

Georgia insight

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

Amend the Constitution: Designate English as Georgia's Official Language

"The English language is designated as the official language of the State of Georgia ... for each public record ... each public meeting ...including those governmental documents, records, meetings, actions, or policies which are enforceable with the full weight and authority of the State of Georgia. "

– Code Section 50-3-100, Act 1045, Signed by Governor Zell Miller April 25, 1996

S.R. 675¹ English as Georgia's Official Language, Proposed Constitutional Amendment, pre-filed by Senator McKoon and introduced January 22, 2016, includes the following:

- "English is the official language of the state of Georgia... 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 ... shall use any language other than English for any documents, regulations, orders, transactions, proceedings, meetings, programs, or publications except as provided [herein]...."
- "... English as the official language of the State ... shall not be construed as infringing upon the rights ... to use a language other than English in private communications or actions"
- "The state and its political subdivisions may use a language other than English for any of [nine] purposes [listed in the bill]."

If S.R. 675 passes the House and Senate by 2/3 vote, voters in November will be asked this:

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

ACTION – Support. Contact House Judiciary Committee Representatives Willard, Ch., 404 656-5125; Fleming, V-Ch., 656-0152; Allison, Sec., 656-0188; Taylor Bennett*, 656-0220; Beskin, 656-0254; Bruce*, 656-7859; Caldwell, 656-0325; Evans*, 656-6372; Golick, 656-5943; L. Jones*, 656-7859, Kelley, 657-1803; Mabra*, 656-7859; Oliver*, 656-0265; J. Powell, 656-7855; Rutledge, 656-0109; Stephenson*, 656-0126; Welch, 656-0213; Weldon, 656-5105; Wilkinson, 463-8143. (*Democrat)

The 1996/Current Law: Between 1992 and 1996, legislation designating English as the state official language was introduced four times, but finally passed. On January 10, 1996 Senators Crotts, Balfour, Langford, and Dean introduced S.B. 519² to designate English as the state's official language and require English to be used in governmental affairs and public meetings.

At that time, the Georgia tax booklet was printed in five or more languages. So, the *official* goal of the bill was to control escalating costs of operating the government in multiple languages. *Unofficially and wisely*, Senator Langford cited our country's motto, "E pluribus unum" (one out of many), implying that a common language is necessary to unite us all.

Senator Langford³ voiced multiple concerns: (a) If society is to thrive and communicate at an "optimum level," we must speak a common language; (b) society is recognizing so many cultures⁴ that few common interests remain; and (c) language is the easiest to keep in common.

¹The bill in its entirety is available online, www.legis.ga.gov.

² Georgia State University Law Review 321, 322 1996-1997

³ Senator Langford's concerns of 20 years ago have manifold implications today.

⁴ A state constitutional amendment would back-up Code Section 50-3-100 naming English Georgia's official language.

Tattoos & Military Regulations, Space Flights, Fireworks

“As a result of tattoo attitude changes, Army Regulation 670-1, chapter 1-8E (1) has been modified via an ALARACT 017/2006 message. Additionally, paragraph 1-8B (1) (A) was revised.”

– Army Changes Tattoo Policy, *Army News Service*, Updated February 24, 2016

H.B. 654 Certain Tattoos Disqualify for Military Service, introduced by Representative Sandra Scott March 25, 2016 requires tattoo studios to conspicuously display in a prominent place easily seen as patrons enter the business a sign with letters at least one-inch high stating:

“WARNING: YOU WILL LIKELY BE DISQUALIFIED FROM JOINING THE MILITARY IF YOU HAVE A TATTOO ON YOUR FACE, NECK, FOREARM, HAND, WRIST, OR LOWER LEG.”

Violators will receive a warning the first time; penalty for a second violation is a \$25 fine; a third violation, \$75; each subsequent violation will result in a \$300 fine.

Revised Army Regulation 670-1, modified by a message released January 25th, states: (a) “Any tattoo or brand anywhere on the head or face is prohibited except for permanent make-up.”

Meaning, soldiers may have permanent eye-liner, eyebrows and makeup to fill in lips, in a conservative style and color that complements the soldier’s uniform and complexion. (b) An Army G-1 Human Resources Policy spokesman explained, “The only tattoos acceptable on the neck must be on the back of the neck.” Tattoos on the front of the neck are prohibited.

