

# Safe Harbor Trust Fund

## Senate Resolution 7

**Official Summary:** “Authorizes penalties for sexual exploitation and assessments on adult entertainment to fund child victims’ services.”

Shall the constitution of Georgia be amended to allow additional penalties for criminal cases in which a person is adjudged guilty of keeping a place of prostitution, pimping, pandering, pandering by compulsion, solicitation of sodomy, masturbation for hire, trafficking of persons for sexual servitude, or sexual exploitation of children and to allow assessments on adult entertainment establishments to fund the Safe Harbor for Sexually Exploited Children Fund to pay for care and rehabilitative and social services for individuals in this state who have been or may be sexually exploited?

Yes  No

A “Yes” vote favors ratifying the amendment; A “No” vote indicates a desire to defeat the measure.

### Background

The enabling legislation for this is Senate bill 8. The bill delineates the definition of a minor, lists the crimes within the jurisdiction of the bill and the formula for revenue generation.

Every month in Georgia, hundreds of Georgia's children are trafficked and exploited. Cases have been reported in at least 90 counties, covering nearly 60% of the state. The average age of a child victim of sex trafficking is only 13, and they can be as young as 9.

By adding the Safe Harbor fund to the state constitution, funds will be permanently protected and used solely for the purposes of providing restorative services to child victims. This ballot question was approved by 85% of the Georgia General Assembly earlier this year

It is estimated that the Safe Harbor Fund will provide as much as \$2 million annually in funding dedicated to providing restorative services and support to the child victims of sex trafficking who are able to escape truly horrific circumstances and abuse. Funds will be distributed by an appointed commission directly to the agencies, faith-based organizations and non-profits who provide the safe housing, trauma counseling, medical treatment and other resources these children desperately need.

The funds will come from two sources: additional penalties on convicted sex traffickers and a new fee on the adult entertainment industry. The creation of the Safe Harbor fund will not raise or create new taxes for Georgians.

### Questions to Consider:

1. Are the sources of tax revenue the most appropriate ones for this purpose?
2. What services will the Fund pay for? Who will provide the services?
3. Who will be appointed to serve on the Commission? What are their qualifications?

### Where to go for more information?\*

United Way of Metro Atlanta: [www.safeharboryes.com](http://www.safeharboryes.com)

Interfaith Children’s Movement: [www.icmma.org](http://www.icmma.org)

StreetGrace: [www.streetgrace.org](http://www.streetgrace.org)

Youthspark: [www.youth-spark.org](http://www.youth-spark.org)

Georgia Insight: [www.georgiainsight.org](http://www.georgiainsight.org)

*\*NOTE: Resources are provided for informational purposes only and represent a scope of debate on the issue.*

# Opportunity School District

## Senate Resolution 287

**Official Summary:** “Opportunity School District: Provides greater flexibility and state accountability to fix failing schools to increase community involvement.”

**Shall the constitution of Georgia be amended to allow the state to intervene in chronically failing public schools in order to improve student performance?**

( ) Yes ( ) No

A “Yes” vote favors ratifying the amendment; A “No” vote indicates a desire to defeat the measure.

### Background

The Opportunity School District (OSD) is an organizational unit of the Governor’s Office of School Achievement (GOSA). The school district will be established and administered by the superintendent of the OSD for the purpose of providing oversight and operation of failing schools assigned to the OSD.

In an effort to aid Georgia’s failing public schools, Governor Nathan Deal has proposed the Opportunity School District. The OSD would authorize the state to temporarily step in for no less than five years and no more than 10 years in an effort aid chronically failing public schools districts. The OSD is based on the Tennessee Achievement School District and the Louisiana Recovery School District models.

Chronically failing schools are described as scoring below a 60 on the accountability measure of the Georgia Department of Education and the College and Career Readiness Performance Index (CCRP) for three consecutive years.

The OSD would limit itself to establishing control over no more than 20 public schools per year. The OSD can decide to provide the district with new school board governance and personnel as well as controlling local property taxes.

This would create a statewide school district designed to assist existing failing school districts. The Governor would appoint a superintendent of the Opportunity School District and the Georgia Senate would confirm. The superintendent would report directly to the current Governor.

The Georgia General Assembly passed the constitutional amendment resolutions, Senate Bill 133 and Senate Resolution 287, during the 2015 legislative session. Now, the OSD requires a constitutional amendment that will be on the ballot on November 8, 2016 for Georgia voters.

### Questions to Consider:

1. Will the Opportunity School District impact my local school district? How?

2. What funding resources will be provided for the schools taken over by the Opportunity School District?
3. Does the Opportunity School District remove local control from the elected school board and for how long?
4. What are the proposed powers of the Opportunity School District superintendent?
5. What is the accountability from the OSD superintendent to the publicly elected state School Superintendent?
6. How will this impact local communities economic engines?

