

Georgia insight

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

Six Days Left in 2009 Session, Bills Poised to Pass

Only bills that had passed half through the process by the end of the 30th day – March 12th – can pass this year. April 3rd is the projected last day of this 40-day session, with three legislative days scheduled for the week of March 23rd and three for the week of March 30th. The bills on pages 1 – 3 are poised to pass, but calls are needed to get them onto the floor for final votes.

Deportation for Illegal Alien Parolees

S.B. 136, introduced by Senators Douglas, Rogers, Chance, Staton, Hawkins, Shafer, *et al*, requires the Department of Corrections to participate in the U.S. Immigration and Customs Enforcement Rapid Removal of Eligible Parolees Accepted for Transfer (REPAT) program. Paroles would be conditioned on whether parolees agree to the requirements of release and deportation and promise never to reenter the U.S. Illegal alien prisoners who refuse to abide by those conditions would *not* be paroled into a community in the U.S., but would remain in prison. Parolees caught reentering would be sent back to prison to serve out their sentence.

If this passes, state agencies must implement, take part in and fully cooperate with REPAT, which is an operation funded by the U.S. government.

ACTION – Support. Call Judiciary – Non-Civil 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, 656-7416; 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 and Roger Williams of District 4, passed the House 102 – 63 on March 4th and went to the Senate Ethics Committee on March 5th. If it passes, applicants must show proof of U.S. citizenship to be eligible to vote in Georgia. Without satisfactory proof of citizenship they will be rejected, until and unless they present an acceptable verifiable document to the registrar. Applicants who register 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 considered satisfactory evidence of citizenship. Registrars will accept as proof of U.S. citizenship any one of the following five forms of documentation:

- (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) the applicant's Bureau of Indian Affairs or tribal treaty or tribal enrollment card number.

ACTION – Support. Call Ethics Committee Senators Johnson, 404 656-5109; Hooks, 656-0065; Crosby, 463-5258; Butler, 656-0075; Douglas, 656-0503; Hamrick, 656-0036; Jack Hill, 656-5038; Lester Jackson, 463-5261; Reed, 463-1379; Stone, 463-2518; & Thomas, 656-6436.

S.B. 20, NO Sanctuary for Illegal Aliens

For two sessions Senator Pearson of District 51 has tried to pass a bill to prohibit communities from passing policies that would provide sanctuary, benefits and support for illegal aliens. Illegal aliens are people from foreign countries who decide *not* to abide by U.S. law, but (a) sneak across the border or (b) overstay their temporary visa. Last session, S.B. 340 bounced back and forth through the legislative process until all senators and representatives had voted on it. The zigzagging allowed legislators to use a YES vote to get themselves re-elected, as could those who used their NO vote to stay in office. But, the bill, finally, died *as planned*.

S.B. 20 is Senator Pearson's 2009 bill prohibiting sanctuary policies in Georgia. If this passes, counties, cities, towns and communities could not pass or enforce a rule, policy or ordinance to provide safe haven for illegal aliens. If they did so, they would lose their state funding and any federal funding administered by the state. S.B. 20 passed the Senate and could pass this year, but, at this writing, it remains in the House Governmental Affairs Committee.

ACTION – Support. Call 404 656-9221 and ask Senator Pearson to please contact Representative Scott, Chairman of the House Governmental Affairs Committee and request that S.B. 20 be debated and passed out of his committee.

S.B. 1 A Budget Bill to Reduce Waste in Taxes, Poised to Pass

The governor's voluminous budget sent to the House and Senate each year is, basically, no threat to 90 percent of the agencies, departments and programs. That 90 percent knows the current amount appropriated will either continue at the same level or be increased, as is the custom for anything in the "continuing budget." Legislators *cannot decrease* any funding in the continuing budget. The plan outlined in S.B. 1 would change that.

S.B. 1, introduced by Senators Shafer, Jack Hill, Douglas, Judson Hill, Moody and Chance, would install "zero-based" budgeting to the appropriations process and require an analysis of departmental and program objectives. On January 26th Senator Shafer explained it this way:

"The fundamental problem with Georgia's budget process is that rather than starting from zero, it begins with the assumption that all current state spending should automatically be carried over. The General Assembly spends the entire session debating how much extra to spend in the upcoming year and not looking at programs that were approved years or decades earlier. If we are serious about cutting the waste in state government, we need to adopt a budget process that allows us to do so, and 'zero-based budgeting' is a common sense first step."

Many believe some agencies could be de-funded or projects eliminated. The Senate passed it 50 – 0 January 29th. It's now in the House Budget and Fiscal Affairs Oversight Committee.

ACTION – Support. Call Senator Shafer at 404 656-0048 and ask him to encourage Representative Penny Houston to pass S.B. 1 out of her Budget and Fiscal Affairs Oversight Committee.

Peanut Butter Law Passed

PASSED Senate 50 – 0, February 18th; PASSED House 158 – 0, March 3, 2009

Becomes Law when Signed by the Governor or July 1, 2009

S.B. 80, introduced by Senators Bulloch, Crosby, Hooks, Tolleson, Hudgens, Sims, *et al*, requires processors to give the Department of Agriculture access to testing results, encourages more reporting and extended access to facilities. It sets rules and regulations about food adulteration and misbranding consistent with FDA's Bacterial Analytical Manual.

Consent Required for Electronic Tracking

“No person shall be required to be implanted with an electronic tracking device pursuant to this Code section.” – H.B. 16

H.B. 16, introduced by Representatives Levitas, Lunsford, Wilkinson, Jerguson and Glanton, was prefiled on November 17, 2008 and officially introduced January 15, 2009. It would *prohibit* any person or entity from requiring an individual to be implanted with an electronic tracking device. It, also, would *prohibit* the use of an electronic tracking device to determine the location or movement of another person, unless that person consented to be tracked.

