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## Bills Poised to Pass: Last-Minute Calls Needed

### ***Do-Or-Die: Bill Requiring Personal Permission before Microchip Implant***

**S.B. 235** introduced by Senator Chip Pearson the latter part of the 2009 session is the Senate version of H.B. 38 that's been blocked in a House committee. Both require personal consent before a microchip could be implanted in that person, but S.B. 235 is moving. It passed the Senate 47 – 2 on February 4<sup>th</sup> and does two things: (a) it requires *personal consent before* a microchip can be implanted, although (b) *anyone may choose* to obtain a microchip implant.

Interestingly, when a microchip consent bill was on the House floor for a vote in 2008, I asked Representative Austin Scott to vote for it. He explained this to me: "I won't vote for any bill that says I can't microchip my children!" However, under the personal permission concept, parental authority over minors would allow parents to have minor children implanted with a microchip, just as parents now authorize other surgeries for minor children.

S.B. 235 is in the House Judiciary subcommittee where Chairman Mike Jacobs has promised to have a hearing after the 30<sup>th</sup> legislative day, March 26<sup>th</sup>. But before passage, it must clear (1) the Jacobs subcommittee, (2) Willard's Judiciary committee and (3) Hembree's Rules committee, then (4) the House floor. Time is fleeting. Please make your calls, immediately.

**ACTION – Support.** (a) **Begin calling Monday, March 29<sup>th</sup> and call regularly until after the hearing. The hearing room number, date and time will be announced as soon as it's available.**

(a) Call Civil Judiciary Subcommittee Representatives Jacobs, Ch., 404 656-0152; Bruce, 656-0314; Crawford, 656-0265; Dobbs, 656-7859; Lindsey, 656-5024; Nix, 656-0177; O'Neal, 656-5103; Powell, 656-0177; and Weldon, 656-0152.

(b) Attend the hearing when it's scheduled.

### ***Keep Anti-Bullying Bill in Committee***

*This extends school authority over bullying to locations other than school property. Georgia law is adequate to treat all bullying EQUALLY, whether on school grounds, school buses or at extra-curricular activities.*

**H.B. 927**, introduced by Representative Jacobs was tabled on March 11<sup>th</sup>, but taken from the table March 16<sup>th</sup>. It remains available for the Rules Committee to put it back on the House floor for a vote. Bullying is not defined, but it allows local boards to adopt policies to transfer sixth through 12<sup>th</sup> graders to alternative schools, if caught bullying three times in a school year. With no parameters set, sexual orientation could become a protected class in school policies.

**ACTION – Oppose.** Call House Rules Committee Representatives Hembree, Ch., 404 656-5141; Mills, 656-5099; Bearden, 656-0287; Burkhalter, 656-7146; Coan, 656-6801; Ehrhart, 463-2247; Keen, 656-5052; Lane, 656-5115; Lunsford, 656-0213; Rice, 656-5912; Walker, 656-5146 and ask them to object to putting H.B. 927 on the House floor.

### ***Urgent Action Needed: Identify Illegal Alien Inmates***

**S.B. 385** provides additional funding to counties for housing state inmates, if officials use the federal department of Homeland Security's Secure Communities initiative or have entered into memorandums of agreement with the federal government under Section 287(g) of the federal Immigration and Nationality Act. This bill passed the Senate 37 – 11, March 24<sup>th</sup>.

**ACTION – Support.** Call Public Safety and Homeland Security Committee Representatives Day, Ch., 404 656-5096; Talton, 656-0254; Maddox, 656-0109; Black, 656-0287; Collins, 656-0188; Frazier, 656-0265; Hanner, 656-7859; Horne, 656-0287; Mack Jackson, 656-0314; and Neal, 656-0152.

