

Georgia insight

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"She hath done what she could." Mark, 14:8a

March 23, 2007

S.B. 211 Transgender & Sexual Orientation to Get Special Rights

"[L]et it go through as quickly as possible as a crime-fighting and terrorism bill. We certainly don't want to give legislators a reason to vote against the bill because they find out it gives gay rights."

- Kathleen Womack, Georgia Equality Political Board Chairman, Statement about S.B. 211

In the early '70s pro-homosexual activists stormed the American Psychiatric Association conference and demanded removal of homosexuality from the list of deviant behaviors. Few practicing APA members attended, but those that were there cast aside centuries of medical, cultural and health standards to implement homosexual demands. No doubt, the APA didn't know the pressure wouldn't stop until homosexuality and its offshoots are accepted as normal.

When the APA caved in that day, no one mentioned that other sexual deviations would soon be added, but it's all too clear now. Soon the term homosexual was divided into lesbian and gay to distinguish between males and females. When bisexual was added, it wasn't long before they wanted special rights for transsexual, queer (their word, not mine), allies and intersex. An urban dictionary says intersex is an umbrella term for a number of congenital anomalies of intimate organs. Now, the group, formerly, known as homosexual is LGBTQAI, for short.

Lest you wonder what this has to do with legislation, let me explain. **S.B. 211** is the latest version of legislation, masqueraded as a hate crime bill that, for several years, homosexual supporters have attempted to pass. They've always tried to add sexual orientation to the list of protected civil rights and have failed every time, but this year's bill is even more bizarre than their other efforts. Not only does it, specifically, demand that sexual orientation become a protected status, Senator Fort agreed to add "gender identity" as another civil rights category.

Again, the dictionary comes in handy. Gender identity refers to (a) transvestites who adopt the dress and often the behavior of the opposite sex or (b) someone who's undergone surgery to *become* a member of the opposite sex. Now, let's explore what'll happen if a bill like this passes and a boy decides he's a transvestite. Under this, he could masquerade as a girl and be a girl sometime and a boy sometime. If he wanted to go to the girls' bathroom, he'd use his girly clothes, but for the football team, he could don his manly duds. The same applies to a female who decides to impersonate a boy. That's a simple example, but you get the picture.

Consider this. The chairman of Georgia Equality's political board explained why they'll be working 'way behind the scenes to get this passed. She says, "[L]et it go through as quickly as possible as a crime-fighting and terrorism bill. We certainly don't want to give legislators a reason to vote against the bill *because they find out it gives gay rights.*"

There you have it from the horse's mouth. S.B. 211 is not a hate crime bill. It's a gay rights bill. It protects those who refuse to live within laws that apply to us all. If legislators cave in and make these changes, soon they'll be pressured to expand the list to include LGBTQAI and any other sexual variants that come out of the closet in the future.

ACTION – Oppose. Call Rules Committee Senators Balfour, Ch., 404 656-0095; Hamrick, 656-0036; Seabaugh, 656-6446; Adelman, 463-1376; Butler, 656-0075; Jack Hill, 656-5038; Hooks, 656-0065; Johnson, 656-5109; Moody, 463-8055; Pearson, 656-9221; Thomas, 656-6436; Tolleson, 656-0081; Unterman, 463-1368; Williams, 656-0089.

Bad Idea: S.R. 279, Four Year Terms for State Senators

Every few years a bill is introduced to extend legislative terms for members of the Georgia House and Senate. Most of them are meant to change the state constitution so senators won't have to run for office every two years, but would be elected to four-year terms. Everyone knows it's a hassle to raise money and tiresome to go door to door to get elected every other year. But it should stay that way as a frequent and dramatic way to remind candidates that getting re-elected depends on whether they keep their promises after they're elected.

Congress was originally divided into a bicameral body – representatives elected to serve two-year terms and senators *chosen* by state legislatures to serve six-year terms. That arrangement continued until 1914, when the 17th Amendment went into effect, authorizing voters to *elect* their U.S. senators to serve six-year terms. But, unlike the House of Representatives, there's never a complete turn over in the U.S. Senate. Their terms are staggered. Every two years, the third that has completed a six-year term must run for re-election.

While the number of representatives changes with the population, the number of senators is the same – two from each state. So, the U.S. Congress has 535 members – 100 senators and 435 representatives, including Georgia's thirteen House members and two senators.

