

# Today's Agenda

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- GA Constitution
- History of GA Constitutions
- The Civil War, Reconstruction, the Constitution
- GA General Assembly
- Senate Districts
- Urban v Rural fight again
- Line-Item Veto

# GA Constitution vs. US Constitution

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- US has had 1 Constitution since our founding
- GA has had 10
  - Most recent took effect in 1983
- US Constitution has 27 Amendments
- GA Constitution (of 1983) has more than 70
- US Constitution has 7 articles
- GA Constitution (of 1983) has 11

# GA Constitution

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- Wait a second, GA has had 10 Constitutions???
- Constitutions: 1777, 1789, 1798, 1861, 1865, 1868, 1877, 1945, 1976, and 1983.
- Number of Constitutions by state:

<b>Alabama - 6</b>	<b>West Virginia - 1</b>
<b>Georgia - 10</b>	<b>Vermont - 1</b>
<b>Texas - 4</b>	<b>Ohio - 2</b>
<b>Virginia - 7</b>	<b>New Jersey - 3</b>
<b>S. Carolina - 6</b>	<b>Maine - 1</b>
<b>Louisiana - 11</b>	<b>Indiana - 2</b>
<b>Florida - 5</b>	<b>Idaho - 1</b>
<b>Mississippi - 4</b>	<b>Kansas - 4</b>

# Number of Constitutions

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- Notice a trend?
  - Southern States have a LOT more state constitutions
- Why? The Civil War and Reconstruction



# Constitutions of the South

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- Every state that joined the Confederacy made a new Constitution in 1861
- Why? To ensure that their state laws and government conformed with the national government of the Confederacy
- Most changes superficial
  - Many added oaths of allegiance to the CSA
  - Sections on slavery strengthened or preserved
  - Made secession a Constitutional Right
- GA added a Bill of Rights

# Reconstruction Constitutions

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- Confederacy loses the Civil War
- To regain entry to the USA the South all must create new Constitutions
  - What is in the new Constitutions? Ban of slavery, and abolish any mention of secession
- Constitution of 1865
  - Met the USA requirements
  - GA did not adopt the 14 Amendment, troops sent back in
  - Forced GA to write a new Constitution

# Reconstruction Constitutions

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- Constitution of 1868
- Added the 14<sup>th</sup> Amendment into the actual wording of the Constitution
  - 14 Amendment – citizenship to all people born in the US
- Also declared whipping illegal
- “Idiots” and felons could not vote
  - Opened the door to Jim Crow “literacy tests”

# End of Reconstruction

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- Troops leave, Reconstruction ended – what happens?
- GA rips up the Constitution of 1868
- Constitution of 1877
- Changes since 1868?
  - Vastly reduced the ability to tax and spend
    - ✦ Republican Reconstruction government taxed and spent a lot
  - Reduced the powers of the Governor
  - Poll tax
  - Segregation of whites and blacks
  - Strict residency requirement to vote