## ***ICE REPAT Program to Deport Illegal Alien Parolees***

**S.B. 136** requires the Department of Corrections and State Board of Pardons and Paroles to use the U.S. Immigration and Customs Enforcement (ICE) Rapid Removal of Eligible Parolees Accepted for Transfer (REPAT) plan or a similar federal deportation program. The DOC would obtain a final removal order to be acted upon when the inmate is eligible for parole, *provided* he agrees to abide by that order and all U.S. immigration laws. Violators would be returned to prison to complete the remainder of their sentence. It passed the Senate 45 – 6 on March 4<sup>th</sup>.

**ACTION – Support.** Call Non Civil Judiciary Representatives Golick, Ch., 404 656-5943; Hatfield, 656-0109; Levitas, 656-0202; Abdul-Salaam, 656-0325; Abrams; 656-0220; Bearden, 656-0287; Byrd, 656-0298; Cole, 651-7737; Collins, 656-0188; Cooper, 656-5069; Everson, 656-0188; Franklin, 656-0152; Knox, 656-0188; Lunsford, 656-0213; Mangham, 656-0127; Ramsey, 651-7737; Randall, 656-0109; Setzler, 656-0177; Stuckey Benfield, 656-7859; Thompson, 656-6377.

## ***English-Only Driver's License Tests***

**S.B. 67** provides all written and oral exams for drivers' licenses to be administered only in the English language, but allows individuals eligible for a temporary license to be tested in a language other than English. Anyone charged with a misdemeanor traffic law offense must complete a department-approved defensive driving course. Certificates from unlicensed defensive driving courses will not be recognized under this article. This passed the Senate 37 – 14 on March 20, 2009 and the House 104 – 58 on March 30, 2009. However, both House and Senate bills included substitute language. The Senate refused to agree with the House substitute last year. So, it's now poised to pass this year, provided the Senate agrees with the House.

This bill is, actually, in limbo. It could pass if someone in the Senate called for another vote. So, action on this is a little different.

**ACTION – Support.** Ask a senator to request a vote on S.B. 67 to allow the Senate to agree with the House bill.

## ***HOPE GED Voucher Requires Legal Residency but Not U.S. Citizenship***

**S.B. 341** requires recipients of HOPE GED vouchers to be legal residents of Georgia, based on the in-state tuition policy of higher education institutions in Georgia, which seems NOT to require U.S. citizenship to prove residency. This bill should be amended to require the student to prove legal entry into the U.S. Until that amendment is attached, this bill should be defeated. It passed the Senate February 17<sup>th</sup>.

**ACTION – Oppose.** Ask a Rules Committee member to keep S.B. 341 in committee. Call House Rules Committee Representatives Hembree, Ch., 404 656-5141; Mills, 656-5099; Bearden, 656-0287; Burkhalter, 656-7146; Coan, 656-6801; Ehrhart, 463-2247; Keen, 656-5052; Lane, 656-5115; Lunsford, 656-0213; Rice, 656-5912; Walker, 656-5146.

## ***Georgia Energy Freedom Act of 2010***

**S.B. 401** passed the Senate March 22<sup>nd</sup>, 33 – 16. It authorizes the governor to delay compliance with any federal program to regulate greenhouse gas emissions or motor vehicle fuel economy until the impact on the state budget, economy, consumers, families and small and large businesses is known. The Attorney General would vigorously litigate if the federal government takes or threatens any action against the state for noncompliance.

**ACTION – Support.** Call Natural Resources and Environment Representatives Lynn Smith, Ch., 404 656-7149; Morris, 657-8441; Nix, 656-0177; Anderson, 656-0298; Barnard, 656-5138; Buckner, 656-6372; Burkhalter, 656-7146; Coleman, 656-9210; Drenner, 656-0202; England, 463-2247; Fullerton, 656-0127; Gardner, 656-0265; Geisinger, 656-0254; Hanner, 656-7859; Harden, 656-0109; Keown, 656-0177; Lane, 656-5115; Long, 656-0325; Manning, 656-7857; McCall, 656-5115; McKillip, 656-0220; Meadows, 656-6831; Richard Smith, 656-3904; Kip Smith, 656-0213; Stuckey-Benfield, 656-7859; Brian Thomas, 656-0325; Lee Thompson, 656-6372; Wilkinson, 463-8143; and Mark Williams, 656-0188.