In 1789, when there were only eleven counties in Georgia, the House had 34 members. By 1838 there were 208 members to represent 92 counties. That was the highest number ever to serve in the Georgia House of Representatives. The number fluctuated up and down but never over that maximum of 208. In 1972 the current number was established for the first time and our 159 counties were and still are represented by 180 House members. However, in 1983 the constitution was amended to *allow more but never fewer* than 180 members. All are elected to two-year terms. That means, voters have to put up with bad legislators for only two years before they can be voted out of office. Why is the best government the government that's closest to the people? Frequent elections lets voters keep close tight reins on elected officials.

S.R. 279 would significantly change the state constitution that currently authorizes two-year terms for members of the General Assembly. The (a) first proposed change in S.R. 279 would remove the need for a constitutional amendment if a law gives House members longer terms. The (b) second change would increase Senate terms from two to four years, beginning in the November 2010 general election. At that time, senators from odd-numbered districts would be elected to two-year terms and those from even-numbered districts would be elected to the new four-year terms. Subsequently, all senators would be elected to four-year terms.

However, S.R. 279 is, purposely, worded so the House can insert the four-year-term change for representatives and indicates that the Senate would eagerly agree to that House amendment. If S.R. 279 passes by a two-thirds vote in both House and Senate, it would be on the ballot in the November 2008 general election. I'd like to defeat it now, rather than have to lobby the entire state to vote NO on it to keep government close to voters. S.R. 279 passed the Senate March 1st and is in the House Governmental Affairs Committee, poised to pass this session.

ACTION – Oppose. Call House Governmental Affairs Committee Representatives: **Republicans**, Scott, Ch., 404 656-5132; Geisinger, 656-0254; Burns, 656-0213; Butler, 463-2247; Chamb4rs, 656-3949; Hamilton, 656-0188; Hatfield, 656-0109; Meadows, 656-0298; O'Neal, 656-5103; **Democrats**, Brooks, 656-6372; Floyd, 656-0314; Morgan, 656-0109; Mosby, 656-0287; Oliver, 656-0265; Powell, 656-0202

S.B. 88, Grandparents' Subsidy for Grandchild-Care

Some of our senior citizens, probably, remember when there weren't any cars and travelers had to say "giddy up" to their four-legged transportation. But, motorized vehicles have been around a lot longer than I thought. For example, a Jesuit missionary in China built a working model of a steam-powered car sometime around the year 1678. Almost 100 years later, a French army officer built the first full-size, self-powered road vehicle in 1769 when it chugged along at two miles an hour, had to stop every few hundred feet to build up steam, but went off the road and wrecked on its second trial run. No record of what happened to it next.

That's a glimpse into the distant past, but this year's legislative session reminds me of someone trying to drive a straight-shift car for the first time – the sudden jump-starts and stops are just like this year's schedule. The first of the month, legislators took more than two weeks off, hoping Congress would bail out PeachCare (sic). March 27th will be the first day in session since March 20th and Friday the 30th they'll adjourn until April 9th. So, the second day after Easter they'll be back for the 34th day of the 40-day session.

In the meantime, committees are meeting and bills are dying. Bills with a ghost of a chance of passing must soon be half way through the process or amended onto other legislation. Otherwise, they'll be left for the 2008 session if they don't go down to defeat in committee or on the House or Senate floor. Meanwhile, grandparents will be interested in **S.B. 88** that passed the Senate on March 1st and is, now, in the House Judiciary Committee. Its lofty title is Power of Attorney for Care of a Minor Child Act, but it does a very simple thing. It creates a way for tax payers to subsidize grandparents and great-grandparents that care for grandchildren when the children's parents can't do it themselves.

Both parents must execute the power of attorney if they're married to each other or by either parent if they share custody but live apart. The document must specify which hardship prevents parents from caring for their own children. The definition of hardship includes the death of a parent or a serious illness or mental condition or imprisonment of a parent or a natural disaster. The power of attorney agreement may be revoked by the parent or terminated by a court or the grandparents may decide to terminate their child-caring responsibility.