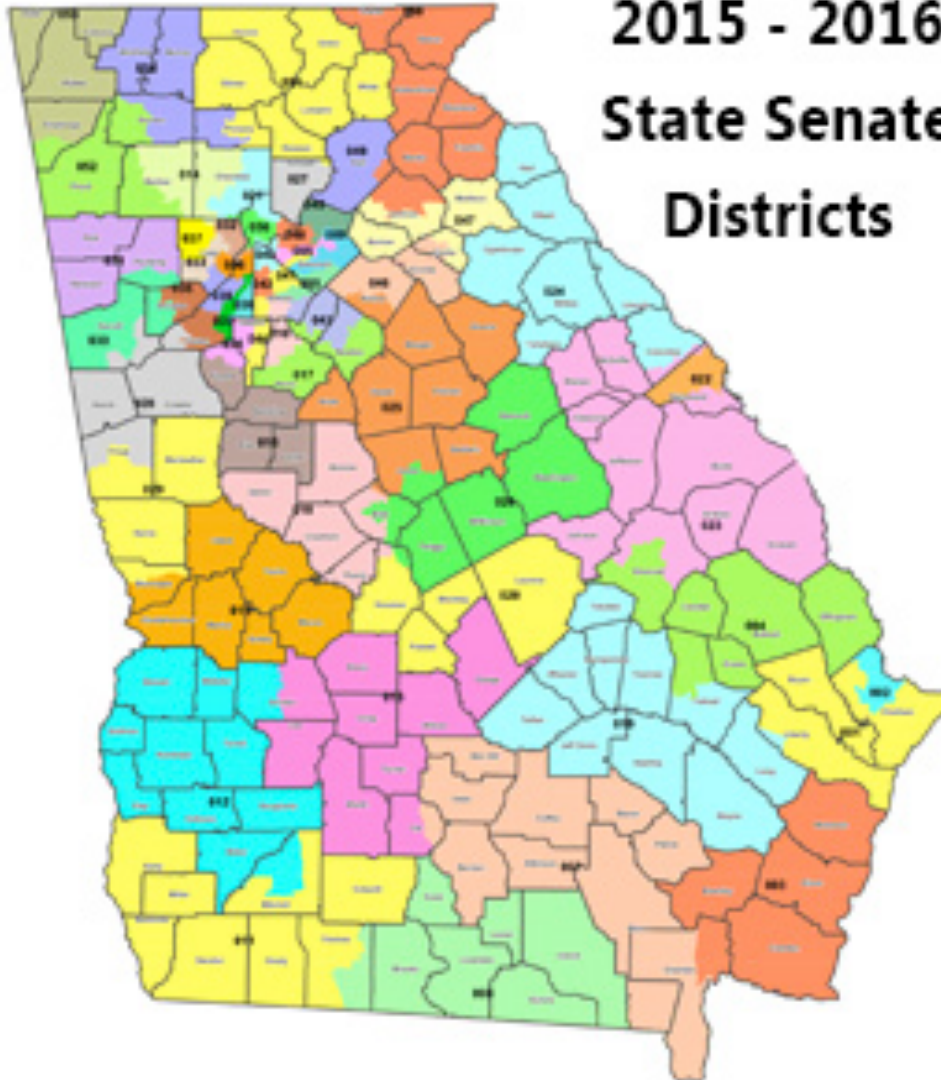
# GA General Assembly

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- **2 Houses**
  - GA State House & GA State Senate
- **House has 180 members**
  - 120 Republicans, 59 Democrats, 1 Independent
- **Senate has 56**
  - Currently 36 Republicans and 18 Democrats

# GA State Senate Districts

**2015 - 2016  
State Senate  
Districts**



# GA State Senate Districts

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- Remember on Tuesday the rural/urban divide?
  - Rural white interests dominated GA for decades
- Until 1962 all (but 2) GA Senate Districts were composed of 3 counties
- This change allowed the first African Americans, and the first Republicans, to be elected

# Bill Making in GA

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- Very similar as the Congress
- Committees, must pass both houses, etc...
- Some differences:
  - Congress is in session almost all year, in GA only 40 days
  - The Office of Legislative Council
    - ✦ Reviews bills to make sure they are Constitutional
  - Both House and Senate have a Rule Committee
    - ✦ No filibuster!

# Line-Item Veto

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- One big change between US and Georgia:
- The **Line-Item Veto**
- In US, the President can Veto all of the bill or none of it
- In GA the Governor can Veto individual parts

# The Line-Item Veto

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- “Georgia has an extremely powerful governor — far more powerful than many other states... I served on a number of national commissions and committees, and by doing that I came to realize how powerful our governor is. He has control of the budget. I know they say the budget starts in the House, but all of us that have ever touched it knows it starts with the governor. And, ***then at the end, if he doesn't like it, he can pull it out.***” – Former State Sen. Seth Harp

# Line-Item Veto

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- "From now on, presidents will be able to say 'no' to wasteful spending or tax loopholes, even as they say 'yes' to vital legislation... Special interests will not be able to play the old game of slipping a provision into a massive bill in the hope that no one will notice." – Bill Clinton, 1996
- Congress gave Clinton the power of a Line-Item Veto in 1996
- Supreme Court ruled the Line-Item Veto unconstitutional in 1998

# The Line-Item Veto

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- [The Line-Item Veto] improperly allows the President to "pick and choose among portions of an enacted law to determine which ones will remain valid... The Line Item Veto Act violates the procedural requirements ordained in Article I of the United States Constitution and impermissibly upsets the balance of powers so carefully prescribed by its framers. The Line Item Veto Act therefore is unconstitutional." – Judge Hogan 1998



# Any Questions?

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