

Georgia insight

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

April 29th, General Assembly Adjourned Sine Die

Sine die: [Latin, without day]: without any future date being designated for resumption: indefinitely.

- Webster's New Collegiate Dictionary

During the 2009 – 2010 term, the Georgia General Assembly introduced just over 6,000 pieces of legislation – almost equally divided at just over 3,000 per year. That's quite a load for a 40-day part-time legislature, the majority of whose members are employed in the private sector.

So, consider this. Do those legislators read the bills and understand their affect before voting yes or no? A better question would be this. Is it possible for them to read and comprehend the effect of each piece of legislation before casting their vote? A little arithmetic provides the answer to both questions and reveals how helpful it is for citizen lobbyists to read bills for them.

Start with the allotted length of a session – 40 days – and presume eight hours to work per day. That presumes a total of 320 work hours per session. Some days they work less, some more. Multiply the 320 hours by 60 minutes and conclude that legislators have only 19,200 *minutes* to do "the people's work" during those 40-day sessions. By dividing 19,200 by the rounded-off figure of 3,000 bills and resolutions, you learn that legislators would have *6.4 minutes* to read and study each piece of legislation, *if* they did nothing else all day, every day for 40 days.

But, could they actually set aside 6.4 minutes for each bill or resolution? No, because that would allow no time to produce other bills; talk to lobbyists; make and return calls; attend meetings, hearings and conferences; debate and vote on bills; recognize guests and the doctor of the day; listen to the devotional; answer roll call and make speeches, among other things.

Added Responsibility: Legislators Elected In November Will Redraw Districts In 2011

The 2010 U.S. decennial census will determine the boundaries of Georgia's 180 House districts and 56 Senate districts. While the *Constitution of the State of Georgia* sets no upper limit for the number of House districts, it requires at least 180, the current number. However, the constitutional requirement for the state Senate is exactly 56 districts, with no change authorized.

Legislators elected in November will be the last members of the General Assembly to serve under currently drawn districts. In 2011, newly elected legislators will use census figures to reapportion state senate and representative districts, plus Georgia's 13 U.S. House districts.

October 15, 2009, Governor Perdue announced his new Complete Count Committee to educate and coordinate community awareness and action for this year's census. Census numbers determine congressional representation, grant allocations and state redistricting for the next decade. Department of Community Affairs Commissioner Mike Beatty and the Governor's Office of Workforce Development Director Debra Lyons co-chair the 39-member committee that includes Representatives Bryant, Casas and Neal, as well as Senators Judson Hill and Seay.

ACTION – Screen every candidate before voting in the Primary on July 20th. Support only candidates who (a) agree to uphold the law and constitution and (b) vote NO on any call for a constitutional convention. Reason: A constitutional convention cannot be held to one issue. Article V that authorizes a convention does not limit it.

May 2010

PASSED: S.B. 360 & H.B. 23, Texting, Talking and Driving

In case you haven't heard, new driving laws are on the way. If you drive motor vehicles, S.B. 360 and H.B. 23 will soon affect your behavior behind the wheel. Both bills passed this session. Each bill is geared to promote safe driving and safer roads by restricting the use of cell phones and texting while operating motor vehicles on public roads and highways in Georgia.

While the focus is on penalties for distracted teenagers, both bills create a traffic offense with a one-point penalty for anyone who operates a motor vehicle while texting or using a cell phone or computer or similar electronic device. However, both bills allow drivers to use radios, citizens band radios, mobile telephones or amateur or ham radios, if they can use them carefully and without being distracted.

Teenagers under 18 who drive with an instruction permit or Class D license will be penalized a point and could have their license suspended, if a traffic accident is caused by their driving while texting or using a cell phone or other electronic device. However, drivers of all ages may wear a headset or headphone to communicate while driving.

PASSED: S.B. 299, Taking "Zero" Out Of Zero Tolerance Policies

Students must be disciplined, but zero tolerance policies focus directly on harsh punishment, rather than individual judgment and redirection of bad behavior. Actions formerly called childhood pranks have morphed into felony assault charges. For example, five young men were charged with a felony for throwing peanuts. The same charge was made against two 10-year-old boys who put soap in a teacher's water and an 11-year-old girl was arrested and dragged away in a police car after bringing a plastic knife to school in her lunch box to cut her chicken.

But on April 29th, Georgia became one of the first states in the country to change zero tolerance policies that make no distinction between childhood mistakes and serious misconduct. Zero tolerance demands instant punishment with stiff one-size-fits-all penalties for the slightest or most serious violation. When students are expelled from school for bringing Tweety Bird key chains or plastic guns to school for show-and-tell, something needs to change.

The consequences of extreme punishment became painfully clear after UCLA's Civil Rights Project reported the results of zero tolerance and school discipline policies. In 1998, more than 3.1 million children in America were suspended and another 87,000 were expelled. Too many were unfairly suspended or kicked out of school. Some who, simply, shared cough drops or asthma medications during an emergency suffered the same penalty as serious offenders.

To the list of felonies that, currently, may be charged against juveniles, S.B. 299 added carrying a firearm, machine gun or other dangerous weapon in public gatherings. But, along with the addition of those serious offenses, S.B. 299 allows juvenile court judges more latitude for decision making. Although violations by children 13- to 17-years-old will continue to be classified as felonies, S.B. 299 changes current law with the strategic placement of the three-letter word "may" to moderate the harsh philosophy of zero tolerance.

Currently, Georgia law says offending juveniles "*shall*" be taken into restrictive custody, but replacing "*shall*" with "*may*" removes the mandate and authorizes judges to consider all aspects in each case, before judging juveniles. Senator Emanuel Jones was thrilled when his S.B. 299, unanimously, passed both House and Senate this session and will soon become law.

