

# Georgia insight

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

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## January 12<sup>th</sup>, Georgia's Own Inauguration Day

### **"So help me God," committed Legislators to serious responsibilities.**

Inauguration is one of the very few times family members may accompany legislators onto busy House and Senate floors to share the honors and record the occasion with family photographs, during an official legislative working day. However, immediately following the swearing-in ceremony, visitors are politely "invited to leave the chamber" before routine legislative business can commence.

### **Two Oaths in the House of Representatives**

The Honorable Leah Ward Sears, Chief Justice of the Georgia Supreme Court, officiated as 180 state representatives solemnly repeated the oath of office. But, before administering the oaths, she explained that its two-parts required two responses of "So help me God" from each legislator. Many of them brought their personal Bibles to use in the ceremony.

*The first oath* committed representatives to several things. They pledged (a) support for the constitutions of Georgia and the U.S. They, also, swore that they (b) have no outstanding debt to government – state or local; (c) hold no other governmental office in the U.S. or Georgia or a foreign government; and (d) meet all constitutional requirements of legislators.

*The second, the Loyalty Oath*, also required of representatives, was powerful but short:

"I am a citizen of the State of Georgia and a member of the General Assembly and the recipient of public funds for services rendered as such officer and I do hereby solemnly swear and affirm that I will support the Constitution of the United States and the Constitution of Georgia."

Each representative was, then, required to sign, date and turn in the "Official Oath of Georgia State Representative" form, indicating their House District Number, which also authorized them, as public officers, to receive salaries from the state.

### **The Clerk of the House**

Georgia law requires the Clerk of the House to preside until House leaders are elected. So, Clerk Robbie Rivers officiated as Glenn Richardson was elected Speaker and Mark Burkhalter was elected Speaker Pro Tem, both by acclamation. Then, Speaker Richardson presided while representatives, by acclamation, re-elected Robbie Rivers to his long-time job as House Clerk.

### **One Oath in the Senate**

Henry County Superior Court Judge Arch McGarity administered the Oath of Office to the 56 senators, including the Senate's five new members. Though shorter, but just as binding, the Senate Oath of Office required only one "So help me God." Senators swore their (a) support for the constitutions of the state and the U.S. They (b) affirmed they hold no unaccounted-for public money to Georgia or its political subdivisions or authorities and (c) hold no office of trust under the U.S. government, another state, or a foreign state. In addition to his other duties, for 40 days the lieutenant governor presides over Senate business as President of the Senate.

January 23, 2009

## ***Death Penalty***

**H.B. 32** by Representative Bearden of District 68 was prefiled December 16<sup>th</sup> and officially introduced January 13<sup>th</sup>. The intent is to prevent jury nullification by one or two jurors.

Currently, a jury's unanimous decision is required before a criminal can be sentenced to death. The jury deadlock over the fate of Brian Nichols, convicted after admitting his cold-blooded murder of four victims and assaults on several others, emphasized the need for such a bill.

H.B. 32 would allow ten of 12 jurors to recommend a death sentence if one or more aggravating circumstances had been proven. After Nichols' conviction on all counts in over 50 criminal acts, three jurors reneged on their assertion that they could vote for the death penalty, refused to discuss it and deadlocked the penalty phase of the trial. With death off the table, Judge James G. Bodiford dismissed the jury and sentenced Nichols to the maximum on each count. So, for all his crimes, including four murders, Nichols was sentenced to eleven life sentences – four without parole – plus another 485 years. All sentences to be served consecutively.

**ACTION – Support.** Contact Non-Civil Judiciary Committee Representatives listed below under H.B. 36.

## ***“Blue Alert” System***

**H.B. 36** by Representative Jacobs of District 80 would create a state “Blue Alert” system to be developed and implemented by the Georgia Bureau of Investigation. It would be activated following a crime involving the death or serious injury of a law enforcement officer. If the perpetrator eludes capture, the public could be alerted to impending danger and asked to report sightings of the suspect. If such a system had been activated when escapee Nichols went on his rampage, the federal agent - his fourth murder victim - might have been forewarned of that day's murders committed downtown by a dangerous killer who was still on the loose.

**ACTION – Support.** Contact Non-Civil Judiciary Committee Representatives Golick, Ch., 404 651-7737; Hatfield, 656-0109; Bearden, 656-0287; Abdul-Salaam, 656-0325; Abrams, 656-0220; Benfield, 656-7859; Byrd, 656-0126; Cole, 651-7737; Collins, 656-0188; Cooper, 656-5069; Everson, 656-0188; Franklin, 656-0152; Knox, 656-6831; Levitas, 656-0202; Lunsford, 656-7146; Mangham, 656-0126; Ramsey, 656-0188; Randall, 656-0109; and Setzler, 656-0177.

