

Georgia insight

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

Proposed Constitutional Amendments¹ The Other Part of the November 4th Ballot

Since the middle of 2007, we've been saturated with political ads from many candidates for offices in all levels of government – local, state and federal. However, very little attention has been given the three proposed constitutional amendments on the ballot. .

However, the editorial *comments* more completely expand on provisions in the legislation that passed. The editorial *questions* are designed to generate thoughtful consideration of possible extraneous results – good or bad – if the amendments pass and the *Constitution of the State of Georgia* is revised, accordingly. The three proposals are quoted and discussed on pages 1 – 3.

Amendment 1. Reduced Taxes for Forest Land Tracts Exceeding 200 Acres

Passed as H.R. 1276, Resolution Act No. 702, Ga. L. 2008, p. 1209

"Shall the Constitution of Georgia be amended so as to provide that the General Assembly by general law shall encourage the preservation, conservation, and protection of the state's forests through the special assessment and taxation of certain forest lands and assistance grants to local government?"

() YES () NO

NOTE: This authorizes the General Assembly to pass special assessment rates that reduce taxes on forest land tracts of more than 200 acres, if qualified owners agree to the covenant and don't breach it within 15 years. The state will give local governments and school districts grants to replace half of the 3 percent or less of lost revenue and 100 percent of any loss over the first 3 percent. The tax assessment will not include the value of timber on the tract.

The knee-jerk reaction is, "Any tax relief is great!" But, think about it. Certainly, owners of 200 or more acres of forest would benefit by paying three cents on the dollar less for taxes. But, consider the down side. The state will control portions of the land. Local governments lose more control and taxpayers, statewide, will pay the deficit for that locale.

Q. Will this redistribution of wealth result in less local self-government and more dependence on the state? Is it good business for local tax bases to be reduced in exchange for state grants amounting to half of the lost revenue? How much control will local governments concede by taking state money to replace local property taxes? Will owners of slightly less than 200 acres of forest be willing to pay a higher tax rate than owners that have another acre or two of forest? If the value of timber isn't the issue, why push for this amendment?

Amendment 2, Using School Tax Funds for Community Redevelopment

Passed as S.R. 996, Resolution Act No. 777, Ga. L. 2008, p. 1211

"Shall the Constitution of Georgia be amended so as to authorize community redevelopment and authorize counties, municipalities, and local boards of education to use tax funds for redevelopment purposes and programs?"

() YES () NO

¹ For copies of H.R. 1276, S.R. 996 and S.R. 309, call: 404 656-5015, 656-5040 or go to <http://www.legis.state.ga.us>.

Vote NO on Amendment 2

NOTE. Annually, education receives a major portion of Georgia taxes. For FY 2009 education was appropriated \$8,195,597,771 – 43 percent of the state general funds budget. In addition, local school boards may tax property owners up to 20 mills per dollar to support and maintain education. But regardless of billions of dollars appropriated, there’s always a clamor for more, more, more education money, although taxpayers watch children receive less than the adequate education mandated by the state constitution. So, educators get more money; parents pay more taxes; and students graduate from high school with inadequate reading, writing and math skills.

This is the story. Right now, funds appropriated for schools have been used to pay dues to a group whose sole purpose is to file lawsuits against the state. Governor Perdue’s September 25, 2008 press release said he had “requested an official opinion from Georgia Attorney General Thurbert Baker on the legality of local school districts using taxpayer dollars to fund a lawsuit against the state over education funding.” He cited Article VIII, Section VI, Paragraph 1(b) of the *Constitution of the State of Georgia* as follows:

“School tax funds shall be expended only for the support and maintenance of public schools, public vocational-technical schools, public education, and activities necessary or incidental thereto, including school lunch purposes.”

The governor continued, “Taxpayers in these school districts need to know that their education tax dollars have been used to pay lawyers suing the state instead of in their children’s classrooms. My hope is that in the future decisions on school funding will be made through the public policy process, not in a courtroom where the plaintiffs’ lawyers are paid with local education tax dollars to battle defense lawyers paid with state tax dollars.” Then, he listed the 50 counties¹ that used school funds to pay dues to the Consortium for Adequate School Funding in Georgia (CASFG) to help pay for a CASFG “adequacy lawsuit” against the state.

