

“*No Book Deal for Traitors*” is the title of author Barry Lyga’s January 15, 2021 open letter, signed by more than 250 (claimed to be 500 by January 19) authors, agents, booksellers and publishers that want to block future book deals for President Donald Trump or members of the Trump organization. Subsequently, Trump supporter Republican Missouri Senator Josh Hawley’s publisher backed out of his book deal with Senator Hawley.

Lyga’s letter included this paragraph: “No participant in an administration that caged children, performed involuntary surgeries on captive women, and scoffed at science as millions were infected with a deadly virus should be enriched by the almost rote largesse of a big book deal. And no one who incited, suborned, instigated, or otherwise supported the January 6, 2021 coup attempt should have their philosophies remunerated and disseminated through our beloved publishing houses.” (Does this qualify as slander?)

Such examples of cancel culture are reminiscent of “blacklists,” which date back to 1660 and Charles II of England. In the 20th century, the United States National Labor Relations Act of 1935 outlawed punitive blacklists against employees who supported trade unions or criticized their employees. Certainly, today’s cancel culture opposes free speech and inflicts punishment.

Roget’s II, The New Thesaurus concisely defines blacklist this way: “to exclude from the normal social or professional activities” and lists “blackball” as its only synonym.

Merriam-Webster’s Collegiate Dictionary online explains today’s “canceling” as a way to stop giving support to a person, perhaps by boycotting a writer’s work or an actor’s movies. The trigger for canceling may be an objectionable expression, opinion or conduct.

Cancel Culture Out of Control

On January 11, 2021 Jason Miller, a campaign adviser of President Trump said, “Wow – the anti-Trump censorship/deplatforming is out of control. Just went to the LiveShots studio in DC to join @cvpayne on @FoxBusiness, and the LiveShots employees told me I’m not allowed to use their studios because ‘I’m on a list.’”

He added, “Censorship and deplatforming might start with just one person, but if they’re willing to do it to the President of the United States, these companies are willing to do it to anybody – especially any of the 75M Americans who voted for President Trump.”

¹“Trump Campaign Adviser Says DC Studio Refused Him Because He’s On a ‘List,’” by Isabel Van Burgen, 1-12-21