## ***Proof of Citizenship Required for Voter Registration***

**H.B. 45**, introduced by Representative Mills of District 25 requires proof of U.S. citizenship for voter<sup>1</sup> registration in Georgia. Applicants with no satisfactory proof of citizenship will be rejected until and unless they present an acceptable verifiable document to the registrar.

Persons registering by mail must supply current and valid ID when they vote for the first time. Proof of voter registration from another state or another county will not be satisfactory evidence of citizenship. The five acceptable forms of documentation are listed below:

- (a) A legible photocopy of the applicant's birth certificate;
- (b) the applicant's U.S. passport or a legible photocopy of its number and pertinent pages;
- (c) the applicant's U.S. naturalization documents or certificate of naturalization number;
- (d) documents or proof required in the 1986 federal Immigration Reform and Control Act; and
- (e) card number of the Bureau of Indian Affairs or tribal treaty or tribal enrollment number.

**ACTION – Support.** Contact Governmental Affairs Committee Representatives Scott, Ch., 404 656-5132; Meadows, 656-0298; O'Neal, 656-5103; Brooks, 656-6372; Butler, 463-2245; Chambers, 656-3949; Floyd, 656-0314; Hamilton, 656-0188; Hatfield, 656-0109; Morgan, 656-0109; Mosby, 656-0287; Oliver, 656-0265; Powell, Jay, 656-0177; Powell, Alan, 656-0202; and Ralston, 656-0213.

<sup>1</sup> In a related issue, the 11<sup>th</sup> Circuit Court of Appeals upheld Georgia's photo ID law for voters. In writing the unanimous decision 1-14-09 Judge Bill Pryor, said, “There is no question about the legitimacy or importance of the state's interest in counting only the votes of eligible voters.” In April 2008 the U.S. Supreme Court upheld a similar voter ID law in Indiana.

## *Oil Wells in Georgia?*

**S.R. 12** introduced by Senator Pearson of District 51 indicates the critical need for oil to be discovered, recovered and distributed by U.S. citizens, including Georgians. This proposed constitutional amendment would authorize the General Assembly to pay rewards to the first person or firm to put down and bring in the first commercial *oil well* in this state. The same reward would be authorized for the first person or firm that drills and brings in the first commercial *natural gas* well in Georgia.

If this passes the legislature, it would be a referendum question on the November 2010 General Election ballot. If voters agree, the General Assembly would establish the dollar amount of the rewards and the minimum daily production that would qualify as a commercial well. Rewards would be divided among individuals that drill or cause wells to be drilled, firms that drill, contractors who furnish the equipment, plus workers and employees that actually do the job.

**ACTION – Support.** Contact Natural Resources and the Environment Senators Tolleson, Ch., 404 656-0081; Bulloch, 656-0040; Hudgens, 656-4700; Chapman, 656-0045; Cowser, 463-1366; Hawkins, 656-6578; Henson, 656-0085; Hill, 656-5038; Hooks, 656-0065; Jackson, 656-5114; Powell, J.B., 463-1314; Powell, Freddie S., 463-5259; Weber, 463-2260.

**H.R. 25** introduced by Representative Lunsford of District 110 urges the President of the U.S. and Congress to support legislative efforts to reduce America's dependence on foreign oil by 30 percent in the next decade. It states, "Foreign oil dependence has resulted in a lack of domestic security and allowed other countries to restrict the individual freedoms of American citizens by raising raw energy prices to excessive levels."

**ACTION – Support.** Contact Energy, Utilities and Telecommunications Committee Representatives listed under H.R. 32.

**H.R. 32** introduced by Representative Bearden of District 68 urges Governor Perdue to begin immediately processing leases for the exploration and drilling for oil and natural gas off the Georgia coast. Georgia has every right to activate such endeavors, since the federal government has no constitutional authority or deed ownership of coastal waters adjacent to Georgia's coast.

**ACTION – Support.** Contact Energy, Utilities and Telecommunications Committee Representatives Parsons, Ch., 404 656-9198; Geisinger, 656-0254; Loudermilk, 656-0152; Amerson, 657-8534; Baker, 656-0314; Burkhalter, 656-5072; Cox, 656-0188; Davis, 656-0325; Dempsey, 656-0213; Drenner, 656-0202; Harbin, 463-2247; Holt, 656-0152; Horne, 656-0296; Hudson, 656-7859; Lucas, 656-0220; Mangham, 656-0126; Martin, 463-2247; May, 656-7146; Scott, 656-0254; Smith, Bob, 656-2096; Williams, Mark, 656-0188; Williams, "Coach", 656-0202; and Wix, 656-7859.

