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

U.S. Department of Education Deletes "Mother" and "Father"

The 2014-2015 Free Application for Federal Student Aid, or FAFSA, will provide a new option for dependent applicants to describe their parents' marital status as "unmarried and both parents living together." Additionally, where appropriate, the new FAFSA form will also use terms like "Parent 1 (father/mother/stepparent)" and "Parent 2 (father/mother/stepparent)" instead of gender-specific terms like "mother" and "father."

– ED.gov, April 29, 2013 Press Release (Accessed 05-12-13)

Also in the above press release, the Department of Education said the proposed changes would be in the Federal Register for a month to allow public comment, as required by law.

ACTION – Oppose. Email your opposition to openfederalregister@nara.gov

Federal Control of Education *via* Common Core Curriculum

As indicated in the above press release USDOE officials do not promote community values, which is painfully evident in the Common Core State Standards (CCSS) required in states receiving Race to the Top (RTT) grants, which Georgia did. In addition, Georgia and other states with RTT grants had to adopt CCSS-aligned "college- and career-ready standards."

CCSS requirements are so egregious that Senator Chuck Grassly (R-Iowa) and his peers signed a letter asking the Senate Appropriations Committee to cut off all future funds that allow the Obama administration to "cajole states" into participating in CCSS and its assessments that are being developed by designated consortia without input from parents or educators across the country.

In the last several weeks, the Michigan House of Representatives voted to defund Common Core and sent the bill to the Senate. Next, the Indiana legislature passed a bill halting the implementation of Common Core until there was further study and an open review process.

In Georgia, "The Cobb County school board rejected a proposal to spend $7.5 million on CC-aligned math textbooks after opponents packed the meeting and spoke of the folly of pouring money into something that may not exist in a year or two," said Jane Robbins, an attorney with the American Principles Project." Access www.stopcommoncore.com to learn about an upcoming CCSS-related event in Rome on May 30th.

S.B. 167 Would Stop Common Core in Georgia

S.B. 167 by Senator Ligon withdraws (a) Georgia from Common Core State Standards (CCSS) and the Partnership for Assessment of Readiness for College and Careers (PARCC). CCSS would nationalize math and English language arts (ELA) standards K – 12. PARCC is developing CCSS-aligned assessments. If S.B. 167 passes, the Department of Education could not adopt future standards without input from Georgia citizens and Georgia would not forfeit control of curriculum standards to outside entities.

ACTION – Support. Share this information with the following: Education & Youth Committee Senators Tippins, Ch., 404 657-0406; Wilkinson, V-Ch., 463-5257; Sims, Sec., 463-5259; Fort, 656-5091; Hufstetler, 656-0034; James, 463-1379; Millar, 463-2260; Miller; 656-6578; Stone 463-1314; and Tate, 463-8053.

2013 Legislative Session, Georgia General Assembly

Legislation introduced in the 2013 Session of the Georgia General Assembly

693 House Bills, 1,035 House Resolutions Total: 1,728 in House
279 Senate Bills, 731 Senate Resolutions Total: 1,010 in Senate

Grand total: 2,738 Bills & Resolutions introduced in 2013 Legislative Session

Legislation that did not pass and was not defeated are alive for the 2014 legislative session.

Governor's 40-Day Sign/Veto Period Ended May 7th

"Except as otherwise provided in this Constitution, before any bill or resolution shall become law, the Governor shall have the right to review such bill or resolution intended to have the effect of law which has been passed by the General Assembly. The Governor may veto, approve, or take no action on any such bill or resolution. In the event the Governor vetoes any such bill or resolution, the General Assembly may, by a two-thirds' vote, override such veto as provided in Article III o this Constitution."

– Constitution of The State of Georgia

Bills the Governor Vetoed

Veto No. 1. **H.B. 635** would have changed the term of office and membership of the Dodge County Eastman Development Authority by terminating two appointees of the Heart of Georgia Regional Airport Authority. Others would have appointed two replacement members.

Veto No. 2. **H.B. 636** would have abolished the Heart of Georgia Regional Airport Authority and transferred the Authority's powers, duties, assets, liabilities and debts to the Dodge County-Eastman Development Authority.

Veto No. 3. **H.B. 193** would have renewed exemptions previously sunset. To accommodate the 2010 Special Council on Tax Reform and Fairness for Georgians, the Governor's Competitiveness Initiative taskforce will be asked to review this and give an opinion on the economic or noneconomic justification for renewing such exemptions during the 2014 session.

Veto No. 4. **H.B. 240** would have expanded the number of eligible providers that could bill for Medicaid reimbursement and open the door for additional providers, not yet fully licensed, to pursue similar legislation. Also, it would require Georgia Medicaid to reimburse Clinical Fellows at 100 percent of the Speech Language Pathologist rate that would create an inequity in the reimbursement rate of fully licensed providers now reimbursed at less than 100 percent.

Veto No. 5. **S.B. 11** would re-establish the Georgia Geospatial Advisory Council and extend its influence over the geospatial capabilities and needs of the State. It would create a new state entity and increase the duties of various state agencies without more funding in the 2014 budget.

Gag Rule for Representatives and Lobbyists Remains in Effect

Rule 171.9 adopted the first day of the 2013 session limits free speech for representatives and lobbyists at the capitol and Legislative Office Building. The rule is quoted verbatim as follows:

"No member of the House shall knowingly meet at the state capitol or Coverdell Office Building with any person who is required by the law of this State to register as a lobbyist to discuss the promotion or opposition of the passage of any legislation by the General Assembly or any committee thereof or the override of a veto unless such person either is wearing his or her valid special registered lobbyist badge or is a resident of the House district which such member represents.