Now. Try to imagine how much more money educators would demand if Amendment 2 passes and education funds can be pilfered for non-education projects. Because of the misuse of funds, Superintendent Cox hurriedly sent a September 24, 2008 memo to local school superintendents.

“I am writing to notify you that Governor Perdue has requested an opinion from the Attorney General of Georgia questioning whether a school district’s use of state or local public school funds to pay dues to the Consortium for Adequate School Funding in Georgia violates GA. Const. Art. VIII, Sec. VI, Para. I and/or O.C.G.A. Code Sec. 20-2-411. A copy of this letter is attached for your review.

“In light of this request, I strongly recommend that all school districts exercise fiduciary caution and refrain from using public school funds for this purpose until such time as this issue has been resolved.

“I will notify you once the Attorney General has provided his legal opinion to the Governor.”

The governor cited a few projects previous courts decided education funds can’t fund: (a) road construction; (b) leasing vehicles for student extracurricular activities; (c) county superintendent dues to chambers of commerce; or (d) paying for billboard space for public relations ads.

NOTE. At this writing, the attorney general has not yet issued an opinion.

¹ Bacon, Ben Hill, Berrien, Brantley, Bremen City, Brooks, Calhoun, Charlton, Chattahoochee, Clarke, Clay, Clinch, Coffee, Commerce City, Crawford, Crisp, Dodge, Echols, Effingham, Elbert, Griffin-Spalding, Irwin, Jefferson, Jones, Lamar, Long, Madison, Marion, McDuffie, McIntosh, Meriwether, Miller, Montgomery, Murray, Oglethorpe, Peach, Pierce, Polk, Pulaski, Randolph, Schley, Stewart, Tattall, Taylor, Toombs, Towns, Truetlen, Wayne, Wheeler, and Worth

Amendment 3 Create Special Infrastructure Development Districts for Underserved Areas

Passed as S.R. 309, Resolution Act No. 373, Ga. L. 2007, p. 775

“Shall the Constitution of Georgia be amended so as to authorize the General Assembly to provide by general law for the creation and comprehensive regulation of infrastructure development districts for the provision of infrastructure as authorized by local governments?”

() YES () NO

NOTE: If this passes, the General Assembly, subsequently, could pass a law to authorize infrastructure development districts. If that happens, local governments could individually or cooperatively create, provide and expand services and facilities under the oversight of an administrative or governing body of elected or appointed members whose qualifications would be set locally.

That body could borrow money, as well as impose and collect fees and assessments (taxes) within portions or within the entire district under conditions the General Assembly would specify in future laws. Also, the General Assembly may regulate, restrict and limit the creation of such districts, the powers of their administrative or governing bodies, and consider the population of proposed districts when making those decisions. Debts incurred may be backed by the full faith and credit of the infrastructure development district, but such debt could not be an obligation of the State or any unit of State government.

Q. Would district developers be on the administrative or governing body? Would this allow developers to assess fees to future owners of homes in unincorporated communities? If so, would developers have taxation rights? Would owners of homes within the district be required to pay taxes twice – once to the developer and again to the local government? Would this require a portion of the development property to be designated for green space?

Guard Your Right to Vote, A Citizen’s Responsibility and Privilege

Often, groups of voters are said to be “disenfranchised,” meaning the government denied their right to vote. However, that’s not true. The National Voter Registration Act of 1993 enhanced voting opportunities of citizens and removed all discrimination. Residents who register with the county registrar are issued a registration card after the application is reviewed and processed.

Absentee ballots may be requested as early as 180 days before an election and must be received by the county registrars’ office by 7:00 p.m. Election Day. No absentee ballot is issued the day before or the day of an election. Absentee ballot applications may be downloaded and mailed, faxed or personally delivered to the county registrars’ office. They must be in writing and include the address where the ballot is to be mailed. Physically disabled or illiterate voters may be helped by another voter or relative who prepared the application or delivered the ballot.