However, this does *not apply* to official actions of law enforcement personnel or U.S. military law enforcement personnel acting in the line of duty. Also exempted from these prohibitions would be (a) a parent, legal guardian or person acting in loco parentis, while determining the location or movement of a child; (b) families tracking relatives with debilitating diseases – Alzheimer’s, vascular dementia, Pick’s, Creutzfeldt-Jakob, Parkinson’s, or Lewy Body dementia; (c) commercial mobile telephone service or vehicle safety or security service; or (d) a custodial facility when tracking is deemed medically necessary by the patient’s physician.

Violators would be guilty of a misdemeanor.

ACTION – Support. Contact Special Judiciary Committee Senators Wiles, Ch., 404 657-0406; Adelman, 463-1376; Judson Hill, 656-0150; Cowser, 463-1366; Harp, 463-3931; Ramsey, 463-2598; Reed, 463-1379; Tarver, 656-0340; Thompson, 463-1318; and Weber, 463-2260.

Cell Phones, Cars and Teens

H.B. 23, prefiled November 20, 2008 and officially introduced January 14th by Representatives Ramsey, Rice, Lindsey, Williams, Levitas and Everson, concerns teens under age 18 who drive with an instruction permit or Class D license. It prohibits them from talking, writing, sending, or reading text-based messages while driving. It, specifically, prohibits the use of a cell phone, text-messaging device, personal digital assistant, stand-alone computer, or any similar wireless device, while operating a vehicle on a public road or highway, except in emergencies. Violators will be fined up to \$100. But if the vehicle is involved in an accident while the operator is using such device, the operator’s driver’s license will be suspended and the fine doubled.

It passed the House on March 12th and is in the Senate Public Safety Committee at this writing.

ACTION – Support. (a) Ask Representative Ramsey, 404 651-7737, to request that his bill be heard by the Senate committee. Then ask the committee for a YES vote to get it out of committee. (b) Call 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 and ask for a YES vote.

New to Georgia: Oil Wells and Natural Gas Wells, If S.R. 12 Passes

S.R. 12 introduced by Senator Pearson of District 51 is a constitutional amendment authorizing the General Assembly to pay rewards to the first person or firm to put down and bring in the state’s first commercial oil well or the state’s first commercial natural gas well. Legislators 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 people that drill or cause wells to be drilled, firms that drill and contractors furnishing equipment, plus employees and workers involved. If this passes, it would be a referendum question on the November 2010 ballot.

The Senate passed it 39 – 12 on March 9th and it’s in the House EU&T Committee.

ACTION – Support. Ask (a) Senator Chip Pearson at 404 656-9221 to contact Representative Don Parson, Chairman of the Energy, Utilities, and Telecommunications Committee and request that S.R. 12 be passed out of that committee.

General Assembly Commends Military Education in Georgia

Georgia Military College (GMC)

In 1950, GMC was designated U.S. Department of the Army Military Junior College. Now, it's one of only five U.S. colleges authorized to award a commission as a 2nd Lieutenant in just two years. Its military science program with a history of excellence and prominence in Georgia, the country and around the world distinguishes GMC from every other junior college in this state.

GMC alumni include many national officials – the former Secretary of Labor under President Ford; a former Deputy Postmaster General; a former U.S. Congressman who was Chairman of the House Naval Affairs Committee and, later, Chairman of the House Armed Services Committee. In addition, GMC has launched prominent state officials as well – a former Governor of Georgia; numerous Senators and Representatives in the General Assembly; as well as many local government officials; untold numbers of general officers and others who have served our country honorably during combat, disaster-relief, and other peacetime operations.

The General Assembly designates GMC as the State's Military Junior College and urges the Board of trustees and president of GMC to maintain its current military program at the military junior college of Georgia. The Board of Trustees and president of GMC will receive a special copy of this resolution to be sent by the Georgia Secretary of the Senate.

S.R. 96 commending Georgia Military College was introduced January 29th by Senators Grant, Hooks, Johnson, Harp, Douglas, Wiles, *et al* and passed the Senate 47 – 8 February 10th. It has passed the House Higher Education Committee, and is on the House General Calendar. It will remain there until the bill's author has it put on the Consideration Calendar, a list from which the Rules Committee chooses bills that go to the House floor for a vote.

ACTION – Support. Ask one of the following senators to have it put on the Rules Calendar for a House vote. Senators Grant, 404 656-0082; Hooks, 656-0065; Johnson, 656-5109; Harp, 463-3931; Douglas, 656-0503; and Wiles, 657-0406.

Organization for Military Education in Georgia (OMEGA)

The main purpose of OMEGA is to work with state legislative and policymaking bodies, education institutions, military organizations and communities, and associated state and federal agencies in a collaborative effort to enhance educational opportunities for the military work force, veterans, and their families within the State.

In this resolution, members of the Georgia General Assembly recognize and commend OMEGA for its many contributions to the welfare of the military work force, veterans and their families in Georgia. The Clerk of the House of Representatives is directed to send an appropriate copy of this resolution to OMEGA.

H.R. 366 commending OMEGA was introduced by Representatives Amerson, Yates, Williams, Burkhalter and Hembree on February 18th, was also adopted on that date. The next day it was adopted in the Senate. Both House and Senate were quick to commend the Organization for Military Education in Georgia (OMEGA), recognized by the Department of Defense as an Advisory Council on Military Education (ACME).