## ***Preserve Individual Freedom to Choose A Health Care Plan***

**S.B. 317** provides that no law or rule or regulation shall compel any person, employee, or health care provider to participate in any health care system. Also, it authorizes individuals and employers to pay directly for legal health care services without penalty or fine and allows the provider to receive direct payment. It does not affect the (a) services a health care provider or hospital must perform or provide or (b) health care provided under workers' compensation. It passed the Senate 31 – 16 on March 17<sup>th</sup> and is in the House.

**ACTION – Support.** The list is long, but call your representative, if listed, and several others.

Health & Human Services Representatives Cooper, Ch., 404 656-5069; Rynders, 656-7855; Holt, 656-0152; Butler, 656-0188; Byrd, 656-0298; Cheokas, 656-0325; Collins, 656-0188; Dempsey, 656-0213; Dobbs, 656-7859; Dodson, 656-0325; Drenner, 656-0202; Fullerton, 656-0127; Gordon, 656-0287; Graves, 656-0109; Harden, 656-0177; Hembree, 656-5154; Henson, 656-7859; Howard, 656-6372; Hudson, 656-7859; Jones, 656-0323; Kaiser, 656-0265; Keown, 656-0177; Kidd, 656-0325; Loudermilk, 656-0152; Lunsford, 656-0213; Maddox, 656-0152; Millar, 656-5064; Mitchell, 656-0116; Morgan, 656-0109; Mosby, 656-0287; Parsons, 656-9198; Purcell, 656-0188; Randall, 656-0109; Rogers, 463-2247; Sellier, 656-0254; Sims, 656-0213; Stephens, 656-0117; Stephenson, 656-0126; and Wilkinson, 463-8143.

## ***Gun-Carry Protection in Declared Emergencies***

**S.B. 291** passed the Senate 43 – 10 on March 24<sup>th</sup> to authorize a person with a license or permit to carry a firearm to transport it in a vehicle conveying a passenger to be dropped off or picked up at airports and airport facilities. Immigration and Customs officials would verify the eligibility of applicants who apply for a renewal license. If individuals who are not U.S. citizens apply, a judge could deny licenses. However, legal carry and possession are protected. No state officer or employee or government entity, while acting during a declared official state of emergency, could seize or authorize seizure of a firearm that is not prohibited under Article 4 Chapter 11 of this title. No state officer or employee or government entity could require registration, prohibit possession of or promulgate any rule, regulation or order to prohibit possession of any firearm that is not prohibited by Article 4 Chapter 11 of this title.

**ACTION – Support.** Call Public Safety and Homeland Security Representatives Day, Ch., 404 656-5096; Talton, 656-0254; Maddox, 656-0109; Black, 656-0287; Collins, 656-0188; Frazier, 656-0265; Hanner, 656-7859; Horne, 656-0287; Jackson, 656-0314; and Neal, 656-0152.

## ***Scan for Microchips in Animals***

**H.B. 1106** introduced February 8<sup>th</sup> by Representative Gene Maddox requires animal shelters and other facilities operated for the collection and care of stray, abandoned or neglected animals to scan each animal for a microchip in order to locate any identifying microchip. If the owner is not known, the *first scan* must be done within 24 hours or as soon as possible. If a microchip were found, the operator would make a reasonable effort to contact the animal's owner. Before euthanizing a dog, cat, or other large animal kept as a household pet, *a second scan* would be required. However, shelter and facility employees failing to find a chip would not be liable for the death of the animal or failure to contact the owner. Also, shelter personnel would not be required to scan animals deemed too vicious or dangerous to safely handle. H.B. 1106 passed the House 150 – 0 on March 17<sup>th</sup> and is in a Senate committee.

**ACTION – Support.** Call Agriculture & Consumer Affairs Senators Bulloch, Ch., 404 656-0040; Hudgens, 656-4700; Hawkins, 656-5378; Goggans, 463-5263; Heath, 651-7738; Lester Jackson, 463-5263; Orrock, 463-8054; and Powell, 463-1314.