ACTION – Support. Call Veterans, Military, and Homeland Security Committee Senators H. Hill, Ch., 404 463-2518; Harbison*, V-Ch., 656-0074; Dugan*, 656-7454; Rhett, 656-0054; Walker, 656-0081. (* Democrat)

H.B. 734 Georgia Space Flight Act, introduced January 14th by Representative Jason Spencer, underwent welcome change in committee, where Sections 2 and 3 were deleted. Result of that change: *Local government retains regulatory power over noise that occurs in its jurisdiction.*

Representative Spencer, whose district includes the Spaceport Camden Project site, described the project as “the commercial space industry” and “the state’s most significant economic development project in its history.” Camden County Administrator Steve Howard currently sits on the board of the Commercial Spaceflight Federation.

ACTION – Support. Call Science and Technology Committee Senators B. Thompson, Ch., 404 656-0065; Kennedy, V-Ch., 656-7454; Seay*, Sec., 656-5095; Beach, 463-1378; Parent*, 656-5109. (* Democrat)

H.B. 727¹ Fireworks Regulations, introduced by Representative Paul Battles January 12th, tightens current fireworks laws. Fireworks may not be exploded on government property except by local authority, or within 100 yards of various restricted areas, medical facilities, etc. Also, it sets the days and times consumers may ignite fireworks

ACTION – Support. Call Public Safety Committee Senators Harper, Ch., 404 463-5263; Albers, V-Ch., 463-8055; Dugan, Sec., 656-7454; Jones II*, 463-3942; Seay*, 656-5095; Watson, 656-7880; Williams, M. 656-7127. (* Democrat)

S.B. 369¹ Revise Fireworks Compliance Standards, by Senator Jeff Mullis, prohibits use near public in-door or out-door sites, parks, historical sites, state or local governmental recreational areas, but special one-time permits may be requested. Public fireworks displays must be licensed by the Safety Fire Commissioner. Also, new time periods are set for use.

ACTION – Support. Call Regulated Industries Committee Representatives Maxwell, Ch. 404 656-5143; Harrell, V-Ch., 656-0254; Dickson, 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. (* Democrat)

¹ Both are poised to pass, which could trigger a conference committee to work out a consensus between the two bills.

Religious Liberty, “Driver’s Privilege Cards,” and Medical Marijuana

H.B. 870 Athletic Associations and Religious Expression, introduced February 1, 2016 by Representative Brian Strickland, provides that high schools receiving state funding cannot participate in athletic associations that prohibit religious expression on the clothing of student athletes. Likewise, high schools receiving state funding cannot participate in an athletic association that prohibits member schools from organizing and playing scrimmage matches, games, or other athletic competitions with nonmember schools. It passed the House 135-25.

ACTION – Support. Call Senate Education and Youth Committee Senators Tippins, Ch., 404 657-0406; Wilkinson, V-Ch., 463-5257; Sims, Sec., 463-5259; Black, 656-3932; Fort*, 656-5091; Hufstetler, 656-0034; James*, 463-1370; Millar, 463-2260; Stone, 463-1314; Tate*, 463-8053; VanNess, 463-2598. (* denotes Democrat)

H.B. 757 Religious Freedom and Marriage as introduced by Representative Kevin Tanner on January 14th provided that (a) no minister of the gospel or other religious practitioner who solemnizes marriages would be required to solemnize a marriage or other religious rite or sacrament in violation of the free exercise of religion under the Georgia Constitution or U.S. Constitution, and (b) prohibited lawsuits against such religious practitioner. (c) No religious organization could be required to rent, lease, or otherwise permit property to be used for events objectionable to the organization. That version passed the House 161-0 on February 11th.

The Senate amendment: Senator Greg Kirk attached his **S.B. 284 First Amendment Defense Act** to Tanner’s bill and the amended H.B. 757 passed the Senate 38-14 February 19th. Result: H.B. 757 now includes freedom of religious expression for religious professionals – on- or off-the-job – as well as for individuals, and business owners. H.B. 757 states that it should be construed as broad protection of free exercise of religious beliefs to the maximum permitted by the United States Constitution, and the Constitution of Georgia.

STATUS: H.B. 757 goes back to the House. If the House agrees, the bill passes as is. If the House disagrees and the Senate “insists on its position,” a conference committee may work out the differences. If that succeeds, the conference committee bill goes back to the House and Senate for an up or down vote, but it cannot be amended again.