But, while it's in effect, grandparents have the authority and responsibility to enroll the child in school, arrange medical, dental and mental health care, feed and shelter them, as well as provide recreation, travel and anything else specifically indicated by the parent. Custodial grandparents must submit periodic records affirming that the money is used for the child's necessities and not for tobacco, alcohol, lottery tickets, firearms, or anything else that's illegal for a minor to possess, receive or consume.

At any given time, this entire program would be limited to no more than 1,500 families and would be evaluated during its first two years if the General Assembly appropriates money to fund it. S.B. 88 is in the House Judiciary Committee where it must pass quickly or it'll be left until next year.

ACTION – Support. Call House Judiciary Committee Representatives Willard, Ch., 404 656-5125; Lindsey, 656-0296; Hatfield, 656-0109; Bruce, 656-0314; Crawford, 656-0213; Fleming, 656-5024; Golick, 651-7737; Jacobs, 656-0152; Lane, 656-0109; Oliver, 656-0265; O'Neal, 656-5103; Stephenson, 656-0126; Teilhet, 656-0298; Thomas, 656-0314; Tumlin, 656-0177; (ex-officio) Wilkinson, 463-8143.

S.B. 100, ID Fraud: Big-Boy Penalty for Big-Boy Crime? Maybe not!

Protecting our own identity is a major concern these days and it's become more critical with the advent of super-sophisticated computers, copiers and other gadgets. Georgia Code Section 16-9-4 was enacted in 1988 and amended in 2002. Currently, it defines what an identification document is and then prohibits the deliberate manufacture, sale or distribution of false IDs. Under this law our protected identifying information includes when and where we were born, along with the usual height, weight, hair and eye color.

But, modern science and technology have opened a whole new realm of, specifically, protected unique ID characteristics – fingerprints, voice print, retina or iris image, DNA profile, and whatever else may be discovered in the future. Believe it or not, high-tech systems are capable of identifying individuals by their breathing rhythms or heart beats so precisely that anyone can be distinguished from everyone else, whether in crowds or cars or sky scrapers. Not only that, we could be seeing only the beginning of privacy invading ways to track individuals or falsify identities.

We often see reports on huge identity fraud rings that hack into computers and steal enough data to falsify credit cards or social security numbers or take over identities of people alive or dead. But, recently, college students were busted in Atlanta for creating and selling false identification documents. The penalty for each offense could be a misdemeanor or a felony, depending on what they did and which documents were falsified or altered. But this fact is sure. Law enforcement officers are authorized to and will confiscate whatever equipment those boys used in their fraudulent document business and, if they've disposed of it, other possessions of equal value may be taken instead.

As the law now stands, it sets no age limit on criminal charges or sentencing for those caught in the false ID business, but **S.B. 100** was introduced to change that. For all ages the first offense would be a misdemeanor with additional offenses catapulting the crime into a felony, punishable by a \$25,000 fine and/or prison for three years. The career criminal that does the whole bit – from making to possessing and selling false ID – could get three to ten years in prison and a whopping \$100,000 fine. That's when the age difference kicks in. The under-21 caught in the fraudulent ID business would get a slap-on-the-wrist misdemeanor charge.

S.B. 100 passed the Senate 52 to 0 on March 1st, although the House didn't receive it until March 19th. That delay was caused when the General Assembly adjourned at the end of business March 1st and came back the 19th for two days. They adjourned the 20th and will be back in session the 26th, but S.B. 100 is already poised to pass. Since identity theft now involves college students, this age change seems tailored to minimize the penalty for young adults. However, anyone who's old enough at 18 to defend our country, should be old enough at 18 to take big-boy punishment for deliberately committing big-boy crimes. Ask committee members to change the age to 18 or leave the law as it is, so judges can use appropriate case-by-case discretion when sentencing minors for this very serious crime.

ACTION – Oppose unless the age is changed to 18. Call House Non-Civil Judiciary Representatives Ralston, 404 656-5943; Mumford, 656-0254; Bearden, 656-0287; Byrd & Mangham, 656-0126; Cole, 651-7737; Collins & Everson, 656-0188; Cooper, 463-8142; Franklin, 656-5087; Knox, 656-7855; Lunsford, 656-7146; Setzler, 656-0177; Abdul-Salaam, 656-0325; Abrams, 656-0220; Benfield, 656-7859; Levitas, 656-0116; Randall, 656-0109.

Georgia Insight is a conservative publication financed entirely by its recipients.