## ***“Smash-And-Grab”***

**S.B. 423** increases the penalty for burglary of a retail establishment when more than \$500 of damage is done to property during the burglary of a retail property or a motor vehicle used in the commission of a burglary. Such burglary would be a felony punishable by 2 to 20 years in prison or a fine up to \$100,000 or both. A second conviction could mean 5 to 20 years in prison and as much as \$100,000 in fines.

**ACTION Support.** Call Judiciary Committee Representatives Willard, Ch., 404 656-5125; Jacobs, 656-0152; Allison, 656-0177; Golick, 656-5943; Wilkinson, 656-8143; Bruce, 656-0314; Crawford, 656-0265; Dobbs, 656-7859; Hatfield, 656-0109; Lane, 656-5087; Lindsey, 656-5024; Maddox, 656-0109; McKillip, 656-0220; Nix, 656-0177; Oliver, 656-0265; O’Neal, 656-5103; Powell, 656-0177; Stephenson, 656-0126; Teilhet, 656-0568; and Weldon, 656-0152.

## ***Too Convenient: Online Voter Registration***

*This appears wide open to fraud, especially, when an electronic driver’s license signature is used for voter registration. Forgery could be rampant and elections endangered.*

**S.B. 406** may be just a little too convenient. Anyone qualified to register to vote in this state and has a valid Georgia driver’s license or ID card may submit a voter registration application on the website of the Secretary of State. Applications must contain the applicant’s name and home address, driver’s license or ID card number, birth date, citizenship status, and the applicant’s consent to use the driver’s license or ID card signature. The Secretary of State would verify the information, then void and reject those with contradictory data.

**ACTION – Oppose.** Call Science and Technology Representatives Amerson, Ch., 404 657-8443; Keown, 656-0177; Byrd, 656-0298; Battles, 656-0109; Kidd, 656-0325; Levitas, 656-0202; Loudermilk, 656-0152; Chuck Martin, 463-2247; Massey-Reece, 656-7859; and Oliver, 656-0265.

## ***Medical Identity Fraud***

**S.B. 334** defines medical identity fraud as a crime committed by a person for willfully and fraudulently obtaining medical care, prescription drugs, or other health care services or financial gain without authorization or consent of the person whose identity is used. In addition, no one could use identifying information of an individual under age 18 over whom he or she exercises custodial authority. Likewise, the use of identifying information of a deceased individual or a fictitious person would be fraudulent. Violators would be guilty of a felony, punishable by imprisonment for 2 to 10 years or a fine up to \$100,000 or both. A second or subsequent conviction would be punishable by imprisonment for 3 to 15 years, a fine up to \$250,000 or both. Victims injured by reason of any such violation could sue for actual and punitive damages, as well as the recovery of attorney fees, appellate court fees and reasonable costs of investigation and litigation.

**ACTION – Support.** Call Non Civil Judiciary Representatives Golick, Ch., 404 656-5943; Hatfield, 656-0109; Levitas, 656-0202; Abdul-Salaam, 656-0325; Abrams; 656-0220; Bearden, 656-0287; Byrd, 656-0298; Cole, 651-7737; Collins, 656-0188; Cooper, 656-5069; Everson, 656-0188; Franklin, 656-0152; Knox, 656-0188; Lunsford, 656-0213; Mangham, 656-0127; Ramsey, 651-7737; Randall, 656-0109; Setzler, 656-0177; Stuckey Benfield, 656-7859; and Thompson, 656-6377.

## ***Federal Czars, Powerless in Georgia***

**H.R. 1146** introduced January 25<sup>th</sup> is a resolution declaring that no one in the state – citizens or government – is obligated to comply with the dictates of a presidentially appointed “czar.” This resolution has no legal power, but would be sent to the Georgia congressional delegation to convey the position of the General Assembly on federal czars.

**ACTION – Support. Ask your representative to vote YES whenever it gets to the House floor.**

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