Ethics/Lobbyists: H.B. 142 Watered Down, but Passed

H.B. 142 introduced by Speaker Ralston January 30th was co-authored by Representatives O'Neal, Smyre, Jan Jones, Lindsey, and Richard Smith – three of whom are attorneys. If it had passed in its original form, (a) individuals could have discussed issues at the Capitol and CLOB with their own representative and senator, but (b) to discuss issues with legislators they could not vote for would have required them to pay $320 to register as a lobbyist and (c) get a lobbyist badge (d) to be constantly worn at the Capitol and CLOB. H.B. 142 states:

> "No person who is required by the law of this state to register as a lobbyist shall meet at the state capitol or Coverdell Legislative Office Building with any member of the General Assembly to discuss the promotion or opposition of the passage of any legislation by the General Assembly or any committee thereof or the override of a veto unless such person is wearing his or her valid official registered lobbyist badge or is a resident of the House or Senate district which such member represents."

H.B. 142 as introduced was unconstitutional for elected officials as well as lobbyists. It (a) put a price tag on influencing government, (b) restricted speech for elected officials in state and local governments, by prohibiting discussion with individuals that had no lobbyist badge and (c) restricted the freedom of speech of volunteers who would choose *not* to register.

On February 7, 2013 House Speaker Ralston made the following statement about his bill:

"It was never my intent to make people pay a fee for coming down here to see their own representative or own senator or if they come on a limited basis."

H.B. 142 as passed. H.B. 142, explains a lobbyist as one who receives or expects to get over $250 per calendar year in *reimbursement or compensation* or *payment of expenses* for specifically promoting or opposing bills in the General Assembly or spends $1,000 in a calendar year, except for travel, food, lodging or informational material to promote or oppose bills in the General Assembly or House or Senate committees; or anyone who is *compensated* specifically for promoting or opposing passage of an ordinance or resolution by a public officer; or anyone who is *compensated* specifically for promoting or opposing passage of any rule or regulation of any state agency; or any person who is *compensated* specifically for promoting or opposing any matter before the State Transportation Board or spends more than $1,000 in a calendar year to influence issues before the State Transportation Board.

Four times the final bill defines a lobbyist as anyone "*compensated* specifically for undertaking to promote or oppose passage" of legislation in the General Assembly or other levels of government. Then, it says "any individual who is *NOT compensated* for the specific purpose of lobbying and is *NOT reimbursed* for expenses" *is NOT required to register* as a lobbyist.

In the final version of H.B. 142 *compensated (professional) lobbyists* may be reimbursed for expenses up to $75 for specific gifts to government officials. There is NO charge to register or for a lobbyist badge, although professional lobbyists MUST register and file mandatory periodic reports during the session and year-round. If their reports are late, they are fined. The first fine is $275, the second is another $1,000 and the third another $10,000, to be collected by the ethics commission.

H.B. 142 also (a) prohibits registered lobbyists from making expenditures to public officers and (b) no public officer may accept such offers. H.B. 142 becomes law on January 1, 2014.

The legislation on page three applies to the entire State of Georgia. But similar restrictions passed as a rule in the House of Representatives and remains in effect until it's changed in upcoming sessions. If it is not changed, the gag rule on representatives (and hence on volunteer lobbyists) would continue in effect.

Rule 171.9 adopted the first day of the 2013 session limits free speech for representatives and lobbyists at the capitol and Legislative Office Building. The rule is quoted verbatim as follows:

"No member of the House shall knowingly meet at the state capitol or Coverdell Office Building with any person who is required by the law of this State to register as a lobbyist to discuss the promotion or opposition of the passage of any legislation by the General Assembly or any committee thereof or the override of a veto unless such person either is wearing his or her valid special registered lobbyist badge or is a resident of the House district which such member represents.

Note that Rule 171.9 does *not* prohibit citizens from speaking with representatives, but *forbids* communication *FROM* representatives *TO* individuals who are not wearing a lobby badge, unless the individual and the representative live in the same district. Until this rule passed, volunteers could freely communicate and discuss political issues with representatives at the capitol and LOB, regardless of where the volunteers and representatives live.

On January 14th the Georgia House of Representatives passed H.R. 9, adopting its 52-page *Rules, Ethics and Decorum for 2013*, with 13 changes from 2012 and a new Rule 171.9 making lobbyist badges mandatory for anyone trying to influence legislators living in other districts.

Enforcement of Rule 171.9 is a responsibility of seven Republicans and four Democrats on the House Ethics Committee. Four are assigned to investigate reported ethical violations and may retain paid or unpaid counsel and/or investigators. Representatives found guilty may be fined, censured, imprisoned or expelled. Expulsion requires a two-thirds House vote.

May 7th: Governor Signed Bill Rejecting Regional Government

S.B. 104 by Senator Ginn revises comprehensive plans of local governments, removes requirements regarding projects of regional importance or impact and removes limitations on actions counties or municipalities can take concerning local plans. This bill preserves the home rule rights of counties and municipalities and our representative republic.

Important Comparison between Regionalism and our Representative Republic
Regional government: Officials are APPOINTED!
Representative Republic: Officials are ELECTED!

S.B. 86 was Senator Ginn's first effort to protect Georgia from regional government, but the Governor vetoed it in 2011, although it passed the House 159 – 7 and the Senate 47 – 0. If it had not been vetoed, local government control would have been restored and the appointed unconstitutional regional government, stealthily creeping in, would have been abolished.

The Georgia Constitution created counties as "a body corporate and politic" with home rule authority to adopt their own ordinances, resolutions and regulations relating to property, local affairs and local government.