S.B. 6 Georgia Road Safety and Driver’s License Integrity Act, introduced by Senator Josh McKoon January 28, 2015, authorizes the issuance of “driver’s privilege cards” for illegal aliens with deportation deferrals. Such card would be valid for driving on a Georgia highway only during a deferred action or for five years, and would have printed thereon: “DRIVER’S PRIVILEGE CARD ONLY. NOT FOR ID PURPOSES. LEGAL PRESENCE. NO LAWFUL STATUS. UNDER GRANT OF DEFERRED ACTION.” It passed the Senate 37-17 February 29th, and is in the House.

ACTION – Support. Call House Public Safety & Homeland Security Committee Representatives A. Powell, Ch., 404 463-3793; D. Taylor, V-Ch., 656-0177; Atwood, Sec., 656-0152; H. Clark, 656-0109; Cooke, 656-0188; Frazier, 656-0265; Glanton, 656-1803; Gravley, 656-0325; Greene, 656-0202; Hightower, 656-1803; Hitchens, 656-0178; Holcomb, 656-6372; Jackson, 656-0314; Jasperse, 656-7857; Lumsden, 656-0325; Petrea, 656-0109; Waites, 656-0220.

H.B. 722 Medical Marijuana Registry, introduced by Representative Allen Peake, authorizes low THC oil manufacturers to legally ship low THC oil to persons on the THC Oil Patient Registry, and expanded to 15 the list of conditions eligible for THC oil treatment. It passed the House 152-8 February 29th, and is poised to pass the Senate. As introduced, the bill allowed in-state cultivation of marijuana and manufacturing of products, but *that was deleted*.

ACTION – You decide. Call 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; Cowser, 463-1366; Henson, 656-0085; Judson Hill, 656-0150; Lester Jackson*, 463-5261; Kirk, 463-5258; Ligon, 656-0045; Orrock*, 463-8054; Shafer, 656-0048; VanNess, 463-2598; Watson, 656-7880. (* Democrat)

HIV/AIDS in Georgia

HIV/AIDS continues to be a major public health concern in the United States.

Georgia has the 8th highest number of cumulative AIDS cases (26,000) reported in any state and data reflects a continuing impact on the state.

– Centers for Disease Control

H.B. 1058 HIV/AIDS Statute Revisions, introduced by Representative Betty Price February 22nd, amends the AIDS confidential information law as follows:

“AIDS confidential information *may be disclosed* to such person’s parent or legal guardian if that person is a minor.” (Emphasis added.)

H.B. 1058 adds “or at risk for HIV” to current law that allows minors to consent for medical or surgical care or services for venereal disease. Current law, also, states that a minor’s consent is *not* subject to reversal, simply on the basis of age. Currently in Georgia, the consent of a parent is not necessary for minors to be treated for venereal diseases, but current laws *does* require parents to be notified if a child has AIDS. That will become *permissive* if this passes.

H.B. 1058 would allow diagnosis and treatment of HIV without parental knowledge. That’s an affront to parental authority over the health and rearing of their children. Georgia law must continue to require AIDS confidential information to be disclosed to the child’s parent.

Also, H.B. 1058 would delete the current law requiring the Department of Public Health to develop brochures or other documents for distribution to patients diagnosed with HIV.

IMPORTANT: Georgia law lists syphilis, gonorrhea, and chancroid as venereal diseases and requires such to be reported by physicians and others who diagnose or treat them. Also, authorized agents of the Department of Public Health and county boards of health are directed and empowered to examine individuals who are infected or suspected of being infected with any of those three diseases. Infected individuals must report for treatment, and the DPH is authorized to isolate them, and may request law enforcement assistance, including restraint and arrest to assure examination and treatment. Such law does not apply to HIV/AIDS.

HIV is not listed as a venereal disease, although Georgia Code Section 31-17A-1 (b) states:

“HIV and the degenerative diseases associated with it are declared to be contagious, infectious, communicable, and extremely dangerous to the public health.”

Confidential HIV/AIDS tests and diagnoses shield the identity of infected individuals, who may be charged with a felony if they do not personally disclose infection as follows:

Title 16, Section 16-5-60 requires those infected with HIV to *personally disclose* the condition to (1) sex partners; (2) persons with whom they share hypodermic needles, syringes, or both; (3) partners in prostitution; (4) persons solicited for sodomy for money; and (5) blood banks. Violators guilty of assault with intent to transmit HIV may get five to 20 years in prison.

If this passes, children could be treated for AIDS without parental knowledge or consent.

ACTION – Oppose. Call 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; Lester Jackson*, 463-5261; Kirk, 463-5258; Ligon, 656-0045; Orrock*, 463-8054; Shafer, 656-0048; VanNess, 463-2598; Watson, 656-7880. (* Democrat)

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