Voter fraud: the dark side of absentee voting. Prior to a recent election, the daughter of an elderly Georgian telephoned the registrar’s office, requesting an absentee ballot for her mother. To her surprise, she was told, “She’s already voted,” and read the number of the absentee ballot they sent to someone that used her name and address. “That’s impossible,” she said. “She’s 92 years old, can’t walk to the mail box and is blind!” After calling several other offices, she was told to bring her mother in and she could vote. So, someone defrauded the system and voted.

ACTION – Vote in person if possible. Since personal identification is not required for absentee voters, it’s a perfect way to defraud the public and steal an election.

It's a Fact! There's Untapped Oil in the U.S. So, Drill Here! Drill Now!

On April 10, 2008 the U.S. Department of the Interior released the U.S. Geological Survey¹ (USGS) from the Circum-Arctic Resource Appraisal of global petroleum basins. USGS is the only provider of publicly available estimates of undiscovered oil and gas resources that are technically recoverable, *i.e.*, producible with available technology using current prices. USGS found new oil in the U.S. by the billions of barrels and natural gas by the trillions of cubic feet.

The states of North Dakota and Montana could potentially supply an estimated 3.0 to 4.3 billion barrels of undiscovered, technically recoverable oil from the Bakken Formation. That's a 25-fold increase in recoverable oil as compared to the 1995 estimate of 151 million barrels. About 105 million barrels had been produced from the Bakken Formation by the end of 2007.

The Bakken Formation estimate is larger than all other current USGS oil assessments of the lower 48 states and is the largest "continuous" oil accumulation ever assessed by the USGS. A "continuous" oil accumulation is one that is dispersed throughout a geologic formation rather than existing as discrete, localized occurrences. The next largest "continuous" oil accumulation in the U.S. is in the Austin Chalk of Texas and Louisiana, with an estimated 1.0 billion barrels of undiscovered technically recoverable oil.

On July 23, 2008 USGS released the first publicly available petroleum resource estimates of the area north of the Arctic Circle. An estimated 90 billion barrels of undiscovered oil; 1,670 trillion cubic feet of natural gas; and 44 billion barrels of natural gas liquids – all technically recoverable under current prices and methods – are in 25 geographic areas of the Arctic Circle.

Those estimates account for about 22 percent of the undiscovered, technically recoverable resources in the world – 13 percent of oil, 30 percent of natural gas, and 20 percent of natural gas liquids – with an estimated 84 percent expected to be offshore. Over half of undiscovered oil is estimated to be in three geologic provinces – Arctic Alaska, the Amerasia Basin, and the East Greenland Rift Basins. Compared to oil availability in the Arctic, natural gas is said to be three times more abundant. More than 70 percent of the undiscovered natural gas is expected to occur in three provinces – the West Siberian Basin, the East Barents Basins, and Arctic Alaska.

Exploration for petroleum has already resulted in the discovery of more than 400 oil and gas fields north of the Arctic Circle, accounting for approximately 40 billion barrels of oil, more than 1,100 trillion cubic feet of natural gas, and 8.5 billion barrels of natural gas liquids. However, the Arctic, especially offshore, is essentially unexplored with respect to petroleum.

Please Tell Candidates for Congress: Drill Here! Drill Now!²

In August several Georgia congressmen postponed vacation to stay in D.C. and ask Speaker Pelosi to bring up legislation to make the U.S. independent of oil from foreign countries. She has refused to do so, but has listened to Sierra Club lobbyists that think the U.S. is "better off without cheap gas." The majority of citizens disagrees with her and ask for drilling here, *now!*

ACTION – Vote only for U.S. House candidates and the U.S. Senate candidate that will introduce and vote for bills mandating immediate drilling for untapped oil and natural gas in the U.S. The bill must be "injunction proof."

¹ Source: for 4-10-08 report: <http://www.usgs.gov/newsroom/article.asp?ID=1911>; for 7-23-08 report use ID-1980

Or Call USGS Office of Communication: Clarice Nassif Ransom, 703 648-4299; David Ozman, 720 244-4543

² Google "American Solutions" and click on "petitions" if you would like to sign the "Drill Here, Drill Now, Pay Less" petition.