### Persons with knowledge and opinions that can assist your decision:

Your local School Superintendent  
Your local school principal and teachers  
Members of your local school board  
Your state House and Senate members  
Governor’s Office  
Other parents/stakeholders

### Where to go for more information?\*

Georgia Association of Educators – <http://www.gae2.org>  
Georgia Department of Education – <http://www.gadoe.org>  
Georgia Leads of Education – <http://www.gaopportunity.org>  
Georgia Partnership for Excellence in Education – <http://www.gpee.org>  
Georgia PTA – <http://www.georgiapta.org>  
Georgia School Boards Association – <http://www.gsba.com>  
Keep Georgia Schools Local - <http://keepgeorgiaschoolslocal.org>  
StudentsFirst Georgia – <http://www.studentsfirst.org/georgia>

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# Tax Revenue for Trauma Care

## Senate Resolution 558

### Official Summary:

“Dedicates revenue from existing taxes on fireworks to trauma care, fire services and public safety”



Shall the constitution of Georgia be amended so as to provide that proceeds of excise taxes on the sale of fireworks or consumer fireworks be dedicated to the funding of trauma care, firefighter equipping and training, and local public safety purposes?

Yes  No

A “Yes” vote affirms the use of these state tax dollars to support the three listed services within the state’s annual budget. Future changes would need a ratification by voters. A “No” vote affirms the desire to not dedicate these funds for these particular purposes.

Words within the language to pay attention to: “fireworks or consumer fireworks,” the absence of “local” in front of trauma care and firefighting equipment and training.”

### Background

The enabling legislation for this Resolution is Senate Bill 350. That bill delineates which purpose gets what amount of funds from this excise tax. The original bill included taxes on wholesale transactions, this was deleted, and therefore references to sales are retail, only.

- ◆ The state legislature legalized the sale of fireworks in 2015
- ◆ 55% of revenue goes toward the Georgia Trauma Care Network Commission
- ◆ 40% of revenue goes toward the Georgia Firefighter Standards and Training Council
- ◆ 5% of revenue goes toward local governments to be used for public safety purposes
- ◆ The tax assessed for these purposes is 5% on retail sales only

### Questions to Consider:

1. Will the state be able to change the percentages of expenditures in the future?
2. How will Trauma Care Networks use the tax dollars?
3. Why is it important to make this a part of the state Constitution?

### Where to go for more information?\*

Georgia Municipal Association: [www.gamanet.com](http://www.gamanet.com)

Georgia Insights: [www.GeorgiaInsight.org](http://www.GeorgiaInsight.org)

Georgia Trauma Care Commission:  
[www.georgiatraumacommission.org](http://www.georgiatraumacommission.org)

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# Judicial Qualification Commission

## Senate Resolution 1113

**Official Summary:** “Reforms and re-establishes the Judicial Qualifications Commission and provides for its composition, governance and powers.”

Shall the Constitution of Georgia be amended to abolish the existing Judicial Qualifications Commission; require the General Assembly to create and provide by general law for the composition, manner of appointment and governance of a new (JQC), with such commission having the power to discipline, remove, and cause involuntary retirement of judges; require the (JQC) to have procedures that provide for due process of law and review by the Supreme Court of its advisory opinions; and allow the (JQC) to be open to the public in some manner?

( ) Yes ( ) No

A “Yes” vote supports replacing the current JQC with a new one to be designed and governed by the General Assembly. A “No” vote opposes replacing the current JQC with a new one designed and governed by the General Assembly, thereby keeping the current system in place.

### Background

The enabling legislation for this Resolution is House Bill 808. That bill delineates the composition and governance of the JQC, the length of service per member; rules for dismissal, the confidentiality of investigative reports and actions.

- ◆ Established in 1972 to provide nonpartisan oversight of the state’s judges, the JQC has operated with minimal criticism from the legal sector until recently. House Judiciary Committee Chair, Wendell Williard, is a lead sponsor of the Bill and the Resolution. He often sites the clumsy handling of a DeKalb County judge by the JQC as an example of the Commission’s poor work. (See *Atlanta Journal and Constitution* stories about Judge Cynthia Beck)
- ◆ Another of the Bill’s sponsors is Rep. Johnnie Caldwell of Thomaston. Rep Caldwell was removed from a judgeship in 2010 as the result of pressure from the JQC. Rep. Caldwell recused himself from the committee vote on both the Bill and the Resolution.
- ◆ The amendment will allow for seven members on the Commission:
  - Two judges appointed by the state Supreme Court
  - A member of the state Bar appointed by the president of the Senate
  - A member of the state Bar appointed by the Speaker of the House
  - Two citizen members who are not members of the state Bar
  - A member of the state Bar appointed by the Governor

### Questions to Consider:

1. If passed, how will the legislature ensure a code of ethics will direct the JQC’s recommendations?
2. How are JDCs managed in other states? Which are considered to be best practices?
3. What is the Georgia Bar Association’s position on the ballot measure?

### Where to go for more information?\*

Georgia Bar Association: [www.gabar.org](http://www.gabar.org)

At this time, there have been no official endorsements of the Ballot Measure. Voters can find stories in the *Daily Report*, *Atlanta Journal and Constitution* and *The Macon Telegraph*.

Public opposition to the Ballot Measure has come from Lester Tate, the former JQC Chairman and Senator Josh McKoon of Columbus.

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