## *Sanctuary Cities*

**S.B. 20** by Senator Pearson of District 51 prohibits sanctuary policies and provides penalties for counties, municipalities and other governmental entities giving sanctuary to illegals. It states:

- (a) Sanctuary policy means any regulation, rule, policy, or practice adopted by a local governing body which prevents or tends to prevent local officials or employees from communicating or cooperating with federal officials or law enforcement officers with regard to reporting the immigration status of any person or otherwise providing immigration status information while such local official or employee is acting within the scope of official duties.
- (b) On or after July 1, 2009, any public employer that fails to abide by the requirements of this bill could lose state funding or state administered federal funding.

**ACTION – Support.** Contact Public Safety Committee Senators Murphy, Ch., 404 656-7127; Mullis, 656-0057; Chapman, 656-0045; Butler, 656-0075; Crosby, 656-5091; Douglas, 656-0503; Grant, 656-0082; Jones, 656-0502; Seay, 656-5095; and Sims, Freddie P., 463-5259.

## ***Resolutions Support Israel***

**H.R. 29** introduced by Representative Howard Maxwell of District 17 on January 14<sup>th</sup> was preceded by his eloquent speech from the well. Below are excerpts from his statements.

*I am holding in my hand what would be considered in ancient times as a piece of military hardware. This rock came from the valley of Elah, which is located in the modern State of Israel. The valley of Elah was the site of the great battle between the Philistine warrior Goliath and the boy shepherd, David. (1 Samuel 17) The Philistines had been harassing the Jewish people and continued to do it on a daily basis. Finally, David stepped up to say enough is enough.*

*Today, the State of Israel, just like David, has been forced to defend its borders and its people from the continual harassment of another giant; Hamas from the Gaza Strip. It has taken great restraining on the part of Israel, but they too reached a point where enough was enough.*

*Since Israel's 2005 withdrawal from Gaza, Hamas has indiscriminately fired more than 6,300 rockets and mortars – more than 1,000 in the past month – at Israeli population centers. This resumption of violence by Hamas forced Israel to take action to defend its citizens. If our civilian population were being terrorized by daily, indiscriminate rocket fire, we would certainly act to defend ourselves and would expect no less of our government.*

*Israel remains committed to peace and has held intensive negotiations with the Palestinian Authority during the past year amid continuing attacks by Hamas. In carrying out its defensive operations in Gaza, Israel is using an appropriate application of force and is taking dramatic action to minimize civilian casualties while degrading Hamas' military capabilities.*

*I am asking any of the House members that would, to sign a resolution expressing our support for the Nation of Israel in their continuing fight against the giants of today. [Note: At this writing 22 representatives had signed it.]*

H.R. 29 expresses support for Israel because (a) the Hamas terror organization and Palestinian terrorists of the Islamic Jihad ended a six-month cease-fire and violated UN resolution 1850. Despite the attacks, (b) Israel coordinates cease-fires to let humanitarian aid into the Gaza Strip.

**ACTION – Support.** Contact Special Rules Committee Representatives Burns, Ch., 656-0213; Keown, 656-0177; Holt, 656-0152; Fullerton, 656-0305; and Hill, 656-0129.

**S.R. 15** introduced January 13<sup>th</sup> by Senator Shafer of District 48 in support of Israel. If passed, copies go to the President, Vice President, House Speaker and our Congressmen. Excerpts are:

*The State of Israel is the greatest ally of the U.S. in the Middle East and the Hamas terror organization's charter calls for the destruction of the State of Israel. Therefore, be it resolved by the Senate that Members*

- 1. Stand in solidarity with Israel as it takes necessary steps to provide security to its people;*
- 2. Remain committed to Israel's right to self-defense and support additional U.S. assistance to help Israel defend itself;*
- 3. Condemn the end of the cease-fire by Hamas;*
- 4. Condemn the firing of rockets into civilian areas by the Iran-sponsored terrorist groups of Hamas and the Islamic Jihad;*
- 5. Urge all Arab states to declare their opposition to terrorism and attacks on civilians;*
- 6. Urge all parties in the region to pursue lasting peace in the Middle East; and*
- 7. Will work as an elected body to promote economic relations, bilateral trade, and partnerships in green technologies and alternative energy with the State of Israel to stimulate the economies of both the U.S. and Israel in this time of crisis.*

**ACTION – Support.** Contact Rules Committee Senators Balfour, Ch., 656-0095; Hamrick, 656-0036; Seabaugh, 656-6446; Adelman, 463-1376; Butler, 656-0075; Hill, Jack, 656-5038; Hooks, 656-0065; Johnson, 656-5109; Moody, 463-8055; Pearson, 656-9221; Rogers, 463-1378; Shafer, 656-0048; Smith, 656-0034; Thomas, 656-6436; Tolleson, 656-0081; Unterman, 463-1368; and Williams, 656-0089.

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