PASSED: S.R. 277, New Tax on Passenger Vehicles

Drivers will be faced with a new tax, if S.R. 277 gets a majority vote on the November ballot. Most proposed constitutional amendments are introduced the first year of a two-year legislative term and are held in committee until the second year. Then, if they pass the House and Senate, voters will decide passage or defeat in the General Election. That's how S.R. 277 was handled.

Senator Goggans introduced S.R. 277 in 2009 and the Senate passed it March 10th last year. After that, it was held in committee for the 2010 session and passed the House April 29th of this year. S.R. 277 would amend the Constitution to authorize the state to collect an additional \$10.00 when each passenger motor vehicle is registered in Georgia. The only exemptions to the new tax will be state-owned vehicles or those owned by political subdivisions of the state.

Although S.R. 277 passed the legislature, it must pass a state-wide referendum. A majority of voters must agree to the tax increase, before the state can collect \$10.00 more for a license tag or revalidation decal. Vehicles affected would be automobiles, pickup trucks, motorcycles, SUVs and passenger vans registered in Georgia, if their load capacity is one to ten people.

The extra tax will be deposited monthly in a trust fund to pay for trauma care. The General Assembly will decide how the trauma trust fund operates and specify how the money will be spent. Search the November 2nd ballot for the place to vote YES or NO on this new tax.

DEATH ... By Committee: S.B. 529, Abortion; S.B. 235, Microchip Implants
Committees are where the action is in the Georgia General Assembly. Every bill is assigned to a committee, where members decide whether it lives or dies. In fact, the fate of most bills is decided BEFORE committees meet. Now, consider this.

When two very important bills were scheduled for Judiciary Committee hearings the same day, I said, "There's no way both of those bills will pass out of committee the same day," and I was right. The House Judiciary Committee planned back-to-back hearings for the bills, but only one would pass the committee that day. The other would be held until later.

That April 13th House Judiciary meeting began at two o'clock and the plan became a reality four hours later. S.B. 235, prohibiting forced microchip implants, was voted out of committee, but S.B. 529 that prohibited forced abortion was held eight more days, when the committee passed it as planned. Both went into the House Rules Committee, the "gate keeper" for bills.

Although both bills were allowed to pass the House Judiciary Committee, inching them one step closer to final passage, they were stopped at the very last minute. The plan was complete. They could progress that far, but they would die in the House Rules Committee, which they did.

If Planned Parenthood's explanation is correct, S.B. 529 was killed by a coalition of local and national pro-abortion organizations. But, it's not clear why the microchip bill is not allowed to pass. So far, four bills prohibiting forced microchip implants have been killed in Georgia.

Perhaps, too many legislators believe government has a right to microchip people without their consent. If that's true, legislators have continually disregarded the constitutional right of we, the people, to be secure in our persons. We, the people, reminded them of that constitutional right several times. But we, the people, were ignored by legislative leaders who cunningly kept both bills in committee, while dangling that never-realized passage like a carrot on a stick.

LEFT in Limbo ... AGAIN: S.B. 67, English-Only Drivers' Tests

Speaking of driving, S.B. 67 died again this year. It was introduced in 2009 to require drivers' license tests to be given in English only. It didn't pass then and it didn't pass this year. In fact, the same game was played both years. S.B. 67 passed both House and Senate in 2009, but it died at the end of the session, when the House refused to agree with the Senate change. It died again this year, because the Senate amended it again and the House refused to agree. The games they do play! Too bad the outcome of this legislative game continues an unnecessary expense to the state when revenues are short and the lack of assimilation by aliens is so very harmful to the culture.

PASSED by Senate: S.R. 1395 Urge POTUS to Secure Borders

Senator Wiles introduced S.R. 1395 on March 31st and it passed the Senate April 27th, just a day before the end of the session. Since it was a Senate resolution only, it required no House action. A copy of the resolution will be sent to each member of Georgia's congressional delegation, as well as the President of the United States (POTUS).

As you carefully read the following statements, you'll learn that (a) POTUS acknowledged the problems, but (b) *never promised* to fix the U.S. broken immigration system, (c) *never promised* to secure U.S. borders and (d) *never promised* to enforce U.S. laws. He (e) *never promised* to stop the influx of illegal aliens and (f) *never promised* to reclaim jobs for 15 million currently unemployed Americans. Keep those points in mind as you read these comments by POTUS.

From President Obama's State of the Union Speech, January 27, 2010:

"We should continue the work of fixing our broken immigration system – to secure our borders and enforce our laws, and ensure that everyone who plays by the rules can contribute to our economy and enrich our nation."

From President Obama's remarks on February 5, 2010:

"We can't be satisfied when another 20,000 have joined their ranks and millions more Americans are underemployed, picking up what work they can."

S.R. 1395, also, makes this ironic statement, "It is the right and duty of each state to defend and protect its citizens from the dangers and costs resulting from lack of border security and absence of strict immigration law enforcement by the federal government."

The irony of the above statement is this. While POTUS continually refuses to enforce federal immigration laws, Georgia's legislature consistently demonstrates reluctance to withdraw costly benefits that aid and abet aliens that come to Georgia after they've crossed the border illegally.

ARIZONA ... A State to Emulate

In April, the State of Arizona passed a law, subsequently signed by Governor Brewer, making it a state crime for a reported 460,000 illegal aliens to be in that state. The law is set to take effect in late July or August, as a necessary move to protect Arizonans from crimes committed by illegal aliens. Arizona's law reflects federal immigration laws that are not being enforced.

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